

# City of Richwood — TEXAS —

## CITY COUNCIL MEETING AGENDA

Monday, October 09, 2023 at 6:15 PM

*Richwood City Hall, 1800 Brazosport Blvd. N.*

BE IT KNOWN THAT a City of Richwood City Council will meet Monday, October 9, 2023, 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
- II. ROLL CALL OF COUNCIL MEMBERS
- III. PUBLIC COMMENTS
- IV. PRESENTATION
  - A. Strawberry Jamboree, presented by Kimberly Mayer, Horticulture Agent, with AgriLife Extension.
- V. CONSENT AGENDA
  - [A.](#) Budget Report, August 2023
  - [B.](#) Approval of minutes from regular meeting held September 11, 2023.
- VI. DISCUSSION AND ACTION ITEMS
  - [A.](#) After action Report and discussion reference water main break
  - [B.](#) Discussion regarding City Council Rules of Procedure, to be adopted at a later date.
  - C. Consider items removed from consent agenda
- VII. CAPITAL IMPROVEMENT PROJECTS UPDATE
- VIII. CITY MANAGER'S REPORT
- IX. COUNCIL MEMBER COMMENTS & REPORTS
- X. MAYOR'S REPORT
- XI. FUTURE AGENDA ITEMS
- XII. 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 6, 2023 at 09:30 AM 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



# AGENDA MEMORANDUM – OCTOBER 9, 2023

## ITEM # CONSENT

**CONTACT:** Patricia Ditto, Finance Director

**SUBJECT:** Monthly Budget Summary Report

**SUMMARY:** Receive and/or approve the August 2023 Budget Report

### BACKGROUND INFORMATION:

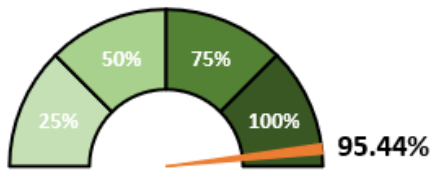
The information provided is for the FY 2022-2023 budget period, month ending August 31, 2023. This summary highlights several key points related to the current month’s activity for the General Fund and for the Water and Sewer Enterprise Fund. The attached report is unaudited, and this month may include corrections from prior months.

### DISCUSSION:

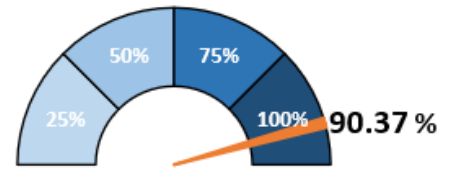
Attached is the budget report for August 2023, which is the eleventh month of Fiscal Year 23. 91.7% of the year has passed. The report reflects the original budget as approved for FY23 as well as the revised budget reflecting all budget amendments approved by council since the original budget was approved. *This budget report is a preliminary report reflecting current year to date figures that are unaudited and may be adjusted at a future time.*

### 10-General Fund

As of August 31, 2023, General Fund revenues total \$3,73,455. General Fund expenditures total \$2,655,515.



**General Fund Revenue as % of Budget**



**General Fund Expenditures as % of Budget**

### Revenue (GF)

Total Revenue collected in the General fund is at 95.44% of budget projection.

- M & O (Maintenance and Operations) Property tax (including current, delinquent and penalties) received through the end of August is \$1,972,204, 96.72% of projected property taxes for the year.
- Sales Tax revenue received in August was earned in June. The amount received in the General Fund is \$55,897 for a year-to-date total of \$479,206. \$13,604 was received within CCPD and \$12,509 within the Transportation Fund. Total sales tax received by two city funds city is \$598,637 and by CCPD is \$115,343, grand total \$713,980. The chart below compares FY23 sales tax revenue with FY22. We

# City of Richwood TEXAS

are behind on collections this current year as compared to the end of August FY22 when we had collected \$803,560 total.

MONTH RECEIVED	FY 2022				FY 2023			
	GENERAL FUND	TRANS FUND	CCPD	TOTAL	GENERAL FUND	TRANS FUND	CCPD	TOTAL
DEC	53,567.31	13,391.83	13,217.46	<b>80,176.60</b>	44,369.52	11,092.39	10,760.96	<b>66,222.87</b>
JAN	56,126.12	14,031.53	13,925.95	<b>84,083.60</b>	52,644.29	13,161.07	12,957.41	<b>78,762.77</b>
FEB	57,614.76	14,403.69	14,521.54	<b>86,539.99</b>	55,858.64	13,964.65	13,634.73	<b>83,458.02</b>
MAR	50,637.08	12,659.27	12,646.82	<b>75,943.17</b>	56,308.72	14,077.18	13,767.76	<b>84,153.66</b>
APR	51,434.48	12,858.61	12,824.76	<b>77,117.85</b>	51,255.32	12,813.83	12,475.55	<b>76,544.70</b>
MAY	68,671.54	17,167.89	17,012.76	<b>102,852.19</b>	58,663.20	14,665.80	14,074.45	<b>87,403.45</b>
JUN	65,008.00	16,252.00	19,439.97	<b>100,699.97</b>	47,805.40	11,951.34	11,489.95	<b>71,246.69</b>
JUL	65,972.27	16,493.06	16,490.53	<b>98,955.86</b>	56,403.73	14,100.94	13,673.07	<b>84,177.74</b>
AUG	64,814.44	16,203.61	16,172.78	<b>97,190.83</b>	55,897.00	13,604.00	12,509.00	<b>82,010.00</b>
SEPT	54,061.24	13,515.30	13,440.49	<b>81,017.03</b>				<b>0.00</b>
OCT*	76,500.74	19,125.18	18,947.42	<b>114,573.34</b>				<b>0.00</b>
NOV*	65,732.13	16,502.16	16,433.03	<b>98,667.32</b>				<b>0.00</b>
YEAR TOTAL	730,140.11	182,604.13	185,073.51	<b>1,097,817.75</b>	479,205.82	119,431.20	115,342.88	<b>713,979.90</b>

\*Accrued in month earned to reflect in the proper fiscal year

- Permits and Licenses revenues total \$17,218 this month, year to date total of \$80,404. This is compared to \$80,436 collected at this time last year. Inspection fees collected are \$27,805 while fees paid for inspections are \$28,190 as of the end of August.
- Water Impact fees collected this year total \$12,070, \$4,825 collected this month. No Sewer impact fees have been collected. All Impact Fees are posted to Fund 32 Utility Capital Improvements and do not show in this budget report.
- Municipal Court revenue for the month of August is \$5,595, year to date totaling \$102,789 or 93.44% of projection. This compares to \$98,319 at this time last year.
- Interest revenue is at \$94,491 year to date, far ahead of budget projections, which were done very conservatively.

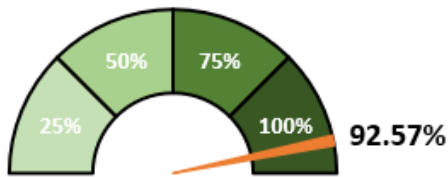
## Expenditures (GF)

Expenditures in the General Fund are currently shown at \$2,655,514, 94.39% of budget. All departments, with the exception of City Maintenance are near or below expected levels for this time of year. After 9/30, finance will be bringing a budget amendment for any major line-item overages.

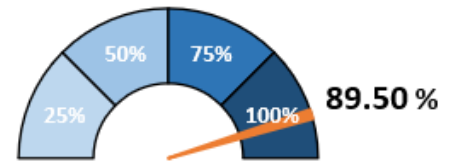
# City of Richwood TEXAS

## 30-Water, Sewer, and Solid Waste Fund

Operating Revenues received year-to-date through August total \$2,465,308. Operating expenses are \$1,870,678. Revenue is slightly ahead of projections while expenditures are slightly under budget. This brings the current bottom line to \$311,000 better than the budget.



