

AGENDA

BE IT KNOWN that the **CITY COUNCIL** of the City of Richwood will meet in **City Council Regular Meeting** on **Monday, June 11, 2018** at **6:00 PM** at 1800 N. Brazosport Blvd., Richwood, TX 77531 at the Richwood City Hall in the Council Chambers with the following agenda:

- I. CALL TO ORDER AT 6:00 PM
- II. RECOGNITIONS
 - A. Richwood Police Department accreditation by Texas Police Chief Association Foundation 4
- III. PRESENTATIONS
 - A. Volunteer Fire Department Quarterly Update
- IV. CONSENT AGENDA
 - A. Approval of Minutes of Previous Meetings 6
 - B. Payment of Bills 20
 - C. Resolution appointing Michael Coon, City Manager; Giani Cantu, City Secretary/Finance Director and Linda Pace, Administrative Asst as point of contacts on all Bank of America accounts 26
 - D. Reject all submitted proposals for RFP 18-004P Solid Waste Disposal 28
- V. DISCUSSION AND ACTION ITEMS
 - A. Appoint Mayor Pro-Tem 29
 - B. Consider and discuss designating the Facts as the official newspaper of the City of Richwood 30
 - C. Set regular Council meeting days and times 31
 - D. Discuss and consider request for extension to previously granted variance to the animal ordinance by Carol and Byron Norsworthy at 1201 N Brazosport Blvd #8 32
 - E. Discuss and consider an ordinance amending Section 3 Definitions of Appendix B - Zoning Ordinance to add the definition of gas station and amending Section 4 Districts to add gas stations as conditional uses in B-1 Business and C-1 Commercial zones 37
 - F. Discuss and consider amending water and sewer rate fees and charges for RV/Trailer parks and multi-family dwellings serviced by one meter 40
 - G. Discuss and consider an ordinance amending Article II – Public Park Lands creating Section 14-1 – Definitions; Creating Section 14-2 Fees for rental of public park lands and amending Appendix C – Fee Schedule to add fees for park and facility rentals 41
 - H. Award RFP 18-006P Solid Waste Disposal to Waste Connections 47
 - I. Award RFQ 18-003Q Water and Wastewater Impact Fee Study to Freese & 49

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J. Discuss and consider releasing funding for remaining Capital and Equipment replacement items approved in the Fiscal Year 2017-2018 budget	51
K. Update on review of Indoor Gun Range & Noise Control Ordinances	52
L. Update on Flood Mitigation Efforts	53
M. Approve items removed from Consent Agenda	
VI. EXECUTIVE SESSION in accordance with Subchapter D of the Open Meetings Act, Texas Government code Section 551.001, et. Seq., to review and consider the following:	
A. Under authority of Section 551.074 to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or a charge against an officer or employee: Police Chief appointment	
B. Under authority of Sec. 551.072. to deliberate the purchase, exchange, lease, or value of real property: Property located along the Magnolia Lane right of way in Glenwood Subdivision also identified as property 211913 by the Brazoria County Appraisal District	
VII. RECONVENE FROM EXECUTIVE SESSION and take action on the following:	
A. To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or a charge against an officer or employee: Police Chief appointment	54
B. To deliberate the purchase, exchange, lease, or value of real property: Property located along the Magnolia Lane right of way in Glenwood Subdivision also identified as property 211913 by the Brazoria County Appraisal District	55
VIII. CITY MANAGER’S REPORT	61
IX. PUBLIC COMMENTS	
All public comments will be subject to the following rules: All speakers will be permitted to speak no longer than 3 minutes; all speakers will only be permitted to speak once; speakers cannot defer their 3 minutes to another speaker. Discussion is not allowed on items not posted on the agenda.	
X. FUTURE AGENDA ITEMS	
XI. COUNCIL MEMBER COMMENTS & REPORTS	
XII. MAYOR’S REPORT	
XIII. 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).

I, Giani B. Cantu, do hereby certify that I did, on 6/8/2018 at _____ p.m., post this notice of meeting on the bulletin board at 1800 N. Brazosport Blvd., Richwood, TX, in compliance with the Texas Open Meetings Law.

Giani Cantu, City Secretary
City of Richwood

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.

Richwood Police Department



**Press Release
June 6, 2018**

Richwood Police Department Receives “Recognized Law Enforcement Agency” from the Texas Law Enforcement Recognition Program

On June 11, 2018, the Richwood Police Department will receive the prestigious award of “Recognized Law Enforcement Agency” from the Texas Police Chiefs Association Law Enforcement Recognition Program. Begun in 2006, the Recognition Program evaluates a Police Department’s compliance with over 168 Best Business Practices for Texas Law Enforcement that involve over 1,000 compliance standards. These Best Practices were carefully developed by Texas Law Enforcement professionals to assist agencies in the efficient and effective delivery of service and the protection of individual’s rights. These Best Practices cover all aspects of law enforcement operations including use of force, protection of citizen rights, vehicle pursuits, property and evidence management, and patrol and investigative operations.

This voluntary process required the Richwood Police Department to conduct a critical self-review of the agency’s policies, procedures, facilities, and operations, prior to an assessment of its professional standards. In June of 2016, the department started the lengthy process to become a “Recognized” law enforcement agency by preparing proofs of compliance for each of the Texas Law Enforcement Best Business Practices. Upon completion of the internal review, an outside audit and review was requested. This final on-site review took place on April 23rd and 24th, 2018. The on-site review is conducted by trained Police Chiefs from other areas of our state. The result of this review was then sent to the Texas Police Chiefs Association’s Recognition Committee for final analysis and the decision to award the “Recognized” status.

On May 4th, the department was notified that it had been awarded the coveted “Recognized Law Enforcement Agency” award. Richwood becomes only the 143rd agency in the state to be currently recognized out of the 1,913 law enforcement agencies in the State of Texas. The Richwood Police Department has worked diligently towards becoming one of the best police departments in the state. This process provided for an independent review of the department’s operations and should assure the citizens of Richwood that its Police Department is conforming to the current state of the art in law enforcement, processes, practices and procedures.

The actual presentation of the award will take place June 11th at 6 pm during the Richwood City Council Meeting in the City Council Chambers, 1800 N. Brazosport Blvd, Richwood, Texas. The department will also be recognized at the Texas Police Chiefs Association annual conference next April.

More information and a description of the program may be viewed on the Texas Police Chiefs Association website at <http://www.texaspolicechiefs.org>.

On behalf of the Richwood Police Department, the Richwood Police Departments Public Information Officer (PIO) and TPCA-TBP Program Manager, Sgt. Kevin Munley, will be available today and tomorrow from 1pm to 3pm for telephone or in-person interviews or comments. Please contact Sgt. Munley by email: kmunley@richwoodtx.gov or cell phone: 979-864-6956.

Minutes of City Council Regular Meeting

The City Council City of Richwood

A City Council Regular Meeting of the City Council of City of Richwood was held Monday, May 14, 2018, beginning at 6:00 PM in the Richwood City Hall, 1800 N. Brazosport Blvd. Richwood, Texas.

COUNCIL CEREMONIES AT 5:45 PM

Recognition of Outgoing Council Members

Chris Hardison, Position 5 | 2014-2018

Lauren LaCount, Position 4 | 2016-2018

Mayor Guthrie presented service awards to Lauren LaCount. Chris Hardison was not present.

Swear in Council Members

Mike Johnson - Position 1

Mark Brown II - Position 4

Katie Johnson - Position 5

Giani Cantu, City Secretary administered statements and oaths to Mike Johnson and Katie Johnson.

CALL TO ORDER AT 6:00 PM

Mayor Guthrie called the meeting to order at 6:02 pm

INVOCATION

Michael Coon led the invocation.

PLEDGES OF ALLEGIANCE

Pledge of Allegiance & Texas Pledge

Mark Guthrie led the pledges.

