

STATE OF TEXAS

COUNTY OF FORT BEND

CITY OF RICHMOND



The City Commission for the City of Richmond, Texas met in Regular Session on May 18, 2015 at 4:30 p.m. Mayor Moore called the meeting to order at 4:30 p.m. A quorum was present, with the following members in attendance:

Evalyn W. Moore, Mayor
Glen Gilmore, Commissioner
Jesse Torres, Commissioner
Terri Vela, City Manager
Laura Scarlato, City Secretary

Before the meeting was declared open, Mayor Moore announced that agenda item A9 would be pulled from the agenda and would be discussed at a later time.

Commissioner Jesse Torres, with his grandchildren as witnesses was administered the oath of office by City Secretary Laura Scarlato before the meeting was opened. Commissioner Torres was reelected on May 9, 2015.

Mayor Moore declared the meeting open.

Mayor Moore introduced agenda item number A2, presentation of awards and announcements.

Mayor Moore introduced the new Communications Specialist, Michelle Moore and welcomed Michelle to the City of Richmond.

Motorcycle Awareness Month is the month of May therefore, Mayor Evalyn Moore read the proclamation and recognized the Sons of Texas Motorcycle Club. The members in attendance addressed the audience as to the recent tragedy in Waco, Texas and the shootings between motorcycle gangs.

Mayor Moore read the proclamation for the Shape Up Richmond Day kick off campaign to be held on June 17, 2015. Richmond is the first city to accept the

challenge from Fort Bend County Judge Hebert and is dedicated to promoting a healthier lifestyle for its employees.

Gilbert Martinez from the Water Department was recognized for his five years of service to the City of Richmond. Mr. Martinez was not present to receive his plaque.

Mayor Moore introduced agenda item A3, Public comments. She asked for any public comments. There were no comments; therefore the agenda item was closed.

Mayor Moore introduced agenda item A4 to review and approve Ordinance No. 2015-12, Certifying the Election Results from the Election that was held on May 9, 2015. Jesse Torres, the incumbent was reelected with a total of 285 votes. The opponent William H. "Bill" Dostal received 147 votes for a total of 432 registered voters voting in the election. Commissioner Torres will serve a three year term beginning May 18, 2015 until May, 2018. A motion was made by Commissioner Torres to approve Ordinance No. 2015-12 Certifying the Election Results from the Election on May 9, 2015 with Commissioner Gilmore seconding the motion. The vote was unanimous to approve.

Agenda item A5 was introduced by Mayor Moore regarding the Public Hearing on the Strategic Partnership Agreement with Fort Bend County MUD No. 215. There were no comments from the public; therefore the **second** public hearing was closed.

The Mayor introduced agenda item A6 for the Public Hearing on the Replat of Lots 10, 11 and 12, Block #2, Lamar Terrace in Jane Long League abstract No. 55. City Manager, Terri Vela indicated that the Public Hearing was required due to these lots being located in the city limits of Richmond, TX. There were no comments from the public; therefore the public hearing was closed.

Mayor Moore introduced the consent agenda; A7 with the following items, Commissioner Torres requested that item 3 be pulled for further discussion.

Mayor Moore introduced the consent agenda; A7 with the following items.

1. Review and approve the minutes for the meeting April 20, 2015 Commission Meeting.

2. Review and approve the Fire Department Report.
3. Review and approve the Police Department Report.
4. Review and approve the Municipal Court Report.
5. Review and approve the Tax Assessor/Collector Report.
6. Review and approve the Monthly Financial Report.
7. Review and approve the Public Works Report.
8. Set the date for the next two meetings to be Monday, May 19th @ 4:30 p.m. and June 15th at 4:30 p.m.

There was no discussion regarding the consent agenda items therefore Commissioner Torres made the motion to approve the consent agenda with the exception of item no. 3 and Commissioner Gilmore seconded with a vote of two "ayes" and no "nays".

Consent agenda item no. 3 to review and approve the Police Department. Commissioner Torres made a request to the Police Department to include the information regarding the incidents that have occurred in the past couple of weeks concerning drugs and where deaths have transpired. City Manager Vela indicated that the Police Report is on a one month time lag and would likely include that information in next month's report; however the request would be passed along to the Police Department. Commissioner Torres motioned to approve agenda item 3 and Commissioner Gilmore seconded the motion. The vote was two "ayes" and no "nays" to approve.

