

City of Richwood — TEXAS —

CITY COUNCIL MEETING AGENDA

Monday, October 10, 2022 at 6:00 PM

Richwood City Hall, 1800 Brazosport Blvd. N.

BE IT KNOWN THAT a City of Richwood City Council will meet Monday, October 10, 2022, beginning at 6:00 PM at Richwood City Hall, located at 1800 Brazosport Blvd. N., Richwood, Texas 77531 with the following agenda:

- I. CALL TO ORDER
- II. INVOCATION
- III. PLEDGES OF ALLEGIANCE
- IV. ROLL CALL OF COUNCIL MEMBERS
- V. PUBLIC COMMENTS
- VI. CONSENT AGENDA
 - [A.](#) Approval of minutes from regular meeting held September 12, 2022.
- VII. DISCUSSION AND ACTION ITEMS
 - [A.](#) Discuss and consider approving North Water Plant booster pump station change order #2 in the amount of \$20,595.00
 - [B.](#) Discuss and consider approving Resolution 22-R-70 amending the fiscal year 2022-2023 budget to allow transfer of \$37,000 from Capital Expenditures to Enterprise Fund.
 - [C.](#) Discussion and possible action regarding upcoming solid waste request for proposals.
 - [D.](#) Discussion and appointment of the Charter Review Board members.
 - [E.](#) Discuss and consider Ordinance 22-499 amending Chapter 16, Police, of the Code of Ordinances to include additional provisions for appointment of reserve police officers.
 - [F.](#) Discuss and consider approval of Resolution 22-R-68, appointing representative and alternate to serve on the Houston Galveston Area Council's 2023 General Assembly.
- VIII. CAPITAL IMPROVEMENT PROJECTS UPDATE
- IX. EXECUTIVE SESSION

Pursuant to Chapter 551.0745, Personnel Matters to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, or to hear a complaint or charge against an officer or employee:

 - [1.](#) Discussion, consideration, and possible action regarding Sec. 341.012 of the Texas Local Government Code requiring the governing body to confirm the appointment of reserve police officers to the City's reserve police force.
 2. City Manager

Pursuant to Chapter 551.071, Consultation with Counsel on legal matters

 1. Possible litigation regarding code violation.

- X. ACTION AS A RESULT OF EXECUTIVE SESSION
- XI. CITY MANAGER'S REPORT
- XII. COUNCIL MEMBER COMMENTS & REPORTS
- XIII. MAYOR'S REPORT
- XIV. FUTURE AGENDA ITEMS
- XV. ADJOURNMENT

The City Council may go into Executive Session on any item listed on the Agenda in accordance with Section 551-071 of the Government Code (attorney-client privilege).

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (979) 265-2082 or FAX (979) 265-7345 for further information.

I, Kirsten Garcia, do hereby certify that I did, on October 7, 2022 at 1:00 PM post this notice of meeting on the bulletin board at 1800 N. Brazosport Blvd., Richwood, TX, in compliance with the Texas Open Meetings Law.

Kirsten Garcia, City Secretary
City of Richwood

MINUTES

RICHWOOD CITY COUNCIL MEETING

Monday, September 12, 2022 at 6:15 PM

BE IT KNOWN THAT a City of Richwood City Council will meet Monday, September 12, 2022, beginning at 6:15 PM at Richwood City Hall, located at 1800 Brazosport Blvd. N., Richwood, Texas 77531 with the following agenda:

I. CALL TO ORDER

The meeting was called to order at 6:43 p.m.

II. ROLL CALL OF COUNCIL MEMBERS

PRESENT

Steve Boykin

Mike Johnson

Melissa Strawn

Matthew Yarborough

Rory Escalante

ABSENT

Carey Lankford

Others present: Eric Foerster, City Manager; Kirsten Garcia, City Secretary; Tricia Ditto, Finance Director; Clif Custer, Public Works Director; Stephen Mayer, Chief of Police; Phillip Knop, City Attorney

III. PUBLIC COMMENTS

Mr. Challenger – spoke on taxes. He stated he see the City has proposed lower tax rate which is appreciated. Added that he supports the City to lower taxes as much as possible. He stated that he believes its counterproductive to increase taxes at this time.

IV. CONSENT AGENDA

A. Approval of minutes from regular meeting held August 8, 2022.

B. Investment Report, Q3 FY 2022

C. Budget Report, July 2022

D. Budget Report, August 2022

Motion to approve consent agenda.

Motion made by Mike Johnson, Seconded by Rory Escalante.

Voting Yea: Mike Johnson, Melissa Strawn, Matthew Yarborough, Rory Escalante

Motion carried.

V. PUBLIC HEARING ON PROPOSED 2022-2023 BUDGET

Discussion held on street maintenance planned for end of FY 23.