ROLL CALL OF COUNCIL MEMBERS

Mayor - Mark Guthrie

Council member Position 1 – Mike Johnson

Council member Position 2 – Frank Blanks

Council member Position 3 – Sarah Reed - ABSENT

Council member Position 4 – Mark Brown II - ABSENT
 Council member Position 5 – Katie Johnson

Others present: Michael Coon, City Manager; Giani Cantu, City Secretary/Finance Director; Kenny Williams, Building Official; Clif Custer, Public Works Director

RECOGNITIONS

There were no recognitions.

PROCLAMATIONS

Proclamation declaring May 18, 2018 as Pat Wade Day

Mayor Guthrie presented the proclamation to Ms. Gale Wade.

Proclamation declaring May 13-19, 2018 as National Police Week

Proclamation declaring May 21- 27, 2018 as National Public Works Week

PRESENTATIONS

Review of Fiscal Year 17-18 Budget and end of year projections

Michael Coon presented the end of year budget projections.

GENERAL FUND REVENUES	FY2018 Budget	FY2018 Year-End Projections	Variance Favorable (Unfavorable)
Ad Valorem Taxes	\$ 1,692,127	\$ 1,657,605	\$ (34,522)
380 Rebates	(248,536)	(248,536)	0
Delinquent Taxes	12,000	21,000	9,000
Penalty & Interest	12,500	12,500	0
Animal Fines/Licenses	200	290	90
Building Permits	60,000	60,000	0
Franchise Taxes	177,189	179,000	1,811
Interest Earnings	3,000	5,000	2,000
Licenses & Permits	10,000	11,185	1,185
Miscellaneous Income	30,000	42,394	12,394
Municipal Building Rentals	7,314	7,791	477
Municipal Court	150,000	130,415	(19,586)
Parks & Recreation	5,066	4,100	(966)
Sales Tax	438,430	432,887	(5,543)
Sales Tax - Streets	109,607	108,222	(1,385)
Special Revenues	18,400	14,132	(4,268)
Transfers In	652,576	652,576	0
TOTAL	\$ 3,129,873	\$ 3,090,561	\$ (39,313)

APPROPRIATIONS

Administration	\$	556,935	\$	544,447	\$	12,487
City Maintenance		243,929		223,789		20,140
Code Enforcement		53,009		50,968		2,042
Fire		191,434		191,410		24
Judicial		130,745		131,711		(965)
Parks & Rec		40,994		48,512		(7,518)
Permitting & Inspections		109,588		107,719		1,869
Police		919,169		950,018		(30,849)
Special Revenues		18,400		18,400		0
Streets & Drainage		125,000		125,000		0
Storm/Disaster		86,231		69,864		16,367
Transfer Out		654,439		624,439		30,000
TOTAL	\$	3,129,873	\$	3,086,277	\$	43,597
ENDING BALANCE	\$	0	\$	0	\$	4,284
\$ 4,284						

OTHER OPERATING FUNDS

Utility Fund

	FY 2018 Budget	FY 2018 Year-End Projections	Variance Favorable (Unfavorable)
Revenues	\$ 2,437,821	\$ 2,425,569	\$ (12,253)
Expenses	2,437,821	2,420,996	16,825
ENDING BALANCE	\$ 0	\$ 4,572	\$ 4,572

Transportation Fund

Revenues	\$ 105,000	\$ 120,986	\$ 15,986
Expenses	105,000	57,000	48,000
ENDING BALANCE	\$ 0	\$ 63,986	\$ 63,986

Crime Control & Prevention Fund

Revenues	\$ 117,165	\$ 108,487	\$ (8,678)
Expenses	117,165	69,038	48,127
ENDING BALANCE	\$ 0	\$ 39,449	\$ 39,449

Beautification

Revenues	\$	16,000	\$	15,300	\$	(700)
Expenses		16,000		14,315		1,685
ENDING BALANCE	\$	0	\$	985	\$	985

Present and discuss options for Oakwood Shores low water pressure and low chlorine residual

Clif Custer presented the study.

Option 1: Add elevated storage and an additional well to distribution, at a cost of about 2.1 million.

Option 2: Straight line injections as needed. Construction cost would include installation of a single chlorine room with booster pump and would be about \$118,000.00. The advantage of option two is the low capital costs. KSA recommends a preliminary engineering report (PER) to identify the optimal location for the chlorine booster pump. This option solves the chlorine residual problem and eliminate the excessive flushing of the water distribution system in this area. The disadvantage is that this option solves the chlorine residual problem and not the pressure problem. As Oakwood Shores develops, the water demand will increase thereby increasing the flow and pressure loss throughout the area. Another disadvantage is the additional maintenance cost. The city will have to maintain and take readings at another location in addition to what they already service.

Option 3: A hydro-pneumatic tank (ground storage – pressurized tank option) with a booster pump system at a cost of about 1.2 million. A complication would be that it puts Public Works into operating 2 different pressure points. Also, it does not contribute to elevated storage capacity.

Clif Custer reported KSA recommends either option No. 1 or No. 3. The difference between the two depends on the future development and how fast it will occur. Option 1 provides the flexibility for the system to continue growth and can be easier to maintain. Option No.3 still provides pressure maintenance but at a less expensive cost with more maintenance on the high service pumps and depends on the ability of the existing system to fill the ground storage tank at an acceptable rate.

Clif Custer reported there was recently a health concern from a resident of Oakwood Shores where TCEQ went out. The PSI at that location was at 41 psi and half way to Bayou Bend it was at 38 psi. It is mandated that we keep the pressure at 35 psi. 38 is dangerously close.

Mayor Guthrie asked if that was to maintain residential pressure only and does not include fire.

Clif Custer stated that was correct. If there is ever a major fire, there is a concern if they will be able to pull the sufficient supply of water to service that area. This has been a problem for years, now needs to be addressed.

Mr. Coon reported that Option 1 would require financing at a cost of 180k per year for 20 years and Option 3 would require financing at a cost of 105k per year for 20 years.

Mayor Guthrie asked if it requires a different choke supply.

Clif Custer stated he believes an engineer can tell you that. But in his opinion if we do a 12 all the way around it would work

Mayor Guthrie asked if there would be no pressure coming out of ground storage during a storm.

Clif Custer stated that is correct. Of all the options were presented, engineering leans towards the elevated storage. It provides for future growth, provides chlorinate residual and maintains the current storage.

Mike Johnson asked, does the hydro-pneumatic tank solve both problems.

Clif Custer replied yes.

Mayor Guthrie asked, do both tanks come with wells.

Clif Custer advised not the hydro. It is getting to the point to where turning the water on in two locations is necessary, which is not always possible with the resources we have.

Mayor Guthrie asked what is the personnel cost and benefits for 2 days.

Clif Custer reported we will be looking at it.

Mr. Blanks asked if the water tower would be the way to go.

Clif Custer stated he believes so.

Mr. Coon reported that the impact fee study could consider the future development and have the impact fee address reimbursement for new developments.

Mayor Guthrie asked if the property doesn't get developed is there any negative effects.

Clif Custer stated even if it stays as is. It is still negative because we are still facing the same issues.

Mr. Coon reported that the City is also already close to needing to buy more water.

Clif Custer reported they are trying to run wells as much as possible. However, two are not on the SCADA system.

CONSENT AGENDA

Approval of Minutes of Previous Meetings

Joint Planning Minutes April 9, 2018

April 9, 2018

Payment of Bills

Discuss and consider a resolution designating Michael Coon, City Manager authorized official on the Rifle Resistant Body Armor Grant Program, Office of the Governor, Criminal Justice Department, Grant #3441901

Discuss and consider a resolution designating Michael Coon, City Manager authorized official on the JAG - Suspect Identification Technology Update Grant Program, Office of the Governor, Criminal Justice Department, Grant #3340201

On motion by Frank Blanks second by Katie Johnson with all present members voting “aye” consent agenda was approved.