**Enterprise Fund Revenue as % of Budget**



**Enterprise Fund Operating Expense as % of Budget**

**RECOMMENDATION:** Council to approve August 2023 Budget Summary Report for General Fund and the Water & Sewer Enterprise Fund.

**City of Richwood  
Operational Budget Report  
10/1/2022 -8/31/2023**

10 General Fund	Prior YTD	Current Period	Current YTD	Original Budget	Revised Budget	Remaining Budget	% Earned/Used
<b>Revenue</b>							<b>91.7% of year</b>
Taxes	2,636,484.73	92,458.34	2,627,370.88	2,960,070.00	2,960,070.00	332,699.12	88.76%
Property taxes, including delinquent & penalties	1,913,304.26	8,152.48	1,972,203.75	2,039,070.00	2,039,070.00		96.72%
Franchise Taxes	189,334.47	28,409.20	175,961.62	196,000.00	196,000.00		89.78%
Sales Tax	533,846.00	55,896.66	479,205.51	725,000.00	725,000.00		66.10%
Licenses and permits	80,435.94	17,218.28	80,404.16	88,250.00	88,250.00	7,845.84	91.11%
Intergovernmental revenue	15,719.85	89,197.24	90,326.39	1,000.00	1,000.00	(89,326.39)	Ahead of Budget
Charges for services - Municipal Bldg Rental	6,719.88	725.00	8,600.00	7,000.00	7,000.00	(1,600.00)	Ahead of Budget
Municipal Court Revenue	98,318.94	5,594.86	102,788.66	110,000.00	110,000.00	7,211.34	93.44%
Special Revenues	60.65	3.00	8,023.73	1,350.00	1,350.00	(6,673.73)	Ahead of Budget
Interest	7,340.35	12,306.37	94,491.03	2,500.00	2,500.00	(91,991.03)	Ahead of Budget
Miscellaneous revenue	43,848.22	3,355.57	61,450.40	50,000.00	50,000.00	(11,450.40)	Ahead of Budget
Inspection Fees	27,830.00	2,530.00	27,805.00	35,000.00	35,000.00		
Miscellaneous Income	12,443.22	675.57	29,095.40	10,000.00	10,000.00		
Parks & Recreation - Park Pavillion Rentals	3,575.00	150.00	3,025.00	5,000.00	5,000.00		
Parks & Recreation - Sports Field Rental	0.00	0.00	1,525.00	0.00	0.00		
<b>Total Revenue</b>	<b>2,888,928.56</b>	<b>220,858.66</b>	<b>3,073,455.25</b>	<b>3,220,170.00</b>	<b>3,220,170.00</b>	<b>146,714.75</b>	<b>95.44%</b>
<b>Expenditures</b>							
<b>General Government Administration</b>							
Personnel & Benefits	412,449.46	36,308.94	430,012.99	471,868.00	471,868.00	41,855.01	91.13%
Supplies	11,819.74	99.37	13,867.21	18,900.00	18,900.00	5,032.79	73.37%
Maintenance & Repair	4,660.75	174.00	4,724.39	4,000.00	4,000.00	(724.39)	Over Budget
Utilities	13,700.99	2,518.57	10,717.49	14,700.00	14,700.00	3,982.51	72.91%
Professional Services	134,115.22	4,393.68	166,448.48	184,300.00	184,300.00	17,851.52	90.31%
Other Services	55,656.20	1,452.58	89,906.72	71,500.00	71,500.00	(18,406.72)	Over Budget
Capital Equipment	3,479.47	340.98	42,754.89	37,600.00	37,600.00	(5,154.89)	Over Budget
<b>Total Administration</b>	<b>635,881.83</b>	<b>45,288.12</b>	<b>758,432.17</b>	<b>802,868.00</b>	<b>802,868.00</b>	<b>44,435.83</b>	<b>94.47%</b>
<b>Judicial</b>							
Personnel & Benefits	62,382.75	5,431.73	65,321.36	73,735.00	73,735.00	8,413.64	88.59%
Supplies	1,410.98	0.00	0.00	2,300.00	2,300.00	2,300.00	0.00%
Professional Services	19,998.40	320.00	14,607.20	20,350.00	20,350.00	5,742.80	71.78%
Other Services	205.00	0.00	130.00	1,000.00	1,000.00	870.00	13.00%
<b>Total Judicial</b>	<b>83,997.13</b>	<b>5,751.73</b>	<b>80,058.56</b>	<b>97,385.00</b>	<b>97,385.00</b>	<b>17,326.44</b>	<b>82.21%</b>
<b>Permitting &amp; Inspections</b>							
Personnel & Benefits	30,740.50	3,465.00	28,190.00	40,000.00	40,000.00	11,810.00	70.48%
Supplies	1,473.90	0.00	0.00	1,000.00	1,000.00	1,000.00	0.00%
Professional Services	0.00	0.00	0.00	1,500.00	1,500.00	1,500.00	0.00%
<b>Total Permitting &amp; Inspections</b>	<b>32,214.40</b>	<b>3,465.00</b>	<b>28,190.00</b>	<b>42,500.00</b>	<b>42,500.00</b>	<b>14,310.00</b>	<b>66.33%</b>
<b>Special Revenue Expenditures</b>							
Supplies	1,141.50	0.00	0.00	1,500.00	1,500.00	1,500.00	0.00%
<b>Total Special Revenue Expenditures</b>	<b>1,141.50</b>	<b>0.00</b>	<b>0.00</b>	<b>1,500.00</b>	<b>1,500.00</b>	<b>1,500.00</b>	<b>0.00%</b>
<b>Total General Government</b>	<b>753,234.86</b>	<b>54,504.85</b>	<b>866,680.73</b>	<b>944,253.00</b>	<b>944,253.00</b>	<b>77,572.27</b>	<b>91.78%</b>
<b>Public Safety</b>							
<b>Police Department</b>							
Personnel & Benefits	706,728.13	60,027.84	782,887.16	872,524.00	872,524.00	89,636.84	89.73%
Supplies	46,719.87	3,272.74	49,734.64	51,000.00	51,000.00	1,265.36	97.52%
Maintenance & Repair	30,578.73	1,790.64	29,992.05	28,350.00	28,350.00	(1,642.05)	Over Budget
Utilities	14,761.78	1,758.71	17,969.82	14,500.00	14,500.00	(3,469.82)	Over Budget
Professional Services	144,799.87	5,783.06	162,277.13	159,556.00	159,556.00	(2,721.13)	Over Budget
Other Services	15,595.93	0.00	15,652.16	18,200.00	18,200.00	2,547.84	86.00%
Capital Equipment	4,434.10	(876.90)	2,887.24	10,625.00	10,625.00	7,737.76	27.17%
<b>Total Police Department</b>	<b>963,618.41</b>	<b>71,756.09</b>	<b>1,061,400.20</b>	<b>1,154,755.00</b>	<b>1,154,755.00</b>	<b>93,354.80</b>	<b>91.92%</b>
<b>Fire Department</b>							
Personnel & Benefits	34,223.40	0.00	17,850.20	38,461.00	38,461.00	20,610.80	46.41%
Supplies	10,006.23	314.25	14,199.15	19,000.00	19,000.00	4,800.85	74.73%
Maintenance & Repair	32,022.73	870.59	36,563.39	30,500.00	30,500.00	(6,063.39)	Over Bud

