



STATE OF TEXAS  
COUNTY OF FORT BEND  
STATE OF TEXAS

The City Commission for the City of Richmond, Texas met in Regular Session on February 18, 2019 at 4:30 p.m.

Mayor Moore made the following two announcements:

- Beginning March 1<sup>st</sup> and the first Friday of every month will be Movies on Morton. The first movie presentation will be Sandlot.
- The City of Richmond Newsletter was mailed and hope everyone received a copy. They are also available for pickup at Richmond City Hall.

Mayor Moore proceeded to call the meeting to order at 4:30 p.m. A quorum was present, with the following members in attendance:

Evalyn W. Moore, Mayor  
Terry Gaul, Commissioner P1  
Barry Beard, Commissioner P2  
Carl Drozd, Commissioner P3  
Josh Lockhart, Commissioner P4  
Terri Vela, City Manager  
Gary Smith, City Attorney  
Laura Scarlato, City Secretary

The Mayor proceeded to make the following presentations for agenda item A2 Employee Recognition for Service with the City of Richmond:

- Jorge Coria, 10 years of service, Streets Department – Not present
- Corey Gless, 15 years of service, Fire Department - Not present
- Ronnie Dannhaus, 20 years of service, Parks Department – Present and photographs were taken.

Presentation of the 2018 Racial Profiling Report under Article 2.132 of Texas Code of Criminal Procedure, Del Carmen. Police Chief Gary Adams introduced Dr. Alex Del Carmen who presented the Racial Profiling Report. He is considered an expert with 21 years of experience in the field of criminology and police practices. His expertise includes discrimination, racism, racial profiling, crime prevention/analysis and police ethics. The Sandra Bland Act passed in 2017 requires additional data be collected along with the 2009 Racial Profiling Law that was passed. Dr. Del Carmen reported the Richmond Police Department stands above and beyond what other departments are doing in the state of Texas. The patterns are comparable to other

cities in Texas. Recommendations were made such as to continue to foster relationships with citizens and continue with advanced training. No action was required therefore, the agenda was closed.

Mayor Moore read the Proclamation honoring The Black Cowboy Museum and Black History Month. Mr. Larry Callies and Mr. Edmond D. Samora were present to accept the Proclamation on behalf of The Black Cowboy Museum located in Rosenberg.

Mayor Moore read the Proclamation for American Heart Awareness Month encouraging our employees and citizens to be aware of their health and to live a healthier lifestyle.

Mayor Moore introduced agenda item A3, Public Comments. Commissioner Lockhart made the motion to suspend the Rules of Commission to allow for more speakers than the 7 at 3 mins each for a total of 21 minutes maximum as stated in the rules. Commissioner Beard stated there had been 8 requests therefore he seconded the motion.

- Deborah Cobbin ~ 1110 Leonard Ave ~ Richmond, Texas  
Spoke in support of Mayor Moore.
- Sherrie Hogan ~ 5319 Riverstone Crossing Drive ~ Richmond, Texas
- Jair Flores ~ 1714 Clifton Hills Lane ~ Richmond, Texas
- Adnan Afzal ~ 22555 Williams Oak Lane ~ Richmond, Texas
- Balamurali K. Goparaju ~ 22334 Davenport Downs Lane ~ Richmond, Texas
- Patrick Sinnott ~ 1706 Clifton Hills Lane ~ Richmond, Texas

The above speakers all spoke with regards to the gate that is located between the Veranda and Williams Ranch Subdivisions. Provided safety concerns with personal testimonies, school, emergency vehicles, admittance during flooding, and access to health care facilities in time of need.

- Larry Siller ~ 3010 River Forest Drive ~ Richmond, Texas
- Billy Canales ~ 7023 Walnut Street ~ Glen Flora, Texas
- Clint Witten ~ 1907 Ayala Court ~ Richmond, Texas

The three speakers listed spoke regarding the rezoning (agenda item A7) of the 17.8821 acres from General Residential to General Commercial. One spoke for the change and two were opposed. The opposed were concerned about property values and the unknowns of what would be located on the property. Mr. Siller requested the City honor the original agreements they made in 2011 to make it Commercial.