DISCUSSION AND ACTION ITEMS

Public hearing to consider amendments to Section 3 Definitions and Section 4 Districts - B.6.L. B-1, Business zone, conditional uses; B.7.a – C-1, Commercial zone, permitted uses of Appendix B Zoning Ordinance of the Code of Ordinances, to include but not limited to, add the definition of gas station; allowing gas stations as conditional uses in B-1 zones and allowing gas stations as permitted uses in C-1 zones

Mayor Guthrie called public hearing at 6:45 pm.

Mr. Coon advised this is the second of two public hearings. There is nowhere in our current zoning ordinance that would technically allow for gas stations. This is to address that and get it in the zoning ordinance.

Mike Johnson asked what zone the three current gas stations are currently in.

Mr. Coon advised one is C-1 and 2 are in B-1.

No public comments.

Mayor Guthrie closed the public hearing at 6:47 p.m.

Discuss and consider allowing gas stations as conditional uses in B-1 zones and allowing gas stations as permitted uses in C-1 zones

Mr. Coon asked that Council discuss and consider how to address this change and provide direction to staff for drafting an ordinance.

Mayor Guthrie stated he would prefer to have all gas stations as conditional uses in both B-1 zones and C-1 zones.

Mr. Coon asked how should a gas station be defined.

Mayor Guthrie replied anything that is dispensing gas.

Mr. Blanks stated he feels the same way.

Katie Johnson asked if it is a conditional use, does this allow Council to distinguish what is a gas station versus what is a truck stop.

Mr. Coon stated yes. As a conditional use, the developer would bring plans on case by case basis for review by Council.

Mayor Guthrie asked if we have B-1 zones.

Mr. Coon reported all the lots on FM 2004 are B-1 and those lots are typically more shallow than the C-1 lots. B-1 is almost right about the residential area. In summary, staff will bring back a standard definition and bring ordinance draft with conditional uses in both zones.

Mayor Guthrie asked if there are any requirements to possible environmental impacts.

Mr. Coon reported that all environmental impacts have to comply with state law. Any business will have to have storm water protection plan and have to be approved by the State.

Mike Johnson asked why would we require screening on the gas station.

Mr. Coon stated screening is required for any business not solely gas station as far as when the property is abutting a residential area. Current ordinances state an 18 foot rear setback is required. Is that enough? Does council think we should require masonry wall and larger setback?

Mike Johnson stated he is good with conditional use.

Mayor Guthrie stated he likes the idea of looking at it on case by case.

Public Hearing to consider rezoning 20 acres of Oakwood Shores (A0030-A0333) (Richwood) Lot Reserve A from R-3, Multifamily Residence to C-1 Commercial. Said property being located at the northeast corner of 288B and Highway 2004
Mayor Guthrie called the public hearing at 6:57pm.

John Gerdes, Texas Land Engineers, stated the developer will push back the setbacks and will do drainage study with what is going on now and what is anticipated. An option

would be to have the subdivision runoff drain into the proposed development detention. The idea is to generate one large pond for all 20 acres of development. Detention would be about the size of football field and allow full green space for use of the home owners in the subdivision. The pond would be bordered by trees and foliage. There is currently about 560 feet between the proposed development and the residential area. The proposed development is for fuel stations. They would like to service 18 wheelers. However, they will not include showers or anything to not encourage them to stay. It will be fueling stations that service 18 wheelers.

Mayor Guthrie asked is it still the intent to have all remaining land zoned as commercial.

Mr. Gerder stated that right now the developer will leave it up to council to decide how they would like to see development go forward in the area. The only thing the developer is currently hoping for is for the front five acres to be zoned commercial for the fuel station.

Mr. Blanks asked but the developer does want it to be truck stop.

Mr. Gerdes stated he does want a truck stop. He feels as if the distance of 560 feet from residential allows a significant buffer.

Mayor Guthrie asked if it would have a restaurant.

Mr. Gerdes reported that it is proposed to have restaurant and retail next to it. The developer also included a list of other gas stations that he is currently running. They would like to move into the community and are willing to make changes. They are leaving it at your mercy.

Mayor Guthrie asked if the developer understands the timeline for processes.

Discussion was held on timeline for rezoning.

Mayor Guthrie closed the public hearing at 7:12 pm.

Discuss and consider rezoning 20 acres of Oakwood Shores (A0030-A0333) (Richwood) Lot Reserve A from R-3, Multifamily Residence to C-1 Commercial. Said property being located at the northeast corner of 288B and Highway 2004

Mr. Coon stated that Council will need to consider if they want proceed with rezone on full 20 acres, or do we give guidance to the developer on re-platting, or do you want to just deny.

Mr. Blanks stated he doesn't want to rezone all 20 acres as C-1 Commercial. However, he is ok with the front five acres being zoned commercial.

On motion by Frank Blanks second by Mike Johnson with all member voting “aye” the commission approved discussion to consider the request to rezone all 20 acres.

Mayor Guthrie advised he would like to see a replat of the front 5 acres and shares concern with rezoning the full 20 acres.

Discussion was held on the process of replat and new public hearings on replat and rezoning on June 2 and/or June 11.

Mr. Gerdes stated that in summary, he is hearing that the consensus is, Council is ok with 5 acres being rezoned to C-1.

Award RFQ 18-001Q On-Call Engineering services as follows:

Engineering services for any private development plan & plat review to PRD Land Development Services, LLC

Engineering services for any municipal development and infrastructure, including repair and replacements to Strand Associates, Inc.

Craig Kankel, Stand Associates, formally known as Omally & Clay, worked in Brazoria County for many years. Current clients include West Columbia and Brazoria and they are based out of Brenham.

On motion by Frank Blanks second by Katie Johnson with all present members voting “aye” engineering services for any private development plan & plat review were awarded to PRD Land Development Services, LLC and engineering services for any municipal development and infrastructure, including repair and replacements were awarded to Strand Associates, Inc.

Discuss Park and Facility Rental fees and deposits

Discussion was held on park and facility rental fees and deposits.

Council advised staff to draft an ordinance keeping the proposed fees, but adding non-residents fee of \$25.00 more for all rentals and removing any discounts for non-profits.

Discuss and consider amendments to Keep Richwood Beautiful Commission bylaws as approved by the commission board

The Executive Director has been asking what can be done to get more volunteers involved.

KRB reviewed their bylaws and are recommending the following changes:

1. Notice of Meetings: change from 4 days required to 3 days required in accordance with the Texas Open Meetings Act
2. Attendance: changing from reassigning members to recommending and giving authority to Council to reassign

3. Term of Office: setting the number of members for the board to be 5-7 members. Officers (chairman, vice chair and secretary) reappointed every year
4. Executive Director: adding that the Executive Director will be appointed by the City Manager and paid as contract labor a \$200 monthly stipend.
5. Committee Members: allowing property owners, people with children in Richwood schools; business owners and/or current residents eligibility to serve on the committee

Mayor Guthrie asked what does the \$200 stipend to the Executive Director cover.

Mr. Coon reported that the Executive Director oversees all the Governor's Grant Awards with Keep Texas Beautiful and organizing all of the KRB events: fall cleanup, etc.

Mayor Guthrie stated there are a lot of volunteers in the city that are not getting reimbursed.

Mr. Coon stated that the stipend has been paid for a long time. Every KRB has an executive director, however, most cities have a staff member appointed to it.

Mayor Guthrie asked if the recommendations allow for suspending of board members until next Council meeting. He stated he is for allowing all volunteers if they are interested in serving.

On motion by Frank Blanks second by Katie Johnson with all present members voting "aye" the recommended changes to the Keep Richwood Beautiful By-Laws are passed and adopted.

