

City of Richwood — TEXAS —

CITY COUNCIL MEETING AGENDA

Monday, January 09, 2023 at 6:00 PM

Richwood City Hall, 1800 Brazosport Blvd. N.

BE IT KNOWN THAT a City of Richwood City Council will meet Monday, January 9, 2023, 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. SWEAR IN COUNCIL MEMBER
 - A. Jeremy Fountain, Position 5
- VI. PUBLIC COMMENTS
- VII. CONSENT AGENDA
 - [A.](#) Budget Report, November 2022
 - B. Appoint William Yearsin to the Crime Control and Prevention District Board.
 - [C.](#) Approval of minutes from regular meeting held November 14, 2022.
 - [D.](#) Approval of minutes from regular meeting held December 14, 2022.
- VIII. PRESENTATION
 - [A.](#) 2022 Charter Review Commission Report
- IX. DISCUSSION AND ACTION ITEMS
 - [A.](#) Discuss and consider Ordinance 23-501 calling the May 6, 2022 General Election and approving a joint election contract with Brazoria County.
 - [B.](#) Discuss and consider Ordinance 23-502 calling a special election for May 6, 2023 for the consideration of proposed amendments to the Richwood City Charter.
 - [C.](#) Discuss and consider Ordinance 23-503 calling a special election for May 6, 2023 for the reauthorization of the local sales and use tax at the rate of one-fourth of one percent to continue providing revenue for the maintenance and repair of municipal streets.
 - D. Consider items removed from Consent Agenda.
- X. CAPITAL IMPROVEMENT PROJECTS UPDATE
- 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 January 6, 2022 at 10:30 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 – JANUARY 9, 2023

ITEM # CONSENT

CONTACT: Patricia Ditto, Finance Director

SUBJECT: Monthly Budget Summary Report

SUMMARY: Receive and/or approve the November 2022 Budget Report

BACKGROUND INFORMATION:

The information provided is for the FY 2022-2023 budget period, month ending November 30, 2022. 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 November 2022, which is the second month of Fiscal Year 23. 16.7% 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 November 30, 2022, General Fund revenues total \$127,215. General Fund expenditures total \$567,828.

Revenue (GF)

Total Revenue collected in the General fund is at 5.46% of budget.

- M & O (Maintenance and Operations) Property tax (including current, delinquent and penalties) received through the end of November is \$127,215. November is the first month to see large deposits come in from the county for Property Tax revenue. The majority of property tax revenue will be received between October and January.
- Sales Tax revenue received in November was earned in September. Therefore, it does not show on this budget report as it was included in FY22 revenue.
- Permits and Licenses revenues total \$858 this month. Inspection fees collected are \$2,530 while fees paid for inspections are \$4,840 as of the end of November.

Water Impact fees collected this year total \$4,828. No Sewer impact fees have been collected. All Impact Fees are posted to Fund 32 Utility Capital Improvements.

- Court revenue for the month of November is \$9,525, year to date totaling \$18,706.



Expenditures (GF)

Expenditures in the General Fund are currently shown at \$567,828, 20.18% of budget. Expenditures are tracking slightly ahead of expected budget at this point in the year due to front loaded expenses, such as insurance, and one-time expenses, such as the payment on the Fire Engine and software annual fees. The only line item that is currently exceeding annual budget is Attorney Fees.

You may notice a negative amount under city maintenance capital equipment. The new sign for city hall was originally coded to the incorrect department in October and November when invoices were paid. I created a journal entry to move it to administration capital equipment dated in November. This caused current period expenditure in city maintenance to be negative but brought year to date to the correct amounts for each.

All approved transfers to and from the General Fund have been made, with the exception of the transfer to Transportation Fund for road repairs. This brings our Total Income (bottom line) \$798,722 less than anticipated annual income. As revenue is received, this disparity will lessen.

30-Water, Sewer and Solid Waste Fund

Operating Revenues received through FY23 total \$427,946. Operating expense is \$387,809. As mentioned in the discussion of General Fund expenditures, some expenses have been paid for the year.

RECOMMENDATION: Council to approve November 2022 Budget Summary Report for General Fund and the Water & Sewer Enterprise Fund.

**City of Richwood
Operational Budget Report
11/1/2022 - 11/30/2022**

10 General Fund	Prior YTD	Current Period	Current YTD	Original Budget	Revised Budget	Remaining Budget	% Earned/Used
Revenue							16.7% of year
Taxes	139,833.15	124,086.12	127,215.46	2,960,070.00	2,960,070.00	2,832,854.54	4.30%
Property taxes, including delinquent & penalties	111,981.11	96,855.15	99,984.49	2,039,070.00	2,039,070.00		4.90%
Franchise Taxes	27,852.04	27,230.97	27,230.97	196,000.00	196,000.00		13.89%
Sales Tax	0.00	0.00	0.00	725,000.00	725,000.00		0.00%
Licenses and permits	2,375.00	858.00	14,822.64	88,250.00	88,250.00	73,427.36	16.80%
Intergovernmental revenue	0.00	0.00	0.00	1,000.00	1,000.00	1,000.00	0.00%
Charges for services - Municipal Bldg Rental	1,100.00	200.00	675.00	7,000.00	7,000.00	6,325.00	9.64%
Fines and forfeitures	8,967.62	9,524.89	18,705.81	110,000.00	110,000.00	91,294.19	17.01%
Special Revenues	0.00	500.00	500.00	1,350.00	1,350.00	850.00	37.04%
Interest	52.72	4,095.25	7,492.03	2,500.00	2,500.00	(4,992.03)	Ahead of Budget
Miscellaneous revenue	2,630.00	3,204.81	6,378.77	50,000.00	50,000.00	43,621.23	12.76%
Inspection Fees	2,530.00	2,530.00	5,060.00	35,000.00	35,000.00		
Miscellaneous Income	0.00	674.81	818.77	10,000.00	10,000.00		
Parks & Recreation - Park Pavillion Rentals	100.00	0.00	500.00	5,000.00	5,000.00		
Total Revenue	154,958.49	142,469.07	175,789.71	3,220,170.00	3,220,170.00	3,044,380.29	5.46%
Expenditures							
General Government							
Administration							
Personnel & Benefits	38,059.55	37,162.47	68,021.19	471,868.00	471,868.00	403,846.81	14.42%
Supplies	973.15	734.13	2,980.56	18,900.00	18,900.00	15,919.44	15.77%
Maintenance & Repair	0.00	609.89	944.88	4,000.00	4,000.00	3,055.12	23.62%
Utilities	1,459.02	125.40	1,316.04	14,700.00	14,700.00	13,383.96	8.95%
Professional Services	7,677.73	19,024.72	52,262.33	184,300.00	184,300.00	132,037.67	28.36%
Other Services	893.88	1,385.45	20,771.95	71,500.00	71,500.00	50,728.05	29.05%
Capital Equipment	340.98	28,764.96	32,079.21	37,600.00	37,600.00	5,520.79	85.32%
Total Administration	49,404.31	87,807.02	178,376.16	802,868.00	802,868.00	624,491.84	22.22%
Judicial							
Personnel & Benefits	5,340.91	6,004.00	10,799.18	73,735.00	73,735.00	62,935.82	14.65%
Supplies	119.70	0.00	0.00	2,300.00	2,300.00	2,300.00	0.00%
Professional Services	1,322.00	140.00	8,400.00	20,350.00	20,350.00	11,950.00	41.28%
Other Services	0.00	0.00	0.00	1,000.00	1,000.00	1,000.00	0.00%
Total Judicial	6,782.61	6,144.00	19,199.18	97,385.00	97,385.00	78,185.82	19.71%
Permitting & Inspections							
Personnel & Benefits	2,580.00	4,840.00	4,840.00	40,000.00	40,000.00	35,160.00	12.10%
Supplies	0.00	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%
Total Permitting & Inspections	2,580.00	4,840.00	4,840.00	42,500.00	42,500.00	37,660.00	11.39%
Special Revenue Expenditures							
Supplies	0.00	0.00	0.00	1,500.00	1,500.00	1,500.00	0.00%
Total Special Revenue Expenditures	0.00	0.00	0.00	1,500.00	1,500.00	1,500.00	0.00%
Total General Government	58,766.92	98,791.02	202,415.34	944,253.00	944,253.00	741,837.66	21.44%
Public Safety							
Police Department							
Personnel & Benefits	58,328.84	72,936.15	140,826.68	872,524.00	872,524.00	731,697.32	16.14%
Supplies	3,287.09	5,446.65	8,794.38	51,000.00	51,000.00	42,205.62	17.24%
Maintenance & Repair	2,089.26	400.05	2,130.74	28,350.00	28,350.00	26,219.26	7.52%
Utilities	720.84	1,605.16	2,762.85	14,500.00	14,500.00	11,737.15	19.05%
Professional Services	1,997.10	2,142.00	48,008.96	159,556.00	159,556.00	111,547.04	30.09%
Other Services	52.00	0.00	14,232.16	18,200.00	18,200.00	3,967.84	78.20%
Capital Equipment	2,859.80	187.10	374.20	10,625.00	10,625.00	10,250.80	3.52%
Total Police Department	69,334.93	82,717.11	217,129.97	1,154,755.00	1,154,755.00	937,625.03	18.80%
Fire Department							
Personnel & Benefits	0.00	750.00	3,711.00	38,461.00	38,461.00	34,750.00	9.65%
Supplies	293.14	908.05	1,507.63	19,000.00	19,000.00	17,492.37	7.93%
Maintenance & Repair	155.00	0.00	155.00	30,500.00	30,500.00	30,345.00	0.51%
Utilities	436.40	336.07	631.58	5,000.00	5,000.00	4,368.42	12.63%