Discussion held on expenditures for code enforcement

Discussion held on animal controls services.

Discussion held on contracts and staying on top of reviewing contracts.

Closed public hearing at 7:22 p.m.

VI. PUBLIC HEARING ON PROPOSED 2022-2023 TAX RATE

Discussion held on streams of revenue.

Discussion held on the city presenting a lower tax rate and the lack of control over appraisals.

Closed public hearing at 7:33 p.m.

VII. DISCUSSION AND ACTION ITEMS

A. Discussion and possible action concerning any final changes to the FY 2022-2023 Proposed Budget.

No action taken.

B. Discussion and consider adopting Ordinance 22-497, an ordinance appropriating adopting a budget for the fiscal year beginning October 1, 2022 and ending September 30, 2023.

Motion to adopt Ordinance 22-497, an ordinance appropriating adopting a budget for the fiscal year beginning October 1, 2022 and ending September 30, 2023.

Motion made by Matthew Yarborough, Seconded by Mike Johnson.

Voting Yea: Mike Johnson, Melissa Strawn, Matthew Yarborough, Rory Escalante

Motion carries.

C. Discuss and consider Ordinance 2022-498, an ordinance adopting a tax rate of \$0.606810 and levying taxes for the use and support of the Municipal Government of the City of Richwood, Texas and providing for the interest and sinking fund of the taxable year 2022.

I MOVE THAT THE PROPERTY TAX RATE BE DECREASED BY THE ADOPTION OF A TAX RATE OF \$0.606810, WHICH IS EFFECTIVELY A 6.97 PERCENT DECREASE IN THE TAX RATE.

Motion made by Mike Johnson, Seconded by Matthew Yarborough.

Voting Yea: Mike Johnson, Melissa Strawn, Matthew Yarborough, Rory Escalante

Motion carries.

D. Discuss and consider approval of resolution #22-R-67 setting a joint public hearing before the Planning and Zoning Commission and City Council for October 10, 2022 at 6:00 p.m. for purposes of considering amendments to Appendix B Zoning Ordinance of the Richwood Code of Ordinances.

Motion to approve resolution #22-R-67 setting a joint public hearing before the Planning and Zoning Commission and City Council for October 10, 2022 at 6:00 p.m. for purposes of considering amendments to Appendix B Zoning Ordinance of the Richwood Code of Ordinances.

Motion made by Matthew Yarborough; Motion dies for lack of second.

Discussion held on when to hold public hearing.

Motion to approve resolution #22-R-67 setting a joint public hearing before the Planning and Zoning Commission and City Council for October 18, 2022 at 6:00 p.m. for purposes of considering amendments to Appendix B Zoning Ordinance of the Richwood Code of Ordinances.

**Motion made by Matthew Yarborough, Seconded by Mike Johnson.
Voting Yea: Mike Johnson, Melissa Strawn, Matthew Yarborough, Rory Escalante**

- E. Discuss and consider Ordinance 496 amending Chapter 20 Traffic and Vehicles of the City of Richwood Code of Ordinances to establish speed limits for listed streets and correct street name at established stop intersections.

Discussion held on stop intersections that may not be listed and Council member Strawn requested this be looked into.

Motion to adopt Ordinance 496 amending Chapter 20 Traffic and Vehicles of the City of Richwood Code of Ordinances to establish speed limits for listed streets and correct street name at established stop intersections.

**Motion made by Melissa Strawn, Seconded by Rory Escalante.
Voting Yea: Mike Johnson, Melissa Strawn, Matthew Yarborough, Rory Escalante**

Motion carries

- F. Discuss, consider, and select an engineering service provider to complete project implementation for the Community Development Block Grant - Mitigation (CDBG-MIT) funding administered by the Texas General Land Office (GLO)

Kirsten Garcia presented bid information.

Discussion held on bid process.

Motion to select Strand as engineering service provider to complete project implementation for the Community Development Block Grant - Mitigation (CDBG-MIT) funding administered by the Texas General Land Office (GLO)

**Motion made by Mike Johnson, Seconded by Melissa Strawn.
Voting Yea: Mike Johnson, Melissa Strawn, Rory Escalante
Voting Nay: Matthew Yarborough**

Motion carries.

- G. Discuss and consider approval of a \$25,000 increase to the City of Angleton/City of Richwood Annual Animal Control Services Contract.

Discussion held on volume of calls or if we are limited.

Motion to approve a \$25,000 increase to the City of Angleton/City of Richwood Annual Animal Control Services Contract.

**Motion made by Mike Johnson, Seconded by Rory Escalante.
Voting Yea: Mike Johnson, Melissa Strawn, Matthew Yarborough, Rory Escalante**

Motion carries.

