

City of Richwood — TEXAS —

CITY COUNCIL MEETING AGENDA

Monday, January 08, 2024 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 8, 2024, beginning at 6:00 PM at Richwood City Hall, located at 1800 Brazosport Blvd. N., Richwood, Texas 77531 with the following agenda:

- I. CALL TO ORDER
- II. INVOCATION
- III. PLEDGES OF ALLEGIANCE
- IV. ROLL CALL OF COUNCIL MEMBERS
- V. PUBLIC COMMENTS
- VI. CONSENT AGENDA
 - A. Approval of minutes from regular meeting held December 11, 2023.
- VII. DISCUSSION AND ACTION ITEMS
 - A. Discussion, on-site inspection, and possible action regarding the City of Richwood service center and P.K. Forrest Building.

(The City Council will travel to 720 N. Mahan to inspect the service center and community building.)
 - B. Discussion regarding the status of the City of Richwood's wastewater treatment plant.
 - C. Discuss and consider Ordinance 24-514, calling the May 4, 2024 General Election and approving a joint election agreement with Brazoria County.
 - D. Consider items removed from consent agenda
- VIII. CAPITAL IMPROVEMENT PROJECTS UPDATE
- IX. CITY MANAGER'S REPORT
- X. COUNCIL MEMBER COMMENTS & REPORTS
- XI. MAYOR'S REPORT
- XII. ITEMS OF COMMUNITY INTEREST
- XIII. FUTURE AGENDA ITEMS
- XIV. 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 5, 2024 at 5:00 PM post this notice of meeting on the bulletin board at 1800 N. Brazosport Blvd., Richwood, TX, in compliance with the Texas Open Meetings Law.

Kirsten Garcia, City Secretary
City of Richwood

MINUTES

RICHWOOD CITY COUNCIL MEETING

Monday, December 11, 2023 at 6:10 PM

BE IT KNOWN THAT a City of Richwood City Council will meet Monday, December 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 called to order at 6:10 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; Cliff Custer, Public Works Director; Police Chief, Stephen Mayer; Phillip Knop, City Attorney.

III. PUBLIC COMMENTS

There was no public comment.

IV. CONSENT AGENDA

- A. Approval of minutes from regular meeting held November 13, 2023.
- B. Approval of minutes from special called meeting held November 17, 2023.
- C. Budget Report, October 2023
- D. Budget Report, November 2023

Motion to approve consent agenda.

Motion made by Amanda Reynolds, Seconded by Mike Johnson.

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

Motion carried.

V. DISCUSSION AND ACTION ITEMS

- A. Final review and action on re-plat of lots 65 & 66; block 1 of Oakwood Shores Subdivision section 1 also known as 32234 Bayou Bend.

Motion to approve re-plat of lots 65 & 66; block 1 of Oakwood Shores Subdivision section 1 also known as 32234 Bayou Bend.

Motion made by Amanda Reynolds, Seconded by Mike Challenger.

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

Motion carried.

- B. Discussion, on-site inspection, and possible action regarding the City of Richwood service center and P.K. Forrest Building.

(The City Council will travel to 720 N. Mahan to inspect the service center and community building.)

Motion to move this item to after the executive session.

Motion made by Mike Johnson, Seconded by Mike Challenger.

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

Motion carried.

Motion to table.

Motion made by Amanda Reynolds, Seconded by Mike Challenger.

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

Motion carried.

- C. Discuss and consider appointing Marcus Smith as the City of Richwood Fire Marshal.

Eric Foerster, City Manager, presented information.

Councilman Challenger is in opposition to hiring a new employee at this time.

Motion to table this item. Motion made by Mike Challenger.

Motion dies from lack of a second.

Discussion was held on costs incurred and benefits of having someone in-house.

Discussion was held on the status of inspections.

Motion to appoint Marcus Smith City of Richwood Fire Marshal.

Motion made by Mike Johnson, Seconded by Amanda Reynolds.

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

Motion carried.

- D. Discuss and consider adopting Ordinance 23-513, amending Chapter 4, Article 1, Section 4-2 (Referenced Codes) of the City of Richwood Code of Ordinances, establishing minimum standards for continued use and occupancy that apply to all buildings regardless of the date of construction.