10 General Fund	Prior YTD	Current Period	Current YTD	Original Budget	Revised Budget	Remaining Budget	% Earned / Used
Utilities	5,122.84	717.88	5,137.73	5,000.00	5,000.00	(137.73)	Over Budget
Professional Services	146,515.75	435.00	153,679.00	160,907.00	160,907.00	7,228.00	95.51%
Other Services	24,972.62	(1,980.00)	31,058.51	27,000.00	27,000.00	(4,058.51)	Over Budget
Capital Equipment	55,286.63	0.00	37,828.44	64,712.00	64,712.00	26,883.56	58.46%
<b>Total Fire Department</b>	<b>308,150.20</b>	<b>357.72</b>	<b>296,316.42</b>	<b>345,580.00</b>	<b>345,580.00</b>	<b>49,263.58</b>	<b>85.74%</b>
<b>Code Enforcement</b>							
Personnel & Benefits	500.00	4,389.95	46,854.13	62,721.00	62,721.00	15,866.87	74.70%
Supplies	165.01	0.00	635.45	2,000.00	2,000.00	1,364.55	31.77%
Professional Services	0.00	0.00	0.00	1,000.00	1,000.00	1,000.00	0.00%
Other Services	0.00	0.00	0.00	1,500.00	1,500.00	1,500.00	0.00%
<b>Total Code Enforcement</b>	<b>665.01</b>	<b>4,389.95</b>	<b>47,489.58</b>	<b>67,221.00</b>	<b>67,221.00</b>	<b>19,731.42</b>	<b>70.65%</b>
<b>Total Public Safety</b>	<b>1,272,433.62</b>	<b>76,503.76</b>	<b>1,405,206.20</b>	<b>1,567,556.00</b>	<b>1,567,556.00</b>	<b>162,349.80</b>	<b>89.64%</b>
<b>Public Works</b>							
<b>City Maintenance</b>							
Personnel & Benefits	96,742.89	8,010.25	92,539.21	112,568.00	112,568.00	20,028.79	82.21%
Supplies	17,225.51	1,542.34	20,588.14	15,950.00	15,950.00	(4,638.14)	Over Budget
Maintenance & Repair	48,121.63	2,706.07	45,634.70	36,510.00	36,510.00	(9,124.70)	Over Budget
Utilities	22,667.10	4,215.74	32,863.33	44,700.00	44,700.00	11,836.67	73.52%
Other Services	8,943.73	0.00	18,656.38	10,100.00	10,100.00	(8,556.38)	Over Budget
Capital Equipment	59,422.00	231,844.00	133,680.17	15,000.00	140,000.00	6,319.83	891.20%
<b>Total City Maintenance</b>	<b>253,122.86</b>	<b>248,318.40</b>	<b>343,961.93</b>	<b>234,828.00</b>	<b>359,828.00</b>	<b>15,866.07</b>	<b>146.47%</b>
<b>Parks and Recreation</b>							
Supplies	2,752.25	562.86	3,733.82	3,800.00	3,800.00	66.18	98.26%
Maintenance & Repair	28,939.26	591.12	18,797.52	31,000.00	31,000.00	12,202.48	60.64%
Utilities	2,414.83	459.62	2,715.76	4,000.00	4,000.00	1,284.24	67.89%
Other Services	10,335.47	0.00	14,418.63	18,050.00	18,050.00	3,631.37	79.88%
<b>Total Parks and Recreation</b>	<b>44,441.81</b>	<b>1,613.60</b>	<b>39,665.73</b>	<b>56,850.00</b>	<b>56,850.00</b>	<b>17,184.27</b>	<b>69.77%</b>
<b>Emergency/Disaster</b>							
Contract Labor	215,926.90	0.00	0.00	0.00	0.00	0.00	0.00%
<b>Total Emergency/Disaster</b>	<b>215,926.90</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00%</b>
Miscellaneous	0.00	0.00	0.00	10,000.00	10,000.00	10,000.00	0.00%
Development Agreements	0	0	0	10,000.00	10,000.00	10,000.00	0.00%
<b>Total Expenditures</b>	<b>2,539,160.05</b>	<b>380,940.61</b>	<b>2,655,514.59</b>	<b>2,813,487.00</b>	<b>2,938,487.00</b>	<b>282,972.41</b>	<b>94.39%</b>
<b>Other Financing Sources and Uses</b>							
<b>Sources</b>							
Transfers In	134,218.50	0.00	15,000.00	590,000.00	590,000.00	575,000.00	2.54%
<b>Total Sources</b>	<b>134,218.50</b>	<b>0.00</b>	<b>15,000.00</b>	<b>590,000.00</b>	<b>590,000.00</b>	<b>575,000.00</b>	<b>2.54%</b>
<b>Uses</b>							
Transfers Out	454,128.00	0.00	373,990.57	904,000.00	904,000.00	530,009.43	41.37%
<b>Total Uses</b>	<b>454,128.00</b>	<b>0.00</b>	<b>373,990.57</b>	<b>904,000.00</b>	<b>904,000.00</b>	<b>530,009.43</b>	<b>41.37%</b>
<b>Total Other Financing Sources and Uses</b>	<b>(319,909.50)</b>	<b>0.00</b>	<b>(358,990.57)</b>	<b>(314,000.00)</b>	<b>(314,000.00)</b>	<b>44,990.57</b>	<b>114.33%</b>
<b>Total - 10 GENERAL FUND</b>	<b>29,859.01</b>	<b>(160,081.95)</b>	<b>58,950.09</b>	<b>92,683.00</b>	<b>(32,317.00)</b>	<b>91,267.09</b>	