- H. Discuss and consider resolution #22-R-68 designating representative and alternate to serve on the Houston-Galveston Area Council (HGAC) 2023 General Assembly Board of Directors.

Discussion held on what kind of time commitment this is.

Will bring back next month.

- I. Discuss and consider approving City Manager to execute contracts for Insurance Coverage.

Eric presented.

Motion to approve City Manager to execute contracts for Insurance Coverage.

**Motion made by Matthew Yarborough, Seconded by Mike Johnson.
Voting Yea: Mike Johnson, Melissa Strawn, Matthew Yarborough, Rory Escalante**

Motion carries.

- J. Discuss and consider awarding Richwood's 2022 Asphalt Crack Sealing Project to SRC Civil Construction, LLC inclusive of 15% contingency in an amount not to exceed \$100,334.00.

Clif Custer presented.

Motion to award Richwood's 2022 Asphalt Crack Sealing Project to SRC Civil Construction, LLC inclusive of 15% contingency in an amount not to exceed \$100,334.00.

**Motion made by Mike Johnson, Seconded by Matthew Yarborough.
Voting Yea: Mike Johnson, Melissa Strawn, Matthew Yarborough, Rory Escalante**

Motion carries.

VIII. CAPITAL IMPROVEMENT PROJECTS UPDATE

Clif Custer presented.

IX. CITY MANAGER'S REPORT

Eric reported on meeting with AT&T regarding overbilling - will be bringing more of that in time.

X. COUNCIL MEMBER COMMENTS & REPORTS

Johnson - congrats again on budget award, great presentation tonight. KRB tomorrow night.

Yarborough - adv he attended a parliamentary procedure class, adv they did a very good job making things clear. Adv he thinks its beneficial to have all council members attend.

Escalant - kudos to staff for locking in the electric rate, very hard to find anything that low at this time. Tricia great job on the budget, it's gotten better every year.

XI. MAYOR'S REPORT

Mayor reported thanked staff for all the work on the budget and tax rate. Also updated regarding the school district threats, appreciates the Chief for reaching out to BISD and offering assistance and having

officers at OLQP and CP the Montessori school. Adv he is proud of all local le and how they stepped up during this time. Also updated on LNG class, discussed properties and issues that could occur with emergency in LNG.

XII. FUTURE AGENDA ITEMS

Melissa Strawn requests topics pertaining to charter review committee and regarding CM being able to serve as reserve officer.

City Attorney requests we break in to executive session.

Recessed into Executive Session at 8:30 p.m.

Reconvened 9:18 p.m.

No action at this time – City Attorney will follow up.

XIII. ADJOURNMENT

Being there no further business, the meeting was adjourned at 9:18 p.m.

These minutes were read and approved on this 10th day of October 2022.

Mayor

ATTEST:

City Secretary

September 30, 2022

CHANGE ORDER NO. 2

PROJECT: North Water Plant Booster Pump Station
 OWNER: City of Richwood, Texas
 CONTRACT: 6-2020
 CONTRACTOR: W. W. Payton Corporation

Description of Change

2a	Perform supervisory control and data acquisition (SCADA) platform upgrades as outlined in the enclosed letter, dated August 22, 2022.	ADD	\$15,695.00
2b	Increase the lump sum bid to accommodate for the increased magnetic flow meter costs, as also outlined in the enclosed letter.	ADD	\$4,900.00
TOTAL VALUE OF THIS CHANGE ORDER:		ADD	\$20,595.00

Contract Price Adjustment

Original Contract Price	\$1,943,000.00
Previous Change Order Adjustments	(\$72,000.00)
Adjustment in Contract Price this Change Order	\$20,595.00
Current Contract Price including this Change Order	\$1,891,595.00

Contract Substantial Completion Date Adjustment

Original Contract Substantial Completion Date	October 13, 2022
Contract Substantial Completion Date Adjustments due to previous Change Orders	0 Days
Contract Substantial Completion Date Adjustments due to this Change Order	0 Days
Current Substantial Contract Completion Dates including all Change Orders	October 13, 2022

Contract Final Completion Date Adjustment

Original Contract Final Completion Date	November 12, 2022
Contract Final Completion Date Adjustments due to previous Change Orders	0 Days
Contract Final Completion Date Adjustments due to this Change Order	0 Days
Current Final Contract Completion Dates including all Change Orders	November 12, 2022

City of Richwood, Texas–W. W. Payton Corporation
Contract 6-2020, Change Order No. 2
Page 2
September 30, 2022

This document shall become a supplement to the Contract and all provisions will apply hereto.

