

City of Richwood — TEXAS —

CITY COUNCIL MEETING AGENDA

Monday, November 14, 2022 at 6:00 PM

Richwood City Hall, 1800 Brazosport Blvd. N.

BE IT KNOWN THAT a City of Richwood City Council will meet Monday, 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
- II. INVOCATION
- III. PLEDGES OF ALLEGIANCE
- IV. ROLL CALL OF COUNCIL MEMBERS
- V. PUBLIC COMMENTS
- 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.
- 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.
- VIII. DISCUSSION AND ACTION ITEMS
 - [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.
 - [B.](#) Discuss and consider accepting bid from Felder Waterworks in the amount of \$23,000.00 to plug Water Well #1.
 - [C.](#) Discussion regarding water usage from the Brazosport Water Authority.
 - [D.](#) Discussion and possible action authorizing the City Manager to submit grant application for the 2022 Hazard Mitigation Grant Program (HMGP) Post Fire Grant.
 - [E.](#) Discussion regarding compatibility of City Council Members concurrently serving on Homeowner Association Boards.
 - [F.](#) Discuss and consider approving Resolution 22-R-71, amending the FY 2022 budget to allow for unbudgeted expenditures during the fiscal year.
- IX. EXECUTIVE SESSION

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

1. Consultation with City attorney regarding settlement litigation.

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.

XI. CAPITAL IMPROVEMENT PROJECTS UPDATE

XII. CITY MANAGER'S REPORT

XIII. COUNCIL MEMBER COMMENTS & REPORTS

XIV. MAYOR'S REPORT

XV. FUTURE AGENDA ITEMS

XVI. 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 November 10, 2022 at 10:00 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

MINUTES

RICHWOOD CITY COUNCIL MEETING

Monday, October 10, 2022 at 6:00 PM

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

I. CALL TO ORDER

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

II. INVOCATION

Patricia 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
Carey Lankford, Position 5:	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

William Yearsin, 244 Briar Creek – Stated he feels there is conflict of interest being on City Council and on the HOA board in Oakwood Shores. He spoke regarding the Council not acting on an item on such as a variance request. Saying that he disagrees with the Council staying silent on agenda items and not acting. He also spoke regarding a specific City Council Member who does not have the City's best interest at heart. Mr. Yearsin stated he has reached out to news outlets but we have a City on the move forward and yet still have a City Council Member on a witch hunt.

VI. CONSENT AGENDA

A. Approval of minutes from regular meeting held September 12, 2022.

Motion to approve minutes from regular meeting held September 12, 2022.

Motion made by Mike Johnson, Seconded by Carey Lankford.

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

Motion carried.

VII. DISCUSSION AND ACTION ITEMS

A. Discuss and consider approving North Water Plant booster pump station change order #2 in the amount of \$20,595.00

Clif Custer, Public Works Director, presented.

Morgan Ruiz from Strand presented the information regarding the change order.

Discussion held on what facilities will be upgraded.

Discussion held on costs and how they increased.

Discussion held on project scope, looking at future upgrades that are needed with projects.

Motion to approving North Water Plant booster pump station change order #2 in the amount of \$20,595.00

Motion made by Carey Lankford, Seconded by Mike Johnson.

Voting Yea: Mike Johnson, Melissa Strawn, Rory Escalante, Carey Lankford

Motion Carried.

Council Member Matt Yarborough stepped away prior to voting.

- B. Discuss and consider approving Resolution 22-R-70 amending the fiscal year 2022-2023 budget to allow transfer of \$37,000 from Capital Expenditures to Enterprise Fund.

Clif Custer, Public Works Director, presented.

Matt Yarborough had to leave due to a family emergency at 6:18 p.m.

Motion to approve Resolution 22-R-70 amending the fiscal year 2022-2023 budget to allow transfer of \$37,000 from Capital Expenditures to Enterprise Fund.

Motion made by Rory Escalante, Seconded by Carey Lankford.

Voting Yea: Mike Johnson, Melissa Strawn, Rory Escalante, Carey Lankford

Motion carried.

- C. Discussion and possible action regarding upcoming solid waste request for proposals.

Clif Custer, Public Works Director, presented.

Discussion held on possibility of getting additional pick up dates for regular trash and recycling and additional roll off days.

Discussion held on possible term agreements.

Discussion held on commercial accounts.

No further discussion.

No action taken.

- D. Discussion and appointment of the Charter Review Board members.

Kirsten Garcia, City Secretary, presented.

Discussion was held on how to choose which applicants to appoint.

The City received six applications for five positions on the board. The Mayor drew one name out of a jar and the remaining five would make up the Charter Review Committee.

Motion to appoint Mark Guthrie, Leslie Klug, Kimberly, Amanda Reynolds, and Lauren LaCount to serve on the Charter Review Commission.

Motion made by Mike Johnson, Seconded by Melissa Strawn.

Voting Yea: Mike Johnson, Melissa Strawn, Rory Escalante, Carey Lankford

Motion Carried.

- E. Discuss and consider Ordinance 22-499 amending Chapter 16, Police, of the Code of Ordinances to include additional provisions for appointment of reserve police officers.

Police Chief Mayer presented.

Motion to approve Ordinance 22-499 amending Chapter 16, Police, of the Code of Ordinances to include additional provisions for appointment of reserve police officers.

Motion made by Mike Johnson, Seconded by Melissa Strawn.

Voting Yea: Mike Johnson, Melissa Strawn, Rory Escalante, Carey Lankford

Motion carried.

- F. Discuss and consider approval of Resolution 22-R-68, appointing representative and alternate to serve on the Houston Galveston Area Council's 2023 General Assembly.

Motion to approve Resolution 22-R-68, appointing Mayor Boykin as representative and Mike Johnson as alternate.

Motion made by Carey Lankford, Seconded by Rory Escalante.

Voting Yea: Mike Johnson, Melissa Strawn, Rory Escalante, Carey Lankford

Motion carried.

VIII. CAPITAL IMPROVEMENT PROJECTS UPDATE

Clif Custer, Public Works Director, presented his CIP update.

Discussion held on roads in Oakwood Shores, residents had questions regarding trash pick up.

Clif stated that Public works will be taking care of trash.

IX. EXECUTIVE SESSION

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

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

Adjourned to closed session 7:46

Open session reconvened at 8:08 p.m.

Motion to approve James Senegal, William Adair, Jacob Garcia, Jeff Dixie and Robin Ostermeyer to the Police Reserve Force.

Motion made by Rory Escalante, Seconded by Melissa Strawn

Voting Yea: Mike Johnson, Melissa Strawn, Rory Escalante, Carey Lankford

Motion carried.

- 2. City Manager

Motion to request the District Attorney to procure an Attorney General's opinion regarding our City Manager serving as a reserve officer and dual office holding, common law doctrine and incompatibility.

Motion made by Melissa Strawn, Seconded by Rory Escalante

Voting Yea: Mike Johnson, Melissa Strawn, Rory Escalante, Carey Lankford

Motion carried.

Pursuant to Chapter 551.071, Consultation with Counsel on legal matters

Held this executive session first due to visitor of the board.

- 1. Possible litigation regarding code violation.

Adjourned to closed session 6:50 p.m.

Open session reconvened at 7:45 p.m.

X. ACTION AS A RESULT OF EXECUTIVE SESSION

Pursuant to Chapter 551.071, Consultation with Counsel on legal matters

No action taken.

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

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

Motion to approve James Senegal, William Adair, Jacob Garcia, Jeff Dixie and Robin Ostermeyer to the Police Reserve Force.

Motion made by Rory Escalante, Seconded by Melissa Strawn

Voting Yea: Mike Johnson, Melissa Strawn, Rory Escalante, Carey Lankford

Motion carried.

- 2. City Manager

Motion to request the District Attorney to procure an Attorney General's opinion regarding our City Manager serving as a reserve officer and dual office holding, common law doctrine and incompatibility.

Motion made by Melissa Strawn, Seconded by Rory Escalante

Voting Yea: Mike Johnson, Melissa Strawn, Rory Escalante, Carey Lankford

Motion carried.

XI. CITY MANAGER'S REPORT

Eric Foerster updated on records retention status.

XII. COUNCIL MEMBER COMMENTS & REPORTS

Mike Johnson advised he attended KRB’s meeting and everything went well. They are a great group; he is happy to be a part of it. Also expressed appreciation to Chief that National Night Out went well, good job.

Melissa Strawn addressed Mr. Yearsin’s public comment stating that any issues should be addressed to her and she would like to work things out.

Rory Escalante expressed kudos to Clif and his crew for outfall ditches looking great, and the work on road construction. He added he would like compatibility issues checked regarding HOA members serving on City Council on City Council agenda as he has already sought advice on the issue and was told there was no conflict.

Carey Lankford expressed kudos to Clif on progress and to Chief for an amazing national night out and great program, added that he was sorry he didn’t make it out.

XIII. MAYOR'S REPORT

Mayor Boykin commended Chief on National night out - heard good and bad regarding the progress on the drainage. would like to say that the roadwork going again is great and looking forward to the new water plant getting up and running.

XIV. FUTURE AGENDA ITEMS

HOA compatibility issues.

XV. ADJOURNMENT

Being there no further business, the meeting was adjourned at 8:16 p.m.

These minutes were read and approved on this 14th day of November 2022.

Mayor

ATTEST:

City Secretary

MINUTES

RICHWOOD CITY COUNCIL SPECIAL MEETING

Tuesday, October 18, 2022 at 6:00 PM

BE IT KNOWN THAT a City of Richwood City Council will meet Tuesday, October 18, 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

Patricia Ditto, Finance Director, led the invocation.

III. PLEDGES OF ALLEGIANCE

Rory Escalante, Mayor Pro Tem, led the pledges.

IV. ROLL CALL OF COUNCIL MEMBERS

Steve Boykin, Mayor:	Absent
Mike Johnson, Position 1:	Present
Melissa Strawn, Position 2:	Present
Matthew Yarborough, Position 3:	Present
Rory Escalante, Mayor Pro Tem:	Present
Carey Lankford, Position 5:	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.

IV. PUBLIC COMMENTS

There was no public comment.

VI. DISCUSSION AND ACTION ITEMS

- A. Public hearing regarding possible amendments to Appendix B Zoning Ordinance of the Code of Ordinances, to include but not limited to, changes in definitions, district setbacks, violations and penalties, and other zoning regulations regarding R-4 Rural Residential Zoning.

Public Hearing was opened at 6:03 p.m.

Discussion held on possible action for tonight, Mayor Pro Tem advised tonight’s agenda item was discussion only.

Charles Balczo, 33202 Blue Crab Ct – Mr. Balczo wanted to know why he was told there was a 15 foot building line when he purchased his property, just for the City to come back and say it is now 25 feet. He wanted to know how the City chose a setback of 25 feet.

Chris and Taylor Clinton, 31511 Bayou Bend – The Clinton’s addressed the research they have been doing on the matter. Mrs. Clinton gave a timeline of the current zoning ordinance. She discussed discrepancies with the HOA guidelines versus / city zoning. Mrs. Clinton presented information in regard to neighbors she has reached out to. She stated 67 out of 70 responses were in favor of change. She ended with the statement that she is not trying to make tonight about their issue or their violation, but she finds it unfair that she has received information through records requests that there are several accessory buildings out of compliance and approved by inspections.

Michael Durham, 31432 Bayou Bend – Mr. Durham spoke in favor of change. He spoke on potential hazards such as fire, flooding, and wind. He stated he spoke to his insurance agent and said he was told by his agent that in their experience of 30 years there have been no claims regarding an accessory structure. Mr. Durham elaborated on the potential fire hazard, stating most people keep flammables in their attached garages. He stated regarding wind that these structures must adhere to windstorm code. Regarding flooding, he stated they must be built to a specific Base Flood Elevation. Mr. Durham stated that he would like to maximize his property and he doesn't understand why he is being taxed for property he can't utilize.