Discuss and consider recommendation for two part-time officer positions to be funded out of Crime Control and Prevention District (CCPD) Funds as approved by the CCPD Board

On motion by Katie Johnson second by Frank Blanks with all present members voting "aye" discussion was approved and held.

Katie Johnson asked why the temporary part-time position was through the end of fiscal year only.

Mr. Coon advised that any longer or full-time would require committing long term funding. CCPD would like to see full time. However, that would take up more funding.

Katie Johnson does a part-time position have regulation to the number of hours. How are they planning on regulating time? Police can't always regulate depending on calls.

Mr. Coon advised the position is planned to work 3 days every two weeks.

Katie Johnson is there any concern with trying to find 2 police officers to fill part time temporary.

Mr. Coon stated yes. There is always concerns on types of candidates. The Sergeant's concerns are people who have been out and come back or someone new that will stay only for training and then find full time work.

Katie Johnson asked what was the reason to recommend 2 part-time.

Mr. Coon stated they want to provide help now.

Katie Johnson asked had they considered one temporary full time.

Mr. Coon advised yes but ultimately the recommendation was for 2 part-time.

Katie Johnson asked how many reserves we currently have.

Mr. Coon stated there is 1 active reserve.

Mayor Guthrie asked what would they be doing.

Mr. Coon advised patrol.

Mayor Guthrie asked if it would help with the projection of \$30,000 overtime overage at the end of year.

Mr. Coon reported yes. It could help some of the overtime.

Mayor Guthrie asked for the estimated percentage of available of sick and vacation time.

Mr. Coon stated he believes they have about 77 days of leave available in the department. A lot has been planned but there is always some that the officers save for the end of year during the holidays.

Mayor Guthrie asked if there is a temp agency for Police officers.

Mr. Coon stated he is not sure. However, in order for an officer to maintain their licensing they have to be under an active PD.

Further discussion was held on the possibility of hiring admin staff versus officers.

On motion by Frank Blanks second by Mike Johnson with 2 ayes and Katie Johnson voting "nay" approval was granted to fund two temporary part-time officers through CCPD.

Discuss and Consider extension of contract with MuniServices

Mike Johnson asked what we pay them.

Mr. Coon stated they keep 30% of findings for 2 years. If no findings, they receive no payment.

On motion by Frank Blanks second by Katie Johnson with all present members voting “aye” the extension to the contract with MuniServices for one year was approved.

Award RFP 18-002P Debris Management and Removal service as follows:

Primary Contract - Ceres Environmental

Secondary Contract - DRC Emergency Services

On motion by Frank Blanks second by Katie Johnson with all present members voting “aye” the contracts for Debris Management and Removal RFP 18-002P were awarded as follows:

Primary Contract - Ceres Environmental

Secondary Contract - DRC Emergency Services

Award RFP 18-005P Debris Monitoring Services to True North Emergency Management

On motion by Frank Blanks second by Katie Johnson with all present members voting “aye” the contracts for RFP 18-005P Debris Monitoring Services were awarded to True North Emergency Management.

Award RFP 18-003P Emergency Medical Services to Clute EMS

Frank Blanks moved to approve the award of emergency medical services to Clute EMS. Katie Johnson seconded.

Mayor Guthrie asked what the recourse is if they do not comply with the 8 min response time.

Mr. Coon stated at that point the city has ground to terminate and can rebid.

Discussion was held on write-off so residents don’t get balance billed.

Mayor Guthrie asked what quality of staff is required.

Mr. Coon advised that the proposal requires advanced life support but not guaranteed a paramedic.

With all present members voting “aye” the contract for RFP18-003P Emergency Medical Services was awarded to Clute EMS.

Update on review of Indoor Gun Range & Noise Control Ordinances
Mr. Coon provided an update.

Update on Flood Mitigation Efforts
Mr. Coon provided an update.

Approve items removed from Consent Agenda
No items were removed from Consent Agenda.

REPORTS

Reports that require no action.

CITY MANAGER'S REPORT

Mr. Coon gave his report.

PUBLIC COMMENTS

All public comments will be subject to the following rules: All speakers will be permitted to speak no longer than 3 minutes; all speakers will only be permitted to speak once; speakers cannot defer their 3 minutes to another speaker. Discussion is not allowed on items not posted on the agenda.

Tom Entwistle, 33726 Blue Marlin, stated he is directly behind the proposed development of gas station. He shared his concerns of noise and traffic. If water pressure is already a concern, how will this affect it? In regards to the Police Officer positions and being a Harris County Constable, it will always be an issue getting quality officers if the package is not enticing. He bought the lot because he wants to retire here and asks council to be considerate of the noise that the proposed development will bring. His interest would be that it stay residential.

FUTURE AGENDA ITEMS

No items were recommended for future agenda.

COUNCIL MEMBER COMMENTS & REPORTS

There were no council member comments or reports.

MAYOR'S REPORT

There was no mayor report.

ADJOURNMENT

There being no further business the meeting adjourned at 8:42 p.m.

These minutes were read and approved on this 11th day of June, 2018.

Attest:

Mark Guthrie, Mayor

Giani Cantu, City Secretary

Combined AP / Payroll Check Register Report - Brazos National Bank-1002635**Bank: Brazos National Bank-1002635, Status = 'O'****For The Date Range From 5/1/2018 To 5/31/2018**

Check # / eCheck ID	Type	AP/PR	Date	Payee	Amount	Status
1409	C	AP	5/4/2018	REYES, ADAN	\$275.00	O
1410	C	AP	5/18/2018	ENERGIA RESOURCES, INC.	\$672.53	O
1411	C	AP	5/24/2018	REYES, ADAN	\$550.00	O
1412	C	AP	5/24/2018	GREEN, DENISE	\$200.00	O
0 Cleared					\$0.00	
4 Outstanding					\$1,697.53	
0 Voided					\$0.00	

Combined AP / Payroll Check Register Report - FIRST NATIONAL BANK-100103073**Bank: FIRST NATIONAL BANK-100103073, Status = 'O'****For The Date Range From 5/1/2018 To 5/31/2018**