Mayor Moore introduced agenda item A8 to review and discuss the City Street Light Program. City Manager Vela recognized the existing Street Light Program due to comments made by Commissioner Torres that there was a need for additional street lights. Public Works Director Lenert Kurtz spoke regarding the agreement the city currently has with CenterPoint Energy with respect to street lights. The city is allowed to request additional street lights to be installed along residential streets at no charge as long as the request does not exceed 6% of the current number of lights. There are various guidelines for installing the lights as to location, luminosity and existing poles etc. Although the installation is free, the city pays a monthly fee for street lights of which the current budget runs \$52,461.00 per year. Lights have been requested at various locations however it was noted that it takes several months for CenterPoint to actually fulfill the work orders.

Mayor Moore reiterated that agenda item A9 was pulled from the agenda.

Mayor Moore introduced agenda item A10 to review and consider approving Resolution No. 96-2015, authorizing the City of Richmond's approval of the Agreement between the Development Corporation of Richmond and The Texas State Technical College Foundation Performance Agreement. Terri Vela, City Manager clarified that it is necessary for the City of Richmond to approve the participation via funding by the Development Corporation for the Texas State Technical College. The Resolution No. 96-2015 allows the Development Corporation to reimburse the Texas State Technical College Foundation \$1,000,000 over a ten year period for partial reimbursement of the property, equipment and/or required targeted infrastructure costs of the project. Commissioner Torres made the motion to approve Resolution No. 96-2015 authorizing the Approval of the Texas State Technical College Foundation Performance Agreement and Development Corporation of Richmond. Commissioner Gilmore seconded the motion and the votes were unanimous to approve.

Agenda item A11 to review and consider approving waiver for street closure fees for the Shady Oak Primary School Family Fun Run. City Manager Vela indicated that the Fun Run occurred on April 11, 2015 and the school is asking to be reimbursed for the street closure only, not to include the barricade fees. Commissioner Torres questioned if we waive the fees and/or reimburse isn't double work created for the Accounting Department. City Manager Vela explained that each case or request is considered on an individual basis and that it should continue to be reviewed separately. Vela also indicated that the Permits Department controls these issues. Commissioner Gilmore agreed with Vela regarding the individual evaluation of the requests. Commissioner Gilmore made the motion to approve the waiver of street closure fee for the Shady Oak Primary School Family Fun Run. Commissioner Torres seconded the motion and the vote was unanimous to approve.

Mayor Moore introduced agenda item A12 to review and consider approving Resolution No. 94-2015, Third Amendment to Development, Water and Wastewater Services Contract between the City of Richmond and Fort Bend County MUD 187, Del Webb Sweetgrass. Terri Vela, City Manager explained that this agreement transfers ownership of the lift station and force main from the District to the City and allows the City to improve the access road, install a chain link fence and concrete road. The agreement allows for the District and the Del Webb Sweetgrass HOA a maintenance easement. Commissioner Torres made the motion to approve Resolution No. 94-2015, Third Amendment to Development, Water and Wastewater Services Contract with Commissioner Gilmore seconding the motion. The votes were two "ayes" and no "nays" to approve.

Mayor Moore introduced agenda item A13 to review and consider approving Resolution No. 92-2015, Authorizing publication of notice of intention to issue certificates of obligation. Ryan O'Hara, Senior Vice President with Frost Bank was present to give an overview of the Groundwater Reduction Plan Financing Options for Phase #1. Mr. O'Hara reiterated the goal is still a July 21, 2015 closing date and to get the lowest possible interest rate. The bond sale is for \$18.5 million for a 2.5 MGD plant. Commissioner Gilmore motioned to approve Resolution No. 92-2015, Authorizing publication of notice of intention to issue certificates of obligation with Commissioner Torres seconding the motion. The votes were two "ayes" and no "nays" to approve.

Agenda item A14 to review and consider approving Resolution No. 95-2015, 2015 Tax Year Interlocal Agreement Renewal for Tax Collection Services. City Manager, Terri addressed the Commission that the agreement is an automatic renewal, however every year the City and Fort Bend County change the term and effective date. The agreement shall become effective on the date the last party executes the agreement and terminates on June 30, 2016. Commissioner Gilmore made the motion to approve Resolution No. 95-2015 Tax Year Interlocal Agreement Renewal for Tax Collection Services and Commissioner Torres seconded the motion. The votes were two "ayes" and no "nays" to approve.

Agenda item A15 to review and consider approving Awarding Construction Contract for Ninth Street Sanitary Sewer Improvements. Kelly Kaluza with Kelly Kaluza & Associates recommended awarding the construction contract to Insituform Technologies, LLC. with a base bid of \$63,900.00 at 60 days. The City received two bids and Insituform was the lowest bid. Although Mr. Kaluza indicated the City had not done business previously with this firm, but felt they would do a good job. Mr. Kaluza also stated the conduit in place that will be between Morton and Preston will not damage the tracks and was approved by the railroad company. Commissioner Gilmore made the motion to approve Awarding the Construction Contract for the Ninth Street Sanitary Sewer Improvements Contract to Insituform Technologies, LLC and Commissioner Torres seconded the motion. The votes were two "ayes" and no "nays" to approve.

