

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 16, 2016 at 4:30 p.m.

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  
Barry Beard, Commissioner  
Jesse Torres, Commissioner  
Terri Vela, City Manager  
Laura Scarlato, City Secretary  
Gary Smith, City Attorney

Mayor Moore introduced agenda item A2, Presentations with Employee Recognition for Service with the City. City Secretary Laura Scarlato for 5 years of service with Administration and Mike Moody, 15 years with the Wastewater Department, both were present to receive the service awards. The Mayor announced that Street Superintendent Jim Whitehead had been promoted to Assistant Public Works Director and has 30 years of service to the City of Richmond. Assistant Director Whitehead was present to receive the honor.

The Mayor acknowledged the Proclamations for Motorcycle Safety Awareness Month which is May, 2016 but did not read the Proclamation since it was read at the last meeting and there was no one present from the organization to receive the Proclamation. The Proclamation for Older Americans Month was read celebrating our older citizens during the month of May 2016. No one was present to receive the Proclamation.

It was stated that Agenda items A3 – A7 were not necessary since the official canvass results were received on Friday and the City was able to conduct the Special Meeting on May 13, 2016. Therefore these items were omitted.

Mayor Moore introduced agenda item A8, Public comments. She asked for any public comments. There were no individuals signed up to speak, therefore the item was closed.

Mayor Moore asked if there was any discussion regarding agenda item A9, the Consent Agenda. Mayor Moore pulled the items 1, 2, 7 and Commissioner Barry Beard pulled agenda item 20.

Commissioner Torres made the motion to approve Consent Agenda items 3,4,5,6,8,9,10,11,12,13,14,15,16,17,18, and 19. Commissioner Beard seconded the motion and the vote was unanimous to approve.

- Mayor Moore stated that page 4 of the minutes 2<sup>nd</sup> to the last bullet point should read "Ms. Mary Gilmore was a compromise candidate that was on the table" instead of Mr. Robert Hodge.

Commissioner Beard made the motion to approve the minutes agenda item 1 with the change suggested, Commissioner Torres seconded the motion and the motion passed with two votes.

- Mayor Moore stated that the new Fire Station was up and running with a very successful grand opening. The City had had another river event requiring a partial activation of the EOC Management Team. Seven homes were flooded; a rescue in Fulshear and the Richmond Fire Department assisted Houston ESD 48.

Commissioner Torres made the motion to approve the fire report agenda item 2 with Commissioner Beard seconding the motion. The motion passed with two votes.

- Mayor Moore had a question regarding the Public Works Report agenda item 7. The work that was reported on 1610 East Laurel Oaks, she inquired if this work was done on the recently completed project on East Laurel Oaks or was this a new area of East Laurel Oaks. It was stated by Jim Whitehead, Assistant Public Works Director that the work was done on a different area. Mayor Moore also inquired regarding the responsibility of the mowing at US 90A, Williams Way and the median in front of Wal-Mart. City Manager Vela stated that it depends, Williams Way is done by Fort Bend County and 90A is

done by West Fort Bend Management District or TXDOT. The City does send out a crew if the area is not mowed.

- City Manager Vela stated that the tonnage that was reported for the cleanup event totaled 38.89 tons.

Commissioner Torres made the motion to approve agenda item 7, Public Works Report with Commissioner Beard seconding the motion. The votes were two ayes to approve.

- Commissioner Beard wished to discuss the meeting dates and times of the next two meetings. City Manager Vela stated the June 6<sup>th</sup> meeting at 4:30 will be a Joint Meeting with the Development Corporation. There will be a presentation from the George Foundation and the Planning and Zoning Commission. The June 20<sup>th</sup> Meeting which is the regular scheduled meeting on the 3<sup>rd</sup> Monday of the month will be held at 11:30 a.m. Since this is agenda item A16, this item was tabled.

Mayor Moore stated that she appreciated that the Veranda Development had chosen street names that reflect local families and Richmond historical figures. The Mayor stated she appreciates that they have chosen distinguished street names.

Agenda item A10 was introduced to review and consider taking action on Resolution No. 141-2016, appointment of Development Corporation Board Members. City Manager Vela explained the applications that were received by the City for the board's review that did not indicate which board they would like to serve on are grouped at the front of the section before the three agenda items. There are two individuals that stated they would like to serve on the Development Corporation therefore those are included behind Agenda item A10 but please consider all of the applications for these two positions.