RECOMMENDED

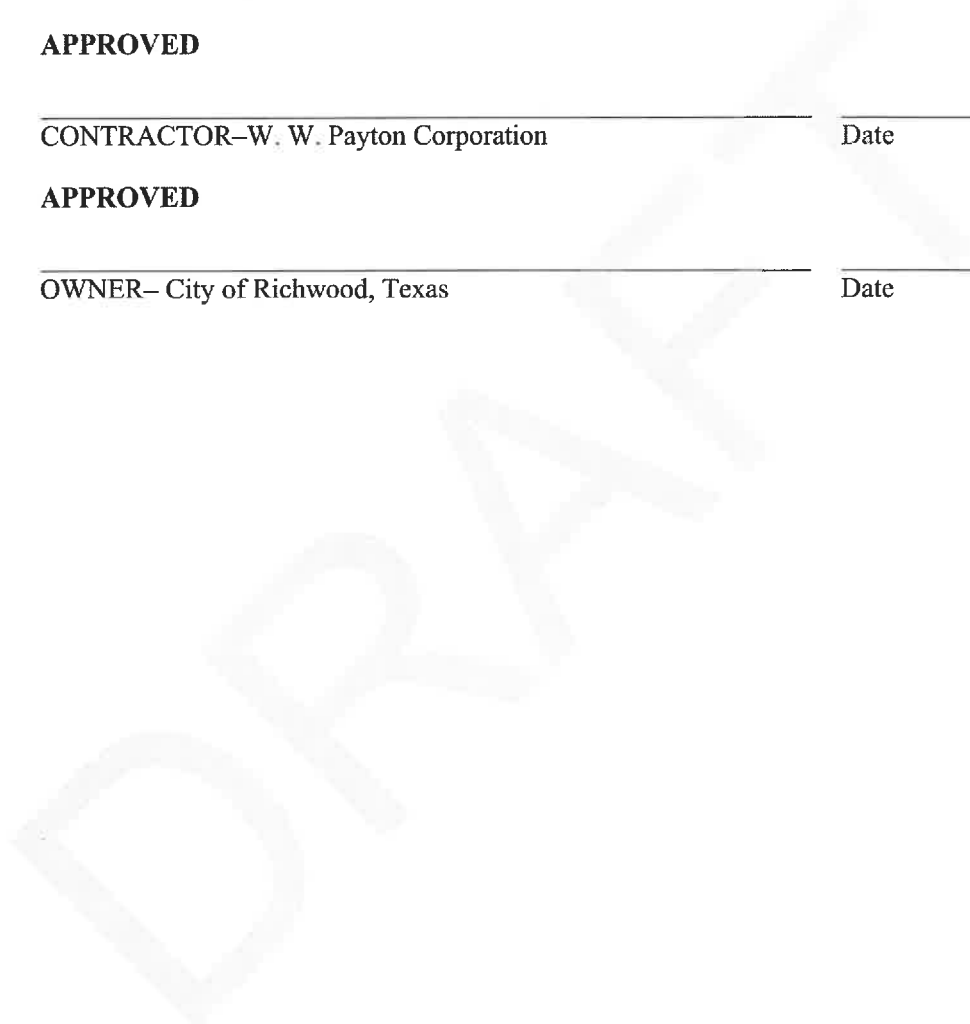
ENGINEER–Strand Associates, Inc.® Date _____

APPROVED

CONTRACTOR–W. W. Payton Corporation Date _____

APPROVED

OWNER– City of Richwood, Texas Date _____





AGENDA MEMORANDUM

CONTACT: CLIF CUSTER

SUBJECT: NORTH WATER PLANT BOOSTER STATION (CHANGE ORDER)

SUMMARY:

WW Payton’s SCADA subcontractor, Mercer Controls included a product submission to Strand Associates for a magnetic flow meter that would serve best for the tracking of water pumped from the storage tank at the North Water Plant. In the interim between the product submission to Strand for review and the purchasing of the meter, the price of the meter increased dramatically.

In addition to the increased cost of the magnetic flow meter, an upgrade to Richwood’s current PLCs at other SCADA sites in town are required to ensure serviceability and communication between water plant sites for years to come.

BACKGROUND INFORMATION:

Cherrell Mercer of Mercer Controls brought to my attention the increased cost of the magnetic flow meter being a situation of Force Majeure because the specific increase of the flow meter cost could not be foreseen, nor the cost increase from the manufacturer be controlled.

Additional increases included in the Change Order fund upgrades of programmable logic controllers (PLCs) at Richwood’s SCADA sites for future communication integrity and serviceability.

A **programmable logic controller (PLC)** is an industrial computer that has been ruggedized and adapted for the control of manufacturing processes, such as assembly lines, machines, robotic devices, or any activity that requires high reliability, ease of programming, and process fault diagnosis. The PLCs utilized in Richwood’s SCADA system ensure dependable automatic function of Richwood’s water plants to fill water storage tanks to maintain water distribution pressure as well as an abundant water supply.