10 General Fund	Prior YTD	Current Period	Current YTD	Original Budget	Revised Budget	Remaining Budget	% Earned/Used
Professional Services	26,782.75	0.00	38,311.00	160,907.00	160,907.00	122,596.00	23.81%
Other Services	0.00	0.00	13,243.24	27,000.00	27,000.00	13,756.76	49.05%
Capital Equipment	0.00	0.00	32,712.17	64,712.00	64,712.00	31,999.83	50.55%
Total Fire Department	27,667.29	1,994.12	90,271.62	345,580.00	345,580.00	255,308.38	26.12%
Code Enforcement							
Personnel & Benefits	0.00	1,669.99	1,669.99	62,721.00	62,721.00	61,051.01	2.66%
Supplies	0.00	0.00	0.00	2,000.00	2,000.00	2,000.00	0.00%
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%
Total Code Enforcement	0.00	1,669.99	1,669.99	67,221.00	67,221.00	65,551.01	2.48%
Total Public Safety	97,002.22	86,381.22	309,071.58	1,567,556.00	1,567,556.00	1,258,484.42	19.72%
Public Works							
City Maintenance							
Personnel & Benefits	7,814.08	8,945.92	14,297.91	112,568.00	112,568.00	98,270.09	12.70%
Supplies	905.80	1,598.10	3,347.92	15,950.00	15,950.00	12,602.08	20.99%
Maintenance & Repair	5,423.96	4,632.07	6,221.51	36,510.00	36,510.00	30,288.49	17.04%
Utilities	2,457.07	5,455.17	8,125.46	44,700.00	44,700.00	36,574.54	18.18%
Other Services	0.00	0.00	2,753.67	10,100.00	10,100.00	7,346.33	27.26%
Capital Equipment	0.00	(14,212.00)	15,000.00	15,000.00	15,000.00	0.00	100.00%
Total City Maintenance	16,600.91	6,419.26	49,746.47	234,828.00	234,828.00	185,081.53	21.18%
Parks and Recreation							
Supplies	461.91	59.93	82.08	3,800.00	3,800.00	3,717.92	2.16%
Maintenance & Repair	732.38	973.02	1,862.30	31,000.00	31,000.00	29,137.70	6.01%
Utilities	145.24	0.00	310.89	4,000.00	4,000.00	3,689.11	7.77%
Other Services	0.00	550.96	4,339.78	18,050.00	18,050.00	13,710.22	24.04%
Total Parks and Recreation	1,339.53	1,583.91	6,595.05	56,850.00	56,850.00	50,254.95	11.60%
Emergency/Disaster							
Contract Labor	75,466.00	0.00	0.00	0.00	0.00	0.00	0.00%
Total Emergency/Disaster	75,466.00	0.00	0.00	0.00	0.00	0.00	0.00%
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%
Total Expenditures	249,175.58	193,175.41	567,828.44	2,813,487.00	2,813,487.00	2,245,658.56	20.18%
Other Financing Sources and Uses							
Sources							
Transfers In	0.00	0.00	15,000.00	590,000.00	590,000.00	575,000.00	2.54%
Total Sources	0.00	0.00	15,000.00	590,000.00	590,000.00	575,000.00	2.54%
Uses							
Transfers Out	0.00	0.00	329,000.00	904,000.00	904,000.00	575,000.00	36.39%
Total Uses	0.00	0.00	329,000.00	904,000.00	904,000.00	575,000.00	36.39%
Total Other Financing Sources and Uses	0.00	0.00	(314,000.00)	(314,000.00)	(314,000.00)	0.00	100.00%
Total - 10 GENERAL FUND	(94,217.09)	(50,706.34)	(706,038.73)	92,683.00	92,683.00	(798,721.73)	