Mayor Moore introduced agenda item A16 to review and consider approving Somerset Conceptual Plan – 97.5721 acres, 12 lots, 4 blocks, 3 Reserves, located at FM 359 and McCrary Road. Mr. Kaluza with Kelly Kaluza & Associates, Inc. (KK&A) recommended granting a conditional approval of the Somerset Conceptual Plan

subject to his comments. Commissioner Torres made the motion to approve the Somerset Conceptual Plan with a second from Commissioner Gilmore. The votes were two “ayes” and no “nays” to approve.

Mayor Moore introduced agenda item A17 to consider and approving Preliminary Plat for Somerset, Section 1, 33.1133 acres of land, 12 lots, 4 blocks, 3 Reserves, located at FM 359 and McCrary Road. Mr. Kaluza with KK&A recommended granting a conditional approval of the Somerset Preliminary Plat subject to his comments. Commissioner Torres made the motion to approve the Somerset Conceptual Plan with a second from Commissioner Gilmore. The votes were two “ayes” and no “nays” to approve.

Mayor Moore introduced agenda item A18 to review and consider approving Final Plat Del Webb, Section 12A, 12.5044 acres, 52 Lots (Typical lots size 50' x 120'). Mr. Kaluza with KK&A recommended granting a conditional approval of the Del Webb Final Plat Section 12A subject to his comments. Commissioner Gilmore made the motion to approve the Final Plat Del Webb Section 12A with a second from Commissioner Torres. The votes were two “ayes” and no “nays” to approve.

Mayor Moore introduced agenda item A19 to review and consider approving Final Plat Del Webb, Section 16A, 8.630 acres, 33 Lots (Typical lots size 65' x 110'). Mr. Kaluza with KK&A recommended granting a conditional approval of the Del Webb Final Plat Section 16A subject to his comments. Commissioner Torres made the motion to approve Del Webb Final Plat Section 16A with Commissioner Gilmore seconding the motion. The votes were two “ayes” and no “nays” to approve.

Agenda item A20 to review and consider approving Preliminary and Final Plat for the Replat of Lots 10, 11 and 12, Block #2, Lamar Terrace in Jane Long League Abstract No. 55. Mr. Kaluza with KK&A gave a brief synopsis of the property that the owner would like to combine and cut into two lots and that this is cleanup work on the plats. Mr. Kaluza recommends granting conditional approval of the Preliminary and Final Plat of the Replat of Lots 10, 11 and 12. Commissioner Gilmore made the motion to approve the Preliminary and Final Plat for the Replat at Lamar Terrace with Commissioner Torres seconding the motion. The votes were two “ayes” and no “nays” to approve.

Mayor Moore introduced agenda item A21 to review and consider approving the Preliminary and Final Plat for the Reserve at FM 359, 4.9244 acres of land, 1 Commercial Reserve. Mr. Kaluza with KK&A recommended granting a conditional

approval of the Preliminary and Final Plat for the Reserve subject to his comments. Commissioner Gilmore made the motion to approve the Preliminary and Final Plat for the Reserve with Commissioner Torres seconding the motion. The votes were two "ayes" and no "nays" to approve.

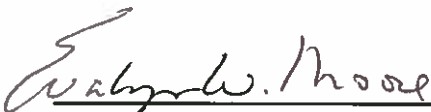
Mayor Moore introduced agenda item A23 to review and consider the Variance Request for Liberty Square, Landscaping Variance. Terri Vela, City Manager indicated that the original plans were submitted under the 2011-2012 regulations and now that we have new regulations the landscaping and buffering guidelines have changed. Larry Sillers, the developer for the project was in attendance to make the presentation for the request. Mr. Sillers feels the project should be grandfathered in since he had to wait for the Rabbs Bayou and Williams Way Blvd Projects to be completed. Commissioner Gilmore made the motion to approve the Variance Request for the Liberty Square and Commissioner Torres seconded the motion. The votes were two "ayes" and no "nays" to approve.

Mayor Moore announced that the Commission would now meet in Executive Session at 5:27 p.m., as authorized by Texas Government Code Section 551.071, Attorney Consultation; the Pecan Grove Lawsuit. Mayor Moore announced that the City Commission adjourns into executive session, closed meeting.

The Commission reconvened into Open Session at 5:56 p.m.

There being no further business to be brought before the Commission, Commissioner Gilmore motioned for the meeting to be adjourned. Commissioner Torres seconded and the Commission adjourned. The meeting was adjourned at 5:56 p.m.

APPROVED:



Evalyn W. Moore, Mayor

Attest:



Laura Scarlato, City Secretary