When asked, Mr. Durham stated he was requesting zoning be changed to 15 ft for setbacks, at the request.

John Patterson, 2711 Oakwood Trail – Spoke in support of changing the setbacks to 15 feet.

Burke Pleason - 31518 Bayou Bend – Spoke in regard to existing variance for Bastrop Bayou facing lots and is in support of changing setbacks to match homes.

Estaban Salinas, 33335 Blue Marlin – Spoke in favor of changing the setbacks to 15 feet.

Oswaldo Ibarra, 31710 Amberjack – Spoke in support of the clinton family and changing the setbacks to 15 feet.

Jim Novak, 3026 Bayou View Court - Spoke in favor of changing the setbacks to 15 feet.

Maria Silva - 33518 Blue Crab Court – Spoke against the changing of setbacks stated she would like to keep aesthetics of the property.

Gary Eames, 32527 Redfish Trail- Spoke in favor of changing the setbacks to 15 feet.

Kyle Purvis, 32226 Bayou Bend - Spoke in support of the reduction of building lines.

Jimmy Silvers, 31410 Bayou Bend – Spoke regarding the 15 foot build lines and the variance granted to the Bayou front lots. He stated he would like the City to match the plats.

Mike Challenger, 32726 Bayou Bend - Spoke in favor of changing the setbacks to 15 feet.

Neil and Stephanie Skinner - 31702 Bayou Bend - Spoke in favor of changing the setbacks to 15 feet and requests that the City and the HOA match in their building requirements.

Nicole Oolut, 32111 Amberjack - Spoke in favor of changing the setbacks to 15 feet.

Oliver Garcia, 32919 Blue Crab - Spoke in favor of changing the setbacks to 15 feet.

Jared Street, 31734 Bayou Bend - Spoke in favor of changing the setbacks to 15 feet. He added that there are current requirements within the HOA guidelines that manages most concerns.

Ed Podhirny, 32502 Bayou bend - Spoke in favor of changing the setbacks to 15 feet.

Cindy Moriarty, 31610 Bayou Bend – Stated she was not in favor of changing the regulations as is and would like to see the City continue with the process and protocol of applying for the variances as needed.

Eric Foger, 32419 Redfish – Mr. Foger stated he was shocked to hear there are structures within the neighborhood that don't follow current guidelines. He added that he would be proud to live next door to the Clintons. Spoke in favor of changing the setbacks to 15 feet.

James Weagler, 32606 Bayou Bend – Stated he would like to see the setbacks reduced.

Ryan Dworacek, 32027 Bayou Bend – Stated he was all for reducing the setback requirements.

Peter Zafereo, 32634 Bayou Bend – Stated he was on a one-acre lot and was in favor of the existing building lines of 7.5 feet

Calvin Steward, 33219 Amberjack - Spoke in favor of 7.5-to-15-foot setbacks.

Mike Johson stated he appreciates the turnout and his goal was to drive the city in the right direction

Melissa Strawn echoed the sentiment

Matt Yarborough spoke on the the fact that hes approved two variances requested. He added that he doesn't believe in continuing to grant variances, we should change the ordinance to reduce the setbacks. He stated he would like to see it match the primary structure and his eyes have been opened to possible discrepancies with the primary structure setbacks also. He added that the HOA is there to keep stricter restrictions on the properties and he thinks City Council should be as least restrictive as possible to maintain peace and safety among neighbors and the public.

Carey Lankford thanked everyone for coming and those that couldn't but still sent in their opinions – he added that City Council members are elected officials to represent the community.

Rory Escalante spoke on the idea of the neighborhood being an R-4 rural residential district and he chose Richwood and Oakwood Shores due to the space and not having his house right next to the neighbor.

No further discussion held.

VII. CITY MANAGER'S REPORT

No report.

VIII. COUNCIL MEMBER COMMENTS & REPORTS

No report.

IX. MAYOR'S REPORT

No report.

Mayor Pro Tem Escalante wished Mayor well in his absence.

X. FUTURE AGENDA ITEMS

Zoning amendments

XI. ADJOURNMENT

Being there no further business, the meeting was adjourned at 7:10 p.m.

These minutes were read and approved on this 14th day of November 2022.

Mayor

ATTEST:

City Secretary



AGENDA MEMORANDUM – NOVEMBER 14, 2022

ITEM # CONSENT

CONTACT: Patricia Ditto, Finance Director

SUBJECT: Monthly Budget Summary Report

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

BACKGROUND INFORMATION:

The information provided is for the FY 2021-2022 budget period, month ending September 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 September 2022, which is the twelfth month of Fiscal Year 22. 100% of the year has passed. The report reflects the original budget as approved for FY22 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.*

Staff is bringing a budget amendment to council during the 11/14/2022 meeting. This report **does not** reflect the amounts to be amended if approved.

10-General Fund

As of September 30, 2022, General Fund revenues total \$3,061,808. General Fund expenditures total \$2,723,712.

Revenue (GF)

Total Revenue collected in the General fund is at 99.34% of budget.

- M & O (Maintenance and Operations) Property tax (including current, delinquent and penalties) received through the end of September is \$2,788,572, ahead of projection for the year by \$2,109.
- Sales Tax revenue received in September, earned in July, is \$54,061. In addition, the amount shown includes the amount of sales tax earned in August in the amount of \$76,501, received by the city in October. An additional amount will be added to revenue when the state releases the amount earned in September, which the city will receive in mid-November. This will bring total revenue for FY22 to an amount greater than projected. Below is a chart showing all sales tax earned for FY22, with the exception of September, which has not yet been released by the comptroller’s office.

City of Richwood

TEXAS

Sales Tax by Month - FY22			
Month	General Fund	CCPD	Streets
October	53,567.31	13,217.46	13,391.83
November	56,126.12	13,925.95	14,031.53
December	57,614.76	1,451.54	14,403.69
January	50,637.08	12,646.82	12,659.27
February	51,434.48	12,824.76	12,858.61
March	68,671.54	17,012.76	17,167.89
April	65,008.00	19,439.97	16,252.00
May	65,972.27	16,490.53	16,493.06
June	64,814.44	16,172.78	16,203.61
July	54,061.24	13,440.49	13,515.30
August	76,500.74	18,947.42	19,125.18
September	not yet known	not yet known	not yet known
Total	664,407.98	155,570.48	166,101.97
Budget	680,000.00	170,000.00	170,000.00

- Permits and Licenses revenues total \$82,551 year to date. Inspection fees collected this fiscal year are \$30,360 while fees paid for inspections are \$35,632.
Impact fees on new construction are posted to Fund 32 Utility Capital Improvements. For FY22 we have collected \$36,210 for 15 Water Impact Fees. No impact fees were collected this year for sewer.
- Court revenue for the year is \$105,892.

Expenditures (GF)

Expenditures in the General Fund are currently shown \$121,018 less than budget.

30-Water, Sewer and Solid Waste Fund

Operating Revenues received through FY22 total \$2,494,005, \$46,905 over the projection for the year. Total operating expense is \$1,952,010, \$28,325 over budget. Net Operating Income is \$18,580 better than budget. Depreciation is yet to be calculated and deducted from bottom line net.

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

**City of Richwood
Operational Budget Report
10/1/2021 - 09/30/2022**

10 General Fund	Prior YTD	Current Period	Current YTD	Original Budget	Revised Budget	Remaining Budget	% Earned/Used
Revenue							91.7% of year
Taxes	2,611,927.20	152,087.52	2,788,572.25	2,786,463.00	2,786,463.00	(2,109.25)	Ahead of Budget
Property taxes, including delinquent & penalties	1,780,525.01	2,405.18	1,915,709.44	1,916,463.00	1,916,463.00		99.96%
Franchise Taxes	190,345.82	19,120.36	208,454.83	190,000.00	190,000.00		109.71%
Sales Tax	641,056.37	130,561.98	664,407.98	680,000.00	680,000.00		97.71%
Licenses and permits	81,355.77	2,115.00	82,550.94	96,100.00	96,100.00	13,549.06	85.90%
Intergovernmental revenue	234,259.72	1,166.12	16,885.97	1,000.00	1,000.00	(15,885.97)	Ahead of Budget
Charges for services - Municipal Bldg Rental	4,621.50	850.00	7,569.88	10,000.00	10,000.00	2,430.12	75.70%
Fines and forfeitures	89,312.91	7,285.24	105,604.18	140,000.00	140,000.00	34,395.82	75.43%
Special Revenues	1,185.37	0.00	60.65	1,500.00	1,500.00	1,439.35	4.04%
Interest	1,810.81	2,650.19	9,990.54	1,200.00	1,200.00	(8,790.54)	Ahead of Budget
Miscellaneous revenue	41,988.50	6,437.16	50,285.38	46,000.00	46,000.00	(4,285.38)	Ahead of Budget
Inspection Fees	30,335.00	2,530.00	30,360.00	30,000.00	30,000.00		
Miscellaneous Income	8,003.50	3,907.16	16,350.38	10,000.00	10,000.00		
Parks & Recreation - Park Pavillion Rentals	3,650.00	0.00	3,575.00	6,000.00	6,000.00		
Total Revenue	3,066,461.78	172,591.23	3,061,519.79	3,082,263.00	3,082,263.00	20,743.21	99.33%
Expenditures							
General Government							
Administration							
Personnel & Benefits	436,065.30	40,444.56	452,894.02	445,617.00	445,617.00	(7,277.02)	Over Budget
Supplies	13,542.42	398.95	12,218.69	18,700.00	18,700.00	6,481.31	65.34%
Maintenance & Repair	3,751.61	(1,793.87)	2,866.88	5,000.00	5,000.00	2,133.12	57.34%
Utilities	16,618.01	4,562.02	18,263.01	14,000.00	14,000.00	(4,263.01)	Over Budget
Professional Services	221,465.81	6,909.27	141,024.49	128,300.00	128,300.00	(12,724.49)	Over Budget
Other Services	64,416.58	1,571.50	57,227.70	62,680.00	62,680.00	5,452.30	91.30%
Capital Equipment	8,641.07	612.29	4,091.76	5,100.00	5,100.00	1,008.24	80.23%
Total Administration	764,500.80	52,704.72	688,586.55	679,397.00	679,397.00	(9,189.55)	Over Budget
Judicial							
Personnel & Benefits	65,029.44	6,195.60	68,578.35	70,402.00	70,402.00	1,823.65	97.41%
Supplies	1,740.95	256.57	1,667.55	2,300.00	2,300.00	632.45	72.50%
Professional Services	18,479.08	0.00	19,998.40	18,350.00	18,350.00	(1,648.40)	Over Budget
Other Services	716.84	0.00	205.00	1,000.00	1,000.00	795.00	20.50%
Total Judicial	85,966.31	6,452.17	90,449.30	92,052.00	92,052.00	1,602.70	98.26%
Permitting & Inspections							
Personnel & Benefits	31,788.00	4,891.00	35,631.50	68,100.00	68,100.00	32,468.50	52.32%
Supplies	761.43	0.00	1,473.90	5,000.00	5,000.00	3,526.10	29.48%
Professional Services	0.00	0.00	0.00	1,500.00	1,500.00	1,500.00	0.00%
Total Permitting & Inspections	32,549.43	4,891.00	37,105.40	74,600.00	74,600.00	37,494.60	49.74%
Special Revenue Expenditures							
Supplies	5,573.00	0.00	1,141.50	1,500.00	1,500.00	358.50	76.10%
Total Special Revenue Expenditures	5,573.00	0.00	1,141.50	1,500.00	1,500.00	358.50	76.10%
Total General Government	888,589.54	64,047.89	817,282.75	847,549.00	847,549.00	30,266.25	96.43%
Public Safety							
Police Department							
Personnel & Benefits	857,043.51	73,690.90	779,887.45	870,078.00	870,078.00	90,190.55	89.63%
Supplies	38,687.67	3,693.40	50,413.27	32,000.00	32,000.00	(18,413.27)	Over Budget
Maintenance & Repair	31,101.05	349.00	31,459.31	31,400.00	31,400.00	(59.31)	Over Budget
Utilities	14,591.27	2,660.76	17,422.54	13,000.00	13,000.00	(4,422.54)	Over Budget
Professional Services	67,917.08	22.95	144,822.82	146,028.00	152,028.00	7,205.18	95.26%
Other Services	17,698.35	136.46	15,732.39	14,600.00	14,600.00	(1,132.39)	Over Budget
Capital Equipment	9,721.13	187.10	4,621.20	4,625.00	4,625.00	3.80	99.92%
Total Police Department	1,036,760.06	80,740.57	1,044,358.98	1,111,731.00	1,111,731.00	73,372.02	93.94%
Fire Department							
Personnel & Benefits	10,267.85	2,204.70	30,488.10	31,934.00	31,934.00	1,445.90	95.47%
Supplies	17,410.52	7,008.50	17,014.73	16,400.00	16,400.00	(614.73)	Over Budget
Maintenance & Repair	36,197.15	41.25	32,038.48	21,100.00	21,100.00	(10,938.48)	Over Budget
Utilities	4,846.94	1,119.56	6,242.40	5,100.00	5,100.00	(1,142.40)	Over Bu