Check # / eCheck ID	Type	AP/PR	Date	Payee	Amount	Status
38039	C	AP	5/2/2018	CRAWFORD, DAVID	\$140.00	O
38040	C	AP	5/2/2018	STORY, KEVIN	\$140.00	O
38041	C	AP	5/4/2018	BRAZORIA COUNTY TREASURER	\$957.91	O
38042	C	AP	5/4/2018	BRAZOSPORT TIRE	\$1,400.66	O
38043	C	AP	5/4/2018	DIRECT EFFECT MARKETING	\$295.00	O
38044	C	AP	5/4/2018	MALONE, DON	\$100.00	O
38045	C	AP	5/4/2018	CITY OF WEST COLUMBIA	\$20.00	O
38046	C	AP	5/4/2018	EVR-GREEN	\$268.13	O
38047	C	AP	5/4/2018	MIKE SORRELL TRUCKING & MATERIALS	\$300.00	O
38048	C	AP	5/4/2018	COMBINED INSURANCE CO. OF AMERICA	\$74.48	O
38049	C	AP	5/4/2018	C & S JANITORIAL SERVICES, INC.	\$275.00	O
38050	C	AP	5/4/2018	DE LAGE LANDEN FINANCIAL SERVICES, INC.	\$250.01	O
38051	C	AP	5/4/2018	CORDOBA LAW FIRM. P.L.L.C.	\$3,707.50	O
38052	C	AP	5/4/2018	FIRST STATE BANK OF CLUTE	\$7,331.94	O
38053	C	AP	5/4/2018	BBG CONSULTING, INC.	\$255.00	O
38054	C	AP	5/4/2018	SPRINT	\$21.45	O
38055	C	AP	5/4/2018	OFFICE DEPOT	\$178.99	O
820	E	AP	5/4/2018	TEXAS MUNICIPAL RETIREMENT SYSTEM	\$13,116.13	O
821	E	AP	5/4/2018	DAHILL	\$287.26	O
R851E10	E	PR	5/14/2018	MATHES, JR., DAN	\$2,521.29	O
R851E105	E	PR	5/14/2018	RICHARDS, JEREMY P	\$1,881.33	O
R851E109	E	PR	5/14/2018	GARZA, MELANIE ANN	\$993.35	O
R851E110	E	PR	5/14/2018	SKELTON, JARRETT D	\$2,122.16	O
R851E112	E	PR	5/14/2018	GARCIA, KIRSTEN P	\$1,186.83	O
R851E113	E	PR	5/14/2018	BISSETT, EVAN T	\$150.00	O
R851E113	E	PR	5/14/2018	BISSETT, EVAN T	\$1,621.15	O
R851E114	E	PR	5/14/2018	SALAZAR, LORI S	\$1,204.36	O
R851E116	E	PR	5/14/2018	MORENO, MARCUS M	\$1,144.65	O
R851E117	E	PR	5/14/2018	COON, MICHAEL R	\$3,062.01	O
R851E118	E	PR	5/14/2018	CANTU, GIANI B	\$1,756.15	O
R851E118	E	PR	5/14/2018	CANTU, GIANI B	\$100.00	O
R851E12	E	PR	5/14/2018	SCHILHAB, BRETT A.	\$2,161.60	O
R851E120	E	PR	5/14/2018	CORREIA, NICHOLE ANN	\$2,051.48	O
R851E121	E	PR	5/14/2018	MAYFIELD, CHRISTOPHER	\$1,774.41	O
R851E122	E	PR	5/14/2018	CRAWFORD, DAVID	\$159.65	O
R851E124	E	PR	5/14/2018	HARDEMAN, KERRY L	\$1,359.84	O
R851E3	E	PR	5/14/2018	PACE, LINDA	\$100.00	O
R851E3	E	PR	5/14/2018	PACE, LINDA	\$1,324.94	O
R851E34	E	PR	5/14/2018	MUNLEY, KEVIN S	\$962.74	O
R851E34	E	PR	5/14/2018	MUNLEY, KEVIN S	\$1,000.00	O
R851E5	E	PR	5/14/2018	WILLIAMS, KENNY	\$1,854.98	O
R851E58	E	PR	5/14/2018	Zavala, Dorothy	\$138.52	O
R851E75	E	PR	5/14/2018	Brown, Jack	\$113.52	O
R851E98	E	PR	5/14/2018	CORB, BRYAN J	\$2,767.56	O

Combined AP / Payroll Check Register Report - FIRST NATIONAL BANK-100103073**Bank: FIRST NATIONAL BANK-100103073, Status = 'O'****For The Date Range From 5/1/2018 To 5/31/2018**

Check # / eCheck ID	Type	AP/PR	Date	Payee	Amount	Status
38056	C	AP	5/15/2018	BRAZOSPORT ISD	\$9,737.80	O
38057	C	AP	5/18/2018	CENTERPOINT ENERGY	\$19.43	O
38058	C	AP	5/18/2018	KILLUM PEST CONTROL	\$159.00	O
38059	C	AP	5/18/2018	MALONE, DON	\$425.00	O
38060	C	AP	5/18/2018	MCCOY'S BUILDING SUPPLY	\$119.49	O
38061	C	AP	5/18/2018	COMCAST	\$365.05	O
38062	C	AP	5/18/2018	CITY OF BRAZORIA	\$40.00	O
38063	C	AP	5/18/2018	THE POLICE AND SHERIFFS PRESS	\$17.49	O
38064	C	AP	5/18/2018	EVR-GREEN	\$126.56	O
38065	C	AP	5/18/2018	P C CARE	\$143.00	O
38066	C	AP	5/18/2018	PERDUE, BRANDON, FIELDER, COLLINS & MOTT LLP	\$1,571.10	O
38067	C	AP	5/18/2018	COMCAST	\$290.36	O
38068	C	AP	5/18/2018	Y. TELLO FLOORCARE	\$80.00	O
38069	C	AP	5/18/2018	THE BANK OF NEW YORK MELLON	\$500.00	O
38070	C	AP	5/18/2018	WASTE CONNECTIONS OF TEXAS	\$244.23	O
38071	C	AP	5/18/2018	MOMENTUM RENTAL & SALES	\$1.95	O
38072	C	AP	5/18/2018	CORDOBA LAW FIRM. P.L.L.C.	\$880.00	O
38073	C	AP	5/18/2018	YAKLIN BRAZOSPORT	\$958.23	O
38074	C	AP	5/18/2018	BIG KOUNTRY SHOOTING	\$1,100.00	O
38075	C	AP	5/18/2018	GARCIA, KIRSTEN	\$11.02	O
38076	C	AP	5/18/2018	SEASIDE GARDENS	\$60.00	O
38077	C	AP	5/18/2018	LJA ENGINEERING	\$31.10	O
38078	C	AP	5/18/2018	AT&T	\$42.60	O
38079	C	AP	5/18/2018	HARRIS HEALTH SYSTEM	\$512.00	O
38080	C	AP	5/18/2018	RODRIGUEZ, JANETH	\$50.00	O
38081	C	AP	5/18/2018	ESCOBEDO, EVA	\$100.00	O
38082	C	AP	5/18/2018	RAMIREZ, VERONICA	\$100.00	O
38083	C	AP	5/18/2018	DELGADO, AVICA	\$100.00	O
822	E	AP	5/18/2018	KEY, JASON	\$289.00	O
823	E	AP	5/18/2018	BCOS OFFICE TECHNOLOGIES	\$64.07	O
824	E	AP	5/18/2018	ICMA-RC PLAN #307447	\$1,313.50	O
825	E	AP	5/18/2018	ICMA-RC PLAN #706183	\$100.00	O
826	E	AP	5/18/2018	EXECUTECH UTAH, INC.	\$9.95	O
827	E	AP	5/18/2018	ACCOUNTEMP	\$2,856.00	O
38084	C	AP	5/24/2018	AFLAC INSURANCE	\$28.06	O
38085	C	AP	5/24/2018	AT&T	\$468.64	O
38086	C	AP	5/24/2018	BRAZORIA COUNTY TREASURER	\$639.55	O
38087	C	AP	5/24/2018	CENTERPOINT ENERGY	\$51.07	O
38088	C	AP	5/24/2018	CITY OF CLUTE	\$100.00	O
38089	C	AP	5/24/2018	FACTS, THE	\$2,337.36	O
38090	C	AP	5/24/2018	MALONE, DON	\$475.00	O
38091	C	AP	5/24/2018	BUSINESS CARD	\$3,713.50	O
38093	C	AP	5/24/2018	TML - IEBP	\$14,470.31	O
38094	C	AP	5/24/2018	COMCAST	\$101.13	O

Combined AP / Payroll Check Register Report - FIRST NATIONAL BANK-100103073**Bank: FIRST NATIONAL BANK-100103073, Status = 'O'****For The Date Range From 5/1/2018 To 5/31/2018**