- Commissioner Torres stated that out of all the applicants, only one had applied online which was Juan Martinez. He believes the applications to be old and upon talking to some of the candidates, they are not interested in serving any longer. Commissioner Torres requested that the openings be published in the paper. Commissioner Torres nominated Juan C. Martinez. Commissioner Beard asked if Commissioner Torres knew him and he responded, "I know of him." Commissioner Beard stated he did not know him at all and would not second the motion, motion died.

- Commissioner Beard made the motion to nominate Verge Greenwood to represent or be a voice for north Richmond. Commissioner Torres said that he was friends with the Greenwood family and he felt that when Mr. Greenwood was on the Charter Review Commission, he did not attend the meetings. Commissioner Torres stated he wanted someone responsible therefore; he would not second the motion. Mayor Moore seconded the motion and Verge Greenwood was appointed to the Development Corporation Board.
- Commissioner Torres nominated Gary Gillen. The Mayor stated that since he was running for Mayor in 2017 that it would give him an unfair advantage against someone else that would be running for office. Commissioner Torres stated that Barry Beard was placed on the Development Corporation Board when he was running for Commissioner and that was overlooked. The Mayor stated that Commissioner Torres was out of order. Commissioner Torres stated he has a freedom of speech and turned to City Attorney Gary Smith for legal advice. Torres asked why it was out of order when he was asking a question. The Mayor stated that it was alluding to others by name or to motives of another Commissioner. City Attorney Smith stated Commissioner Torres could invoke a Point of Privilege. Commissioner Beard stated he would not second the motion for Gary Gillen.
- Commissioner Torres made the motion to appoint Robert Haas. Commissioner Beard seconded the motion and the vote was unanimous. Mayor Moore congratulated Mr. Haas who was present in the audience.

Agenda item A11 was introduced to review and consider taking action on Resolution No. 142-2016, appointment of a Board Member for Richmond Historical Commission. City Manager Vela stated that again the Commission had received several applications that are non-specific and should be considered for the Richmond Historical Commission. Ms. Vela stated that the UDC is the governing code for this board. The qualifications stated the member must be a resident of Richmond and also a registered voter. However, one member may reside outside the City limits but in the ETJ. Ms. Vela stated that the Chairman, Cindy Drabek was in the audience and could answer any questions. It was stated that she had been appointed appropriately at the time of the nomination but the rules have now changed. Commissioner Beard stated that Ms. Drabek had been the chair for several years and does an excellent job. It was stated that the Historical

Commission has two non-voting members that reside in the ETJ. Commissioner Beard nominated Karen Bliel as a replacement for Beard. Commissioner Torres made the statement that most of the applicants have lived in the area for ten years. It was stated that Robin Rosen lives in Sugar Land. Again Mr. Torres stated that the openings need to be published in the paper in order to receive a number of applicants to make a fair choice. The Mayor stated that most of the boards do have the residence requirement but this board does not. There was a lengthy conversation regarding the requirements with comments included from the City Attorney. Commissioner Torres stated he would not second the motion for Karen Bliel. Robert Haas spoke from the audience and noted the reference was to the incorrect ordinance. City Manager Vela stated the history of the creation of the Richmond Historic Commission by ordinances. It was stated the UDC trumps all of the ordinances which was adopted on October 1, 2015. It was decided to table the item and a review of the guidelines will be conducted. The Mayor stated the appointments to the boards need to be consistent.

Agenda item A12 was introduced to review and consider taking action on Resolution No. 143-2016, appointment of Board Member of Parks and Recreation Board. Commissioner Beard nominated Carrie Jackson who resides in North Richmond. Commissioner Torres stated he does know Ms. Jackson and he likes her and would second the motion. However, he withdrew the second moments later. The Mayor seconded the motion and there were 2 “ayes” and no “nays” to approve.

- At this time Commissioner Torres asked to challenge the Development Corporation motion for Mr. Robert Haas.

Mayor Moore introduced agenda item no. A13 for the Appointment of Mayor Pro Tem, Section 3.04, Charter “Mayor and Mayor Pro Tem” (4) The Mayor Pro Tem shall be a Commission Member appointed by the Mayor at the first regular meeting after each election of Commission Members. City Manager Vela prefaced the agenda item that this appointment is made by the Mayor. The Mayor stated that Commissioner Torres is currently the City’s representative for the H-GAC Board. The Mayor stated that Commissioner Gilmore had served as the previous Mayor Pro Tem. The Mayor stated when considering Commissioner Torres for the position, it was taken into account his job and the time limitations. It was stated that Commissioner Torres works very hard and has a busy work schedule therefore; she would appoint Commissioner Beard as Mayor Pro Tem. Commissioner Torres stated that he had discussed this with his employer and it would be permissible. The Mayor remained with her original appointment of Commissioner Beard.