The Agenda item was closed.

Agenda item A4 Public Hearing was opened by Mayor Moore to speak regarding the rezoning of the 17.8821 acres. There was confusion that two additional speakers had turned in their forms to speak to the City Secretary/Commissioners that Mayor Moore was not aware of to speak on the Gate in Veranda and Williams Way Subdivisions. Agenda item A4 was CLOSED and Commissioner Lockhart made the motion to reopen

agenda item A3, Public Comments to allow for the remaining two speakers. Commissioner Beard seconded the motion and the vote was unanimous to approve.

- Jordan White ~ 22431 Helen Springs Lane ~ Richmond, Texas
- Sothea Mey ~ 1614 Stuart Creek Drive ~ Richmond, Texas

Both speakers provided testimonies regarding the gate located in the Veranda and Williams Way Subdivision. The history of how they got this point and other experiences in the neighborhood.

At this time the agenda item A3 was again closed.

Agenda item A4, Public Hearing to receive comments for or against rezoning 17.8821 acres of land from General Residential (GR) to General Commercial (GC) and to the extent the rezoning deviates from the Future Land Use Plan of the Comprehensive Plan, to provide for an amendment thereto. The subject site is located along the north side of Williams Way Boulevard and Golfview Drive intersection with a levee and Brazos River to the North; recently constructed "Liberty Center" retail strip center and Fountains at Jane Long Farms residential neighborhood to the south; residential lots on Ayala Court to the east; and Fort Bend County Justice Center to the west.

- Victor Martinez 2007 Williams Way, Richmond, Texas  
Spoke against the rezoning of the acreage from GR to GC. Asked the Commission to consider the property owners and to do the right thing.

The agenda item was closed.

Mayor Moore asked if there was any discussion regarding agenda item A5, the Consent Agenda. Commissioner Beard pulled Consent Agenda items A5 (2), (9) and (11).

Commissioner Gaul moved to approve the remaining Consent Agenda items with Commissioner Beard seconding the motion. The vote was unanimous to approve.

A5 (2). Fire Department Report. *Ray Burciaga, Emergency Management Coordinator passed away Sunday, February 17, 2019. Ray was a native of Richmond and also a Richmond Hero and his leadership had brought us through floods, Hurricane Harvey and even though he was not well, he never let anyone know about it and he never "broke stride". In this month's Fire Report, the OEM Report was not signed and it was noticed. I just wanted to make it known of his service to the City and what an inspiration Ray was to everyone.*

A5 (9). Receive report on Comprehensive Master Plan Review. City Planning Director Jose Abraham addressed Commissioner Beard's concerns that this would not be the last report. There would be a more thorough report in July that would go into more detail, addressing specific goals. This report is just a snapshot of the path of where the City is at as far as implementation. If something is missing and the possible steps moving forward. This is a consolidated update. Commissioner Beard requested the report be an agenda item not in the consent agenda in the future.

A5 (11). Review and Consider taking action on short formal final plat – Indelicato Law Center, 0.9932 acres of land, 1 Block and 1 Reserve. Jose Abraham, City Planning Director stated the property had never been platted before and the owner is platting so that it meets all of the requirements. The property is in Olde Town (OT) and General Residential (GR) but will have to be rezoned after this step is completed to comply with consistent zoning designation. The applicant intends to demolish the existing structure and include a single family residence and a law office.

Commissioner Beard moved to approve the Consent Agenda items A5 (2), (9) and (11) with Commissioner Drozd seconding the motion and the vote was unanimous to approve.