Kirsten Garcia, City Secretary, presented.

Discussion was held on the possible financial burden on residents.

Motion to adopt Ordinance 23-513, amending Chapter 4, Article 1, Section 4-2 (Referenced Codes) of the City of Richwood Code of Ordinances, establishing minimum standards for continued use and occupancy that apply to all buildings regardless of the date of construction.

Motion made by Rory Escalante, Seconded by Mike Johnson.

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

Motion carried.

E. Consider items removed from the consent agenda

No items were removed.

VI. EXECUTIVE SESSION

The City Council recessed into executive session at 6:29 p.m.

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. Stephen Mayer, Chief of Police
2. Eric Foerster, City Manager

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

1. Texas Municipal League Intergovernmental Risk Pool

VII. ACTION AS A RESULT OF EXECUTIVE SESSION

The City Council reconvened into regular session at 9:24 p.m.

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. Stephen Mayer, Chief of Police
No action was taken.
2. Eric Foerster, City Manager
No action was taken.

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

1. Texas Municipal League Intergovernmental Risk Pool
No action was taken.

VIII. CAPITAL IMPROVEMENT PROJECTS UPDATE

Clif Custer, Public Works Director, presented.

IX. CITY MANAGER'S REPORT

Eric Foerster reported on the upcoming Shop with a Cop event.

X. COUNCIL MEMBER COMMENTS & REPORTS

Mike Johnson reported that we had a great Christmas party and that he appreciates the work put into hosting it.

Mike Challenger wished everyone a Merry Christmas and a Happy New Year.

Amanda Reynolds echoed Councilman Challengers sentiments.

Jeremy Fountain expressed thanks for hosting the party and wished everyone a Merry Christmas and a Happy New Year.

XI. MAYOR'S REPORT

Mayor Durham expressed thanks for the party, adding it was good to meet everyone. He also thanked the fire department for hosting their Christmas event, spoke regarding shop with a cop and wished everyone a Merry Christmas.

XII. ITEMS OF COMMUNITY INTEREST

No Report.

XIII. FUTURE AGENDA ITEMS

Tabled field trip to the service center.

Personnel policy updates

Wastewater plant discussion/water discussion

General election order

XIV. ADJOURNMENT

Being there no further business, the meeting was adjourned at 9:35 p.m.

These minutes were read and approved on the 08th day of January 2024.

Mayor

ATTEST:

City Secretary

City of Richwood — TEXAS —

AGENDA MEMORANDUM

CONTACT: ERIC FOERSTER- CITY MANAGER

SUBJECT: COUNCIL INSPECTION- PUBLIC WORKS BARN AND CIVIC CENTER

SUMMARY: Council will convene at 720 N. Mahan for inspection of the public works barn and the civic center. This trip is to familiarize council with both properties for future planning and discussion.

BACKGROUND INFORMATION: Council needs to see these properties for future planning and discussion.

ISSUE: None

FISCAL IMPACT: none

RECOMMENDATION: This is for evaluation purposes

BRAZOS RIVER AUTHORITY
Clute/Richwood Wastewater Treatment Plant
Plant Flow Data
 December 2023

DATE	FLOW (Million Gallons per Day)	RAIN (inches)	2 Hour Peak Flow (gallons per minute)	Reuse water (MGD)
1	9.043	1.90	10683	0.000
2	5.469	1.20	7008	0.000
3	3.181		3117	0.000
4	2.536		2167	0.000
5	2.251		1958	0.000
6	2.113		1867	0.000
7	2.122		1858	0.000
8	2.098		1700	0.000
9	2.000		1717	0.000
10	1.874		1666	0.000
11	1.771		1683	0.000
12	1.847		1650	0.000
13	1.851		1675	0.000
14	1.791		1575	0.000
15	2.638		2725	0.000
16	2.357	0.50	2933	0.000
17	1.903		1692	0.000
18	1.819		1617	0.000
19	1.830		1808	0.000
20	1.809		1842	0.000
21	1.765		1508	0.000
22	1.800		1500	0.000
23	5.806		6591	0.000
24	4.926	1.20	6491	0.000
25	2.687	0.05	2816	0.000
26	2.417		1917	0.000
27	2.125		1808	0.000
28	2.027		1700	0.000
29	1.830		1625	0.000
30	1.858		1883	0.000
31	1.911		1733	0.000