City of Richwood Operational Budget Report 10/1/2022 -8/31/2023							
30 Water & Sewer Enterprise Fund	Prior YTD	Current Period	Current YTD	Annual Budget	Revised Budget	Remaining Budget	% Earned/Used
<b>Net Operating Income (Loss)</b>							
<b>Operating income</b>							<b>91.7% of year</b>
Sewer Department	849,510.27	87,804.10	874,343.82	956,700.00	956,700.00	82,356.18	91.39%
Water Department	1,097,418.23	135,022.67	1,278,756.86	1,381,600.00	1,381,600.00	102,843.14	92.56%
Solid Waste Department	301,972.98	28,507.86	312,207.59	325,000.00	325,000.00	12,792.41	96.06%
<b>Total Operating income</b>	<b>2,248,901.48</b>	<b>251,334.63</b>	<b>2,465,308.27</b>	<b>2,663,300.00</b>	<b>2,663,300.00</b>	<b>197,991.73</b>	<b>92.57%</b>
<b>Operating expense</b>							
<b>Sewer Department</b>							
Personnel & Benefits	157,974.44	14,779.59	162,530.16	184,767.00	184,767.00	22,236.84	87.96%
Supplies	7,721.64	1,436.33	7,547.56	10,200.00	10,200.00	2,652.44	74.00%
Maintenance & Repair	67,199.94	1,378.78	76,149.94	73,940.00	73,940.00	(2,209.94)	Over Budget
Professional Services	839,452.16	0.00	438,817.78	580,000.00	580,000.00	141,182.22	75.66%
Other Services	5,122.09	0.00	3,872.72	5,400.00	5,400.00	1,527.28	71.72%
<b>Total Sewer Department</b>	<b>1,077,470.27</b>	<b>17,594.70</b>	<b>688,918.16</b>	<b>854,307.00</b>	<b>854,307.00</b>	<b>165,388.84</b>	<b>80.64%</b>
<b>Water Department</b>							
Personnel & Benefits	176,633.64	13,217.90	206,181.83	221,306.00	221,306.00	15,124.17	93.17%
Supplies	19,722.78	1,879.53	22,508.59	24,500.00	24,500.00	1,991.41	91.87%
Maintenance & Repair	111,876.52	3,007.71	151,998.09	134,400.00	134,400.00	(17,598.09)	Over Budget
Utilities	55,585.02	8,896.17	58,589.67	71,900.00	71,900.00	13,310.33	81.49%
Professional Services	68,850.72	0.00	113,697.19	58,000.00	95,000.00	(18,697.19)	Over Budget <sup>1</sup>
Other Services	305,319.78	27,535.20	357,054.64	405,200.00	405,200.00	48,145.36	88.12%
Capital Equipment	3,308.47	300.77	3,081.13	3,610.00	3,610.00	528.87	85.35%
<b>Total Water Department</b>	<b>741,296.93</b>	<b>54,837.28</b>	<b>913,111.14</b>	<b>918,916.00</b>	<b>955,916.00</b>	<b>42,804.86</b>	<b>99.37%</b>
<b>Solid Waste Department</b>							
Professional Services	232,201.06	24,581.55	268,648.90	280,000.00	280,000.00	11,243.10	95.95%
<b>Total Solid Waste Department</b>	<b>232,201.06</b>	<b>24,581.55</b>	<b>268,648.90</b>	<b>280,000.00</b>	<b>280,000.00</b>	<b>11,351.10</b>	<b>95.95%</b>
<b>Total Operating expense</b>	<b>2,050,968.26</b>	<b>97,013.53</b>	<b>1,870,678.20</b>	<b>2,053,223.00</b>	<b>2,090,223.00</b>	<b>219,544.80</b>	<b>89.50%</b>
<b>Total Net Operating Income (Loss)</b>	<b>197,933.22</b>	<b>154,321.10</b>	<b>594,630.07</b>	<b>610,077.00</b>	<b>573,077.00</b>	<b>(21,553.07)</b>	<b>Ahead of Budget</b>
<b>Non-Operating Items</b>							
<b>Non-operating income</b>							
Interest income	265.25	0.00	1,989.48	500.00	500.00	(1,489.48)	Ahead of Budget
Grants	360,308.98	0.00	65,389.82	0.00	0.00	(65,389.82)	Ahead of Budget
Other income	1,426.18	9.57	2,957.74	1,000.00	1,000.00	(1,957.74)	Ahead of Budget
Transfers In	10,000.00	0.00	37,000.00	37,000.00	37,000.00	0.00	At Budget
<b>Total Non-operating income</b>	<b>372,000.41</b>	<b>9.57</b>	<b>107,337.04</b>	<b>38,500.00</b>	<b>38,500.00</b>	<b>68,837.04</b>	<b>278.80%</b>
<b>Non-operating expense</b>							
Debt Service	319,277.25	48,363.51	422,955.07	363,615.00	363,615.00	(59,340.07)	Over Budget
Transfers Out	56,000.00	0.00	125,979.02	56,000.00	56,000.00	(69,979.02)	Over Budget
<b>Total Non-operating expense</b>	<b>375,277.25</b>	<b>48,363.51</b>	<b>548,934.09</b>	<b>419,615.00</b>	<b>419,615.00</b>	<b>(129,319.09)</b>	<b>Ahead of Budget</b>
Depreciation Expense	0.00	0.00	0.00	350,000.00	350,000.00	350,000.00	0.00%
<b>Total Non-Operating Items</b>	<b>(3,276.84)</b>	<b>(48,353.94)</b>	<b>(441,597.05)</b>	<b>(731,115.00)</b>	<b>(731,115.00)</b>	<b>289,517.95</b>	<b>Ahead of Budget</b>
<b>Total - 30 Water &amp; Sewer Enterprise Fund</b>	<b>194,656.38</b>	<b>105,967.16</b>	<b>153,033.02</b>	<b>(121,038.00)</b>	<b>(158,038.00)</b>	<b>311,071.02</b>	<b>Ahead of Budget</b>

Budget Amendments:

<sup>1</sup> Temporary ground storage - Water approved by CC 10/10/2022



# MINUTES

## RICHWOOD CITY COUNCIL MEETING

Monday, September 11, 2023 at 6:10 PM

BE IT KNOWN THAT a City of Richwood City Council will meet Monday, September 11, 2023, beginning at 6:10 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 to order at 6:14 p.m.

II. ROLL CALL OF COUNCIL MEMBERS

Michael Durham, Mayor:	Present
Mike Johnson, Position 1:	Present
Mike Challenger, Position 2:	Present
Amanda Reynolds, Position 3:	Present
Rory Escalante, Position 4:	Present
Jeremy Fountain, Position 5:	Present

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

Bob Page - 101 Hummingbird – Mr. Page expressed thanks to everyone on council and to Clif regarding the safety zone placed in the parking lot. He stated he really appreciated the expedition of the action to his request. Mr. Page also addressed Councilman Challenger, regarding the decorum of meetings.

IV. CONSENT AGENDA

Discussion held on removing the board appointments from consent agenda.

A. Approval of minutes from regular meeting held August 14, 2023.

B. Appoint Kai York to the Keep Richwood Beautiful Committee.

***Removed from Consent.***

C. Appoint Denise York to the Keep Richwood Beautiful Committee.

***Removed from Consent.***

D. Appoint William Yearsin as Richwood's 2023-2025 representative for Brazosport Water Authority.

***Removed from Consent.***

E. Approval of minutes from special meeting held August 28, 2023.

**Motion to approve items A and E of consent agenda.**

**Motion made by Mike Johnson, Seconded by Amanda Reynolds.**

**Voting Yea: Mike Johnson, Mike Challenger, Amanda Reynolds, Rory Escalante, Jeremy Fountain**

**Motion carried.**

V. PUBLIC HEARING ON PROPOSED 2023-2024 BUDGET

Tricia Ditto, Finance Director, presented the proposed budget.

Discussion held on fire department training budget.

*There was no public comment.*

VI. PUBLIC HEARING ON PROPOSED 2023-2024 TAX RATE

Tricia Ditto, Finance Director, presented the proposed tax rate.

*There was no public comment.*

VII. DISCUSSION AND ACTION ITEMS

A. Discussion and possible action concerning any final changes to the FY 2023-2024 Proposed Budget.

Eric Foerster, Cit Manager presented.

**Motion to remove the \$3.50 ambulance fee from the budget.**

**Motion made by Mike Challenger, Seconded by Mike Johnson.**

**Voting Yea: Mike Challenger**

**Voting Nay: Mike Johnson, Amanda Reynolds, Rory Escalante, Jeremy Fountain**

**Motion failed.**

Discussion held on fire department training.

***No action taken.***

B. Discuss and consider adopting Ordinance 23-509, an ordinance appropriating adopting a budget for the fiscal year beginning October 1, 2023, and ending September 30, 2024.

**Motion to adopt Ordinance 23-509, an ordinance appropriating adopting a budget for the fiscal year beginning October 1, 2023, and ending September 30, 2024.**

**Motion made by Mike Johnson, Seconded by Amanda Reynolds.**

**Voting Yea: Mike Johnson, Amanda Reynolds, Rory Escalante, Jeremy Fountain**

**Voting Nay: Mike Challenger**

**Motion carried.**

C. Discuss and consider Ordinance 23-510, an ordinance adopting a tax rate 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 2023.

**“I MOVE THAT THE PROPERTY TAX RATE BE DECREASED BY THE ADOPTION OF A TAX RATE OF \$0.540587, WHICH IS EFFECTIVELY A 10.91 PERCENT DECREASE IN THE TAX RATE.”**

**Motion made by Amanda Reynolds, Seconded by Mike Johnson.**

**Voting Yea: Mike Johnson, Amanda Reynolds, Rory Escalante, Jeremy Fountain**

**Voting Nay: Mike Challenger**

**Motion carried.**

D. Discuss and consider approving tax resale of property located within the City of Richwood. (Legal Description: Glenwood Bayou (A0066 J E Groce)(Richwood), Reserve H Acres 0.11)

Kirsten Garcia, City Secretary, presented.

**Motion to approve.**

**Motion made by Amanda Reynolds, Seconded by Jeremy Fountain.**

**Voting Yea: Mike Johnson, Mike Challenger, Amanda Reynolds, Rory Escalante, Jeremy Fountain**

**Motion carried.**

- E. Discuss and consider adopting Ordinance 23-512 amending Appendix C - Fee Schedule of the Code of Ordinances to amend additional fees and voluntary donations to add a mandatory ambulance fee.

Eric Foerster, City Manager, presented.

Discussion held on how the fee affects the public.