10 General Fund	Prior YTD	Current Period	Current YTD	Original Budget	Revised Budget	Remaining Budget	% Earned/Used
Professional Services	105,000.00	0.00	146,515.75	110,000.00	110,000.00	(36,515.75)	Over Budget
Other Services	18,115.88	0.00	24,972.62	15,450.00	15,450.00	(9,522.62)	Over Budget
Capital Equipment	61,043.75	0.00	55,286.63	64,712.00	64,712.00	9,425.37	85.43%
Total Fire Department	252,882.09	10,374.01	312,558.71	264,696.00	264,696.00	(47,862.71)	Over Budget
Code Enforcement							
Personnel & Benefits	(254.00)	0.00	500.00	1,000.00	1,000.00	500.00	50.00%
Supplies	139.07	0.00	165.01	0.00	0.00	(125.00)	Over Budget
Professional Services	0.00	0.00	0.00	1,000.00	1,000.00	1,000.00	0.00%
Other Services	736.00	0.00	0.00	800.00	800.00	800.00	0.00%
Total Code Enforcement	621.07	0.00	665.01	2,800.00	2,800.00	2,175.00	23.75%
Total Public Safety	1,290,263.22	91,114.58	1,357,582.70	1,379,227.00	1,385,227.00	27,644.30	98.43%
Public Works							
City Maintenance							
Personnel & Benefits	103,598.36	9,459.70	106,202.59	101,555.00	101,555.00	(4,647.59)	Over Budget
Supplies	16,834.07	2,451.97	19,677.48	17,000.00	17,000.00	(2,677.48)	Over Budget
Maintenance & Repair	24,244.27	4,498.38	52,620.01	43,500.00	43,500.00	(9,120.01)	Over Budget
Utilities	29,083.97	7,458.53	30,125.63	35,900.00	35,900.00	5,774.37	83.92%
Other Services	8,825.79	0.00	8,943.73	6,300.00	6,300.00	(2,643.73)	Over Budget
Capital Equipment	2,125.86	0.00	59,422.00	60,000.00	60,000.00	578.00	99.04%
Total City Maintenance	184,712.32	23,868.58	276,991.44	264,255.00	264,255.00	(12,736.44)	Over Budget
Parks and Recreation							
Supplies	2,741.31	234.08	2,958.85	2,800.00	2,800.00	(158.85)	Over Budget
Maintenance & Repair	28,165.70	4,777.65	33,716.91	25,000.00	25,000.00	(8,716.91)	Over Budget
Utilities	2,113.07	807.05	3,221.88	2,700.00	2,700.00	(521.88)	Over Budget
Other Services	10,934.53	1,539.15	11,874.62	16,300.00	16,300.00	4,425.38	72.85%
Total Parks and Recreation	43,954.61	7,357.93	51,772.26	46,800.00	46,800.00	(4,972.26)	Over Budget
Emergency/Disaster							
Contract Labor	0.00	0.00	215,926.90	0.00	312,500.00	96,573.10	69.10%
Total Emergency/Disaster	0.00	0.00	215,926.90	0.00	312,500.00	96,573.10	0.00%
Miscellaneous	38,208.36	0.00	0.00	7,000.00	7,000.00	7,000.00	0.00%
Development Agreements	0	0	0	7,000.00	7,000.00	7,000.00	0.00%
Total Expenditures	2,445,728.05	186,388.98	2,719,556.05	2,544,831.00	2,863,331.00	143,774.95	106.87%
Other Financing Sources and Uses							
Sources							
Transfers In	0.00	0.00	134,218.50	127,500.00	134,500.00	281.50	99.79%
Total Sources	0.00	0.00	134,218.50	127,500.00	134,500.00	281.50	99.79%
Uses							
Transfers Out	317,000.00	0.00	454,128.00	454,128.00	454,128.00	0.00	100.00%
Total Uses	317,000.00	0.00	454,128.00	454,128.00	454,128.00	0.00	100.00%
Total Other Financing Sources and Uses	(317,000.00)	0.00	(319,909.50)	(326,628.00)	(319,628.00)	281.50	97.94%
Total - 10 GENERAL FUND	303,733.73	(13,797.75)	22,054.24	210,804.00	(100,696.00)	122,750.24	Ahead of Budget

City of Richwood Operational Budget Report 10/1/2021 - 09/30/2022							
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							91.7% of year
Sewer Department	848,920.60	75,385.82	924,896.09	907,100.00	907,100.00	(17,796.09)	Ahead of Budget
Water Department	1,091,120.67	96,615.00	1,194,033.23	1,230,000.00	1,230,000.00	35,966.77	97.08%
Solid Waste Department	308,781.77	28,276.17	330,249.15	310,000.00	310,000.00	(20,249.15)	Ahead of Budget
Total Operating income	2,248,823.04	200,276.99	2,449,178.47	2,447,100.00	2,447,100.00	(2,078.47)	Ahead of Budget
Operating expense							
Sewer Department							
Personnel & Benefits	156,576.62	15,462.56	173,437.00	180,056.00	180,056.00	6,619.00	96.32%
Supplies	8,758.31	1,559.99	9,281.63	11,500.00	11,500.00	2,218.37	80.71%
Maintenance & Repair	74,377.96	2,580.56	69,780.50	59,950.00	59,950.00	(9,830.50)	Ahead of Budget
Utilities	7.99	0.00	0.00	25,000.00	25,000.00	25,000.00	0.00%
Professional Services	525,748.46	0.00	479,143.18	574,580.00	574,580.00	95,436.82	83.39%
Other Services	8,831.46	0.00	5,122.09	5,100.00	5,100.00	(22.09)	Ahead of Budget
Capital Equipment	(9,480.00)	0.00	0.00	0.00	0.00	0.00	At Budget
Total Sewer Department	764,820.80	19,603.11	736,764.40	856,186.00	856,186.00	119,421.60	86.05%
Water Department							
Personnel & Benefits	110,133.71	19,969.95	196,603.59	205,579.00	205,579.00	8,975.41	95.63%
Supplies	31,133.41	2,395.06	22,117.84	21,300.00	21,300.00	(817.84)	Ahead of Budget
Maintenance & Repair	109,738.42	18,301.08	130,177.60	78,010.00	78,010.00	(52,167.60)	Ahead of Budget
Utilities	88,980.71	13,880.14	69,465.16	84,500.00	84,500.00	15,034.84	82.21%
Professional Services	102,210.08	0.00	48,869.63	51,500.00	51,500.00	2,630.37	94.89%
Other Services	351,823.86	81,488.28	406,789.15	343,000.00	343,000.00	(63,789.15)	Ahead of Budget
Capital Equipment	3,985.37	300.77	3,609.24	3,610.00	3,610.00	0.76	99.98%
Total Water Department	798,005.56	136,335.28	877,632.21	787,499.00	787,499.00	(90,133.21)	Ahead of Budget
Solid Waste Department							
Professional Services	263,816.91	48,769.66	280,970.72	280,000.00	280,000.00	(1,078.72)	Ahead of Budget
Total Solid Waste Department	263,816.91	48,769.66	280,970.72	280,000.00	280,000.00	(970.72)	Ahead of Budget
Total Operating expense	1,826,643.27	204,708.05	1,895,367.33	1,923,685.00	1,923,685.00	28,317.67	98.53%
Total Net Operating Income (Loss)	422,179.77	(4,431.06)	553,811.14	523,415.00	523,415.00	(30,396.14)	Ahead of Budget
Non-Operating Items							
Non-operating income							
Interest income	921.92	0.00	265.25	1,000.00	1,000.00	734.75	26.53%
Grants	67,690.94	0.00	0.00	0.00	0.00	0.00	At Budget
Other income	2,784.36	18.62	1,444.80	0.00	0.00	(1,444.80)	not budgeted
Transfers In	80,000.00	0.00	10,000.00	10,000.00	10,000.00	0.00	At Budget
Total Non-operating income	151,397.22	18.62	11,710.05	11,000.00	11,000.00	710.05	106.46%
Non-operating expense							
Debt Service	144,472.50	0.00	319,277.25	336,949.00	336,949.00	17,671.75	94.76%
Transfers Out	204,000.00	0.00	56,000.00	56,000.00	56,000.00	0.00	At Budget
Total Non-operating expense	348,472.50	0.00	375,277.25	392,949.00	392,949.00	17,671.75	95.50%
Depreciation Expense	288,193.00	0.00		300,000.00	300,000.00	300,000.00	0.00%
Total Non-Operating Items	(485,268.28)	18.62	(363,567.20)	(681,949.00)	(681,949.00)	318,381.80	Ahead of Budget
Total - 30 Water & Sewer Enterprise Fund	(63,088.51)	(4,412.44)	190,243.94	(158,534.00)	(158,534.00)	348,777.94	Ahead of Budget

***Depreciation not yet calculated

City of Richwood, Texas
Quarterly Investment Report
Fiscal Year 2022, Quarter 3
07/01/2022 - 09/30/2022

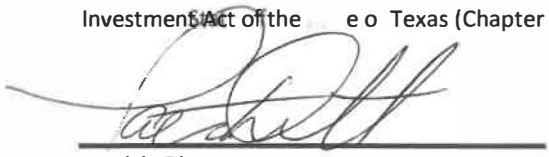
Portfolio	June 30, 2022		September 30, 2022	
	Book Value	Market Value	Book Value	Market Value
Cash	2,544,136.31	2,544,136.31	2,453,666.73	2,453,666.73
Investment Pools	6,593,764.77	6,593,764.77	6,136,632.34	6,136,632.34
Certificates of Deposits	520,487.06	520,487.06	520,870.74	520,870.74
TOTAL INVESTMENTS	9,658,388.14	9,658,388.14	9,111,169.81	9,111,169.81

Quarterly Investment Income 29,819.99
 Weighted Average Yield 0.42%

Simplified calculation for information only - Investment income/investment accounts beginning balance

Items of Note:

The attached information comprises the quarterly investment report for the City of Richwood, Texas for the period ended September 30, 2022. The undersigned acknowledge that the City's investment portfolio has been and is in compliance with the policies and strategies as contained in the City's Investment Policy and also in compliance with the Public Funds Investment Act of the State of Texas (Chapter 2256, Texas Government Code).