Check # / eCheck ID	Type	AP/PR	Date	Payee	Amount	Status
38095	C	AP	5/24/2018	VERIZON WIRELESS	\$303.94	O
38096	C	AP	5/24/2018	AIRGAS USA, LLC	\$59.29	O
38097	C	AP	5/24/2018	CITY OF ANGLETON	\$20.00	O
38098	C	AP	5/24/2018	FIRST NATIONAL BANK OF LAKE JACKSON	\$2,323.55	O
38099	C	AP	5/24/2018	PRATHER & HARLAN AIR CONDITIONING	\$375.00	O
38100	C	AP	5/24/2018	CUSTER, CLIFTON	\$64.59	O
38101	C	AP	5/24/2018	AMERICAN LAW ENFORCEMENT RADAR & TRAINING	\$360.00	O
38102	C	AP	5/24/2018	ALBERT, KIMBERLY	\$100.00	O
38103	C	AP	5/24/2018	YAKLIN BRAZOSPORT	\$178.35	O
38104	C	AP	5/24/2018	CANTU, GIANI	\$57.35	O
38105	C	AP	5/24/2018	TXU ENERGY	\$3,808.49	O
38106	C	AP	5/24/2018	SEASIDE GARDENS	\$50.00	O
38107	C	AP	5/24/2018	OFFICE DEPOT	\$449.97	O
38108	C	AP	5/24/2018	CORREIA, NICHOLE	\$140.00	O
38109	C	AP	5/24/2018	JAUREGUI-CHACON, CAPRI	\$100.00	O
38110	C	AP	5/24/2018	DELGADO, AVICA	\$100.00	O
38111	C	AP	5/24/2018	GARZA, STEPHANIE	\$100.00	O
38112	C	AP	5/24/2018	CUELLAR, JENNIFER	\$100.00	O
38113	C	AP	5/24/2018	O'PRY, RENEE	\$100.00	O
38114	C	AP	5/24/2018	LOPEZ, LAURA	\$100.00	O
38115	C	AP	5/24/2018	CRUZ, GLORIA	\$300.00	O
828	E	AP	5/24/2018	BCOS OFFICE TECHNOLOGIES	\$50.91	O
829	E	AP	5/24/2018	ACCONTEMPS	\$1,020.00	O
R853E10	E	PR	5/30/2018	MATHES, JR., DAN	\$2,260.71	O
R853E105	E	PR	5/30/2018	RICHARDS, JEREMY P	\$2,865.05	O
R853E109	E	PR	5/30/2018	GARZA, MELANIE ANN	\$1,507.96	O
R853E110	E	PR	5/30/2018	SKELTON, JARRETT D	\$2,186.27	O
R853E112	E	PR	5/30/2018	GARCIA, KIRSTEN P	\$1,200.15	O
R853E113	E	PR	5/30/2018	BISSETT, EVAN T	\$2,496.94	O
R853E113	E	PR	5/30/2018	BISSETT, EVAN T	\$150.00	O
R853E114	E	PR	5/30/2018	SALAZAR, LORI S	\$1,305.88	O
R853E116	E	PR	5/30/2018	MORENO, MARCUS M	\$1,239.62	O
R853E117	E	PR	5/30/2018	COON, MICHAEL R	\$3,062.01	O
R853E118	E	PR	5/30/2018	CANTU, GIANI B	\$100.00	O
R853E118	E	PR	5/30/2018	CANTU, GIANI B	\$1,756.15	O
R853E12	E	PR	5/30/2018	SCHILHAB, BRETT A.	\$2,477.56	O
R853E120	E	PR	5/30/2018	CORREIA, NICHOLE ANN	\$2,079.59	O
R853E121	E	PR	5/30/2018	MAYFIELD, CHRISTOPHER	\$2,504.49	O
R853E122	E	PR	5/30/2018	CRAWFORD, DAVID	\$478.47	O
R853E124	E	PR	5/30/2018	HARDEMAN, KERRY L	\$1,461.71	O
R853E3	E	PR	5/30/2018	PACE, LINDA	\$100.00	O
R853E3	E	PR	5/30/2018	PACE, LINDA	\$1,473.92	O
R853E34	E	PR	5/30/2018	MUNLEY, KEVIN S	\$1,624.50	O
R853E34	E	PR	5/30/2018	MUNLEY, KEVIN S	\$1,000.00	O

Combined AP / Payroll Check Register Report - FIRST NATIONAL BANK-100103073*Bank: FIRST NATIONAL BANK-100103073, Status = 'O'**For The Date Range From 5/1/2018 To 5/31/2018*

Check # / eCheck ID	Type	AP/PR	Date	Payee	Amount	Status
R853E5	E	PR	5/30/2018	WILLIAMS, KENNY	\$1,854.98	O
R853E58	E	PR	5/30/2018	Zavala, Dorothy	\$138.52	O
R853E75	E	PR	5/30/2018	Brown, Jack	\$113.52	O
R853E98	E	PR	5/30/2018	CORB, BRYAN J	\$3,226.05	O

0 Cleared	\$0.00
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136 Outstanding	\$156,360.02
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0 Voided	\$0.00
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Combined AP / Payroll Check Register Report - W/S FIRST NATIONAL BANK-100103081

Bank: W/S FIRST NATIONAL BANK-100103081, Status = 'O'

For The Date Range From 5/1/2018 To 5/31/2018

Check # / eCheck ID	Type	AP/PR	Date	Payee	Amount	Status
13029	C	AP	5/4/2018	MIKE SORRELL TRUCKING & MATERIALS	\$200.00	O
13030	C	AP	5/4/2018	DE LAGE LANDEN FINANCIAL SERVICES, INC.	\$341.05	O
13031	C	AP	5/4/2018	SPRINT	\$21.45	O
286	E	AP	5/4/2018	TEXAS MUNICIPAL RETIREMENT SYSTEM	\$2,359.33	O
287	E	AP	5/4/2018	DAHILL	\$103.26	O
13032	C	AP	5/11/2018	CLUTE POSTMASTER	\$121.45	O
R852E101	E	PR	5/14/2018	WEGWERTH, ERVIN C	\$1,104.84	O
R852E123	E	PR	5/14/2018	RIVERA, JUAN	\$1,028.86	O
R852E83	E	PR	5/14/2018	CUSTER, CLIFTON R	\$108.59	O
R852E83	E	PR	5/14/2018	CUSTER, CLIFTON R	\$2,063.17	O
R852E95	E	PR	5/14/2018	COOK, STEVEN J	\$1,504.07	O
13033	C	AP	5/18/2018	BRAZORIA COUNTY WATER LAB	\$180.00	O
13034	C	AP	5/18/2018	BRAZOSPORT WATER AUTHORITY	\$21,502.50	O
13035	C	AP	5/18/2018	CENTERPOINT ENERGY	\$22.08	O
13036	C	AP	5/18/2018	CITY OF CLUTE	\$70,829.84	O
13037	C	AP	5/18/2018	DXI INDUSTRIES, INC.	\$120.00	O
13038	C	AP	5/18/2018	MCCOY'S BUILDING SUPPLY	\$119.50	O
13039	C	AP	5/18/2018	PENNEY'S ELECTRIC	\$415.17	O
13040	C	AP	5/18/2018	HACH COMPANY	\$1,416.42	O
13041	C	AP	5/18/2018	MERCER CONTROLS	\$1,316.75	O
13042	C	AP	5/18/2018	COMCAST	\$41.51	O
13043	C	AP	5/18/2018	WASTE CONNECTIONS OF TEXAS	\$21,453.99	O
13044	C	AP	5/18/2018	YAKLIN BRAZOSPORT	\$25.50	O
13045	C	AP	5/18/2018	AT&T	\$42.60	O
13046	C	AP	5/18/2018	OFFICE OF ATTORNEY GENERAL	\$406.00	O
13047	C	AP	5/24/2018	AT&T	\$849.81	O
13048	C	AP	5/24/2018	BUSINESS CARD	\$297.43	O
13049	C	AP	5/24/2018	TML - IEBP	\$3,947.42	O
13050	C	AP	5/24/2018	CUSTER, CLIFTON	\$64.59	O
13051	C	AP	5/24/2018	TXU ENERGY	\$3,484.56	O
13052	C	AP	5/24/2018	OFFICE DEPOT	\$40.22	O
288	E	AP	5/24/2018	BCOS OFFICE TECHNOLOGIES	\$50.91	O
13053	C	AP	5/29/2018	CLUTE POSTMASTER	\$360.85	O
R854E101	E	PR	5/30/2018	WEGWERTH, ERVIN C	\$1,465.41	O
R854E123	E	PR	5/30/2018	RIVERA, JUAN	\$863.33	O
R854E83	E	PR	5/30/2018	CUSTER, CLIFTON R	\$2,062.13	O
R854E83	E	PR	5/30/2018	CUSTER, CLIFTON R	\$108.53	O
R854E95	E	PR	5/30/2018	COOK, STEVEN J	\$1,745.26	O

0 Cleared

\$0.00

38 Outstanding

\$142,188.38

0 Voided

\$0.00

MEMORANDUM

To: The Honorable Mark Guthrie, Mayor and Members of the Richwood City Council

From: Giani Cantu, City Secretary

Date: June 8, 2018

Subject: Bank of America Point of Contact

A recent payment processing error at Bank of America, brought to light that the point of contacts had not been updated and still reflect Glenn Patton and Karen Schrom. Bank of America is the holder of the City credit card accounts.