For years Richwood has utilized Allen-Bradly components within the SCADA system because of their excellent service record. Currently, Allen Bradly PLC Model 1400 is in service throughout Richwood’s SCADA sites. It has recently been discovered that the model 1400 PLC will no longer

be supported by the manufacturer. The manufacturer's suggestion was to upgrade to the next generation PLC known as Model 850. The downfall to this option is that the Models 1400 & 850 will not communicate therefore requiring a full system upgrade to ensure future communication between SCADA sites. The upgrade to the Model 850 PLC will also ensure compatibility between all SCADA sites and Richwood's master panel allowing Richwood to receive all additional SCADA options outlined in the original construction contract.

ISSUE:

None

FISCAL IMPACT:

\$20,595.00

This will increase the amended contract price from \$1,871,000.00 to \$1,891,595.00. The overall North Water Plant construction cost totals \$3,990,909.50. Due to interest gains, Richwood currently has an additional \$74,000.00 more than the original \$4,000,000.00 of bond funds received.

RECOMMENDATION:

I recommend Council make a motion approving the North Water Plant Booster Pump Station Change Order #2 in the amount of \$20,595.00.



MERCER CONTROLS, INC.

P. O. Box 777 / 804 APOLLO DRIVE
EDNA, TEXAS 77957
PH: (361) 782-7168 FAX: (361) 782-7706

S.A. Mercer, P.E.
(361) 550-1087

www.mercercontrols.com

October 5, 2022

City of Richwood
1800 N Brazosport Boulevard
Richwood, Texas 77531

Attention: Clif Custer

RE: Bypass at South Water Plant

PROPOSAL

Mercer Controls proposes to furnish and install necessary equipment to provide a dependable bypass around the ground storage tank (GST) at your South Water Plant. Our installation will include the following:

- Providing two 1,500-gallon temporary trailer-mounted tanks;
- Connection to existing booster pump suction line from temporary tank outlets;
- Connection from BWA metering vault to temporary tanks, with +/- 150 feet of 4-inch piping placed on ground and anchored;
- Furnishing two Variable Frequency Drive (VFD) units, one Pressure Transmitter, and one Mercer Controls Precision VFD Controller for temporary use;
- Modification of control structure at the plant to allow water demand at the site to cause the control valve in the BWA vault to open and close as needed;
- Allowing for operation 24 hours a day if needed to properly manage pressure in the vicinity;
- Furnishing protective enclosures for VFD units at the site;

At the completion of the project, we will restore operation to normal and remove the temporary piping and equipment.

This plant supports the rest of the water system in Richwood. The maximum amount of water that can be contributed from the plant during emergency bypass operation will be the limit on the

October 5, 2022
Re: Richwood Temporary Bypass Proposal
2 | Page

amount of BWA water that is available. In the event of a fire, the area around the plant will be supported by water from the sources at the north side of town.

We include an allowance of \$1,500.00 for the connection inside the BWA valve vault. Price will be adjusted to actual charges.

Price complete, for the first seven days, \$27,880.42.
Price per day after the seventh day, \$180.40.

We encourage operation of the bypass system for 48 to 72 hours before taking the tank out of service. We will work with the City to allow the use of as much of the water in the tank as possible.

Start date will be subject to availability of material once approved. Normally 2-4 weeks.

Respectfully Submitted,

Mercer Controls, Inc.

S. A. Mercer, P. E.
President

SAM/cgm

RESOLUTION 2022-R-70

A RESOLUTION AMENDING THE FISCAL YEAR 2022-2023 BUDGET TO ALLOW TRANSFER \$37,000 FROM CAPITAL EXPENDITURES TO ENTERPRISE FUND

WHEREAS, the City of Richwood City Council adopted a budget for the City of Richwood, Texas, for the fiscal year 2022-2023 in September 2022;

WHEREAS, Public Works Director Clif Custer has requested that a budget amendment be approved in the amount of \$37,000 to be transferred from Capital Improvements Fund 32 to the Enterprise Fund 30 for the cost of a temporary tank and high service booster pumps while Richwood’s ground storage tank is drained for necessary maintenance;

WHEREAS, staff requests council approve the transfer from undesignated funds within Fund 32 to Fund 30.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF RICHWOOD, TEXAS HEREBY AMENDS THE FISCAL YEAR 2020-2021 BUDGET AS FILED WITH THE CITY SECRETARY AS FOLLOWS:

Water & Sewer Fund

Increase to Budget – Professional Services	\$37,000
Increase to Budget – Transfer from Capital Improvements	\$37,000

Capital Improvement Fund

Increase to Budget – Transfer from Enterprise Fund	\$37,000
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PASSED AND APPROVED on this 10th day of October 2022.