City of Richwood Operational Budget Report 11/1/2022 -11/30/2022							
30 Water & Sewer Enterprise Fund	Prior YTD	Current Period	Current YTD	Annual Budget	Revised Budget	Remaining Budget	% Earned/Used
Net Operating Income (Loss)							
Operating income							16.7% of year
Sewer Department	74,309.37	80,129.75	156,234.68	956,700.00	956,700.00	800,465.32	16.33%
Water Department	94,532.31	116,050.45	215,278.08	1,381,600.00	1,381,600.00	1,166,321.92	15.58%
Solid Waste Department	26,191.95	28,195.92	56,432.88	325,000.00	325,000.00	268,567.12	17.36%
Total Operating income	195,033.63	224,376.12	427,945.64	2,663,300.00	2,663,300.00	2,235,354.36	16.07%
Operating expense							
Sewer Department							
Personnel & Benefits	12,658.07	14,366.05	27,167.69	184,767.00	184,767.00	157,599.31	14.70%
Supplies	411.68	733.39	1,299.50	10,200.00	10,200.00	8,900.50	12.74%
Maintenance & Repair	9,717.89	3,874.74	5,261.76	73,940.00	73,940.00	68,678.24	7.12%
Professional Services	84,168.75	91,249.53	91,249.53	580,000.00	580,000.00	488,750.47	15.73%
Other Services	1,185.30	0.00	3,872.72	5,400.00	5,400.00	1,527.28	71.72%
Total Sewer Department	108,141.69	110,223.71	128,851.20	854,307.00	854,307.00	725,455.80	15.08%
Water Department							
Personnel & Benefits	12,643.47	20,317.87	37,898.03	221,306.00	221,306.00	183,407.97	17.12%
Supplies	644.93	3,114.07	5,102.37	24,500.00	24,500.00	19,397.63	20.83%
Maintenance & Repair	4,851.83	23,054.87	46,224.53	134,400.00	134,400.00	88,175.47	34.39%
Utilities	4,176.77	2,973.21	8,181.84	71,900.00	71,900.00	63,718.16	11.38%
Professional Services	14,802.40	0.00	38,061.78	58,000.00	58,000.00	19,938.22	65.62%
Other Services	29,832.60	26,649.00	74,118.23	405,200.00	405,200.00	331,081.77	18.29%
Capital Equipment	300.77	300.77	601.54	3,610.00	3,610.00	3,008.46	16.66%
Total Water Department	67,252.77	76,409.79	210,188.32	918,916.00	918,916.00	708,727.68	22.87%
Solid Waste Department							
Professional Services	21,993.75	48,769.66	48,769.66	280,000.00	280,000.00	231,122.34	17.42%
Total Solid Waste Department	21,993.75	48,769.66	48,769.66	280,000.00	280,000.00	231,230.34	17.42%
Total Operating expense	197,388.21	235,403.16	387,809.18	2,053,223.00	2,053,223.00	1,665,413.82	18.89%
Total Net Operating Income (Loss)	(2,354.58)	(11,027.04)	40,136.46	610,077.00	610,077.00	569,940.54	6.58%
Non-Operating Items							
Non-operating income							
Interest income	66.38	66.70	73.96	500.00	500.00	426.04	14.79%
Grants	0.00	54,874.03	54,874.03	0.00	0.00	(54,874.03)	Ahead of Budget
Other income	14.11	9.33	229.85	1,000.00	1,000.00	770.15	not budgeted
Transfers In	0.00	0.00	0.00	37,000.00	37,000.00	37,000.00	0.00%
Total Non-operating income	80.49	54,950.06	55,177.84	38,500.00	38,500.00	16,677.84	143.32%
Non-operating expense							
Debt Service	0.00	0.00	0.00	363,615.00	363,615.00	363,615.00	0.00%
Transfers Out	0.00	0.00	0.00	56,000.00	56,000.00	56,000.00	0.00%
Total Non-operating expense	0.00	0.00	0.00	419,615.00	419,615.00	419,615.00	0.00%
Depreciation Expense	23,668.00	0.00	0.00	350,000.00	350,000.00	350,000.00	0.00%
Total Non-Operating Items	(23,587.51)	54,950.06	55,177.84	(731,115.00)	(731,115.00)	786,292.84	Ahead of Budget
Total - 30 Water & Sewer Enterprise Fund	(25,942.09)	43,923.02	95,314.30	(121,038.00)	(121,038.00)	216,352.30	Ahead of Budget

***Depreciation not yet calculated

MINUTES

RICHWOOD CITY COUNCIL MEETING

Monday, November 14, 2022 at 6:00 PM

BE IT KNOWN THAT a City of Richwood City Council will meet Monday, November 14, 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

The meeting was called to order at 6:00 p.m.

II. INVOCATION

Tricia Ditto, Finance Director, led the invocation.

III. PLEDGES OF ALLEGIANCE

Mayor Boykin led the pledges.

IV. ROLL CALL OF COUNCIL MEMBERS

Steve Boykin, Mayor:	Present
Mike Johnson, Position 1:	Present
Melissa Strawn, Position 2:	Present
Matthew Yarborough, Position 3:	Present
Rory Escalante, Position 4:	Present

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

V. PUBLIC COMMENTS

Michael Durham - 31434 Bayou Bend – Mr. Durham stated he would like an update regarding the water treatment plant that was being proposed. Mayor advised that the hearings have been held and it may be another 6 months before further action is taken.

William Yearsin - 244 Briar Creek – Mr. Yearsin addressed council requesting investigation into council woman Melissa Strawn.

VI. CONSENT AGENDA

- A. Approve minutes from regular meeting held October 10, 2022
- B. Approve minutes from special meeting held October 18, 2022
- C. Budget Report, September 2022
- D. Investment Report, Q4 FY 2022
- E. Declare vacancy of City Council Position 5.

Motion to approve consent.

Motion made by Mike Johnson, Seconded by Melissa Strawn.

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

Motion carries.

VII. PUBLIC HEARING

- A. Public hearing and possible action adopting Ordinance 22-500 amending Appendix B Zoning Ordinance, Section Four - Districts, Subsection Five - R-4 Single Family Rural Residential Zoning District of the Code of Ordinances.

Open public hearing at 6:09 p.m.

Mike Challenger - 32726 Bayou Bend - Spoke regarding the zoning change and how he would like to see it handled. Stated the city shouldn't be destructive and ordering buildings to be torn down. Stated rules changed based on the mission. He added that the mission should be building at this time. Would like to see the City establish a vision to establish a mission.

Chris & Taylor Clinton - 31511 Bayou Bend - Spoke in favor of 7.5 foot setbacks on Bayou facing lots and 15 feet not to exceed 10% for all other lots.

Daniel Coffey - 33502 Blue Crab Ct – spoke in favor of changing the setbacks to match the plats.

Ed Podhiry - 32502 Bayou Bend- agreed with previous statement

Michael Durham- 31434 Bayou Bend – spoke in favor of changing the setbacks and clarifying the variance from 2008.

Cindy Moriarty - 31610 Bayou Bend - expressed thanks for all the effort in this matter. She stated their opinion is to keep setbacks as they are. Wanted to see if Council has taken the time to visit the properties in question and how they appear. Stated the current issue has become hostile and many that are against the proposed change are refusing to enter their opinion. Also questioned what precedent this sets by allowing a violation to cause a movement to change ordinance.

Mayor Boykin addressed the research done by Council and Staff.

Council member Strawn stated she found the original design of the neighborhood and has the language regarding the drainage out in the neighborhood.

Jimmie Silver - 34110 Bayou Bend - asked how this makes a difference when he can build his home in the same location. Spoke in favor of changing the setbacks.

Discussion held on drainage and how setbacks affect the area.

Council member Yarborough spoke regarding his research on the issue.

Discussion was held on drainage and the responsibility of the HOA since they maintain drainage within the neighborhood.

Irma Callaway - 31603 Bayou Bend - spoke against the change. Mrs. Callaway addressed the council regarding the rural residential zoning and preserving the feel of the neighborhood by keeping the setbacks. Stated Council is not hearing from everyone who has opinions in the matter. Would like to see focus put on the future of the neighborhood and not just on the opinion of a few. Added the change will create added risk to fire and flooding.