Bank of America instructed us to provide something approved by the board along with instructions on letter head to update point of contacts on our accounts. We will be sending this resolution along with a letterhead instructions to update all accounts so that we are able to more effiently handle issues that arise.

RESOLUTION 18-R-04

WHEREAS, The City of Richwood has multiple credit accounts through Bank of America that are utilized for purchases as authorized in the purchasing policy;

WHEREAS, the City recently had change in administrative staff in the last couple of years and the point of contacts had not been changed;

WHEREAS, the City of Richwood finds that it is necessary to update the point of contacts on the Bank of America accounts, to ensure proper handling of the accounts;

WHEREAS, the City of Richwood finds that all previously appointed point of contacts on all Bank of America accounts should be removed, to include Glenn Patton and Karen Schrom;

WHEREAS, the City of Richwood wishes to designate Michael Coon, City Manager; Giani Cantu, City Secretary/Finance Director; and Linda Pace, Administrative Assistant as point of contacts on the City of Richwood Bank of America accounts.

NOW THEREFORE, BE IT RESOLVED that the City of Richwood hereby designates Michael Coon, City Manager; Giani Cantu, City Secretary/Finance Director; and Linda Pace, Administrative Assistant as point of contacts on the City of Richwood Bank of America accounts.

PASSED AND APPROVED this 11th day of June, 2018.

Mark Guthrie, Mayor

ATTEST:

Giani Cantu
City Secretary

MEMORANDUM

To: The Honorable Mark Guthrie, Mayor and Members of the Richwood City Council

From: Giani Cantu, City Secretary

Date: June 8, 2018

Subject: RFP 18-004P Solid Waste Disposal

This was the City's first RFP for Solid Waste Disposal opened in May, 2018. Waste Connections was the only submittal.

Staff thought the process may have been a little rushed and not enough time was granted to allow other agencies the opportunity to submit proposals. Therefore, the bid was reissued and extended the submittal timeframe.

Staff's recommendation is to reject the proposals submitted for the RFP 18-004P.

MEMORANDUM

To: The Honorable Mark Guthrie, Mayor and Members of the Richwood City Council

From: Giani Cantu, City Secretary

Date: June 8, 2018

Subject: Appoint Mayor Pro-Tem

In line with the pattern of appointment for Mayor Pro-Tem, the next position in line would be Position 5, Katie Johnson.

MEMORANDUM

To: The Honorable Mark Guthrie, Mayor and Members of the Richwood City Council

From: Giani Cantu, City Secretary

Date: June 8, 2018

Subject: Designate Official Newspaper

City Council will consider designating the Facts as the City of Richwood official newspaper.

MEMORANDUM

To: The Honorable Mark Guthrie, Mayor and Members of the Richwood City Council

From: Giani Cantu, City Secretary

Date: June 8, 2018

Subject: Set Regular Council meeting days and times

City Council will set their regular Council meeting days and times.

MEMORANDUM

To: The Honorable Mark Guthrie, Mayor and Members of the Richwood City Council

From: Giani Cantu, City Secretary

Date: June 8, 2018

Subject: Norsworthy request for extension to comply

Residents of 1201 N Brazosport Blvd #8 submitted a request for an extension to comply with the limit of animals residing on their property. At the time of their request, they had 3 inside dogs and 4 outside dogs. Council considered the initial request on April 9 and approved the following variances: (1) Variance to the all seven (7) animals until June 11th. You must submit a new request by June 1st if you wish to request an extension to this variance. (2) Variance to the two elderly dogs for the remainder of their life.

Notice was sent to the residents of Council's decision. On May 31, 2018, a second request for extension was submitted. The residents are now requesting through June 31, 2018.

A copy of both requests and the initial response is included in the packet.

May 31, 2018

RE: Request for extension concerning variance to animal ordinance

LOCATION: 1201 N. Brazosport Blvd. #8

Dear City Council,

I am aware that we have already requested an extension. We are currently working with an adoption agency to have the animals removed to become in compliance with the city ordinance. They have their vaccinations etc. and we made all efforts possible while working with the pet adoption volunteers to meet the deadline. They have told us that the animals in question are to be sent to a foster home on June 15, 2018. So once again I am asking for a little more time. We truly are doing all we can. They are registered as a nationwide adoption agency. The volunteer we are working with is Amber Siegler (979)480-2225. You are welcome to contact her with any questions. Even if we were to try to take them to the SPCA they will not take them unless they are a found stray. To be quite truthful we are all working hard for them to go to all good healthy homes. I do hope that you will see our efforts and are having to work on other persons' time frames as well; but progress has been made. I should hope that asking for a time extension to June 31, 2018 will be enough. Thank you for your time, effort and consideration.

If you have any questions please feel free to contact me. (979) 529-5311

Carol and Byron Norsworthy

MEMORANDUM

To: The Honorable Mark Guthrie, Mayor and Members of the Richwood City Council

From: Giani Cantu, City Secretary

Date: April 6, 2018

Subject: Nonsensical request for extension to comply

Residents of 1201 N Brazosport Blvd #8 submitted a request for an extension to comply with the limit of animals residing on their property.

At the time of their request, they had 3 inside dogs and 4 outside dogs. A copy of their request is included in the packet.

Carol and Byron Norsworthy

1201 N. Brazosport Blvd. 8

Richwood, TX 77531

Attn: City Council

Re: "Too Many Dogs on Property"

To Whom it May Concern:

City of Richwood

MAR 12 2018

PAID

Byron and I have received a notice of too many dogs on our property. We have 3 inside dogs and 4 outside dogs. We are currently working with the Star Adoption program to send two of them to foster homes. They are in need of more attention. We obtained them during Hurricane Harvey to ensure their safety. I have to get 3 updated on their shots and registered with the city. At the time I received the notice; my Grandmother had passed away only the day before. So I had missed a full week of work. This affected us financially and delayed us being able to update the animals' shots. I am asking for 6 weeks to get in compliance with what you have requested. The other hard issue that I am having to work with is that I have 2 dogs that are much older and do not know any other place. If they leave they will most definitely pass away. We also live on the county line. To remove them would leave an access point for many many hogs to enter the City of Richwood through our property. We are able to get in compliance on or before April 23. We are not only are needing to get shots, but we are also renovating and moving the outside dogs kennel so we can not only be in compliance and keep hogs away, but also for the health and happiness of the older two outside dogs that are too old to be leaving. I hope you can see that I am doing all I can to work and get this done. I know that ordinances are put in place not only for the citizens of our city but also the well-being of the animals that live in it. Thank you for your time and consideration.