Steve Boykin, Mayor

ATTEST:

Kirsten Garcia, City Secretary



AGENDA MEMORANDUM

CONTACT: CLIF CUSTER

SUBJECT: BUDGET AMENDMENT (SOUTH WATER PLANT TANK MAINTENANCE)

SUMMARY:

Maintenance of Richwood’s ground storage tank located at the South Water Plant has become a necessity. This maintenance will come in the form of an interior sand blast and paint coating of the tank. In best attempts to equalize water pressure in this region of the city, a temporary tank and pumps must be staged at this water plant site while the ground storage tank is drained, and an interior paint coating is applied.

BACKGROUND INFORMATION:

An interior tank coating of the South Water Plant ground storage tank is necessary to inhibit the degradation of steel that takes place when exposed to chlorine vapors. Public Works has made their best effort to postpone this maintenance until the completion of the North Water Plant which would have added high service pumping as well as an additional water source during the time the South Water Plant tank is drained for maintenance.

Due to the delay of completion of the North Water Plant and the postponement of necessary maintenance at the South Water Plant tank, Richwood risks being in breach of contract with Utility Service Group by not allowing the contractor to perform necessary maintenance to protect the structural integrity of the water tank.

The use of a temporary tank and high service booster pumps is the only viable option Richwood possesses to equalize pressure in the south portion of the city while Richwood’s ground storage tank is drained for maintenance.

ISSUE:

In the past when the ground storage tank was drained or had a low level of water, 2nd and 3rd story apartments begin to call City Hall complaining of loss of water pressure. It is the opinion of Public Works that allowing that situation to manifest over a 10-14 day period (estimated time duration to coat the interior of the tank) would be irresponsible and reckless.

FISCAL IMPACT:

\$37,000

RECOMMENDATION:

I recommend Council make a motion to approve the budget amendment moving funds from Capital Improvements to Professional Services within the Enterprise Fund, to fund a temporary tank and booster pumps at the South Water plant while the water storage tank is drained for maintenance.



AGENDA MEMORANDUM

CONTACT: CLIF CUSTER

SUBJECT: SOLID WASTE SERVICE CONTRACT

SUMMARY:

According to the contractual agreement between Richwood and Waste Connections, Richwood has extended the contractual agreement for Solid Waste Services the maximum allotted times. The contract for Solid Waste Services must go out for bid in FY-23.

BACKGROUND INFORMATION:

Historically Richwood has entered into contractual agreements with solid waste service providers for a term of three years with an option to renew for two one-year periods. Since 2012 Richwood has had a solid waste service provider that provided residential refuse and recycling, commercial refuse, and heavy trash services.

In past years Richwood has facilitated residential refuse, recycling, and heavy trash while the service provider has facilitated and managed commercial refuse accounts. In the past this has not allowed Richwood to charge the service provider any franchise fees.

ISSUE:

Before any RFP is advertised for solid waste service providers, Staff would like to have the conversation with Council regarding Richwood’s future service plan including:

- Frequency of service
- Heavy trash quantities
- Commercial refuse and franchise fees

This conversation is meant to provide Staff with direction regarding the degree of solid waste services that are expected to be outlined in the upcoming RFP submittals.

FISCAL IMPACT:

None

RECOMMENDATION:

Based on Staff's knowledge and input combined with Council's experience with solid waste services, provide staff with feedback that highlights Council's service goals for the FY-23 solid waste service bid submittals.



AGENDA MEMORANDUM

CONTACT: Kirsten Garcia, City Secretary

SUBJECT: Appointment of members of the Charter Review Commission

SUMMARY: As per Charter, City Council shall appoint 5 citizens of the City to serve as the Charter Review Commission.

I received six applications and Council must appoint five citizens to the board.

Applicants are as follows:

1. **Mark Guthrie**
2. **Leslie Klug**
3. **Lauren LaCount**
4. **Kimberly Mayer**
5. **Amanda Reynolds**
6. **William Yearsin**

BACKGROUND INFORMATION:

Charter States:

Section 11.12. - Charter Review Commission.

The City Council shall appoint each even numbered year, a Charter Review Commission of five citizens of the City.

(a) Duties of the Commission. It shall be the duty of such Charter Review Commission to:

1. Inquire into the operations of the City government under the Charter provisions and determine whether any such provisions require revision. To this end public hearings may be held and the Commission shall have the power to compel the attendance of any officer or employee of the City and to require the submission of any of the City records which it may deem necessary to the conduct of such hearing;
2. Propose any recommendations it may deem desirable to ensure compliance with the provisions of the Charter by the several departments of the City government;
3. Propose, if it deems desirable, amendments to this Charter to improve the effective application of said Charter to current conditions;
4. Report its finding and present its proposed amendments if any, to the City Council.