Patricia Ditto
 Finance Director



Eric Foerster
 City Manager

INVESTMENTS as of 9/30/2022

	INT RATE	TOTAL	GENERAL 10	CAPITAL IMPR 11-55	REPLCMT 13	CCPD 15	CONT'Y 16	TRANSPT 25	2019A BOND 26	WS 30-30	MTR DEPS 30-23	WS RB I&S 30-25	2019B BOND 33	40	EARNINGS YTD	EARNINGS QTR
TEXSTAR	0.0676%	1,423,814.97	241,837.22		7,327.61	15,361.50	654,202.87	505,085.77							9,156.94	6,711.90
TEXPOOL	0.0800%	241,463.61	241,463.61	0.00		0.00					0.00				1,687.19	1,229.88
TEXPOOL PRIME	0.1400%	1,539,478.86	525,507.45						1,013,971.41						15,385.61	8,838.51
BONDS FUND																
LOGIC - UTIL CAP PROJ	0.1504%	2,088,078.93											2,088,078.93		17,244.66	10,976.83
LOGIC - GF	0.1504%	343,795.97	283,036.44	2.39	5.87			60,748.91				0.84		1.53	2,660.09	1,807.31
CERTIFICATES OF DEPOSIT:																
FNB 25765	0.5000%	92,954.92	18,630.52	23,004.25						29,421.67				21,898.48	45.83	11.46
matures every 3mo - July 27																
FNB 25718	0.5000%	128,865.02	33,891.51	28,092.57						28,221.44				28,221.44	63.88	0.00
matures every 6 mos - Dec 27																
FNB 25741	0.5000%	60,131.59	0.00												29.81	14.91
matures every 6 mos - July 13																
FNB 25766	0.5000%	130,693.08	33,980.21	11,762.38						65,346.53				19,603.96	64.43	32.22
matures every 6mo - July 27																
BNB 601286	0.5000%	108,210.75	28,134.79	9,738.97						54,105.38				16,231.61	532.00	133.25
Issue date 2/14/90 - 3 mos - Sept 4																
TOTAL		6,157,487.70	1,406,481.76	72,600.56	7,333.48	15,361.50		565,834.68	1,013,971.41	177,095.01	0.00	0.84	2,088,078.93	85,957.03	46,870.44	29,756.27

CITY OF RICHWOOD, TEXAS
Cash and Investment Schedule

Section VI, Item D.

Description	Investment	Purchase Date	Maturity Date	Book Value 06/30/2022	Deposits /Purchases	Withdrawals /Maturities	Interest this quarter	Book Value 09/30/2022	Interest Rate end of quarter	% of total Cash/Investments
Pooled Investment Fund										
General Fund	TexPool-449001			240,233.73			1,229.88	241,463.61	1.3425%	2.65%
General Fund	TexStar -1110			1,417,103.07			6,711.90	1,423,814.97	1.4010%	15.63%
General Fund	Logic -9001			341,988.66			1,807.31	343,795.97	1.6538%	3.77%
General Fund	TexPool Prime 559001			525,496.71			2,818.74	528,315.45	1.4853%	
Restricted Funds										
2019/2021 Bond Funds	TexPool Prime 559001			1,505,143.64			6,019.77	1,511,163.41	1.4853%	16.59%
2019 Util Cap Proj Fund	Logic-9002			2,077,102.10			10,976.83	2,088,078.93	1.6538%	22.92%
Total Pools				6,593,764.77	-	-	29,564.43	6,136,632.34		67.3528%
First National Bank	CD-25765		12/27/2021	92,943.46			11.46	92,954.92	0.0500%	1.02%
First National Bank	CD-25718		12/29/2021	128,833.08			-	128,833.08	0.0500%	1.41%
First National Bank	CD-25741		1/13/2022	60,131.59			14.91	60,146.50	0.0500%	0.66%
First National Bank	CD-25766		12/27/2021	130,693.08			32.22	130,725.30	0.0500%	1.43%
Brazos National Bank	CD-601286		12/6/2021	108,077.69			133.25	108,210.94	0.0500%	1.19%
Total Certificates of Deposits				520,487.06	-	-	191.84	520,870.74		5.7168%
Total Investment Accounts				7,114,251.83	-	-	29,756.27	6,657,503.08		73.0697%
Cash Accounts										
Pooled Cash-NOW ACCT	First Natl -3073			2,641,605.57	**	**	63.69	2,452,643.37	0.0100%	26.92%
Seizure Fund -NOW ACCT	First Natl -5076			1,023.33			0.03	1,023.36	0.0100%	0.01%
Total Cash Accounts				2,544,136.31	-	-	63.72	2,453,666.73		26.9303%
Total Cash and Investments				9,658,388.14	-	-	29,819.99	9,111,169.81		100.00%

** Cash balances for previous and current quarter reflects reconciled balance from system.

City of Richwood — TEXAS —

AGENDA MEMORANDUM ITEM # CONSENT

CONTACT: Kirsten Garcia, City Secretary

SUBJECT: Declare vacancy on City Council, Position 5.

SUMMARY: Declare vacancy of City Council Position 5 and begin accepting applications for appointments to fulfill remainder of term.

BACKGROUND INFORMATION:

By Charter, the City Council has 30 days to appoint a replacement after declaring a vacancy to the board. Council Member Lankford has submitted his resignation and the City Council will need to fill his unexpired term.

ISSUE:

Applications will be accepted from November 15, 2022 through 2:00 p.m. December 8, 2022. City Council will review applications and appoint a replacement at our next regular meeting to be held December 12, 2022.

Thank you,



Kirsten Garcia

To: Mayor Boykin; Richwood City Council; and Richwood City Management

From: Carey Lankford, Richwood City Council Position# 5

Date: 11/03/2022

To all concerned,

It is with great regret that I must inform all of you that effective 11/04/2022 by the end of business hours, I, **Carey Lankford**, will be resigning from my post as **City of Richwood Council Position# 5**. This was not my intent when campaigning for the position and I am very grateful to the citizens of this fine city and to all of you for the support I received during that time. Due to a family medical/living arrangement need, I have been put in a position where my current residence is insufficient to support the needed living arrangements. It was my hope at the beginning of this change, there would be a smooth transition from selling my current home, of the last 15 years, and purchasing one of two intended residences inside the city of Richwood. Sadly, the purchase options for those houses have passed before the sale of my own home. Now that my home has sold, I am forced to temporarily move to a location outside of the Richwood city limits. I do not have any good or potential prospects for residences within the Richwood city limits and without a known location for future residency or timeframe for how long my stay outside of Richwood will be, I must resign from my Richwood City Council post. I thank all of you for the time, dedication, and service you give to the citizens of this amazing city.

With great respect,



Carey Lankford

Richwood City Council Seeks Applicants for the Position of City Councilmember

Council Vacancy - Position #5 Councilmember by Appointment **ANNOUNCEMENT**

The City of Richwood is seeking applications from citizens interested in serving an unexpired term for Richwood City Council Position #5, which expires in May of 2024.

An eligible applicant must be a registered voter in Brazoria County and have resided within the Richwood City limits continuously for at least one (1) year and be at least twenty-one (21) years of age.

The City Council meets regularly on the second Monday of each month. Meetings begin at 6:00 P.M. and continue until all agenda items have been discussed.

City Councilmembers will hold workshops and other time obligations in addition to the City Council meetings.

Applications for appointment to City Council Position #5 are available at City Hall, 1800 Brazosport Blvd N., Richwood, TX 77531 or on the website at www.richwoodtx.gov.

To be considered, original signed applications must be received at the address noted below no later than 2:00 pm on Thursday, December 8, 2022

**City of Richwood
City Secretary
1800 Brazosport Blvd N.
Richwood, TX 77531**

To request additional information, please contact
City Secretary, Kirsten Garcia at 979-265-2082 or kgarcia@richwoodtx.gov

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Richwood City Council Information

Council-Manager Form of Government

Richwood adopted the council-manager plan in 2013. Under this form of government, the elected officials are responsible for the legislative function of the city such as establishing policy, adopting local ordinances, approval of the budget and developing an overall vision.

The council appoints a professional city manager to implement its policies and serves as the chief administrator for the day-to-day operations.

Richwood Municipal Code

- **ARTICLE 3. - THE CITY COUNCIL**

- **Section 3.01. - Number, selection, and term.**

The legislative and governing body of the City shall consist of a Mayor and five council members and shall be known as the "City Council of the City of Richwood."

(1) The Mayor shall be elected from the City at large. The election of members of the City Council shall be by position from the City at large, designating council positions as position one through position five, inclusive, authorizing qualified voters to vote on a candidate for each council position and providing for interim determination of council positions by lot.

(2) The Mayor shall be the presiding officer of the City Council and shall be recognized as the head of the City government for all ceremonial purposes and by the governor for purposes of military law, but shall have no regular administrative duties. The Mayor shall be entitled to vote only in the event it becomes necessary to break a tie vote.

(3) In each odd numbered year two council members and a Mayor shall be elected, and in each even numbered year three council members shall be elected.

(4)The Mayor and each council member shall hold office for a period of two years and until his/her successor is elected and qualified. No person shall serve as Mayor or council member for more than three (3) consecutive terms in any position. One must be removed from City Council for a period of one (1) year to reapply. All elections shall be held in the manner provided in article 5 of this Charter.

(5) All members of the City Council shall be subject to removal from office under the terms and conditions of the recall provisions of this Charter.

(Ord. of 5-11-13; Ord. No. 19-452 , § 4, 5-13-19; Ord. No. 21-477 , § 3(Exh. A), 5-10-21)

- **Section 3.02. - Qualifications.**

Each member of the City Council shall be a resident citizen of the City of Richwood, shall be a qualified voter of the State of Texas, shall be at least twenty-one (21) years of age, shall have been such resident citizen of the City of Richwood for a period of not less than one (1) year immediately preceding his/her election, and shall not be indebted to the City of Richwood, provided, however, that any person with the above qualifications except as to residence, who shall have been a resident for a period of not less than one (1) year immediately preceding his/her election, of any of the territory not formerly within the corporate limits of said City, but which is annexed under the provisions of section 1.03 of this Charter, shall be eligible for said office. If the Mayor or any council member fails to maintain the foregoing qualifications or shall be absent from three regularly scheduled meetings in a one (1) year period without valid excuse, the City Council may, at its next regular meeting, declare a vacancy as set forth in section 3.06 of this Charter. For this section, "absent" shall be defined as not being present during a regularly scheduled meeting in which a vote was taken on an agenda item.

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

- **Section 3.03. - Council to be judge of election qualification.**

The City Council shall be the judge of the election and qualification of its own members and other elected officials of the City and of the ground for forfeiture of their office. A member charged with

conduct constituting grounds for forfeiture of office shall be entitled to a public hearing on written demand to the Mayor, and notice of such hearing shall be published in one or more newspapers of general circulation in the City at least one week in advance of the hearing.

(Ord. of 5-11-13)

• **Section 3.04. - Compensation.**

The City Council shall fix the compensation, if any, to be received by its members for attendance at its meetings with any changes in compensation subject to voter approval by a simple majority at the next regular election.

(Ord. of 5-11-13)

• **Section 3.05. - Mayor pro-tem.**

The City Council, at its first meeting after each annual City election, or as soon as thereafter practicable, shall elect one of its members Mayor pro-tem, and he/she shall perform all the duties of the mayor in the absence or disability of the Mayor. In the event that the office of the Mayor pro-tem becomes vacant for any reason, the City Council shall elect a new Mayor pro-tem to fill the unexpired term.

(Ord. of 5-11-13)

• **Section 3.06. - Vacancies.**

When a vacancy occurs in the City Council, the remaining members of the council, shall, within thirty (30) days (except within sixty (60) days of a regular City election or during a run-off election period), appoint a qualified person to fill the unexpired term. However, the City Council shall not appoint more than two council members in any twelve (12) month period, and in case a vacancy has been filled by the City Council within the twelve (12) month period prior to the subsequent vacancy, or if more than two (2) vacancies occur at the same time or before a prior vacancy has been filled, the City Council shall call a special election within thirty (30) days from the date the last vacancy occurred, to be held within fifty (50) days thereafter, for the purpose of electing the successor or successors to the office or offices vacated.