Total Flow	81,455,000.000 MG discharged out to waterway
Monthly Average Flow	2.628 MGD





Total Rainfall
4.85

0.000
Total Re-use in Gallons to BASF
81,455,000.000
Total Combined Flow treated thru plant

2 Hour Peak Flow noted in RED if it exceeds permitted limit 9722 gallons per minute

Wastewater CIP Projects



Phase	Project Number	Project Name	Cost (2019 Dollars)
5-Year (by 2024)	1	Sanitary Sewer Evaluation Study (SSES) - Phase 1 (Lift Station No. 1 and No. 2 Service Areas)	\$ 136,100
	2	New 1.5 MGD Lift Station No. 2A and 8-inch Force Main 	\$ 2,614,600
	3	Sanitary Sewer Evaluation Study (SSES) - Phase 2 (Hwy 288B Corridor & Part of Lift Station No. 4 Service Area)	\$ 193,500
	4	New 2.6 MGD Lift Station No. 4A and 10-inch Force Main 	\$ 3,379,000
	Total 2019 - 2024		
10-Year (by 2029)	5	New 1.0 MGD Wastewater Treatment Facility 	\$ 13,260,000
	6	New Wastewater Transfer System (Lift Station No. 6 to New WWTF) 	\$ 3,381,700
	7	Sanitary Sewer Evaluation Study (SSES) - Phase 3 (Lift Station No. 3 Service Area)	\$ 99,800
	8	Lift Station No. 3 Expansion to 0.8 MGD	\$ 842,400
	Total 2024 - 2029		
25-Year (by 2044)	9	WWTF 0.5 MGD Expansion to 1.5 MGD Capacity	\$ 6,240,000
	Total 2029 - 2044		
Total Wastewater CIP			\$ 30,147,100
Developer Projects	D1	New 12-inch Gravity Lines along FM 2004/288B	\$ 1,054,000
	D2	New 8-inch Gravity Lines, 0.14 MGD (100 gpm) Lift Station, & Force Main	\$ 996,300
	D3	New 12-inch Gravity Lines East of Highway 288B	\$ 818,800

 Included in Impact Fee CIP

CIP cost estimates include 30% contingency and 15% Engineering and Survey for lines (or) 20% Engineering and Survey for facilities