(b) Action by the City Council. The City Council shall receive and have published in a newspaper of general circulation in the City any report presented by the Charter Review Commission, shall consider any

recommendations made, and if any amendments or amendment be presented as a part of such report may order such amendment or amendments to be submitted to the voters of the City in the manner provided by the applicable statute of the State of Texas.

(c) Term of office. The term of office of such Charter Review Commission shall be one year and, if during such term no report is presented to the City Council, then all records of the proceedings of such Commission shall be filed with the person performing the duties of City Secretary and shall become a public record.

Thank you,



Kirsten Garcia

ORDINANCE 22-499

AN ORDINANCE AMENDING CHAPTER 16 POLICE OF THE CITY OF RICHWOOD CODE OF ORDINANCES TO INCLUDE ADDITIONAL PROVISIONS FOR APPOINTMENT OF RESERVE POLICE OFFICERS; PROVIDING THAT ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH SHALL BE REPEALED TO THE EXTENT OF THE CONFLICT ONLY; PROVIDING FOR A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Richwood adopted Ordinance 143 creating a Police Reserve Force on July 8, 1980.

WHEREAS, the City Council of the City of Richwood wishes to amend Section 16-49 of Chapter 16 Police.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF RICHWOOD, TEXAS:

Section 1: That section 16-49 – Appointments, regulations - is hereby amended to reflect the following:

Any person appointed under the terms of this article shall be appointed by the chief of police and approved by City Council prior to carrying a weapon or otherwise acting as a peace officer. They shall serve under the regulations set forth by the chief of police for the remuneration as may be prescribed by the city council.

Section 2: That if any provision of this ordinance or application thereof to any person or circumstance is held invalid by any court, such holding shall not affect the validity of the remaining portions of this ordinance, and the City Council of the City, hereby declares that it would have enacted such remaining portions despite any such invalidity.

Section 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict only.

Section 4: That this ordinance shall be in effect on October 10, 2022.

PASSED AND ADOPTED on this 12th day of September, 2022.

Steve Boykin, Mayor

Kirsten Garcia, City Secretary

MEMORANDUM

To: The Honorable Steve Boykin, Mayor and Members of the Richwood City Council

From: Kirsten Garcia, City Secretary

Date: October 7, 2022

Subject: HGAC Representative Designation

H-GAC is the regional organization through which local governments consider issues and cooperate in solving area wide problems. Through H-GAC, local governments also initiate efforts in anticipating and preventing problems, saving public funds. The 13-county H-GAC service region is growing, becoming more diverse, and constantly changing. In order to address the needs of citizens and businesses, local governments are providing leadership to guide regional development wisely and manage change constructively.

H-GAC's Bylaws provide that each member Home Rule city with a population under 25,000 as of the last 2010 Federal Census is entitled to designate one representative and one alternate to the H-GAC General Assembly, which will meet once annually.

The Board of Directors is composed of 36 elected officials representing the 13 counties, 107 cities, and 11 member independent school districts in the region. The Board meets monthly.

I am requesting Council appoint one member to serve for the City of Richwood in the HGAC General assembly. With an expected time commitment of one annual meeting, to be announced at a later date.

RESOLUTION 22-R-68

A RESOLUTION DESIGNATING REPRESENTATIVE AND ALTERNATE TO SERVE ON THE HOUSTON-GALVESTON AREA COUNCIL 2023 GENERAL ASSEMBLY BOARD OF DIRECTORS

BE IT RESOLVED, by the Mayor and the City Council of Richwood, Texas, that _____ be, and is hereby designated as its Representative to the GENERAL ASSEMBLY of the Houston-Galveston Area Council for the year 2023.

FURTHER, that the Official Alternate authorized to serve as the voting representative should the hereinabove name representative become ineligible, or should he/she resign, is _____.

AND FURTHER MORE, that the Executive Director of the Houston-Galveston Area Council be notified of the designation of the hereinabove named representative and alternate.

PASSED AND APPROVED this 10th day of October 2022.

Steve Boykin, Mayor

ATTEST:

Kirsten Garcia, City Secretary



HOUSTON – GALVESTON AREA COUNCIL
OFFICE OF THE EXECUTIVE DIRECTOR

To: Mayors – Home Rule Cities
Subject: 2022 General Assembly Designations
From: Chuck Wemple
Date: September 1, 2021

As we approach 2022, the Houston-Galveston Area Council will be entering its 56th year of public service. We continue to explore new opportunities to better serve our members through ever evolving programs and innovative services. The General Assembly and Board of Directors are vitally instrumental in the agency’s course of action during these unprecedented times. As Mayor, you have the opportunity to play a unique role in our future by designating the City Councilmembers that will represent your city at the annual gathering of our General Assembly.