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

• **Section 3.07. - Powers of the City Council.**

1. Establish, consolidate, or abolish administrative departments;
2. Adopt the budget of the City;
3. Authorize the issuance of bonds by a bond ordinance;
4. Inquire into the conduct of any office, department or agency of the City and make investigations as to municipal affairs;
5. Remove from any office or position of employment in the City government, any officer or employee or member of any board or commission, unless that person is a department head, reports to a department head or is employed in one of the departments under the direction of the City Manager. The power of removal shall be a concurrent power with other individuals as authorized by this Charter and other written and duly authorized City policies;
6. Provide for such additional boards and commissions, not otherwise provided for in this Charter, as may be deemed necessary, and to appoint, or remove the members of all such boards and commissions. Such boards and commissions shall have all powers and duties now or hereafter conferred and created by this Charter, by City ordinance or by law;
7. Adopt and modify the zoning plan and the building codes of the City;
8. Adopt and modify the official map of the City;
9. Regulate, license and fix the charges and fares made by any person, firm or corporation owning, operating, or controlling any vehicle of any character used for the carrying of passengers for hire or the transportation of freight for hire on the public streets and alleys of the City;
10. Provide for the establishment and designation of fire limits and prescribe the kind and character of buildings or structures or improvements to be erected therein and provide for the erection of fireproof buildings within said limits, and provide for the condemnation of dangerous structures or buildings or

dilapidated buildings, or buildings calculated to increase the fire hazard and prescribe the manner their removal and destruction within said limits;

- 11. Fix the salaries and compensation of the City officers and employees;
- 12. Provide for a sanitary sewer and water system and require property owners to connect their premises with sewer system and provide for penalties for failure to make sanitary sewer connections;
- 13. Provide for sanitary garbage disposal, and set fees and charges thereof, and provide penalties for failure to pay such fees and charges;
- 14. Exercise exclusive dominion, control and jurisdiction in, upon, over and under the public streets, avenues, sidewalks, alleys, highways, boulevards and public grounds of the City and provide for the improvement of same as provided by Texas law, as now or hereafter amended;
- 15. Compromise and settle any and all claims and lawsuits of every kind and character in favor of or against the City of Richwood;
- 16. And such other and further powers as have been or may from time to time hereafter be delegated to home rule cities by the legislature of the State of Texas, including the powers incident to the exercise thereof;
- 17. All powers of this Charter are vested in the City Council. The council shall conduct all business in public meetings. No member of the council shall have any power to act or make appointments without the specific authorization of the council in a meeting.

(Ord. of 5-11-13)

• **Section 3.08. - Meetings of the City Council.**

The City Council shall hold at least one regular meeting each month, and may hold as many additional meetings during the month as may be necessary for the transaction of the business of the City and its citizens. All meetings of the City Council shall be public and shall be held at the City hall, except that the City Council may designate another place for such meetings after publishing due notice thereof in one issue of a newspaper in general circulation in the City of Richwood. The Mayor or any member of council may call special meetings of the City Council at any time, but said special meetings shall require a quorum of the total City Council in order to proceed.

(Ord. of 5-11-13)

• **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)

• **Section 3.10. - Procedure for passing of ordinances.**

Every ordinance shall be introduced in written or printed form and, upon passage, shall take effect at the time indicated therein, provided that any ordinance imposing a penalty, fine or forfeiture for a violation of its provisions shall become effective not less than ten days from the date of its passage, subject to the provisions of [article 7](#) of this Charter. The City Secretary shall give notice of the passage of every ordinance imposing a penalty, fine, or forfeiture for a violation of the provisions thereof, by causing the caption or title, including the penalty, of any such ordinance to be published in the official newspaper of the City of Richwood at least once within ten days after the passage of said ordinance. He/she shall note on every ordinance the caption of which is hereby required to be published and on the

record thereof, the fact that same has been published as required by the Charter and the date of publication, which shall be prima facie evidence of the legal publication and promulgation of such ordinance, provided that the provisions of this section shall not apply to the correction, amendment, revisions and codification of the ordinances of the City for publication in book, pamphlet or electronic form. Except as otherwise provided by [article 7](#) of this Charter, it shall not be necessary to the validity of any ordinance that it shall be read more than one time or considered at more than one session of the City Council. Every ordinance shall be authenticated by the signature of the Mayor and City Secretary and shall be systematically recorded and indexed in an ordinance book in a manner approved by the City Council. It shall only be necessary to record the caption or title of ordinances in the minutes or journal of City Council meetings. The City Council shall have the power to cause ordinances of the City to be corrected, amended, revised, codified and printed in code form as often as the City Council deems advisable, and such printed code, when adopted by the City Council, shall be in full force and effect without the necessity of publishing the same or any part thereof in a newspaper. Such printed code shall be admitted in evidence in all courts and places without further proof.

(Ord. of 5-11-13)

• **Section 3.11. - Official bonds for City employees.**

The City Manager and the designated City Treasurer and such other officers and employees as the City Council may require, shall, before entering the duties of their office, enter into a good and sufficient fidelity bond in a sum to be determined by the City Council payable to the City of Richwood and conditioned upon the faithful discharge of the duties of such persons and upon the faithful accounting of all monies, credits, and things of value coming into the hands of such persons, and such bonds shall be signed as surety by some company authorized to do business under the laws of the State of Texas, and the premium of such bonds shall be paid by the City of Richwood, and such bonds must be acceptable to the City Council.

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

• **Section 3.12. - Investigation by the City Council.**

The City Council shall have the power to inquire into the conduct of any office, department, agency, officer, or employee of the City and to make investigations as to municipal affairs, and for that purpose may subpoena witnesses, administer oaths and compel the production of books, papers, and other evidence. Failure to obey such subpoena or to produce books, papers or other evidence as ordered under the provisions of this section shall constitute a misdemeanor and shall be punishable by fine not to exceed \$500.00.

(Ord. of 5-11-13)

• **Section 3.13. - Audit and examination of City books and accounts.**

The City Council shall cause an annual audit to be made of the books, accounts, records and accounting systems of each and every department of the City. At the close of each fiscal year, a complete audit shall be made by a certified public accountant, who shall be selected by the City Council, and such audit shall include a recapitulation of all audits made during the course of the fiscal year, and all audit reports shall be filed with the City Council, shall be available for public inspection and shall be made a part of the archives of the City. Such accountant, so selected, shall not maintain or keep any of the City's accounts or records.

(Ord. of 5-11-13)

City of Richwood
Appointment Application
Council Vacancy – Position #5

1800 Brazosport Blvd N., Richwood TX 77531 | PH: 979-265-2082 | FAX: 979-265-7345

APPLICANT INFORMATION

NAME: _____ PHONE NUMBER: _____

STREET ADDRESS: _____

MAILING ADDRESS (if different than above): _____

EMAIL ADDRESS: _____

ADDITIONAL INFORMATION

Are you a registered voter in Brazoria County, Texas? Yes No

Do you reside within the City of Richwood? Yes No If yes, how long? ____ Years ____ Months

Have you previously served on a board or commission? Yes No If yes, please describe:

Please list any public service activities you have been involved in the last three (3) years not including any religious affiliation:

Do you or any family member residing in your household have a financial interest in, or are you an employee or officer of any business or agency which conducts business with the City of Richwood? Yes No If yes, please explain:

TIME COMMITMENT

Appointment to the City Council will require your attendance at regularly scheduled and special meetings that can occur in the evening, on weekends, and/or during the weekday.

The City Council meets regularly on the second Monday of each month. Meetings begin at 6:00 P.M. and continue until all agenda items have been discussed. Council members also serve on committees, regional boards and commissions, and represent the City Council at various community functions.

SUPPLEMENTAL QUESTIONS

The City of Richwood operates under the Council-Manager Plan of Government. What do you consider the most important roles and responsibilities of the city council in this form of government?

What do you hope to accomplish as a member of City Council?

What city services do you see as most important for citizens and why?

Describe how you would advocate for a position the city council adopted but you voted against.

How would you describe the City of Richwood to someone not familiar with the community?

What economic development opportunities do you envision for the future of Richwood?

What do you think are the major challenges the City of Richwood will face in the next few years? How would you, as a member of council, address these challenges?

Serving on city council requires a substantial time commitment – attending regularly scheduled and special meetings, reading and researching issues, engaging with the community, and serving in liaison position to other boards and commissions. How will you incorporate this time commitment in your schedule?

How would you go about balancing competing goals and priorities with limited budget resources?

As an elected official, you may be approached by citizens and business owners who are upset about an issue. How would you handle these situations?

ELIGIBILITY REQUIREMENTS, NOTIFICATION AND SIGNATURE

Councilmembers for the City of Richwood must reside within the City limits continuously for a period of one year prior to appointment and be a registered voter in Brazoria County, Texas.

I declare that the information provided is true, that I am a registered voter residing at the address listed above, that I am a candidate for the council position listed above, and that, at the time of filing this declaration, I am legally qualified to assume office. I swear, or affirm, that I will support the Constitution and laws of the United States, and the Constitution and laws of the State of Texas and the laws of the City of Richwood.

Signature	Date
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As an applicant for appointment to public office, the information provided in this application will be available to the public in compliance with public disclosure laws.

Thank you for your interest in serving the City of Richwood as a member of City Council.

This institution is an equal opportunity provider and employer.

City of Richwood — TEXAS —

AGENDA MEMORANDUM

CONTACT: Kirsten Garcia, City Secretary

SUBJECT: Adoption of 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.

SUMMARY: Consider adopting an ordinance amending the R-4 Rural Residential Zoning District.

PROPOSED AMENDMENTS:

**Note* addition of amendment language regarding lots along Bastrop Bayou is due to standing variance granted by City Council in 2008 for all lots along Bastrop Bayou, not recommended by current City Council.*

Council member Johnson recommended the following amendment:

[e.] The minimum building setbacks are as follows:

[2.] ~~Side, ten percent of the lot width, not to exceed 25 feet.~~ Side, 7.5 feet for lots along Bastrop Bayou; and ten percent of the lot width, not to exceed 15 feet for all other lots.

[g.] The accessory building requirements in an R-4 zone are as follows:

[2.] Minimum setbacks are as follows:

[ii.] ~~Side, 25 feet.~~ Side, 7.5 feet for lots along Bastrop Bayou; and ten percent of the lot width, not to exceed 15 feet for all other lots.

Council member Escalante recommended the following amendment:

[e.] The minimum building setbacks are as follows:

[2.] Side, 7.5 feet for lots along Bastrop Bayou; ten percent of the lot width, not to exceed 25 feet.

[g.] The accessory building requirements in an R-4 zone are as follows:

[2.] Minimum setbacks are as follows:

[ii.] ~~Side, 25 feet.~~ Side, 7.5 feet for lots along Bastrop Bayou; ten percent of the lot width, not to exceed 25 feet.

Council member Strawn recommended the following amendment:

[d.] The minimum lot size is as follows:

~~[1.] Front, 150 feet. (remove completely)~~

~~[2.] Depth, 200 feet. (remove completely)~~

[1.] Area, one acre or 43,560 square feet.

RECOMMENDATION: Adopt ordinance removing minimum lot size (front and depth) and adopt setbacks to match primary and accessory structures at ten percent of lot width not to exceed 15 feet, with caveat for lots along Bastrop Bayou.

Thank you,



Kirsten Garcia

ORDINANCE NUMBER 22-500

AN ORDINANCE OF THE CITY OF RICHWOOD, TEXAS, AMENDING APPENDIX B – ZONING ORDINANCE, SECTION FOUR (4) DISTRICTS, SUBSECTION FIVE (5), R-4, SINGLE FAMILY RURAL RESIDENTIAL ZONING DISTRICT OF THE CITY OF RICHWOOD CODE OF ORDINANCES; AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING A SAVINGS CLAUSE.