William Yearsin, resident, spoke regarding residents who do not have to pay medical bills having to pay for ambulance.

Discussion held on how the fee not being approved will affect next years revenues.

**Motion to adopt Ordinance 23-512 amending Appendix C - Fee Schedule of the Code of Ordinances to amend additional fees and voluntary donations to add a mandatory ambulance fee.**

**Motion made by Mike Johnson, Seconded by Amanda Reynolds.**

**Voting Yea: Mike Johnson, Amanda Reynolds, Rory Escalante, Jeremy Fountain**

**Voting Nay: Mike Challenger**

**Motion carried.**

- F. Discuss and consider adopting Ordinance 23-511, repealing section 20-131 of Chapter 20 Traffic and Vehicles of the Richwood Code of Ordinances, thus removing the one-way traffic requirement during the school zone.

Kirsten Garcia, City Secretary, presented.

**Motion to approve Ordinance 23-511, repealing section 20-131 of Chapter 20 Traffic and Vehicles of the Richwood Code of Ordinances, thus removing the one-way traffic requirement during the school zone.**

**Motion made by Mike Challenger, Seconded by Jeremy Fountain.**

**Voting Yea: Mike Johnson, Mike Challenger, Amanda Reynolds, Rory Escalante, Jeremy Fountain**

**Motion carried.**

- G. Discuss and consider authorizing the City Manager or his designee to solicit competitive bids for Emergency Medical Services.

Eric Foerster, City Manager, presented.

**Motion to extend current agreement with Clute.**

**Motion made by Mike Challenger.**

**Motion dies for lack of second.**

**Motion to table this item for the addition of option to extend agreement.**

**Discussion held on how many other options we may have.**

**Motion made by Mike Johnson, Seconded by Mike Challenger.**

**Voting Yea: Mike Johnson, Mike Challenger, Amanda Reynolds, Rory Escalante, Jeremy Fountain**

**Motion carried.**

- H. Discuss and consider request to allow street closure of Audubon Woods Dr from North Mahan to Wisteria for Keep Richwood Beautiful to host Trunk or Treat.

Kirsten Garcia, City Secretary, presented.

**Motion to approve item H.**

**Motion made by Amanda Reynolds, Seconded by Jeremy Fountain.**

**Voting Yea: Mike Johnson, Mike Challenger, Amanda Reynolds, Rory Escalante, Jeremy Fountain**

**Motion carried.**

- I. Discussion regarding the contingency fund and future contributions or uses of funds.

Eric Foerster, City Manager, presented.

Discussion held on how to designate the cap based on percentage versus a set amount.

*No action taken.*

- J. Consider items removed from consent agenda.

- B. Appoint Kai York to the Keep Richwood Beautiful Committee.

**Motion to approve.**

**Motion made by Amanda Reynolds, Seconded by Jeremy Fountain.**

**Voting Yea: Mike Johnson, Mike Challenger, Amanda Reynolds, Rory Escalante, Jeremy Fountain**

**Motion carried.**

- C. Appoint Denise York to the Keep Richwood Beautiful Committee.

Discussion held on how we advertised open positions on the board.

**Motion to approve.**

**Motion made by Amanda Reynolds, Seconded by Mike Johnson.**

**Voting Yea: Mike Johnson, Mike Challenger, Amanda Reynolds, Rory Escalante, Jeremy Fountain**

**Motion carried.**

- D. Appoint William Yearsin as Richwood's 2023-2025 representative for Brazosport Water Authority.

Discussion held on importance of continuity of the person who holds this position.

Discussion held on how we advertised for this position.

**Motion to approve.**

**Motion made by Jeremy Fountain, Seconded by Amanda Reynolds.**

**Voting Yea: Mike Johnson, Mike Challenger, Amanda Reynolds, Rory Escalante, Jeremy Fountain**

**Motion carried.**

VIII. EXECUTIVE SESSION

*The council recessed into executive session at 7:45 p.m.*

A. 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:

Michael Challenger, City Council Position 2

B. 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:

E. Garcia - Police Department

C. 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:

J. Estrada - Public Works

IX. ACTION AS A RESULT OF EXECUTIVE SESSION

Reconvened regular session at 9:23 p.m.

A. 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:

Michael Challenger, City Council Position 2

*No action taken.*

B. 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:

E. Garcia - Police Department

**Motion to approve leave without pay.**

**Motion made by Amanda Reynolds, Seconded by Jeremy Fountain.**

**Voting Yea: Mike Johnson, Mike Challenger, Amanda Reynolds, Rory Escalante, Jeremy Fountain**

**Motion carried.**

C. 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:

J. Estrada - Public Works

**Motion to approve leave without pay.**

**Motion made by Jeremy Fountain, Seconded by Amanda Reynolds.**

**Voting Yea: Mike Johnson, Mike Challenger, Amanda Reynolds, Rory Escalante, Jeremy Fountain**

**Motion carried.**

X. CAPITAL IMPROVEMENT PROJECTS UPDATE

Clif Custer, Public Works director, presented.

XI. CITY MANAGER'S REPORT

Eric Foerster, City Manager, reported on the bond funds and projected savings. He also reported on the safe zone in the parking lot.

XII. COUNCIL MEMBER COMMENTS & REPORTS

Mike Johnson thanked everyone who was here tonight, the fire department, Clif and his crew, and Tricia for the budget.

Mike Challenger spoke regarding September 11<sup>th</sup>, stated he was working for Delta at the time and expressed he wants everyone to fight for their freedoms.

Amanda Reynolds echoed Councilman Johnson stated she appreciates attendance and feedback.

Jeremy Fountain thanked staff, Tricia and Clif for their work and the budget.

XIII. MAYOR'S REPORT

Mayor Durham expressed thanks to everyone for showing up. He also thanked the Fire Department, Police Department and Staff.

Mayor stated he looks forward to future of Richwood.

XIV. FUTURE AGENDA ITEMS

Contingency

Financial Policies

EMS reply

Policy procedures

BOA meeting for 2 variances

XV. ADJOURNMENT

Being there no further business, the meeting was adjourned at 9:39 p.m.

**These minutes were read and approved on the 9th day of October 2023.**

---

Mayor

ATTEST:

---

City Secretary

# City of Richwood — TEXAS —

## **AGENDA MEMORANDUM**

**CONTACT:** ERIC FOERSTER-CITY MANAGER

**SUBJECT:** AFTER ACTION REPORT AND DISCUSSION REFERENCE WATER MAIN BREAK

**SUMMARY:** Background and discussion about water main break that occurred on 09/28/2023

### **BACKGROUND INFORMATION:**

**Issue:** Water Main Break After Action

**FINANCIAL IMACT:** Approximately 10,000

**RECOMMENDATION:** Discussion as required





## Boil Water Notice After-Action Discussion

The boil water notice issued for the City of Richwood water customers on 9/28/23 was due to loss of water distribution pressure because of a heavily damaged water main at the corner of West Mahan and Oyster Creek Dr. This issue began with a minor leak near a fire hydrant. I'd like to give Council a timeline of events to help further understanding of the situation.

Late on Tuesday, 9/26, Public Works was able to excavate the site deep enough to see where the leak originated from. Once we determined where the leak was coming from, excavations were shut down for the day and Public Works continued additional digging by shovel to get a better idea of piping lay-out underground, and what we were going to have to work with to make this repair.

The initial leak began at a control valve for the hydrant. It appears that a different Public Works Crew at an earlier date attempted to make a repair on this valve. When the valve was exposed, we learned of secondary gaskets and a fabricated gasket retention apparatus that was added assumably to stop a previous leak at this hydrant control valve. Upon further investigation, we realized that the same gasket system had been implemented at the Tee where the water line extended from the water main to feed the hydrant. Once this was realized, a decision was made to replace the entire assembly.