James Wiegel - 32026 Bayou Bend Drive - Spoke in favor of changing the setbacks to 15 feet.

Daniel Coffey 33502 Blue Crab Ct - spoke again regarding his building of his barn and the changing of the flood maps. Stated he doesn't believe the barns should be considered when we discuss drainage or flooding.

Discussion held again regarding elevation and drainage.

Josh Strawn spoke regarding this not being an issue with setbacks but with property owners not planning their lots out and these should be considered on case-by-case basis.

Genaro Cardenas - 32819 Amberjack - spoke regarding his property and his neighbor building a barn closer to his lot. Doesn't believe the distance really would make a difference, but stated he moved out there for the space.

Jesse Carroll – 31819 Amberjack – spoke in favor of changing the setbacks.

Jim Novak – 3026 Bayou View Ct – spoke in favor of changing the setbacks and regarding drainage and how his lot drains to the road and not his neighbor.

Jason Reumker – 33211 Amberjack – spoke in favor of changing the setbacks even though his home is at a lower elevation than the newer homes. He spoke regarding drainage and elevations.

John Patterson – 2711 Oakwood Trail – spoke in favor of changing the setbacks. Stated it would be uncalled for to make the Clinton’s tear down their barn just to rebuild it a few feet over.

Nicole Reumker - 33211 Amberjack – spoke in favor of changing the setbacks. Stated laws change due to circumstance and this is no different.

Jason Finley – 33210 Blue Crab Ct – spoke in favor of changing the setbacks.

Councilman Johnson spoke regarding the public outreach and comments. He stated it’s clear that the community wants change. He added his opinion is that property values will increase due to more improvements being made. He stated that variances shouldn’t be used when an ordinance change is needed. He believes this change was in the works prior to the initial violation and variance request.

Councilwoman Strawn spoke regarding the research she did on the various residential zoning districts within the City. She spoke regarding comments she received from residents in the neighborhood expressing opposition to changing the setbacks. She stated we have to consider our neighbors and neighborhood as a whole and not just our views. She stated she feels the current setback is sufficient.

Councilman Yarborough stated this isn’t the fault of the Clinton’s or any movement on his part. He stated making the Clinton’s tear their barn down is pointless. He addressed flooding concerns. He stated that most residents are in favor of change, and they have shown up.

Councilman Escalante stated that he is thrilled to see so many people here for the meeting. He spoke regarding vision for the City. He spoke regarding the initial violation and variance request. He stated that we shouldn’t make knee jerk reactions due to one issue and should consider the affected parties. He added that there are now additional measures in place due to violations that have occurred.

Mayor Boykin spoke regarding the history of the neighborhood and changes of ordinances over time. Discussion held on variances.

Motion to adopt Ordinance 22-500 amending Appendix B Zoning Ordinance, Section Four - Districts, Subsection Five - R-4 Single Family Rural Residential Zoning District of the Code of Ordinances setbacks to 7.5 / 15 and removing the minimum lot frontage and depth.

Motion made by Matthew Yarborough, Seconded by Mike Johnson.

Voting Yea: Steve Boykin, Mike Johnson, Matthew Yarborough

Voting Nay: Melissa Strawn, Rory Escalante

Motion carries.

Five minutes recess begins at 7:35 p.m.

VIII. DISCUSSION AND ACTION ITEMS

Open regular session at 7:45

- A. Discuss and consider approving Amendment No. 3 to Strand Associates Task Order in the amount of \$48,000.00 for the North Water Plant Project.

Clif Cluster presented.

Ryan Tinsley from Strand Associates - presented.

Discussion held on current budget and how this affects funding.

Discussion held on possibility of labor costs changing from our contractors.

Discussion held on current state of the driveway.

Discussion held on total costs of amendments.

Motion to approve Amendment No. 3 to Strand Associates Task Order in the amount of \$48,000.00 for the North Water Plant Project.

Motion made by Mike Johnson, Seconded by Matthew Yarborough.

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

Motion carries.

- B. Discuss and consider accepting bid from Felder Waterworks in the amount of \$23,000.00 to plug Water Well #1.

Clif Custer presented.

Discussion held on budgeted amounts compared to the bid.

Motion to accept bid from Felder Waterworks in the amount of \$23,000.00 to plug Water Well #1.

Motion made by Matthew Yarborough, Seconded by Rory Escalante.

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

- C. Discussion regarding water usage from the Brazosport Water Authority.

Clif Custer presented.

- D. Discussion and possible action authorizing the City Manager to submit grant application for the 2022 Hazard Mitigation Grant Program (HMGP) Post Fire Grant.

Motion to authorize the City Manager to submit grant application for the 2022 Hazard Mitigation Grant Program (HMGP) Post Fire Grant.

Motion made by Mike Johnson, Seconded by Matthew Yarborough.

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

Motion carries.

- E. Discussion regarding compatibility of City Council Members concurrently serving on Homeowner Association Boards.

Eric presented.

Leslie Klug - 105 Hummingbird Ct - if a council members serve on HOA shouldn't they recuse themselves from any topics that affect the position.

William Yearsin - 244 Briar Creek - would like clarify his previous public comment and stated that just because its legal doesn't make it right.

Councilman Yarborough stated duty falls on the person serving to do the right thing. The fact is that we do not have enough volunteers in our community to have as much separation as we wish. It falls on the specific person to recuse themselves if necessary.

Councilman Escalante read statement from TML and cited the local government code.

Councilman Johnson stated that all new developments are required to have HOA so this may be a issue for future.

- F. Discuss and consider approving Resolution 22-R-71, amending the FY 2022 budget to allow for unbudgeted expenditures during the fiscal year.

Tricia Ditto presented.

Motion to approve Resolution 22-R-71, amending the FY 2022 budget to allow for unbudgeted expenditures during the fiscal year.

Motion made by Matthew Yarborough, Seconded by Melissa Strawn.

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

Motion carries.

IX. EXECUTIVE SESSION

Pursuant to Chapter 551.071, Consultation with Counsel on legal matters:

Close to exec session at 8:35 p.m.

- 1. Consultation with City attorney regarding settlement litigation.

Close to executive session at 8:35 p.m.

Open regular session at 8:50 p.m.

X. ACTION AS A RESULT OF EXECUTIVE SESSION

Pursuant to Chapter 551.071, Consultation with Counsel on legal matters:

- 1. Consultation with City attorney regarding settlement litigation.

Motion to city manager to accept settlement from litigation.

Motion made by Matthew Yarborough, Seconded by Rory Escalante.

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

Motion carries.

XI. CAPITAL IMPROVEMENT PROJECTS UPDATE

Clif Custer presented.

Discussion held on water pressure loss.

XII. CITY MANAGER'S REPORT

Eric Foerster gave report.

XIII. COUNCIL MEMBER COMMENTS & REPORTS

Mike Johnson expressed thanks all the people who came out for the meeting, thanked KRB and William Yearsin for honoring the Veterans by placing flags and expressed thanks to all Veterans on Council and in attendance.

Melissa Strawn requested to discuss the DA opinion for future agenda.