Agenda item A14 was introduced by Mayor Moore to review and consider taking action on a Fee Waiver Request for street closure and street barricade fees for the Sacred Heart Catholic Church, Corpus Christi Eucharistic Procession on May 28, 2016. City Manager Vela stated the City has no objections from City Staff. Vela instructed Building Official Lori Bownds to inquire the status of the closing with the County. Commissioner Beard made the motion to approve the Fee Waiver Request and barricade fees for the Sacred Heart Catholic Church, Corpus Christi Eucharistic Procession to be held on May 28, 2016. Commissioner Torres seconded the motion and there were 2 "ayes" and no "nays" to approve.

Mayor Moore introduced agenda item A15 to review and consider taking action on Resolution No. 144-2016, the 2016 Interlocal Agreement Renewal with Fort Bend County for Tax Collection Services. City Manager Vela stated this is an agreement that is renewed for a two year period. Commissioner Torres made the motion to approve Resolution No. 144-2016 for the 2016 Interlocal Agreement Renewal with Fort Bend County for Tax Collection Services. There were 2 "ayes" and no "nays" to approve.

Agenda item A16 was introduced by Mayor Moore to review and consider taking action on the Ordinance No. 2016-13, Setting the date and time of City Commission Meetings. There was a discussion as to the meeting time of the City Commission Meetings. The meetings are currently the 3<sup>rd</sup> Monday at 4:30. City Manager Vela stated that some cities meet in the morning and some in the evening. Commissioner Beard stated he did not have enough information to make a decision. The Mayor stated it had been addressed during the campaign and the candidate forum. This would allow citizens to attend on their lunch hours. It was stated the Development Corporation could be held at 6:30 p.m. The Mayor stated this would be a compromise between 4:30, 6:30 and 11:30. The Mayor again called Commissioner Torres out of order. Commissioner Torres asked how many cities in Fort Bend County meet at 11:30 a.m. Commissioner Beard stated he did not want a survey but would have to have more information to make a decision as to what makes sense. No action on this item.

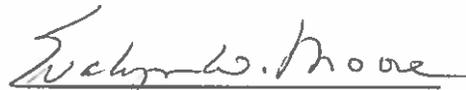
- City Attorney Smith explained the procedures for the Point of Privilege and that the Mayor declared a "Point of Order". The Mayor responded that she had declared Commissioner Torres "Out of Order". City Attorney Smith stated the member of the Commission has the right to appeal the order. However there must be a 2<sup>nd</sup> to the appeal for it to proceed.

- Commissioner Torres stated he would like to challenge the Gary Gillen appointment. It was stated that the running for office didn't apply to Commissioner Beard but it applies to Mr. Gillen. Torres stated that Resolution No. 141-2016 was not fair because it was not published or given enough time to apply.
- City Attorney Smith stated the procedure would be to reconsider the Robert Haas nomination so that there would be a vacancy for Gary Gillen. Once this was done there would be a vacancy to appeal Gary Gillen. A vote for reconsideration puts it back on the floor in order to vote.
- Commissioner Torres stated he was asking for reconsideration of Robert Haas. There was no second therefore the motion died. Therefore there was not a vacancy.

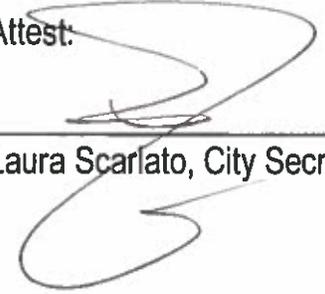
Agenda item A17 to Adjourn to Executive Session, as authorized by Texas Government Code, Section 551.074, and Personnel Matters. The Commissioner did not adjourn to Executive Session by Commissioner Beard made the motion to adjourn. Commissioner Torres seconded the motion and the vote was unanimous to adjourn.

With no further business to discuss, the meeting was adjourned at 5:46 p.m.

APPROVED:

  
Evalyn W. Moore, Mayor

Attest:

  
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Laura Scarlato, City Secretary