On Wednesday, 9/27, excavations were made to further uncover the full assembly because we had realized that more material than a simple transition coupling, valve, and hydrant would be necessary to make the repair. While further excavating, Public Works found an additional valve that was an inline distribution valve for Moore St. between North and West Mahan. Also discovered was a ductile iron cross feeding water north, south, east, and west of the intersection.

On Wednesday, 9/27, when Public Works vacated the site, spoil was laid on the piping in attempts to keep it weighed down. Old asbestos-concrete water line such as this can be unpredictable while under pressure. The conversation was had whether to backfill the site until we got material. Backfilling the site increases our risk of damaging the water line, cutting an NG main or internet cable, or all the above when excavated again. The decision was made to leave the excavation open.

That same day material lists were made, and an order called in. Pickup from will-call of necessary materials to make a repair took place on 9/28. Public Works was notified at roughly 12:15 pm on Thursday that the leak had accelerated, and Public Works immediately jumped into action. Once the accelerated leak was seen, contractor help was requested.

Public Works proceeded to turn on all water producing infrastructure to maintain water pressure while additional valves were located to isolate the leak. Aged water distribution valves made valve operation difficult when attempting to isolate water at the site. Water distribution valves were operated from 1:00 pm until the arrival of the contractor at roughly 5:45pm. The operation of distribution valves managed to slow the water loss but not isolate it. This means we



were getting back-pressure from somewhere that we could not determine. The water pressure at the leak site at this time was still too excessive to make a repair.

After the operation of water distribution valves were complete, Public Works managed to slow the loss of water enough for the water wells and pumps to maintain an operating pressure of roughly 35 psi, but not enough to pump out the excavation, or reduce pressure enough so a repair could be made. This was the time when the decision was made to isolate water at the towers. After isolation of the water towers, the hole was clear of water in 10 minutes.

When the excavation was clear of water, and the extent of water main damage was visible, the original repair plan was amended to consist of replacing a section of water line between the existing water main on Moore, and the existing ductile iron cross at the intersection of water mains. This meant we had to omit the existing fire hydrant at this location. The actual repair took roughly an hour. The remainder of the time from 1:00 pm to roughly 9:30 pm involved locating and operating water distribution valves, isolating the distribution system from the towers, and bringing the system back online.

**Note: The Boil Water Notice was initiated at roughly 1:30pm on Thursday, 9/28/23. The notice was initiated as a precautionary measure, but also because of a presumption that distribution pressure would not be able to be isolated within the leak area without taking drastic measures.**

**CITY COUNCIL**  
**RULES OF PROCEDURE**  
**CITY OF RICHWOOD, TEXAS**



**As Adopted by resolution No. 23-73**  
**Effective ##### ##, #####**

# TABLE OF CONTENTS

**Section 1 – GENERAL** 1

**Section 2 – AUTHORITY** 1

**Section 3 - SESSIONS**

3.01. Regular Sessions 1

3.02. Workshop Sessions 1

3.03. Agenda 1

3.04. Minutes 2

3.05. City Legislation and Actions of Significant Public Impact and Concern 2

**Section 4 - STANDARDS OF CONDUCT**

4.01. City Councilmembers 2

4.02. Council Relations with the Media 3

4.03. City Staff 3

4.04. Citizens and Visitors

**Section 5 - DUTIES AND PRIVILEGES OF COUNCILMEMBERS**

5.01. Seating Arrangement 3

5.02. Conflict of Interest 4

5.03. Voting 4

**Section 6 - CHAIR AND DUTIES**

6.01. Chair 4

6.02. Preservation of Order 4

**Section 7 - ORDER OF BUSINESS**

7.01. Regular and Special Sessions 4

7.02. Public Hearings 5

7.03. Addressing the City Council 5

**Section 8 - CITY COUNCIL COMMITTEES**

8.01. Ad Hoc Committees 7

8.02. Agenda and Information 7

**Section 9 - RULES SUSPENSION** 7

**Annexes:**

A – Fundamental Principles of Parliamentary Law 8

B – Chief Purposes of Motions 9

C – Parliamentary Strategy 10

**Section 1 – GENERAL**

Parliamentary law and the rules of procedure derived from such law are essential to all deliberative organizations so that they may consider all matters before them in an effective and efficient manner and produce results that are legal and binding. Moreover, such procedural safeguards ensure due process during deliberations among members of the organization while at the same time protecting the rights of both the group and each member. Accordingly, these rules of procedure establish guidelines to be followed by all persons attending City Council meetings, including members of the City Council, administrative staff, news media, citizens, and visitors.

**Section 2 – AUTHORITY**

The City Charter of Richwood, Texas [Adopted: May 11,2013; and last amended May 15,2023] provides in Article 3 (The Council), Section 3.09 (Rule of Procedure) that “The City Council shall determine its own rules of procedure and may compel the attendance of its members.” Thus, these rules of procedure are established. In the event of any conflict between the City Charter and these rules of procedure, the City Charter shall prevail.

The parliamentary reference for the City Council is the most recent edition of *Robert’s Rules of Order Newly Revised* (RONR). When any issue concerning procedure arises that is not covered by the Rules of Procedure, the City Charter or State law, the Council will refer to RONR, which shall determine such procedural issue.

**Section 3 – MEETINGS**

The City Council shall follow both the letter and the spirit of the Texas Open Meetings Act.

**3.01. Regular and Special Council Meetings.**

The Mayor and City Council have regular City Council meetings on the second Monday of each month at 6:00 p.m. in the City Hall Council Chambers, located at 1800 Brazosport Blvd N, Richwood, Texas; unless otherwise adopted by a majority of City Council. All meetings are open to the public unless specified as an Executive Session. A quorum is required. Special Meetings may be called at the request of the Mayor, City Manager, or City Council. A written agenda notice of all council meetings (regular or special) is required by law, to be posted 72 hours in advance of the council meeting including the date, hour, location, and subject of meeting.

**3.02. Workshop Meetings.**

Workshops are special meetings and scheduled as needed by the City Manager, Mayor or City Council. Workshops typically take place in the City Hall Council Chambers, located at 1800 Brazosport Blvd N, Richwood, Texas. Workshops tend to be a more relaxed atmosphere where council/staff can discuss general topics without taking a vote. Discussion typically goes until the presiding officer adjourns the workshop. All workshops are open to the public. A quorum is required to hold a workshop.

**3.03. Emergency Meetings.**

Emergency Meetings may be called at the request of the Mayor, City Manager, or City Council. At least one (1) hours’ notice is required for an emergency meeting in the case of an “emergency or urgent public necessity,” the nature of which must be stated in the notice.

**3.04. Executive Sessions.**

The Council may recess to an executive session for any purpose permitted by State law. The general subject matter for consideration will be expressed in the agenda or the motion calling for the session. Final action will not be taken by Council until the matter is placed on the agenda and a vote taken in an open meeting. Executive sessions are typically held in the Executive Conference Room located behind the Council Chambers. A governing body may generally hold a closed meeting for one or more of the following nine reasons:

- Consideration of specific personnel matters – Texas Government Code (TGC) 551.074
- Certain consultations with its attorney – TGC 551.071
- Discussions about the value or transfer of real property – TGC 551.072
- Discussions about security personnel, security devices, or a security audit – TGC 551.076
- Discussions about a prospective gift or donation to a governmental body
- Discussions by a governing body of potential items on tests that the governing body conducts for purposes of licensing individuals to engage in an activity – TGC 551.088
- Discussions of certain economic development matters – TGC 551.087
- Discussions of certain competitive matters relating to a city owned electric or gas utility for which the city council is the governing body – TGC 551.086
- Certain information regarding emergencies and disasters – TGC 418.183(f)

**3.05. Agenda.**

- a. The City Manager and the City Secretary, with consultation and concurrence of the Mayor, shall prepare an agenda for business to be considered at each regular Council meeting. It shall be the practice of the City to include on any regular Council meeting agenda all items that are deemed appropriate by the City Manager, the Mayor, or any two (2) Councilmember. For the Mayor or any two (2) Councilmembers to have an item placed on the regular meeting agenda, the request shall be in writing and shall be filed with the City Secretary no later than noon on the Monday the week before the regular meeting at which it is requested for consideration. If the filing is later than noon on the Monday before the regular meeting, the item shall be placed on the agenda of the next regular meeting, unless the Mayor and/or City Manager determine that delaying the requested item would be contrary to the City’s best interest.
- b. Drafts of contracts, ordinances, resolutions, or other items requiring review should be submitted to the City Attorney in a manner timely enough to allow for their review prior to this submittal deadline.