Matt Yarborough echoed the appreciation for the turnout, would like to see more volunteers on open committees and the Position 5 opening urging people to please come out and apply.

Rory Escalante echoed thanks to turnout, commented regarding the division in the neighborhood and hopes to see the city and residents move forward in harmony.

XIV. MAYOR'S REPORT

Mayor reported on the Brazoswood water polo parade, expressed appreciation to Chief and PD for offering to drive him in the parade.

He expressed appreciation to everyone who came out and helped the system work the way it is intended. Decisions are made based on hearing from the people, that is what we are hear to do is represent the citizens. Strongly urged the citizens to get together and work to better our city and neighborhoods.

He gave thanks to the Fire Department; they have been busy with fires. He added a lot of people do not realize wildwind fires can be dangerous. stated the guys train hard and work hard.

He expressed thanks to PD and the Veterans on council and in the city.

He expressed thanks to staff for all of the hard work that we've had going on lately.

He stated he was sad to see Councilman Lankford go, but understands and expressed appreciation to his service and thoughtfulness he brought to Council meetings.

XV. FUTURE AGENDA ITEMS

DA opinion

Possible idea of sponsorship of wreaths across america.

XVI. ADJOURNMENT

Being there no further business the meeting was adjourned at 9:09 p.m.

These minutes were read and approved on this 09th day of January 2023.

Mayor

ATTEST:

City Secretary

MINUTES

RICHWOOD CITY COUNCIL MEETING

Wednesday, December 14, 2022 at 6:00 PM

BE IT KNOWN THAT a City of Richwood City Council will meet Wednesday, December 14, 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

The meeting was called to order at 6:00 p.m.

II. INVOCATION

III. PLEDGES OF ALLEGIANCE

IV. ROLL CALL OF COUNCIL MEMBERS

Steve Boykin, Mayor:	Present
Mike Johnson, Position 1:	Present
Melissa Strawn, Position 2:	Present
Matthew Yarborough, Position 3:	Present
Rory Escalante, Position 4:	Present

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

V. PUBLIC COMMENTS

Mr. Challenger - 32720 Bayou Bend - addressed Council regarding his experience within the City. Recognized a local teacher, Lindsey Towns, for her exceptional work with his son. Spoke regarding the recent turn out from the public regarding.

VI. CONSENT AGENDA

- A. Budget report, October 2022
- B. Appoint William Yearsin to the Crime Control and Prevention District Board.
- C. Appoint David Thompson to the Crime Control and Prevention District Board.

Motion to remove B & C from consent and review later.

Motion made by Mike Johnson, Seconded by Matthew Yarborough.

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

Motion carries.

Motion to approve budget report.

Motion made by Mike Johnson, Seconded by Melissa Strawn.

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

Motion carries.

VII. 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. Discuss, consider and appoint applicant to fulfill unexpired term for City Council Position 5.

Candidates:

1. Jeremy Fountain
2. Gene Reichert
3. David Thompson
4. William Yearsin
5. Michael Johnson

Regular session adjourned at 6:10 p.m.

City Council reconvened at 7:50 p.m.

VIII. ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor expressed appreciation to everyone that applied for the position.

Motion to appoint Jeremy Fountain to the position of City Council position 5.

Motion made by Mike Johnson, Seconded by Rory Escalante.

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

Motion carries.

IX. DISCUSSION AND ACTION ITEMS

- A. Discuss and consider approving Resolution 22-R-72, authorizing the submission of an application to the Texas General Land Office (GLO) for Community Development Block Grant - Mitigation (CDBG-MIT) program Method of Distribution (MOD); and authorizing the Mayor and or City Manager to act as the City's Executive Officer and authorized representative in all matters pertaining to the City's participation in the CDBG-MIT MOD.

Motion to approve Resolution 22-R-72 Resolution 22-R-72, authorizing the submission of an application to the Texas General Land Office (GLO).

Motion made by Matthew Yarborough, Seconded by Mike Johnson.

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

Motion carries.

- B. Discuss and consider authorizing the City Secretary to begin accepting bids for Solid Waste Disposal services to be awarded at a later date.

Clif Custer presented.

Consensus was to move forward.

No action taken.

- C. Discussion on status of City Council's request for the Brazoria County District Attorney to obtain Texas Attorney General Opinion regarding City Manager serving as volunteer Reserve Police Officer.

Phillip Knop, City Attorney presented info.

No discussion held.

- D. Discussion and possible action regarding the City of Richwood sponsoring the Wreaths Across America Program.

Councilman Johnson stated it is going on this Saturday, you can go online and sponsor a wreath or volunteer.

He proposes the City sponsor a wreath for \$15.00.

Discussion held on possibility of conflict of City sponsoring.

Mayor Boykin stated he personally would sponsor a wreath on behalf of the City.

- E. Approve items removed from Consent Agenda.

Motion to appoint William Yearsin and David Thompson to the CCPD board.

Motion made by Mike Johnson, Seconded by Matthew Yarborough.

Voting Yea: Mike Johnson

Voting Nay: Melissa Strawn, Matthew Yarborough, Rory Escalante

Motion fails.

Motion to appoint David Thompson to the CCPD Board.

Motion made by Matthew Yarborough, Seconded by Mike Johnson.

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

Motion carries.

- X. CAPITAL IMPROVEMENT PROJECTS UPDATE

Clif presented his update.

- XI. CITY MANAGER'S REPORT

Eric reported appreciation to Clif and his guys for moving the water lines themselves instead of hiring a contractor. He added that doing so saved the city a lot of money.

He expressed thanks to the Chief for working out the agreement with Lake Jackson for use of their gun range.

- XII. COUNCIL MEMBER COMMENTS & REPORTS

Mike Johnson stated he missed KRB meeting, but wanted to give a reminder that this Friday from 6-8, Sipping with Santa. Appreciate everything KRB does. Appreciate candidates applying for open positions. Expressed thanks to the Public Works department, Police and Fire Department.

Melissa Strawn expressed thanks to everyone who applied for the position. Merry Christmas and Happy New Year to all.

Matt Yarborough echoed previous two.

Rory Escalante expressed appreciation to volunteerism and wished everyone a safe holiday

Jeremy Fountain expressed thanks for allowing the opportunity to serve.

XIII. MAYOR'S REPORT

Mayor expressed appreciation to those who applied. Stated there is plenty of other volunteer opportunities out there.

Thanks to Jeremy for service and service to BWA.

Rescheduling meeting with Brandy Groth and State Rep Thompson to discuss RW priorities for the upcoming legislation.

Gave update on the TCEQ application on Bastrop Bayou.

XIV. FUTURE AGENDA ITEMS

Charter Review Report

Call for Elections

BWA Appointment

Board Appointments

XV. ADJOURNMENT

Being there no further business the meeting was adjourned at 8:36 p.m.

These minutes were read and approved on this 09th day of January 2023.

Mayor

ATTEST:

City Secretary

**CITY OF RICHWOOD
CHARTER REVIEW COMMISSION 2022**

MEMBERS:

Mark Guthrie – Chair
Amanda Reynolds – Vice Chair
Lauren LaCount – Member
Kimberly Mayer – Member
Leslie Klug – Member

Staff Liaisons: Kirsten Garcia, City Secretary

General Comments:

The 2022 Charter Review Commission was appointed in October 2022. They met as available in three separate meetings beginning October 20, 2022, through November 22, 2022. The Commission was supported by administrative staff.