WHEREAS, all prerequisites of the law have been complied to enable the City Council of the City of Richwood, Texas, to amend the Comprehensive Zoning Plan of said city as hereinafter set forth and all persons interested in such proposed amendments have been given a hearing before the before the Planning and Zoning Committee on the 22nd day of October, 2022, and by the City Council of the City of Richwood on the 22nd day of October, 2022, and the evidence having been offered in favor of zoning, the City Council does hereby declare that it is in the public interest to adopt the amendments as set forth below.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RICHWOOD, BRAZORIA COUNTY, TEXAS:

Section 1: That Appendix B – Zoning Ordinance, Section Four (4), Subsection Five (5). R-4, Single Family Rural Residential Zoning District of the City of Richwood Code of Ordinances is hereby amended to:

5. *R-4, single-family rural residential zone.* The purpose and description for single-family rural residence is to provide for the development of primarily very low-density detached, single-family residences on lots not less than one acre. The permitted uses are single family dwellings, and any conditional uses allowed by this ordinance. Garage apartments are not allowed in this district.

[a.] The maximum percentage of the lot used for building will be 35 percent of the lot.

[b.] The minimum floor area or living space in square feet will be 1,500 square feet.

[c.] The maximum building height will be 2½ stories or 35 feet.

[d.] The minimum lot size is as follows:

~~[1.] Front, 150 feet.~~

~~[2.] Depth, 200 feet.~~

[1.] Area, one acre or 43,560 square feet.

[e.] The minimum building setbacks are as follows:

[1.] Front, 50 feet.

[2.] ~~Side, ten percent of the lot width, not to exceed 25 feet.~~ Side, 7.5 feet for lots along Bastrop Bayou; and ten percent of the lot width, not to exceed 15 or 25 feet for all other lots.

[3.] Rear, 25 feet from the main building and any accessory building(s); ten feet from a main building to an accessory building.

[4.] Side street, 25 feet.

[f.] The permitted accessory uses are for private garages, storage sheds, barns. Detached servants' quarters without garage shall be permitted. No such accessory building or quarters shall be used or occupied as a place of abode or dwelling by anyone other than a bona fide servant or farm worker actually and regularly employed by the landowner or occupant of the main building or is a guest or family member. The structure shall in any case not be rented, leased or sold and shall not be separately metered. No structure is permitted for any business enterprise.

[g.] The accessory building requirements in an R-4 zone are as follows:

[1.] Maximum height, 25 feet.

[2.] Minimum setbacks are as follows:

[i.] Front, 60 feet.

[ii.] ~~Side, 25 feet.~~ Side, 7.5 feet for lots along Bastrop Bayou; and ten percent of the lot width, not to exceed 15 or 25 feet for all other lots.

[iii.] Back, 25 feet.

[h.] The map color code for R-4 single-family residence zone is purple.

[i.] Conditional uses: Home occupations, homes for the aged, nursery schools/day care, parks/playgrounds/playfield/stadium, schools.

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

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

Section 4: That this ordinance shall be in effect on November 14, 2022.

PASSED AND ADOPTED on this 14th day of November 2022.

Steve Boykin, Mayor

ATTEST:

Kirsten Garcia, City Secretary

APPROVED AS TO FORM:

Phillip Knop, City Attorney

City of Richwood — TEXAS —

AGENDA MEMORANDUM

CONTACT: CLIF CUSTER

SUBJECT: STRAND ASSOCIATES TASK ORDER AMENDMENT

SUMMARY:

Due to delayed completion of Richwood’s North Water Plant, Strand Associates is proposing a Task Order amendment that will primarily fund Resident Project Representative (RPR) services through the North Water Plant’s current estimated date of completion.

BACKGROUND INFORMATION:

Strand has been providing construction-phase services throughout the four construction contracts that comprise the City’s North Water Plant project. The North Water Plant project was divided into four separate construction contracts in lieu of combining all the work into one contract to avoid contractor mark-ups. Had the project been bid as one construction contract, the Booster Pumping Station contractor likely would have been the general contractor and it would have marked-up construction costs at least 10 percent for the other three construction contracts. Below is a summary of the construction costs for the four construction contracts compared to what it could have cost had it been a combined construction contract:

CONTRACT	CONSTRUCTION COSTS (CURRENT, 4 CONTRACTS)	CONSTRUCTION COSTS (1 CONTRACT + 10% MARK-UP)
Booster Pumping Station	\$1,891,595.00	\$1,891,595.00
Water Main Extensions	\$300,762.50	\$330,838.75
Groundwater Well	\$318,630.00	\$350,493.00
Ground Storage Tank	\$731,800.00	\$804,980.00
TOTAL:	\$3,242,787.50	\$3,377,906.75

The decision to separate the project into four separate construction contracts resulted in a savings of at least \$135,000, assuming a minimum mark-up of 10% and not taking into the account that the earlier construction contracts would have been bid later, likely resulting in higher costs as a result of inflation and supply-chain issues. The downside to this approach is that it required more effort on both the City and Strand’s part to coordinate with and between four different contractors. The need to stage construction activities so as to not have multiple contractors working in the same area at the same time plus the supply-chain issues that have been experienced has caused construction to extend further than what could have ever been anticipated.

Strand has an hourly Task Order with the City to provide design, bidding, and construction-related services for the North Water Plant project. This agreement also included sub-consultants to provide geotechnical engineering, construction materials testing, tank welding observations, and tank painting observations. Strand's Task Order has been amended a couple times as additional work became necessary and as construction delays became known. Amendment No. 2 to our Task Order was approved by the City in August 2021. This amendment included an end date of September 1, 2022, which is when we anticipated construction and closeout to be completed on the Booster Pumping Station contract.

Prior to bidding, we increased the number of months for the Booster Pumping Station contract to nine for substantial completion and 10 for final completion in anticipation of electrical equipment manufacturing and delivery delays. Based on this, substantial completion should have been achieved on October 18, 2022 and final completion on November 17, 2022. The contractor delayed its start on this project based on when it anticipated the electrical switchgear and generator to be delivered (originally scheduled for an October delivery), but was recently informed that this equipment would not be delivered until April or May 2023. The current schedule for the Booster Pumping Station project shows an end date of July 6, 2023. Strand will need to remain involved up to two months after construction completion to provide final permitting and closeout assistance, as well as preparation of record drawings.

Strand's effort was further impacted during and after bidding the Booster Pumping Station project. Prices came in higher than anticipated and Strand assisted the City with value engineering by evaluating options to reduce construction costs by \$72,000. This increased Strand's effort both during bid award, as well as during shop drawing reviews since the shop drawings that were provided did not match our original design.

Amendment Breakdown

Strand's Task Order, along with Amendment No. 2, set an end date for services on September 1, 2022. Strand is providing services on this project on an hourly-rate basis, meaning the city is only paying for the services that Strand provides. Strand has worked diligently to keep costs down even with the additional efforts mentioned later in this email. This has included hosting Construction Progress Meetings using Microsoft Teams, in lieu of in-person meetings, and combining construction observation trips with other projects in Richwood and a couple nearby communities that we serve. Strand exhausted its budget in mid-September for which a partial invoice was sent. Amending our agreement will allow us to continue providing construction-phase services through August 2023.

The following is a breakdown of our anticipated invoices moving forward, based on the contractor's most recent construction schedule:

MONTH	ANTICIPATED INVOICE AMOUNT	CONSTRUCTION ACTIVITY
September 2022	\$6,000	Access Road, Site Grading, Building Foundations, and Yard Piping
October 2022	\$8,500	Booster Station Pumps and Piping, Masonry Walls, Yard Piping, and Fencing
November 2022	\$7,500	Masonry Walls, Roofing, Protective Coatings, and Final Site Grading
December 2022	\$3,500	Chemical Equipment, Final Site Grading, Turf Establishment, and Driveway
January 2023	\$500	<i>HOLD - General Coordination and Monthly Progress Meeting</i>
February 2023	\$500	<i>HOLD - General Coordination and Monthly Progress Meeting</i>
March 2023	\$500	<i>HOLD - General Coordination and Monthly Progress Meeting</i>
April 2023	\$2,500	Well Pump Installation
May 2023	\$5,000	Generator and Electrical Switchgear
June 2023	\$5,500	Electrical Switchgear, Well and Booster Pump Start-up and Testing
July 2023	\$5,500	Well and Booster Pump Start-up and Testing, Tank Cleaning, and Final Permitting
August 2023	\$2,500	Final Permitting, Closeout, and Record Drawings
TOTAL AMENDMENT:	\$48,000	

ISSUE:

The frustrating facts that have led to the delay of the North Water Plant completion have impacts that are felt by Residents, Council, Staff, Engineering, and Contractors alike. I feel that Staff has worked diligently with Engineers and Contractors to ensure that the North Water Plant remains within the budgetary confines of the Series B General Obligation Bond, while not compromising construction quality or plant functionality.

The continuation of Engineering Services at this point allows:

1. An assurance of construction quality.
2. Reassurance that construction practices and standards are consistent with project design.
3. An added layer of accountability and QC oversight

FISCAL IMPACT:

\$48,000.00

RECOMMENDATION:

I recommend that Council make a motion to approve Amendment No. 3 to Strand Associates Task Order in the amount of \$48,000.00 for the North Water Plant Project.

City of Richwood — TEXAS —

AGENDA MEMORANDUM

CONTACT: CLIFTON CUSTER

SUBJECT: PLUGGING OF WATER WELL #1

SUMMARY:

In 2010 during a routine check of the structural integrity of Well #1 a lesion or tear was found in the well screen.

BACKGROUND INFORMATION:

After a tear in the well screen was realized, action was taken to construct two new wells in 2012 in anticipation of the permanent abandonment of Well #1. Public Works was able to utilize this well for potable water supply until December of 2018. Utilization of the well between the time that the tear in the screen was discovered and December of 2018, continued exposure to aggregates such as sand worsened the tear in the screen.

In December of 2018 Public Works began to receive reports of sand in the water supply from residents living in the immediate area of the location where well water was introduced into the water distribution system. At this time Public Works discontinued the use of the well. Immediate plugging of the well was prolonged due to budgetary constraints as well as necessary emergency water infrastructure repairs.

In the FY-23 budget Council approved an amount of \$40,000.00 to plug Well #1. A request for bid was advertised in The Facts newspaper for plugging of the well. Felder Waterworks was the sole respondent to the request for bid advertisement.

ISSUE:

Although the well was taken out of service in 2018, the decision was made to maintain operational capacity of the well to serve as an emergency water source until the North Water Plant could come online. Although the North Water Plant is not yet online, I feel the best resolution is to get the well plugged. Continued exercising of the well has most likely accelerated the compromise in the well screen to a point where the well should not be used, even as an emergency measure.

FISCAL IMPACT:

\$23,000.00

RECOMMENDATION:

I recommend Council make a motion accepting Felder Waterworks bid in the amount of \$23,000.00 to plug Water Well #1.

Felder Water Well & Pump Services LLC

P. O. Box 1033
Angleton, TX 77516-1033
979-849-5144

Estimate

Date	Estimate #
10/6/2022	1925

Name / Address
City of Richwood Attn: Clif Custer 1800 N. Brazosport Blvd. Richwood, TX 77531

Project

Description	Qty	Cost	Total
ESTIMATE TO PLUG WELL #2 LOCATED AT 720 N. MAHAN - RICHWOOD CONTACT: CLIF CUSTER 979-265-2082 Estimate to pull existing equipment and plug well in accordance with TCEQ Standards.	1	23,000.00	23,000.00
		Total	\$23,000.00

Customer Signature _____

City of Richwood

TEXAS

AGENDA MEMORANDUM

CONTACT: CLIF CUSTER

SUBJECT: BWA WATER USAGE

SUMMARY:

I had a meeting with BRA General Manger and Superintendent. Richwood is currently averaging 78,000 gallons a month over our 235,000-gallon contractual Agreement. BWA wanted to increase the minimum daily usage agreement to match the current usage trend. It was agreed upon to wait until the North Water Plant was online so data could be collected on how two wells connected to Richwood's SCADA system impact Richwood's usage of BWA Water.