Wastewater Treatment

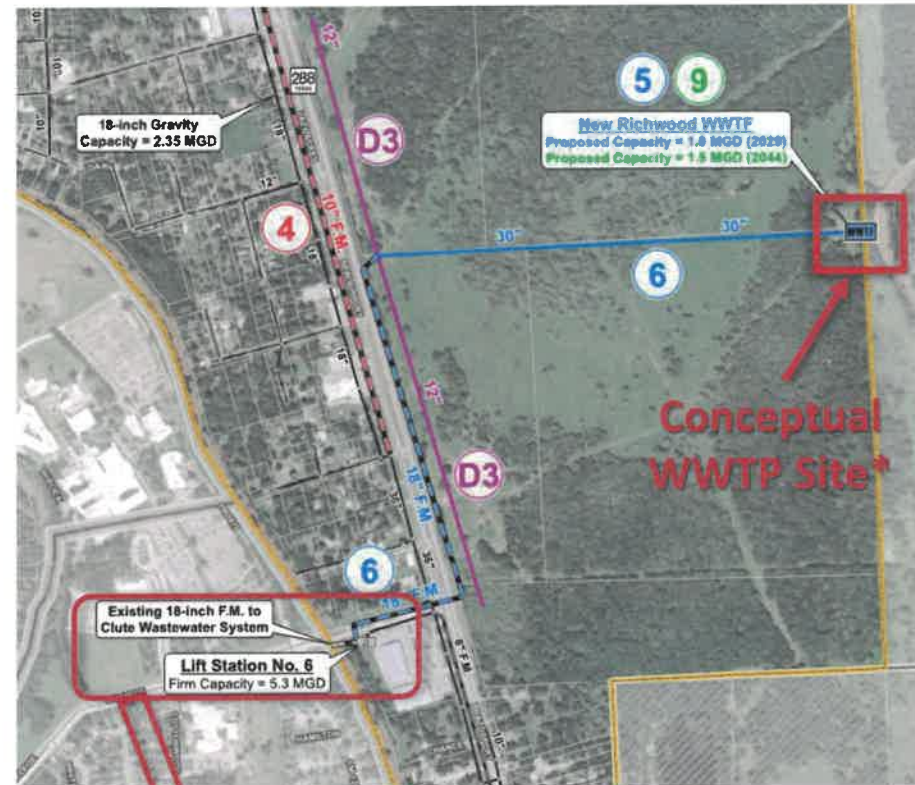


Existing Treatment

- Pay to transport wastewater to jointly operated WWTP
- Richwood nearing allotted limit of flows

Proposed WWTP CIP Project

- Sell back 25% stake in joint WWTP
- Construct Richwood's own WWTP
- Apply transport costs towards operation and maintenance



* To be verified via future siting study

To Richwood/Clute WWTP



Agenda Memorandum

Contact: Clif Custer

Subject: City Infrastructure/WWTP Capacity

Summary:

The City of Richwood and the City of Clute are joint owners of a wastewater treatment plant in which shares of ownership are represented as 75% ownership for the City of Clute and 25% ownership for the City of Richwood. Ensuring that Richwood does not bare the financial burden for plant expansion, diligence is required to maintain wastewater flows consistent with allotted flows defined within the contractual agreement between Clute and Richwood, or future construction of a Richwood owned wastewater treatment facility should be considered.

Background Information

The current WWTP owned by Clute and Richwood has an operational capacity of 4 MGD (million gallons per day). As defined in the contractual agreement between the two cities, the maximum average daily wastewater flows allowed from either city must not exceed on average $\frac{3}{4}$ of plant capacity from the City of Clute and $\frac{1}{4}$ plant capacity from the City of Richwood.

Although allowed wastewater capacities are expressed in MGD, other factors such as I&I contribute to a city's average daily effluent. For this reason, and from an operational standpoint, Richwood focuses more closely on the city's average percentage of daily plant capacity rather than average daily flows. Since both Clute and Richwood are challenged with I&I within their collection systems and based on past conversations with the City of Clute and Brazos River Authority about the operational capacity of the current plant, it's believed that repetitively exceeding 25% of the plants daily production capacity could lead to imminent arbitration regarding financial responsibility for plant expansions.

Issue:

In 2023 Richwood was responsible for 21% of the WWTP total treatment capacity.

Fiscal Impact:

None

Recommendation:

None

Wastewater Treatment Terminology

Peak Flow - For treatment unit design purposes, peak flow is defined as the highest two-hour average flow rate expected to be delivered to the treatment units under any operational condition, including periods of high rainfall (generally the two-year, 24-hour storm is assumed) and prolonged periods of wet weather.

Inflow and Infiltration - Terms used to describe the ways that groundwater and stormwater enters dedicated wastewater collection systems.

ORDINANCE NO. 24-514

AN ORDINANCE ORDERING AN ELECTION TO BE HELD IN THE CITY OF RICHWOOD, ON SATURDAY, MAY 4, 2024, 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 16, 2024, 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 4th day of May 2024, 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 listed on Exhibit A.

Section 2. That early voting by personal appearance will begin on April 22, 2024 and end on April 30, 2024. 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:

Council Member Positions One, Four, and Five

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 17, 2024 and not later than February 16, 2024.

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 8th day of January, 2024.

Michael Durham, Mayor

ATTEST:

Kirsten Garcia, City Secretary

EXHIBIT A

CITY (CIUDAD)	POLLING PLACE (SITIO DE VOTACIÓN)	ADDRESS (DIRECCIÓN)
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
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

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