At this time, Mayor Moore moved the Agenda item A14, to review and discuss the gate located in the Williams Ranch/Veranda Subdivisions. City Manager Terri Vela provided the background of the gate and the two subdivisions and the information that was provided for the Commission in their packets. City Manager Vela introduced the Fort Bend County Engineer Richard Stolleis to discuss alternative access. Mr. Stolleis stated that Tx-Dot has committed to working with the County to allow an access road from a cul-de-sac allowing for a one way exit from the Williams Way Subdivision. Fort Bend County Road and Bridge will provide the materials, labor and equipment with an estimated total of \$50,000. Mr. Stolleis stated the County will pay for the cost of the maintenance of the road as well. When asked about the timeline, it could be a lengthy process with the TxDot permit taking 6 months after the plans are received. There was a discussion as to who has the jurisdictional control with clarification provided by City Attorney Gary Smith. City Manager Vela stated the County and City try to work together to resolve these issues. It was discussed as to how the plat came to the City for approval in the first place when it is located in the ETJ and not the City Limits. This was not an action item therefore there was not action taken and the item was closed.

Agenda item A6, to review and consider taking action the 2018 Racial Profiling Report under Article 2.132 of Texas Code of Criminal Procedure. Commissioner Gaul made the motion to accept the 2018 Racial Profiling Report under Article 2.132 of Texas Code of Criminal Procedure. Commissioner Beard seconded the motion and the vote was unanimous to accept.

Mayor Moore introduced agenda item A7, to review and consider taking action on Ordinance No. 2019-04, rezoning 17.8821 acres of land from General Residential (GR) to General Commercial (GC) and to the extent the rezoning deviates from the Future Land Use Plan of the Comprehensive Plan, to provide for an amendment thereto. The subject site is located along the north side of Williams Way Boulevard and Golfview Drive intersection with a levee and Brazos River to the North; recently constructed “Liberty Center” retail strip center and Fountains at Jane Long Farms residential neighborhood to the south; residential lots on Ayala Court to the east; and Fort Bend County Justice Center to the west. City Planning Director Jose Abraham stated the City zoning occurred in 2015 and went over the area on the zoning map that is being discussed. The proposed rezoning is in conformance with the future land use plan. There was a very lengthy discussion as to the requirements if the property is zoned GC and the buffer zones that would be required to protect the residents. The various

options that the Commission has regarding the rezoning were discussed. Staff recommended the rezoning however the Planning and Zoning Commission recommended approving the tract north of the Liberty Center to GC but the area remaining they recommended denying the rezoning. With the rezoning of GR to GC the Future Land Use Plan would need to be amended. Commissioner Lockhart made the motion to approve Ordinance No. 2019-04, rezoning 17.8821 acres of land from General Residential (GR) to General Commercial (GC) and to the extent the rezoning deviates from the future Land Use Plan of the Comprehensive Plan, to provide for an amendment thereto as recommended by Staff and the Planning Department. The motion was seconded by Commissioner Beard. The vote was as follows:

Commissioner Lockhart	Favor
Commissioner Drozd	Favor
Commissioner Beard	Favor
Commissioner Gaul	Against

Agenda item A8, to review and consider taking action on staff's recommendation to award the contract and authorize the City Manager to execute the Engineering Services Contract for the Collins Street Sidewalk Project not to exceed \$301,590. Assistant City Manager "ACM" Howard Christian addressed the Commission regarding the contract. ACM Howard Christian addressed the Commission stating the City had submitted a grant application to the Wessendorff Foundation in 2018 and received funding for a hike and bike trail on Collins Road from Preston Street to the George Park entrance. The project will be in three phases and this is phase one. The project was awarded \$2,000,000 in funding. Residents will be able to have ready access and safe passage to George Park and eventually to Wessendorff Park. This follows the City's Trail Master Plan. Ten firms submitted for the RFQ and Cobb, Fendley and Associates, Inc. was the selected Engineering firm. Commissioner Beard would like to see the 240 days for design services and 210 days for the construction duration reduced or overlapped to get the project on the ground. Commissioner Lockhart proceeded to bring up questions regarding the Henderson Wessendorff Foundation relating to the Veranda Gate, Freeman Town Park Funding, and drainage study when Commissioner Drozd called for a Point of Order. Mayor Moore requested order approximately eight times or for Commissioner Lockhart to stop before requesting Commissioner Lockhart be escorted from the Commission Room. Commissioner Beard made the motion to award the contract and authorize the City Manager to execute the Engineering Services Contract for the Collins Street Sidewalk Project not to exceed \$301,590 to Cobb Fendley and Associates, Inc. Commissioner Gaul seconded the motion and the vote was unanimous to approve.