BACKGROUND INFORMATION:

In 2021 Richwood suffered a power outage that caused a malfunction in Richwood's SCADA system causing Richwood water pressures to drop dangerously low. After the power outage and pressure loss incident Mercer Controls was called to investigate fail-safe options to prevent this situation from happening again.

Upon researching the situation, it was determined that any fail-safe implement for water production needed to operate autonomously, without influence from the existing SCADA system. A pressure transmitter was installed on the discharge side of the South Water Plant booster pumps that will engage pumps when the sensor detects a given pressure. Since pressures are impacted in a negative way being so far from elevated storage on the south side of town, the current pressure sensor is causing excessive running of the booster pumps at the south water tank, in turn using excessive amounts of BWA water.

It is the ambition of Public Works to pull the pressure sensor from the South Water Plant once the North Water Plant is complete and make necessary adjustments to water levels in elevated storage towers to compensate for any pressure loss.

ISSUE:

The main issue is lack of resiliency within Richwood Scada system. This issue is being dealt with by the addition of generators at the main SCADA panel and at well 5. Once Richwood has backup generated power at key water producing sites, there should be no need for any other force on/force off control implements except for the SCADA systems normal functions.

FISCAL IMPACT:

No fiscal impact.

RECOMMENDATION:

No action necessary.

City of Richwood — TEXAS —

AGENDA MEMORANDUM

CONTACT: ERIC FOERSTER- CITY MANAGER

SUBJECT: 2022 POST FIRE HMGP

SUMMARY: Discuss and consider authorizing the City Manager to submit a grant application for the 2022 HMGP Post Fire grant program.

BACKGROUND INFORMATION: Funding is available for the mitigation of hazards through this grant. The is 75/25 grant, which the City of Richwood would pay 25% of the funding for any approved amount.

ISSUE: The approval of the grant would allow the City of Richwood to complete much-needed redundancy on fresh and wastewater systems through the use of generators.

If completed, the City of Richwood would have all of our fresh water well protected by dedicated generators. The City of Richwood would then only have three lift stations without generators in place, but we do have two mobile generators that assist when the power is out.

FISCAL IMPACT: Possibly 112,125 in matching funds would be required from the City of Richwood.

RECOMMENDATION:

Grant Information

Post Fire grant for mitigation (HMGP Grant)

Unknown award amount at this time

Grant closes in January

Possible grant use identified for fresh and wastewater redundancy:

- Generator for well No 6 **109,000**
- Generator for lift station No 4 **85,000**
- Generator for lift station No 3 **105,000**

Total estimated cost for the projects alone: 299,000 based on old cost estimates: added 20% for inflation/CPI increases: **358,800**

Total estimated for grant management, engineering, RPR: (15% for engineering, 5% for RPR, 5% grant management): **448,500**

Estimated City of Richwood match: **112,125**



Strand Associates, Inc.[®]
 1906 Niebuhr Street
 Brenham, TX 77833
 (P) 979-630-7337

**CITY OF RICHWOOD, TEXAS
 AMERICAN RESCUE PLAN ACT
 LIFT STATION AND WATER WELL GENERATORS
 ENGINEER'S OPINION OF PROBABLE CONSTRUCTION COST
 STRAND PROJECT NO. P211.026
 March 24, 2022**

#1
#3
#2

ITEM NO.	DESCRIPTION	ESTIMATED QUANTITY		UNIT COST	TOTAL COST
CONSTRUCTION					
1.	Well No. 5 Generator with Automatic Transfer Switch. (480-Volt (V), 3-Phase, 100-Kilowatt (KW), 200-Ampereage (Amp), Natural Gas-Powered).	1	LS	\$ 109,000.00	\$ 109,000.00
2.	Well No. 6 Generator with Automatic Transfer Switch. (480-V, 3-Phase, 100-KW, 200-Amp, Natural Gas-Powered).	1	LS	\$ 109,000.00	\$ 109,000.00
3.	Lift Station No. 1 and Service Center Generator with Automatic Transfer Switch. (480-V, 3-Phase, 125-KW, 400-Amp, Natural Gas-Powered).	1	LS	\$ 118,000.00	\$ 118,000.00
4.	Lift Station No. 3 Generator with Automatic Transfer Switch and Elevated Platform. (240-V, 3-Phase, 40-KW, 200-Amp, Diesel-Powered).	1	LS	\$ 105,000.00	\$ 105,000.00
5.	Lift Station No. 4 Generator with Automatic Transfer Switch. (240-V, 3-Phase, 40-KW, 100-Amp, Natural Gas-Powered).	1	LS	\$ 85,000.00	\$ 85,000.00
Subtotal Construction Cost (Rounded):					\$ 526,000.00
20% Contingency (Rounded):					\$ 106,000.00
TOTAL CONSTRUCTION COST:					\$ 632,000.00
ENGINEERING					
1.	Basic Services--Design, Bidding, and Construction-Related Services.				\$ 135,000.00
2.	Topographic Survey (Construction Staking by Contractor).				\$ 5,500.00
3.	Part-Time Construction Observation (Eight Total Visits).				\$ 8,000.00
4.	Geotechnical Services and Construction Materials Testing.				\$ -
TOTAL ENGINEER'S OPINION OF PROBABLE PROJECT COST:					\$ 780,500.00

Ryan D. Tinsley, P.E., ENV SP
 Strand Associates, Inc.[®] (TBPE No. F-8405)
 1906 Niebuhr Street
 Brenham, TX 77833

K:\BIB\Work Products\Clients\Proposals & SOQs\2021\Water\Richwood-ARPA South WTP & Generators (P211.026)\PROJECT\Richwood - ARPA SWTP BPS and Generator Replacements O\PPC 032422.xlsx

TBPE No. F-8405
 TBPLS No. 10030000



SUMMARY

Governor Abbott and the Texas Division of Emergency Management (TDEM) announce the open application period for the FEMA Hazard Mitigation Grant Program (HMGP) - FY2022 Post Fire. The application period opened on January 27, 2022 and will close on **January 20, 2023**.

FEMA's Hazard Mitigation Grant Program (HMGP)-Post Fire assistance helps communities implement hazard mitigation measures after wildfire disasters.

All entities seeking funding under this opportunity must have a FEMA approved Hazard Mitigation Plan at the time the project is submitted to FEMA for consideration and at the time an award is made except for projects to develop or update mitigation plans. An exception to this requirement may be requested on a case-by-case basis in accordance with [FEMA's 2015 Hazard Mitigation Assistance Guidance](#).

All applications must be received by TDEM through the [Grants Management System \(GMS\)](#) no later than **January 20, 2023 at 5:00 PM (CST)** to be considered for funding.

NOTICE OF FUNDING OPPORTUNITY (NOFO)

Hazard Mitigation Grant Program (HMGP): Post Fire Fiscal Year 2022

Application Period Extended to January 20, 2023 at 5:00 PM (CST)

APPLICANT ELIGIBILITY AND STATE PRIORITIES

Eligibility

Eligible subapplicants include local governments and communities, state agencies, and private nonprofits may act as subapplicants for HMGP Post Fire if they own or operate a private nonprofit facility as defined in Section 102(11)(B) of the Stafford Act.

Priorities and Considerations

Funding will first be made available to the county, counties or burned tribal lands that received an FMAG declaration. A project may be outside of this area as long as the risk reduction activity benefits the declared county or counties (e.g., watershed mitigation). If funding cannot be used in the affected area, then it may be available statewide regardless of whether it benefits a declared county.

Available Funding

The available amount of funding will not be determined by FEMA until the end of the fiscal year based on the number of Fire Management Assistance Grants (FMAG) awarded. As of September 2022, \$6,292,416.00 in federal funding is available with a 75% federal share and a 25% cost share (funded by the local jurisdiction).

TIPS FOR APPLICATION DEVELOPMENT

- Develop applications in a modular format with scaled deliverables and costs so that partial funding may be considered if the full project amount is not approved.
- Be sure to submit your application to all open HMGP application opportunities and select the "share my application" section of the application to increase the opportunities for project award.
- Demonstrate experience in managing grants as part of submission including understanding federal procurement processes and experience with FEMA's Hazard Mitigation Grant Program (HMGP).
- Contact your TDEM regional hazard mitigation grant coordinator/specialist early to assist with preparing a quality application.
- Don't wait to register for GMS access. Access requests are submitted online at: <https://grants.tdem.texas.gov/>

PRIORITIZED ELIGIBLE ACTIVITIES

Wildfire Mitigation

- ✓ Defensible space
- ✓ Reducing hazardous fuels/standing burned trees
- ✓ Ignition-resistant construction

5% Initiative

- ✓ Installing warning signs

Infrastructure Retrofit

- ✓ Strengthen or harden water systems that were burned and caused contamination

Soil and Slope Stabilization

- ✓ Reseeding ground cover
- ✓ Planting grass to prevent the spread of noxious weeds
- ✓ Mulching with straw or chipped wood
- ✓ Placing logs/other erosion barriers to catch sediment on slopes
- ✓ Installing debris traps to modify road and trail drainage mechanisms

Post-Wildfire Flood Prevention and Sediment

- ✓ Modifying or removing culverts
- ✓ Adding drainage dops and construction emergency spillways
- ✓ Constructing straw, rock, or log dams in small tributaries to prevent flooding.

TRAINING AND FEMA PROGRAM INFORMATION

Click on the links below to be redirected for information.

Hazard Mitigation Grant Program Information (FEMA) (Reference)
<https://www.fema.gov/grants/mitigation/hazard-mitigation>

How to Apply for Post-Fire Funding in the HMGP Program (Reference)
<https://www.fema.gov/grants/mitigation/post-fire/apply>

Federal Procurement Training (Highly Recommended)
<https://bit.ly/TDEMPProcurement>

Required Grant Terms and Conditions (Review Only)
<https://bit.ly/3dFpMG6>

CONTACT INFORMATION

Contact Information – Regional Section Chiefs
<https://tdem.texas.gov/regions>

Hazard Mitigation Grant Program Post Fire Fact Sheet

Hazard Mitigation Grant Program Post Fire



FEMA places a high priority on supporting wildfire recovery using the Hazard Mitigation Grant Program Post Fire (HMGP Post Fire) for Fire Management Assistance declarations issued on or after Oct. 5, 2018.

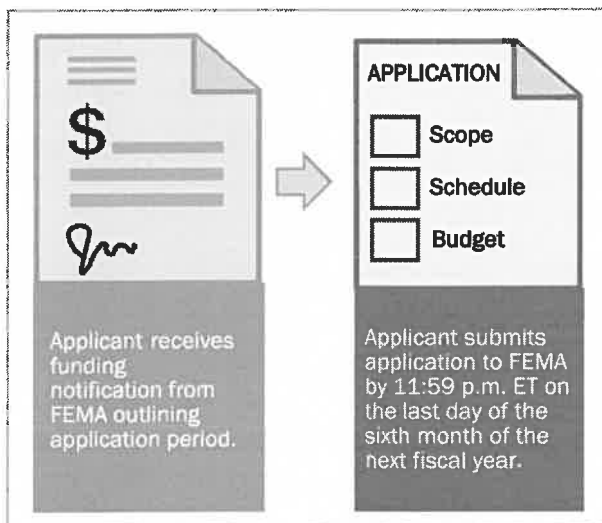
Eligibility

States, federally-recognized tribes, and territories affected by fires resulting in a Fire Management Assistance Grant (FMAG) declaration on or after Oct. 5, 2018, are eligible to apply. Applicants must have a FEMA-approved mitigation plan to receive HMGP Post Fire funding. Declarations can be accessed at www.fema.gov/disasters by selecting Fire Management Assistance as the declaration type.

*Note: An FMAG declaration, rather than a Presidential major disaster declaration, activates HMGP Post Fire assistance.