**3.06. Minutes.**

- a. Action Minutes of City Council meetings will be recorded and maintained by the City Secretary. The Minutes will include final motions with voting results. The minutes will also reflect the names of those citizens presenting public comments. Minutes of meetings will generally be submitted to the City Council for approval at the next regularly scheduled meeting.
- b. The City Secretary shall maintain audio/visual recordings of City Council meetings in accordance with the applicable state law.
- c. Any questions regarding minutes shall be directed to the City Secretary prior to the council meeting.

**3.07. City Legislation and Actions of Significant Public Impact and Concern.**

Any action or ordinance of the City of Richwood that falls into the following three categories is considered an action of significant public impact and concern:

- a. Any action or ordinance that criminalizes behavior or creates criminal liability.
- b. Any action or ordinance that has a substantial impact on private property rights.
- c. Any action or ordinance that involves the expenditure of more than five hundred thousand dollars (\$500,000) and that is not a recurring expense or renewal of an expense.

The City Council shall not vote on any action of significant public impact and concern unless and until it has been presented and discussed in at least two Council meetings, which occur within a 60-day period, except as provided in Section 9.

**Section 4 - STANDARDS OF CONDUCT**

**4.01. City Council Members.**

It is important that Council Members demonstrate civility to one another as individuals, for the validity of different opinions, for the democratic process, and for the community and citizens being served. Elected officials should exhibit appropriate behavior. All members of the City Council have equal votes and all Councilmembers speak only for themselves.

**4.02. Council / Staff Relations with the Media or Public Information Requests.**

All City press releases, media advisories, story suggestions, or similar items should go through the City Secretary's office for distribution, with exception of factual police department bulletins which designated officers may send directly, with copy to the City Secretary. Anyone requesting information pursuant to the Texas Public Information Act should go through the City Secretary's office. All requests for public information must be in writing and directed to the City Secretary.

**4.03. Council approval of individual council members’ non-routine requests for information or investigations by City Staff.**

Any Council members’ request to the City Manager for the Manager or City staff to create reports or other information, other than routine requests (i.e., requests for existing information or new research that can be answered under 30minutes), shall be added to a Council meeting agenda in the manner prescribed under section 3.05 of these Rules, considered under the Discussion and Actions Items portion of the meeting, and thereafter considered for authorization to proceed by a majority of the Council.

**4.04. City Staff. (During Meetings)**

All remarks and questions addressed to the City Council by staff members shall be addressed to the City Council as a whole and not to any individual member.

**4.05. Citizens and Visitors.**

- a. Reactions from the audience following the recognition and rewarding of citizens and special guests are considered appropriate and encouraged. Reactions from the audience during staff presentations to the Council and during debate between Councilmembers are not appropriate and not permitted. The presiding officer will ensure that the decorum of the meeting is maintained and is appropriate.
- b. No placards, banners, or signs will be permitted in the City Council chamber or in any other room in which the City Council is meeting. Exhibits, displays, and visual aids used in connection with presentations to the City Council, however, are permitted.

With the exception of those locations designated as free speech venues, City Hall may not be used for political campaign-related functions or events. City resources or equipment may not be used for election campaigning which includes, but is not limited to, the passing out of campaign flyers, signs, buttons, or other campaign materials for any candidate or officeholder. No one may make a contribution to a candidate or officeholder in City Hall. No one may solicit support for a candidate or officeholder or accept a contribution for such in City Hall. Campaign flyers, signs, buttons, or other campaign materials for any candidate or officeholder are prohibited in City Hall or on City property except as allowed by state law.

**Section 5 - DUTIES AND PRIVILEGES OF COUNCILMEMBERS**

**5.01. Seating Arrangement.**

Council members are seated in order of position, with the Mayor seated in the middle.



**5.02. Conflict of Interest.**

A City Councilmember prevented from voting by a conflict of interest, shall step down from the dais and leave the room, shall not vote on the matter, shall not participate in discussions regarding the matter or attempt to influence the Council’s deliberation of the matter in any way, shall not attend executive sessions regarding the matter, and shall otherwise comply with the state law and city ordinances concerning conflicts of interest including Chapter 171 of the Local Government Code.

**5.03. Voting.**

- a. All members of the council present shall vote upon every issue, subject or matter properly before the council and requiring a council vote; provided that, if any member of the council has a conflict of interest that fact shall be stated in the minutes and such member shall abstain from discussion and voting on the issue. If a councilmember abstains from voting without having a conflict of interest, the minutes shall reflect an “opposed” (nay) vote in the official records. No ordinance, resolution, order, action, matter or issue, shall be passed, approved, adopted, taken or consented to except by a majority vote of the members of council present and voting.
- b. A Councilmember who cannot be present for a vote(s), and has no Conflict of Interest, may submit an opinion in writing to the City Secretary, to be read aloud during discussion of the item, prior to the vote(s) being taken.
- c. Any vote to which there is an objection shall be taken by counted vote; except that, on the demand of a single councilmember, a roll call vote shall be taken. After the result of a vote is announced, a member may not change a vote unless, before the adjournment of that meeting, permission is given to change the vote by a majority vote of the members present.

**Section 6 - CHAIR AND DUTIES**

**6.01. Chair.**

The Mayor, if present, shall preside as chair at all sessions of the City Council. In the absence of the Mayor, the Mayor Pro Tem shall preside. In the absence of both the Mayor and Mayor Pro Tem, the remaining City Councilmembers shall, in accordance with the City Charter, by election, designate one member as acting Mayor to preside for that session.

**6.02. Preservation of Order.**

The chair shall preserve order and decorum and confine members in debate to the question under discussion. It is the responsibility of the Chair to keep the comments of Councilmembers on topic during public meetings.

**Section 7 - ORDER OF BUSINESS**

**7.01. Regular and Special Sessions.**

Regular and special sessions will generally adhere to the following agenda:

- Call to Order
- Invocation
- Pledge of Allegiance (United States and Texas Flags)
- Roll Call of Council Members
- Public Comments
- Presentations & Proclamations
- Consent Agenda Items (may be moved to Statutory Agenda by Councilmembers)
- Public Hearings
- Statutory Agenda Items
- Executive and/or Workshop Sessions (as appropriate)
- Reconvene in Regular Session (as appropriate)
- Mayor/Councilmember/City Manager Report
- Future Agenda Items
- Adjournment

**7.02. Public Hearings.**

The City Secretary shall schedule public hearings on the City Council’s agenda to be held (unless the law requires otherwise, in which case, public hearings shall be conducted as provided by state law). In addition to this requirement, when conducted as part of a Regular Session, a vote may be taken on the matter at that same meeting unless a subsequent public hearing is required.

**7.03. Addressing the City Council.**

Members of the public are invited and encouraged to attend any sessions of the City Council that are not closed to the public in accordance with the Texas Opening Meetings Act. It is the desire of the City Council that citizens actively participate in the City’s governance system and processes. Therefore, public input to the City Council, both oral and written, is encouraged.