Mayor Moore introduced agenda item A9, to review and consider taking action on staff's recommendation to award the contract and authorize the City Manager to execute the Construction Contract for the Surface Water Treatment Plant Maintenance Building and Driveway upgrades not to exceed \$259,000. ACM Howard Christian

provided the Commission the need for the maintenance facility at the Surface Water Treatment Plant. The City received three bids and upon review, Bass Construction was the lowest bidder. The estimated construction time is 155 days and the amount is not to exceed \$259,000. Commissioner Drozd made the motion to award the contract and authorize the City Manager to execute the Construction Contract for the Surface Water Treatment Plant maintenance Building and Driveway upgrades not to exceed \$259,000 to Bass Construction Co., Inc. Commissioner Gaul seconded the motion and the vote was unanimous to approve.

Agenda item A10 was introduced by Mayor Moore to review and consider taking action on staff's recommendation to award the contract and authorize the City Manager to execute the Construction Contract for the Motor Control Center (MCC) Replacement Project at the Water Plant No. 3 (Ransom Road) not to exceed \$145,000. ACM Howard Christian provided the background to the Commission that the Water Plant No. 3 was constructed in 1978 and has exceeded its useful life. The plant is critical to providing a level of redundancy to the south and southeast side of the City's service area and should be replaced first before other water plants with older equipment. The City received four bids and the lowest bidder was WW Payton Corporation with a 240 day construction time. The lead time for this replacement equipment is 12-20 weeks therefore the work should commence in the fall this year. Commissioner Beard made note that Ransom Road is now called Richmond Parkway. Commissioner Gaul made the motion to award the contract and authorize the City Manager to execute the Construction Contract for the Motor Control Center (MCC) Replacement Project at the Water Plant No. 3 (Ransom Road) not to exceed \$145,000 to W.W. Payton Corporation. Commissioner Beard seconded the motion and the vote was unanimous to approve.

Mayor Moore introduced agenda item A11, to review and consider taking action on staff's recommendation to award the contract and authorize the City Manager to execute the Construction Contract for the Water Line Rehabilitation Project not to exceed \$164,397. ACM Howard Christian provided the history of the existing water line not being in the City Limits but was extended to include the County residents as outside City customers. The level of service being provided currently is below standard. The new 6 inch water line will provide better service and include fire hydrants for fire protection. The City received nine bids and the lowest bidder was Barclay Premier Utility Service, LLC with an estimated construction time of 90 days. Commissioner Beard made the motion to award the contract and authorize the City Manager to execute the Construction Contract for the Water Line Rehabilitation Project not to exceed \$164,397 to Barclay Premier Utility Service, LLC. Commissioner Drozd seconded the motion and the vote was unanimous to approve.