Application Period

FEMA will send a formal funding notification letter to eligible applicants outlining the dates of the application period. The application period opens with the applicant's first FMAG declaration of the fiscal year and closes at 11:59 p.m. Eastern Time on the last day of the sixth month of the next fiscal year. Application extensions may be requested. The State is required to submit a written request to the FEMA Regional Administrator for an extension.



How Projects are Prioritized

As part of the focus on hazard mitigation and resilience, FEMA encourages the mitigation of wildfire and related hazards. Prioritized project types are organized into five general categories, as outlined in Table 1.

Funding will first be made available to the county, counties or burned tribal lands that received an FMAG declaration. A project may be outside of this area as long as the risk reduction activity benefits the declared county or counties (e.g., watershed mitigation). If funding cannot be used in the affected area, then it may be available statewide regardless of whether it benefits a declared county. However, if the funding is being used outside of the declared area, the application must explain why the assistance is not being used in the declared or burned areas.



FEMA

Federally recognized tribes with land burned in FMAG declarations may choose to apply to FEMA for HMGP assistance as an applicant once a state or territory receives an FMAG declaration. Tribes (including federally recognized tribes) may also apply through states as subapplicants. If tribal land is not burned, subapplicant funding may be unavailable, as assistance is prioritized for FMAG declared areas.

Private nonprofits may act as subapplicants for HMGP Post Fire if they own or operate a private nonprofit facility as defined in Section 102(11)(B) of the Stafford Act.

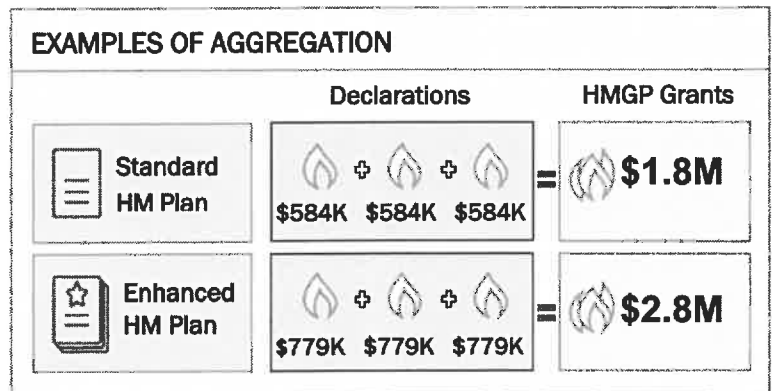
Applicants must detail their respective management process, including deadlines, in their HMGP Administrative Plan. The administrative plan is a procedural guide that details how the applicant will administer the award.

Table 1: Prioritized HMGP Post Fire Activities

Wildfire Mitigation	5-Percent Initiative	Infrastructure Retrofit	Soil and Slope Stabilization	Post-wildfire flood prevention and sediment reduction
<ul style="list-style-type: none"> ▪ Defensible space ▪ Reducing hazardous fuels ▪ Removing standing burned trees ▪ Ignition-resistant construction 	<ul style="list-style-type: none"> ▪ Installing warning signs 	<ul style="list-style-type: none"> ▪ Strengthen or harden water systems that were burned and caused contamination 	<ul style="list-style-type: none"> ▪ Reseeding ground cover ▪ Planting grass to prevent spread of noxious weeds ▪ Mulching with straw or chipped wood ▪ Placing logs/other erosion barriers to catch sediment on slopes ▪ Installing debris traps to modify road and trail drainage mechanisms 	<ul style="list-style-type: none"> ▪ Modifying or removing culverts ▪ Adding drainage dips and constructing emergency spillways ▪ Constructing straw, rock, or log dams in small tributaries to prevent flooding

How Funding is Calculated

The funding amount available will be provided by FEMA, and is a national aggregate calculation based on an average of historical FMAG declarations from the past 10 years. This amount will be recalculated at the beginning of every fiscal year. The total HMGP funding available for each FMAG declaration for FY 21 is \$584,083 for applicants with a standard hazard mitigation plan, and \$778,778 for applicants with an enhanced hazard mitigation plan.



Funding from multiple events will be aggregated into one grant under the first declaration. This will support larger projects, streamline grants management, and expedite closeout. Aggregation will reset at the beginning of each fiscal year and will remain in effect for that year.

Management Costs

Recipients will be eligible for up to 10% of the award amount for management costs. Subrecipients will be eligible for up to 5% of the award amount for management costs. FEMA will provide one estimate of the management costs available under each HMGP Post Fire award, which will be included in the formal funding notification. The estimate will be subsequently increased as appropriate for each FMAG event that is aggregated.

See [FEMA Policy #104-11-1, Hazard Mitigation Grant Program Management Costs \(Interim\)](#), dated Nov. 14, 2018.

Sharing Funds

Federally recognized tribes with burned land may apply as applicants once a state or territory receives an FMAG declaration. Funding will be apportioned based on each recipient's burned acreage. The apportionment will be calculated based on the amount of each recipient's burned acreage as a percentage of the allotment to which they are entitled under the FMAG. FEMA Regional Administrators will have final authority on apportionment determinations.

Available Guidance

Download the below resources to help interpret federal statutes, regulations, and best practices about mitigation strategies.

- [FEMA Policy #207-088-2, Hazard Mitigation Grant Program - Post Fire](#). Apr. 29, 2019
- [FEMA Job Aid for Disaster Recovery Reform Act, Section 1205 Additional Activities for Wildfire and Wind Implementation under Hazard Mitigation Assistance Programs](#). Dec. 3, 2019
- Wildfire guidance is found in the [Hazard Mitigation Assistance Guidance](#). Feb. 2015
- Examples of wildfire mitigation projects are detailed in the [Hazard Mitigation Assistance Guidance Addendum](#). Feb. 2015

Other Resources

- [Hazard Mitigation Assistance](#)
- [HMGP Post Fire](#)
- [Hazard Mitigation Planning](#)
- [Mitigation Ideas – A Resource for Reducing Risk to Natural Hazards](#)
- [Hazard Mitigation Officers \(HMOs\) for States](#)

City of Richwood — TEXAS —

AGENDA MEMORANDUM

CONTACT: ERIC FOERSTER-CITY MANAGER

SUBJECT: COMPATIBILITY DISCUSSION

SUMMARY: Council member Rory Escalante requested this topic be placed on the agenda for discussion. This will be a discussion regarding compatibility with his position on council and the HOA board for Oakwood Shores.

FISCAL IMPACT: None

RECOMMENDATION: Discussion

City of Richwood — TEXAS —

AGENDA MEMORANDUM ITEM # 2022-R-71

CONTACT: Patricia Ditto, Finance Director

SUBJECT: Approval of a budget amendment to allow for spending above appropriations in current fiscal year 2021-22 budget

SUMMARY: Consider approving a resolution to amend the appropriate department budgets to bring spending within appropriated amounts.

BACKGROUND INFORMATION:

The city staff set a budget for fiscal year 2021-2022 allowing for all expected and projected spending. Through the year certain costs have exceeded these appropriations on a line-item basis. It is required that spending that exceeds appropriations on a fund level basis be brought to council for consideration and approval. However, staff has determined that for transparency, this budget amendment should be brought to council for consideration and approval, even though spending at the fund level did not exceed appropriations. Attached is a line item break down and explanation of each expenditure.

FISCAL IMPACT:

General Fund – Budgeted Expenditures increase by \$24,761

Enterprise Fund – Budgeted Expenditures increase by \$140,465

RECOMMENDATION: Council to approve Resolution

Thank you,

Patricia Ditto, Finance Director

RESOLUTION 2023-R-

A RESOLUTION AMENDING THE FISCAL YEAR 2021-2022 BUDGET TO ALLOW FOR UNBUDGETED EXPENDITURES

WHEREAS, the City of Richwood City Council adopted a budget for the City of Richwood, Texas, for the fiscal year 2021-2022 in September 2021;

WHEREAS, the City of Richwood Finance Director Patricia Ditto has reviewed annual spending as compared to budget and has found items that have differed from original appropriations;

WHEREAS, staff requests council approve the budget amendment as outlined below to bring the spending within budgeted appropriations for FY21-22

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF RICHWOOD, TEXAS HEREBY AMENDS THE FISCAL YEAR 2021-2022 BUDGET AS FILED WITH THE CITY SECRETARY AS FOLLOWS:

General Fund

Increase to Budget – Information Technology	\$ 17,800
Increase to Budget – Gas, Oil & Lubricants	\$ 21,526
Increase to Budget – Insurance – Vehicle	\$ 4,625
Increase to Budget – Bldg/Prop/Liab	\$ 5,877
Increase to Budget – Bldg/Grounds M&R	\$ 7,563
Increase to Budget – Vehicle M&R	\$ 18,534
Increase to Budget – Engineering	\$ 8,883
Increase to Budget – Ambulance Service	\$ 31,716
Increase to Budget – Other Equipment M&R	\$ 4,810
Decrease to Budget – Emergency/Disaster Contract labor	(\$ 96,573)
Net Increase to General Fund Expenditures	\$ 24,761

Enterprise Fund – Water & Sewer

Increase to Budget – Gas, Oil & Lubricants	\$ 3,405
Increase to Budget – Bldg/Grounds M&R	\$ 17,869
Increase to Budget – Other Equip M&R	\$ 8,134
Increase to Budget – Water Line M&R	\$ 36,736
Increase to Budget – Engineering	\$ 28,317
Increase to Budget – Brazosport Water Authority	\$ 46,004
Net Increase to General Fund Expenditures	\$ 140,465

PASSED AND APPROVED on this 14th day of November 2022.

Steve Boykin, Mayor

ATTEST:

Kirsten Garcia, City Secretary

Budget Amendment - FY22**General Fund**

Information Technology	Admin	10-01-5550	13,000
	Fire	10-07-5550	4,800

Fuel	Fire	10-07-5230	3,467
	Police	10-05-5230	16,282
	Maint	10-02-5230	1,777

Insurance	Vehicle	Police	10-05-5630	602
	Bldg/Prop/Liab	Police	10-05-5640	652
	Vehicle	Fire	10-07-5630	3,678
	Bldg/Prop/Liab	Fire	10-07-5640	2,595
	Vehicle	Maint	10-02-5630	121
	Bldg/Prop/Liab	Maint	10-02-5640	2,689
	Vehicle	Parks	10-08-5630	224
	Bldg/Prop/Liab	Parks	10-08-5640	-59

Bldg/Grounds M&R	Parks	10-08-5310	7,563
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Vehicle M&R	Fire	10-07-5340	13,747
	Maint	10-02-5340	4,787

Engineering Ambulance Service	Admin	10-01-5560	8,883
	Fire	10-07-5566	31,716

Other Equip M&R	Maint	10-02-5365	4,810
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Disaster - contract services	Emer/Dis	10-99-5102	-96,573
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Total 24,761

Enterprise Fund

Fuel	Sewer	30-20-5230	1,286
	Water	30-21-5230	2,119

Sewer Bldg/Grounds M&R	Sewer	30-20-5310	12,841
Water Bldg/Grounds M&R	Water	30-21-5310	5,028
Water Other Equip M&R	Water	30-21-5365	8,134
Water Line M&R	Water	30-21-5390	36,736

Water Engineering	Water	30-21-5560	28,317
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Brazosport Water Auth

Water	30-21-5995	46,004
Total		140,465

Pelorus - was overlooked when budget prepared
1/2 program cost - Rip & Run custom Program - split with LJ

Fuel costs have risen since budget was prepared

Insurance costs have exceeded what we projected

Sports field lights repair

Necessary repairs during annual maint
Dump truck repairs

Brazoria County Engineering not included in budget
Contract variance - contract signed after budget

Dump Truck repairs

Previous budget amendment was over amount billed

Fence repair after storm
Fence repair after storm
Mini Excavator repair
Install site drain line for S Water Plant

Grant - Spending was discussed and approved by council
but budget was not amended

overage charge from excess usage