Recommendations:

Section 7.02. Initiative.

Qualified voters of the City of Richwood may initiate legislation by submitting a petition addressed to the City Council which requests the submission of a proposed ordinance or resolution to a vote of the qualified voters of the City. The petition must be signed by the qualified voters of the City equal in number to at least ~~twenty percent (20%)~~ **ten percent (10%)** of the qualified voters of the City. The petition shall be signed as provided in section 6.03 of this Charter. The petition may consist of one or more copies as permitted in section 6.04 of this Charter, but each copy shall have attached to it a copy of the proposed ordinance or resolution. The petition shall be filed with the person performing the duties of City Secretary. In the next regularly scheduled City Council meeting and noticed in accordance with the Texas Open Meetings Act, the person performing the duties of City Secretary shall present the petition and the proposed ordinance or resolution to the City Council. Upon presentation to it of the petition and the proposed ordinance or resolution, it shall become the duty of the City Council, within ten (10) days after the receipt thereof, to pass and adopt such ordinance or resolution without alteration as to meaning or effect in the opinion of the persons filing the petition or within the time frames established by law, call a special election to be held on the next uniform election date under state law by which lawful notices can be given and full absentee balloting had, at which the qualified voters of the City of Richwood shall vote on the question of adopting or rejecting the proposed legislation. City Council shall be permitted to make any such alterations as are necessary to make such legislation compliant with state law. If any such legislation seeks the enforcement of any illegal act or any act for which the City lacks authority to enforce, City Council shall not pass or adopt the ordinance or resolution.

Rationale

The proposed amendment lowers the threshold of required signatures on a petition by 10%, thus making it more obtainable for residents to present initiatives to the City.

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 findings 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~~ **shall** 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.

Rationale

The proposed amendment requires the City Council to order amendments presented by the Charter Review commission to be submitted to the voters of the City of Richwood.

This report and recommendation are hereby presented to the City Council on January 09, 2023.

Mark Guthrie, Chair

Amanda Reynolds, Vice-Chair

Leslie Klug

Kimberly Mayer

Lauren LaCount

ORDINANCE NO. 23-501

AN ORDINANCE ORDERING AN ELECTION TO BE HELD IN THE CITY OF RICHWOOD, ON SATURDAY, MAY 6, 2023, FOR THE PURPOSE OF ELECTING CERTAIN OFFICERS FOR THE CITY OF RICHWOOD; PROVIDING THAT ALL PERSONS DESIRING TO HAVE THEIR NAME PLACED ON THE OFFICIAL BALLOT AS A CANDIDATE FILE AN APPLICATION NOT LATER THAN FEBRUARY 17 2023, PROVIDING THAT ALL DULY QUALIFIED RESIDENT ELECTORS SHALL BE QUALIFIED TO VOTE; APPROVING A JOINT ELECTION AGREEMENT WITH BRAZORIA COUNTY; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the City of Richwood is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

WHEREAS, Section 41.001 of the Texas Election Code (the "Code") specifies that the first Saturday in May shall be a uniform election date; and

WHEREAS, all of the City of Richwood and its voting precincts are located within Brazoria County only; and

WHEREAS, by this Ordinance, it is the intention of the City Council to adopt all requirements of an Election Order and Notice of Election in accordance with state law, and authorize a contract with Brazoria County for joint election services.

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

Section 1. That an election is hereby ordered and shall be held in and throughout the City of Richwood, Texas, on the 6th day of May, 2023, being the first Saturday in May, between the hours of 7 a.m. and 7 p.m.. Voting will be held at the Richwood City Hall, 1800 Brazosport Blvd., Richwood, Texas. Voting will also be conducted at all the Vote Centers in Brazoria County, Texas that are listed on Exhibit A.

Section 2. That early voting by personal appearance will begin on April 24, 2023 and end on May 2, 2023. Early voting locations are attached as Exhibit B.

Section 3. That the election is ordered for the purpose of electing the following officers for the City:

The Mayor and Council Member Positions two and three

Section 4. That any person having the qualifications set out in Section 3.02 of the Charter of the City of Richwood for Mayor and Council member positions two and three may file an application to have his or her name placed on the official ballot as a candidate. Said application shall be accompanied by a loyalty affidavit of the candidate as prescribed by Section 141.031 of the Texas Election Code and said application shall be filed with the City Secretary as prescribed by Section 143.006 of the Texas Election Code not earlier than January 18, 2023 and not later than February 17, 2023.

Section 5. That said election shall be held in accordance with the Constitution and laws of the State of Texas and the Charter of the City of Richwood, and all duly qualified resident electors of the City of Richwood, Texas, shall be qualified to vote.

Section 6. JOINT ELECTION AGREEMENT APPROVED: The City Secretary is authorized to execute the Joint Election Agreement between Brazoria County and Richwood. In the event of a conflict between this Ordinance and the Contract, the Contract shall control.

Section 7. NOTICES: This Ordinance shall serve as the Order of Election (as required by Section 3.001 of the Texas Election Code).

Section 8. NECESSARY ACTIONS: The Mayor or the City Secretary of the City of Richwood, in consultation with the City Attorney as needed, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Texas Election Code and the Contract in carrying out and conducting the election, whether or not expressly authorized herein.

Section 9. If any part or portion of this ordinance shall be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair any remaining portions or provisions of this ordinance.

Section 10. This ordinance shall be in full force and effective immediately after its passage.

PASSED AND APPROVED on this 9th day of January, 2023.

Steve Boykin, Mayor

ATTEST:

Kirsten Garcia, City Secretary

EXHIBIT A

EXHIBIT B

EARLY VOTING BRANCH POLLING PLACES
LOS SITIOS DE VOTACIÓN AUXILIARES PARA VOTACIÓN ADELANTADA

Early voting by personal appearance will be conducted at the following locations:
La votación adelantada en persona se llevará a cabo en los siguientes sitios de esta manera:

- Angleton (Main)East Annex, 1524 E Mulberry
- AlvinAlvin Library, 105 S Gordon
- BrazoriaBrazoria Library, 620 S Brooks
- FreeportFreeport Library, 410 Brazosport Blvd
- Lake JacksonLake Jackson Library, 250 Circle Way
- ManvelNorth Annex, 7313 Corporate Dr
- Pearland EastTom Reid Library, 3522 Liberty Dr
- Pearland WestWestside Event Center, 2150 Countryplace Pkwy
- Shadow CreekPearland Westside Library, 2803 Business Center Dr #101
- SweenySweeny Community Center, 205 W Ashley Wilson Rd
- West ColumbiaPrecinct 4 Building 2, 121 N 10th St

DATES AND HOURS:

- April 19-23 8 AM – 5 PM
- April 24 7 AM – 7 PM
- April 26-27 7 AM – 7 PM

ORDINANCE NO. 23-502

AN ORDINANCE ORDERING AN ELECTION TO BE HELD IN THE CITY OF RICHWOOD, ON SATURDAY, MAY 6, 2023 FOR THE PURPOSE OF AMENDING THE CITY OF RICHWOOD HOME RULE CHARTER; PROVIDING FOR SEVERABILITY.