- a. Public Comments.  
Citizens shall have the right to be heard at all regular sessions of the City Council regarding matters on the agenda to be considered prior to action being taken.
  1. All members of the audience addressing the Council (“Speaker”) shall direct their remarks to the person in charge of the meeting (“Chair”).
  2. No Speaker shall address the Council unless recognized by the Chair for that purpose.
  3. Remarks shall be limited to those pertaining to matters before the City Council, to City business or policy, or to issues of community concern or interest. Profane, vulgar or abusive language or personal attacks will not be tolerated.

4. No Speaker shall continue to address the Council after being informed by the Chair that the Speaker's time for addressing the Council has expired.
5. The Speaker shall be limited to 3 minutes to address the Council. If a single individual has been designated, on behalf of a larger group, to speak for the group, then such individual shall be allowed a maximum of 5 minutes to speak. The Chair has the authority to grant additional time, if requested by a Speaker, for good cause. At the end of the Speaker's allotted time, the Chair shall direct the Speaker to wrap up and the Speaker shall not exceed 1 additional minute of speaking time.
6. Council shall not respond to Speakers; however, the Mayor may direct City administration to respond to the Speaker, if appropriate, outside of or during the meeting.

**7.04 Legal Settlements in Regards to Any Claims Against the City.**

Final offers for legal settlements for claims or litigation against the City must be submitted in writing.

**Section 8 – CITY COUNCIL COMMITTEES**

**8.01. Ad Hoc Committees.**

The Mayor may appoint ad hoc committees from time to time to study and review specific issues. The Mayor shall determine the number of members and appoint a chair of ad hoc committees. The ad hoc committees shall be established for a designated period of time, which may be extended by the Mayor and shall meet as needed. The Mayor shall formally announce the establishment of any ad hoc committee along with his appointments to that committee in a session of Council prior to the committee convening to conduct business.

**8.02. Agenda and Information.**

At each committee meeting, City staff shall endeavor to have a copy of the agenda and supporting information available for public viewing. Items may be scheduled on the agenda for committee briefings by the chair, the City Council, the City Manager, or the Mayor. Summary minutes will be kept.

**Section 9 – RULES SUSPENSION**

Any provision of these rules not governed by the City Charter, City Code, or state law may be temporarily suspended by a two-thirds vote of the members of the City Council present. The vote on any such suspension shall be taken by "Aye" and "No" votes and entered upon the record.

# ANNEX A

## Fundamental Principles of Parliamentary Law

The Mayor, Councilmembers, City Manager, City Attorney, City Secretary, Municipal Court Judge and City staff members appearing before the various sessions of the Richwood City Council should become familiar with following rules and customs:

1. All members have equal rights, privileges, and obligations; rules must be administered impartially.
2. The minority has rights, which must be protected.
3. Full and free discussions of all motions, reports, and other items of business is a right of all members.
4. In doing business the simplest and most direct procedure should be used.
5. Logical precedence governs introduction and disposition of motions.
6. Only one question can be considered at a time.
7. Members may not make a motion or speak in debate until they have been recognized by the chair and thus have obtained the floor.
8. No member may speak a second time on the same question if anyone who has not spoken on that question wishes to do so.
9. Members must not attack or question the motives of other members. Customarily, all remarks are addressed to the presiding officer.
10. In voting, members have the right to know at all times what motion is before the assembly and what affirmative and negative votes mean.
11. The majority vote decides. This is a fundamental concept of democracy.
12. All meetings will be characterized by fairness and good faith.

## ANNEX B

# The Chief Purposes of Motions

<b>PURPOSE</b>	<b>MOTION</b>
Present an idea for Consideration and action	Main motion Resolution
Improve a pending motion	Amend Division of question
Regulate or cut off debate	Limit or extend debate Previous Question
Delay a decision	Refer to committee Postpone to a certain time Recess Adjourn
Kill an item	Postpone Indefinitely
Meet an emergency	Question of privilege Suspend rules Lay on the Table
Gain information on a pending motion	Parliamentary inquiry Request for information Request to ask a member a question Question of privilege
Question the decision of the presiding officer	Point of order
Enforce rights and privileges	Parliamentary inquiry Point of order Appeal from decision of the chair
Consider a question again	Take from the Table Discharge a committee Reconsider Rescind Renew a motion Amend a previous action Ratify
Change an action already taken	Reconsider Rescind Amend a previous action
Terminate a meeting	Adjourn Recess

## ANNEX C

### Parliamentary Strategy

<b>To Support a Motion</b>	<b>To Oppose a Motion</b>
<ol style="list-style-type: none"> <li>1. Second it promptly and enthusiastically.</li> <li>2. Speak in favor of it as soon as possible.</li> <li>3. Do your homework; know your facts; have handouts, charts, etc., if appropriate.</li> <li>4. Move to amend motion, if necessary, to make it more acceptable to proponents.</li> <li>5. Vote against motion to table or to postpone, unless delay will strengthen your position.</li> <li>6. Move to recess or postpone, if you need time to marshal facts or work behind the scenes.</li> <li>7. If defeat seems likely, move to refer to committee, if that would improve chances.</li> <li>8. If defeat seems likely, move to divide question, if appropriate, to gain at least a partial victory.</li> <li>9. Have available a copy of the rules of procedure, City Charter, and <i>Robert's Rules of Order Newly Revised</i>, most recent edition, in case of a procedural dispute.</li> <li>10. If motion is defeated, move to reconsider, if circumstances warrant it.</li> <li>11. If motion is defeated, consider reintroducing it at a subsequent meeting.</li> </ol>	<ol style="list-style-type: none"> <li>1. Speak against it as soon as possible. Raise question; try to put proponents on the defensive.</li> <li>2. Move to amend the motion so as to eliminate objectionable aspects.</li> <li>3. Move to amend the motion to adversely encumber it.</li> <li>4. Draft a more acceptable version and offer as amendment by substitution.</li> <li>5. Move to postpone to a subsequent meeting.</li> <li>6. Move to refer to committee.</li> <li>7. Move to recess, if you need time to round up votes or obtain more facts.</li> <li>8. Question the presence of quorum, if appropriate.</li> <li>9. Move to adjourn</li> <li>10. On a voice vote, vote emphatically.</li> <li>11. If the motion is adopted, move to reconsider, if you might win a subsequent vote.</li> <li>12. If the motion is adopted, consider trying to rescind it at a subsequent meeting.</li> <li>13. Have available a copy of the rule of procedure, City Charter, and <i>Robert's Rules of Order Newly Revised</i>, most recent edition, in case of a procedural dispute.</li> </ol>



# City of Richwood — TEXAS —

## AGENDA MEMORANDUM

**CONTACT:** Kirsten Garcia, City Secretary

**SUBJECT:** Adopting Rules of Procedure

**SUMMARY:** Workshop City Council Rules of Procedure for later adoption by resolution

### BACKGROUND INFORMATION:

The City Charter states City Council shall determine its own rules of procedure. At this time, we do not have any formal rules adopted.

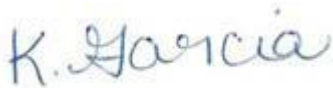
Section 3.09. - Rules of procedure.

The City Council shall determine its own rules of procedure and may compel the attendance of its members. A majority of the qualified members of the City Council shall constitute a quorum for the transaction of business. Approval of a measure shall require the affirmative vote of a majority of the members who are present and qualified to vote on the measure, but not less than three votes, unless otherwise authorized by this Charter. Minutes of the proceedings of all meetings of the City Council shall be kept, to which any citizen may have access to at all reasonable times and which shall constitute one of the archives of the City. The vote upon the passage of all ordinances and resolutions shall be taken by the "ayes" and "nays" and entered upon the minutes, and every ordinance or resolution, upon its final passage, shall be recorded in a book kept for that purpose and shall be authenticated by the signature of the presiding officer and the person performing the duties of the City Secretary.

(Ord. of 5-11-13; Ord. No. 19-452 , § 4, 5-13-19)

**RECOMMENDATION:** Workshop the attached document, for later adoption by resolution.

Thank you,



Kirsten Garcia