Agenda item A12 to review and consider taking action on staff's recommendation to award the contract and authorize the City Manager to execute the Construction Contract for the Restroom Replacement Project at George Park not to exceed \$199,240. ACM Howard Christian reviewed the project with the Commission stating the public restrooms at the George Park are in excess of 30 years old. It is being proposed

that they be replaced with the completely assembled restrooms similar to the restrooms at Wessendorff Park. The City received 5 bids with the low bidder being Specialty Construction TX, LLC. Commissioner Beard inquired as to how many people use George Park on an annual basis. ACM Christian stated they could provide a traffic study but in his opinion it is a tremendous amount. Commissioner Gaul inquired if the City had any prior experience with this contractor, ACM Christian stated "no" but references were reviewed and was recommended by City Engineer Kaluza and Associates. Commissioner Gaul made the motion to award the contract and authorize the City Manager to execute the Construction Contract for the Restroom Replacement Project at George Park not to exceed \$199,240 to Specialty Construction TX, LLC. Commissioner Beard seconded the motion. Commissioner Drozd made a motion to amend the motion by approving the \$194,470 for the Base Bid and the Alternate Bid No. 3, \$4,770 for a total of \$199,240. Commissioner Gaul seconded the amended motion and the vote was unanimous to approve.

Mayor Moore introduced agenda item A13 to review and discuss the designation of an EB-5 high unemployment area. City Manager Vela provided the background of what was in the packet and City Attorney Gary Smith reviewed the contents of the Memorandum that was presented. Federal regulations provide for the designation of a high unemployment area. EB-5 targets an employment area and is an economic development tool. Texas handles the designation differently in that Mayors and County Judges are given the authority to designate high unemployment areas on a local level. The benefit is the smaller geographical area. Staff is asking for direction in the future as to what procedure would they like them to follow when an application is submitted for review. Commissioner Gaul stated there needs to be a policy establish to review them. City Manager Vela stated that every application will go before the Development Corporation of Richmond "DCR" and then to the City Commission. It will need to meet the criteria of the Target Industry Study as set by the DCR. The City has no authority outside the City Limits. There was no action required for this item, therefore the item was closed.

Agenda item A14, to review and discuss the gate located in the Williams Ranch/Veranda Subdivisions. **Was moved to earlier in the agenda.**

Agenda item A15, to review and discuss the creation and appointment of a standing advisory committee for Integrated Utility Master Plan and Financial Plan. City Manager Terri Vela stated that the City Commission Rules and Regulations allow for the Mayor to create and appoint a Standing Advisory Committee. The City Manager is requesting the Mayor to do so for an Integrated Utility Master Plan and Financial Plan Advisory Committee. The Mayor appointed Commissioner Beard to the Standing Advisory Committee "Utility Master Plan and Financial Plan".

Mayor Moore introduced agenda item A16 to review and consider the creation and appointment of a standing advisory committee for Drainage Plans/Proposed Levees. City Manager Terri Vela stated that the City Commission Rules and Regulations allow

for the Mayor to create and appoint a Standing Advisory Committee. The City Manager is requesting the Mayor to do so for a Drainage Plans/Proposed Levee Committee. The Mayor appointed Commissioner Drozd to the Standing Advisory Committee "Drainage Plans/Proposed Levee".

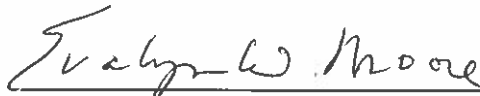
Mayor Moore introduced agenda item A17 to review and consider the creation and appointment of a standing advisory committee for Finance/Bond/Budget Committee. City Manager Terri Vela stated that the City Commission Rules and Regulations allow for the Mayor to create and appoint a Standing Advisory Committee. The City Manager is requesting the Mayor to do so for a Finance/Bond/Budget Committee. The Mayor appointed Commissioner Gaul to the Standing Advisory Committee "Finance/Bond/Budget".

Agenda item A18, excuse from Attendance at Regular City Commission Meeting. There were no excuses to review therefore the agenda item was closed.

Agenda item A20 to consider taking action on requests for future agenda items. Commissioner Beard requested to receive and update on the 10<sup>th</sup> Street Overpass Project. Per City Manager Vela, it will be provided at the February 21, 2019 Special Commission Meeting.

With no further business to discuss, Mayor Moore declared the meeting adjourned at 7:12 p.m.

APPROVED:



Evalyn W. Moore, Mayor

Attest:

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Laura Scarlato, City Secretary