I’ve attached a form for your city’s use in officially designating a representative and an alternate. The two designees must be elected official members of your city’s governing body. Please return the completed form by email to laura.parker@h-gac.com.

A dinner meeting of Home Rule city representatives is scheduled for the evening of November 8, 2021. At that meeting, your 2021 Home Rule Cities’ H-GAC Board of Directors representatives will report on this year’s activities and we will look ahead to issues and progress in 2022.

We are sending a copy of these designation materials to your city secretary as well. We would appreciate receiving your city’s designation form **by October 29**.

If more information concerning General Assembly membership would be useful, please contact me at 713-993-4514 or Rick Guerrero at 713-993-4598. Thank you again for your city’s continuing participation and support for the Houston-Galveston Area Council.

Sincerely,

Chuck Wemple

CW/cj

Attachment
cc: City Secretary

Sec. 341.012. POLICE RESERVE FORCE. (a) The governing body of a municipality may provide for the establishment of a police reserve force.

(b) The governing body shall establish qualifications and standards of training for members of the reserve force.

(c) The governing body may limit the size of the reserve force.

(d) The chief of police shall appoint the members of the reserve force. Members serve at the chief's discretion.

(e) The chief of police may call the reserve force into service at any time the chief considers it necessary to have additional officers to preserve the peace and enforce the law.

(f) A member of a reserve force who is not a peace officer as described by Article [2.12](#), Code of Criminal Procedure, may act as a peace officer only during the actual discharge of official duties.

(g) An appointment to the reserve force must be approved by the governing body before the person appointed may carry a weapon or otherwise act as a peace officer. On approval of the appointment of a member who is not a peace officer as described by Article [2.12](#), Code of Criminal Procedure, the person appointed may carry a weapon only when authorized to do so by the chief of police and only when discharging official duties as a peace officer.

(h) Reserve police officers may act only in a supplementary capacity to the regular police force and may not assume the full-time duties of regular police officers without complying with the requirements for regular police officers. On approval of the appointment of a member who is a peace officer as described by Article [2.12](#), Code of Criminal Procedure, the chief of police may authorize the person appointed to carry a weapon or act as a peace officer at all times, regardless of whether the person is engaged in the actual discharge of official duties, or may limit the authority of the person to carry a weapon or act as a peace officer to only those times during which the person is engaged in the actual discharge of

official duties. A reserve police officer, regardless of whether the reserve police officer is a peace officer as described by Article [2.12](#), Code of Criminal Procedure, is not:

(1) eligible for participation in any program provided by the governing body that is normally considered a financial benefit of full-time employment or for any pension fund created by statute for the benefit of full-time paid peace officers; or

(2) exempt from Chapter [1702](#), Occupations Code.

(i) This section does not limit the authority of the mayor of a Type A general-law municipality to summon a special police force under Section [341.011](#).

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.
Amended by Acts 1999, 76th Leg., ch. 90, Sec. 4, eff. Sept. 1, 1999; Acts 2001, 77th Leg., ch. 1420, Sec. 14.825, eff. Sept. 1, 2001.

ARTICLE III. - POLICE RESERVE FORCE [3]

Footnotes: --- (3) --- State Law reference— Police reserve, V.T.C.A., Local Government Code § 341.012.

Sec. 16-46. - Established, qualifications.

There shall be established a position of reserve peace officer which shall be an office staffed by persons who are qualified under Vernon's Ann. C.C.P. art. 2.12 or who may have qualified as peace officers under some other provision of the law with equivalent qualifications thereof.

(Ord. No. 143, § 1, 7-8-80)

Sec. 16-47. - Standards, duties of service.

Any peace officer who shall serve under the provisions of this article shall serve in accord with the requirements upon such officer, including his duties set forth in Vernon's Ann. C.C.P. arts. 2.13, 2.14 and 2.16.

(Ord. No. 143, § 2, 7-8-80)

Sec. 16-48. - Powers.

Except as otherwise provided by law, each officer qualifying under this article shall have the power set forth to him under Vernon's Ann. C.C.P. arts. 2.15, 2.17.

(Ord. No. 143, § 3, 7-8-80)

Sec. 16-49. - Appointment, regulations.

Any person appointed under the terms of this article shall be appointed by the chief of police and shall serve under the regulations set forth by the chief of police for the remuneration as may be prescribed by the city council.

(Ord. No. 143, § 4, 7-8-80)

Sec. 16-50. - Termination.

Any officer who may be employed as a reserve peace officer under the terms hereof shall be subject to termination at the will of the chief of police whether with cause or without cause.

(Ord. No. 143, § 5, 7-8-80)