Whereas, the residents of the City of Richwood, approved the adoption the City of Richwood Home Rule Charter by majority vote on May 11, 2013;

Whereas, the City Council appointed six residents to serve as the Charter Review Commission at their first regularly scheduled meeting in October 2022;

Whereas, the Charter Review Commission met and reviewed all sections of the Charter and presented their recommendations to City Council for approval to be placed on the May 6, 2023, ballot to be presented to the voters;

Whereas, the City Council finds it appropriate to call the special election to propose amendments to the City Charter be placed on the May 6, 2023 ballot to be presented to the voters; and

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

Section 1. That an election to amend the City of Richwood Home Rule Charter is hereby ordered and shall be held in and throughout the City of Richwood, Texas, on the 6th day of May 2023, being the first Saturday in May, between the hours of 7 am and 7 pm. Voting locations are attached as Exhibit B.

Section 2. That early voting by personal appearance will begin on April 24, 2023, and end on May 2, 2023. Early voting locations are attached as Exhibit C.

Section 3. That the proposed text amendments are hereby attached as Exhibit A.

Section 4. That the election is ordered for the purpose of submitting the following proposed amendments to the Home Rule Charter of the City of Richwood to the qualified voters:

Proposition A

Shall Section 7.02 be amended to require petitions for legislation initiative be signed by the qualified voters of the City equal in number to at least ten percent (10%) of the qualified voters of the City?

Proposition B

Shall Section 11.12 (b) be amended to require the City Council to call for any amendments to the Charter of the City of Richwood recommended by the Charter Review Commission be presented to qualified voters of the City.

Section 6. That said election shall be held in accordance with the Constitution and laws of the State of Texas and the Charter of the City of Richwood, and all duly qualified resident electors of the City of Richwood, Texas, shall be qualified to vote.

Section 7. NECESSARY ACTIONS: The Mayor or the City Secretary of the City of Richwood, in consultation with the City Attorney as needed, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Texas Election Code and the Contract in carrying out and conducting the election, whether or not expressly authorized herein.

Section 8. If any part or portion of this ordinance shall be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair any remaining portions or provisions of this ordinance.

PASSED AND APPROVED on this 09th day of January 2023.

Mayor

ATTEST:

City Secretary

EXHIBIT A

Proposed Text Amendments to the City of Richwood Home Rule Charter

PROPOSITION A

Section 7.02. Initiative.

Qualified voters of the City of Richwood may initiate legislation by submitting a petition addressed to the City Council which requests the submission of a proposed ordinance or resolution to a vote of the qualified voters of the City. The petition must be signed by the qualified voters of the City equal in number to at least ~~twenty percent (20%)~~ **ten percent (10%)** of the qualified voters of the City. The petition shall be signed as provided in section 6.03 of this Charter. The petition may consist of one or more copies as permitted in section 6.04 of this Charter, but each copy shall have attached to it a copy of the proposed ordinance or resolution. The petition shall be filed with the person performing the duties of City Secretary. In the next regularly scheduled City Council meeting and noticed in accordance with the Texas Open Meetings Act, the person performing the duties of City Secretary shall present the petition and the proposed ordinance or resolution to the City Council. Upon presentation to it of the petition and the proposed ordinance or resolution, it shall become the duty of the City Council, within ten (10) days after the receipt thereof, to pass and adopt such ordinance or resolution without alteration as to meaning or effect in the opinion of the persons filing the petition or within the time frames established by law, call a special election to be held on the next uniform election date under state law by which lawful notices can be given and full absentee balloting had, at which the qualified voters of the City of Richwood shall vote on the question of adopting or rejecting the proposed legislation. City Council shall be permitted to make any such alterations as are necessary to make such legislation compliant with state law. If any such legislation seeks the enforcement of any illegal act or any act for which the City lacks authority to enforce, City Council shall not pass or adopt the ordinance or resolution.

PROPOSITION B

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 findings 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~~ **shall** 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.

EXHIBIT B

<i>CITY (CIUDAD)</i>	<i>POLLING PLACE (SITIO DE VOTACIÓN)</i>	<i>ADDRESS (DIRECCIÓN)</i>
Alvin	Alvin Library	105 S Gordon
Alvin	Heights Baptist Church	1591 County Road 144
Alvin	Nolan Ryan Center	3110 Mustang Rd
Angleton	East Annex (Old Walmart) Room 144	1524 E Mulberry
Angleton	West Annex	451 N Velasco
Bonney	Bonney Annex Building	19025 FM 521
Brazoria	Brazoria Library	620 S Brooks
Brazoria	Greater Mount Zion Event Center	6437 FM 521
Brookside Village	Brookside Village Community Center	6243 Brookside Rd
Clute	Clute Event Center	100 Parkview Dr
Damon	Damon Elementary School	1211 Mulcahy
Danbury	Danbury Community Center	6115 5th St
Freeport	Freeport Library	410 Brazosport Blvd
Holiday Lakes	Holiday Lakes City Hall	195 N Texas Ave
Iowa Colony	Alvin ISD Heritage Complex	10855 Iowa Colony Blvd
Jones Creek	Jones Creek Community House	7207 Stephen F Austin Rd
Lake Jackson	Lake Jackson Annex Courtroom	202 Peach St
Lake Jackson	Lake Jackson Civic Center	333 Hwy 332 East
Liverpool	Liverpool City Hall	8901 County Road 171
Manvel	ESD No. 3 Station	6931 Masters Rd
Manvel	North Annex	7313 Corporate Dr
Manvel	Pct. 4 North Annex	3633 County Road 58
Oyster Creek	Oyster Creek City Hall	3210 FM 523
Pearland	Delores Fenwick Nature Center	5750 Magnolia Pkwy
Pearland	Drainage Dist No. 4 Building	4813 W Broadway
Pearland	First Church of Pearland	1850 E Broadway
Pearland	New Harvest Christian Fellowship	12216 Broadway
Pearland	Pearland Recreation Center	4141 Bailey Rd
Pearland	Shadycrest Baptist Church	3017 Yost Blvd
Pearland	Silverlake Church	1865 Cullen Blvd
Pearland	Silverlake Recreation Center	2715 Southwyck Pkwy
Pearland	Tom Reid Library	3522 Liberty Dr
Pearland	West Pearland Community Center	2150 Countryplace Pkwy

Pearland	West Pearland Library	11801 Shadow Creek Pkwy
Richwood	Richwood City Hall	1800 Brazosport Blvd N
Sandy Point	Sandy Point Bible Church	119 County Road 42
Surfside Beach	Surfside Beach City Hall	1304 Monument Dr
Sweeny	Sweeny Community Center	205 Ashley Wilson Rd
West Columbia	Precinct 4 Building #2	121 N 10th St

EXHIBIT C

**EARLY VOTING BRANCH POLLING PLACES
LOS SITIOS DE VOTACIÓN AUXILIARES PARA VOTACIÓN ADELANTADA**

Early voting by personal appearance will be conducted at the following locations:
La votación adelantada en persona se llevará a cabo en los siguientes sitios de esta manera:

- Angleton (Main)East Annex, 1524 E Mulberry
- AlvinAlvin Library, 105 S Gordon
- BrazoriaBrazoria Library, 620 S Brooks
- FreeportFreeport Library, 410 Brazosport Blvd
- Lake JacksonLake Jackson Library, 250 Circle Way
- ManvelNorth Annex, 7313 Corporate Dr
- Pearland EastTom Reid Library, 3522 Liberty Dr
- Pearland WestWestside Event Center, 2150 Countryplace Pkwy
- Shadow CreekPearland Westside Library, 2803 Business Center Dr #101
- SweenySweeny Community Center, 205 W Ashley Wilson Rd
- West ColumbiaPrecinct 4 Building 2, 121 N 10th St

DATES AND HOURS:

FECHAS Y HORAS

- April 19-23 8 AM – 5 PM
- April 24 7 AM – 7 PM
- April 26-27 7 AM – 7 PM

AN ORDINANCE OF THE CITY OF RICHWOOD, TEXAS ORDERING A SPECIAL ELECTION TO BE HELD ON MAY 6, 2023, TO DETERMINE WHETHER THE VOTERS OF THE CITY OF RICHWOOD DESIRE TO CONTINUE A SALES AND USE TAX FOR MAINTENANCE AND REPAIR OF MUNICIPAL STREETS IN THE CITY; PROVIDING FOR NOTICE; PROVIDING FOR EARLY VOTING; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of RICHWOOD is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

WHEREAS, pursuant to the Texas Tax Code, V.T.C.A., Chapter 327.001 et. seq. (the "Act"), the City of RICHWOOD adopted a one-fourth (1/4th) of one percent (1%) sales and use tax to provide for street maintenance; and

WHEREAS, the Act provides that the sales and use tax for street maintenance expires after four (4) years unless it is reauthorized at an election; and

WHEREAS, the Act provides that the City Council may call an election to reauthorize a previously adopted sales and use tax to provide for street maintenance by adopting an ordinance; and

WHEREAS, the Act provides that an election to reauthorize the sales and use tax shall be held in accordance with Chapter 321 of the Texas Tax Code; and

WHEREAS, Section 321.403 of the Texas Tax Code states that such an election must be held on the first succeeding uniform date for which sufficient time elapses for the holding of an election; and

WHEREAS, Section 41.001 of the Texas Election Code (the "Code") specifies that the first Saturday in May shall be a uniform election date;

WHEREAS, all of the City of RICHWOOD and its voting precincts are located within Brazoria County only; and

WHEREAS, by this Ordinance, it is the intention of the City Council to adopt all requirements of an Election Order and Notice of Election in accordance with state law, and authorize a contract with Brazoria County for joint election services.

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

Section 1. That special election to submit to the voters a proposition to determine whether to reauthorize the one-fourth (1/4th) of one percent (1%) sales and use tax for street maintenance purposes is hereby ordered and shall be held in and throughout the City of Richwood, Texas, on the 6th day of May 2023, being the first Saturday in May.

Section 2. That voting on Election Day will be held at the Richwood City Hall, 1800 Brazosport Blvd, Richwood, Texas. Voting will also be conducted at all of the Vote Centers in Brazoria County, Texas that are listed on Exhibit A. That early voting by personal appearance will begin on April 24, 2023, and end on May 2, 2023. Early voting locations are attached as Exhibit B.

Section 3. The official ballots for said election shall be prepared in accordance with the Texas Election Code so as to permit the electors to vote "FOR" or "AGAINST" the proposition, with the ballots to contain such provisions, markings and language as required by law, and with such proposition to be expressed substantially as follows:

FOR
(A FAVOR DE)

THE REAUTHORIZATION OF THE LOCAL SALES AND USE TAX IN THE CITY OF RICHWOOD AT THE RATE OF ONE-FOURTH OF ONE PERCENT TO CONTINUE PROVIDING REVENUE FOR MAINTENANCE AND REPAIR OF MUNICIPAL STREETS. THE TAX EXPIRES ON THE FOURTH ANNIVERSARY OF THE DATE OF THIS ELECTION UNLESS THE IMPOSITION OF THE TAX IS REAUTHORIZED.

AGAINST
(EN CONTRA DE)

LA REAUTORIZACIÓN DE LOS IMPUESTAS DE VENTAS Y USO DE LA CIUDAD DE RICHWOOD A LA TASA DE INTERÉS DE UN CUATRO DE UN PORCIENTO SE CONTINUARÁ HACIENDO PREVISIONES DE INGRESOS PARA MANTENIMIENTO Y REPARACIÓN DE LAS CALLES MUNICIPALES.

Section 4. NOTICES: This Ordinance shall serve as the Order of Election (as required by Section 3.001 of the Code) and as the Notice of Election (as required by Section 4.001 of the Code). Notice shall be published in the newspaper in accordance with state law.

Section 5. NECESSARY ACTIONS: The Mayor or the City Secretary of the City, in consultation with the City Attorney as needed, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Code and the Contract in carrying out and conducting the election, whether or not expressly authorized herein.

Section 6. If any part or portion of this ordinance shall be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair any remaining portions or provisions of this ordinance.

Section 7. This ordinance shall be in full force and effective immediately after its passage.

PASSED AND APPROVED on this 09th day of January 2023.

Mark Guthrie, Mayor

ATTEST:

Kirsten Garcia, City Secretary

EXHIBIT A

<i>CITY (CIUDAD)</i>	<i>POLLING PLACE (SITIO DE VOTACIÓN)</i>	<i>ADDRESS (DIRECCIÓN)</i>
Alvin	Alvin Library	105 S Gordon
Alvin	Heights Baptist Church	1591 County Road 144
Alvin	Nolan Ryan Center	3110 Mustang Rd
Angleton	East Annex (Old Walmart) Room 144	1524 E Mulberry
Angleton	West Annex	451 N Velasco
Bonney	Bonney Annex Building	19025 FM 521
Brazoria	Brazoria Library	620 S Brooks
Brazoria	Greater Mount Zion Event Center	6437 FM 521
Brookside Village	Brookside Village Community Center	6243 Brookside Rd
Clute	Clute Event Center	100 Parkview Dr
Damon	Damon Elementary School	1211 Mulcahy
Danbury	Danbury Community Center	6115 5th St
Freeport	Freeport Library	410 Brazosport Blvd
Holiday Lakes	Holiday Lakes City Hall	195 N Texas Ave
Iowa Colony	Alvin ISD Heritage Complex	10855 Iowa Colony Blvd
Jones Creek	Jones Creek Community House	7207 Stephen F Austin Rd
Lake Jackson	Lake Jackson Annex Courtroom	202 Peach St
Lake Jackson	Lake Jackson Civic Center	333 Hwy 332 East
Liverpool	Liverpool City Hall	8901 County Road 171
Manvel	ESD No. 3 Station	6931 Masters Rd
Manvel	North Annex	7313 Corporate Dr
Manvel	Pct. 4 North Annex	3633 County Road 58
Oyster Creek	Oyster Creek City Hall	3210 FM 523
Pearland	Delores Fenwick Nature Center	5750 Magnolia Pkwy
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