Thank you,



Carol Barton



City of Richwood

1800 Brazosport Blvd.
Richwood, TX 77531
Phone (979) 265-2082
Fax (979) 265-7345

April 27, 2018

Carol and Byron Norsworthy
1201 Brazosport Blvd N. #8
Richwood, TX 77531

RE: Request for variance to animal ordinance
LOCATION: 1201 Brazosport Blvd. #8

Dear Property Owner/Occupant:

We presented your request for variance until April 23 on the number of animals located at 1201 Brazosport Blvd N. #8 pursuant to Sec. 3-68. - Number of dogs and cats, which states:

It shall be unlawful for any resident of this city to house, keep, or possess more than three dogs or cats over the age of four months.

Council reviewed your request and approved the following variances:

- Variance to the all seven (7) animals until June 11th. You must submit a new request by June 1st if you wish to request an extension to this variance.
- Variance to the two elderly dogs for the remainder of their life.

If you have any questions, please feel free to contact us at 979-265-2082.

Sincerely,

Giani Cantu
City Secretary/Finance Director

MEMORANDUM

To: The Honorable Mark Guthrie, Mayor and Members of the Richwood City Council

From: Michael Coon, City Manager

Date: June 8, 2018

Subject: Discuss and consider an ordinance amending Section 3 Definitions of Appendix B - Zoning Ordinance to add the definition of gas station and amending Section 4 Districts to add gas stations as conditional uses in B-1 Business and C-1 Commercial zones

Within the last couple of months, a developer has shown interest in building another gas station in Richwood. However, the City's current Zoning Ordinance does not authorize gas stations as either a permitted or conditional use. So, the City has held two public hearings to consider amending our ordinances to explicitly allow gas stations. The first public hearing was held on May 7, 2018 and the second public hearing was held on May 14, 2018. After the second public hearing, City Council directed staff to prepare an ordinance that would allow gas stations as a conditional use in both C-1 Commercial and B-1 Business zoning districts.

ORDINANCE NUMBER 18-427

AN ORDINANCE OF THE CITY OF RICHWOOD, TEXAS, AMENDING THE COMPREHENSIVE ZONING PLAN AND ZONING REGULATIONS TO AMEND SECTION 3 DEFINITIONS TO ADD THE DEFINITION OF GAS STATION; AND AMEND SECTION 4 DISTRICTS TO ADD GAS STATIONS AS CONDITIONAL USES IN B-1 BUSINESS AND C-1 COMMERCIAL ZONES; FINDING THAT ALL PREREQUISITES OF THE LAW HAVE BEEN COMPLIED WITH AS NECESSARY; REPEALING ALL ORDINANCES TO THE EXTENT OF ANY CONFLICT HERewith; AND PROVIDING A SAVINGS CLAUSE.

WHEREAS, on August 10, 2015, the City Council of the City of Richwood, Texas, adopted Ordinance 324-15A enacting a comprehensive zoning plan and regulations , which repealed any previous zoning plan ordinance or amendments thereto;

WHEREAS, on April 7, 2017, the City Council of the City of Richwood, Texas, amended Section Four (4). Districts of Ordinance 324-15A Comprehensive Zoning Plan and Regulations;

WHEREAS, the City Council of the City of Richwood, Texas wishes to amend Section 3 Definitions and Section 4 Districts, to include but not limited to, adding the definition of gas stations; and adding gas stations as conditional uses in B-1 Business and C-1 Commercial zones; and

WHEREAS, all prerequisites of the law have been complied with 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 notice of hearing before the Planning and Zoning Committee on the 7th day of May, 2018 and by the City Council of the City of Richwood, which was held on the 14th day of May, 2018, and the evidence has been offered in favor of amending the zoning ordinance, the City Council does hereby declare that it is in the public interest to adopt the amendments to the Comprehensive Zoning Plan.

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

Section 1. That Section 3 definition of gas station is hereby added to read as follows:

Gas Stations. A retail establishment beside a road selling gasoline and oil.

Section 2. That Section 4(b.)6[l.] Conditional uses is hereby amended to add gas stations and should read as follows:

Conditional uses: Cemeteries, churches/religion, fraternity/sorority houses, funeral homes, homes for the aged, hospitals/sanitarium/clinics, membership clubs, nursing homes, nursery schools/day care, parking, police stations, public administration, public utility facilities, railroad right-of-way, supervised living facility, telephone exchanges, gas stations.

Section 3. That Section 4(b.)7[k.] Conditional uses is hereby amended to add gas stations and should read as follows:

Conditional uses: Airport/land field/landing strip, transportation facilities, parking, police stations, public administration, public utility facilities, radio and television towers, railroad right-of-way,

telephone exchanges, gas stations.

Section 4: 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 of Richwood, Texas, hereby declares that it would have enacted such remaining portions despite any such invalidity.

Section 5: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict only.

Section 6: That this ordinance shall be effective five days after publication.

Passed and Approved on first and final reading this 11th day of June, 2018.

Mark Guthrie, Mayor

ATTEST:

Giani Cantu, City Secretary

APPROVED AS TO FORM:

Jason Cordoba, City Attorney

MEMORANDUM

To: The Honorable Mark Guthrie, Mayor and Members of the Richwood City Council

From: Michael Coon, City Manager

Date: June 8, 2018

Subject: Discuss and consider an ordinance amending water and sewer rate fees and charges for RV/Trailer parks and multi-family dwellings serviced by one meter

Currently the City ordinance treats multi-family dwellings (apartments) and RV/trailer parks the same when it comes to assessing water and sewer rates. When either of these two types of developments uses a shared meter to provide water, the development is required to pay the full base rate for each apartment or pad serviced by the shared meter.

Recently, the City has been asked to consider revising the ordinance so that RV/trailer parks are only charged half of the base rate for each pad that is serviced by a shared meter. Historically, RV/trailer parks do place less of a demand on the City's infrastructure. It's estimated that each RV or trailer uses about half as much water as your typical apartment.

MEMORANDUM

To: The Honorable Mark Guthrie, Mayor and Members of the Richwood City Council

From: Giani Cantu, City Secretary

Date: June 8, 2018

Subject: Ordinance - Park and Facility Rentals

City currently rents the PK Forrest Community Building, Municipal Park pavilion and Bobby Ford Park pavilion. We are bringing these fees in ordinance format for Council consideration.

Staff researched neighboring cities fees to ensure we are competitive. We found that Richwood was pretty competitive on rental fees. However, an increase in deposit amount was warranted to ensure adequate coverage in the event of damage and/or the facilities require extensive cleaning. We also included the requirement of insurance to cover the city's liability for injuries as a result of any inflatables being used at the park during private events.

After Council review and direction, staff brings to you for consideration an ordinance setting park facility rental fees and deposits with changes which include a higher fee for non-residents and no set discounts for non-profits.

	LAKE JACKSON			OYSTER CREEK		FREEPORT		
	All fees due at time of reservation			All fees due at time of reservation		All fees due at time of reservation		
	Dunbar Pavilion	MacLean pavilion	Softball Complex	Municipal Park	Community Center	RiverPlace	Freeport Community House	Velasco Community House
Capacity	Approx 250	Approx 500	4 fields				Approx 200	Approx 100
Deposit	\$100	\$150	\$ 100/field	Resident - \$75 Non-Resident \$100	Half-Day \$150 Full \$250 Business \$300	\$300	\$150	\$150
Cleaning Deposit						\$250	\$200	\$100
Rental	Mon-Thurs \$ 60 Fri-Sat \$ 75	\$165	Hourly \$20/field Daily \$110/field	Resident - \$75 Non-Resident \$100	Half-Day \$ 150 Full \$ 250 Business \$ 300	Mon-Thurs \$500 Fri-Sun \$ 1500 Hourly Weekend \$45/hr	Mon-Thurs 8a-3 \$100 Mon-Thurs 5p-2a \$125 Mon-Thurs all day \$175 Fri-Sun \$250	Mon-Thurs 8a-3 \$75 Mon-Thurs 5p-2a \$100 Mon-Thurs all day \$125 Fri-Sun \$175
Equipment				Moonwalk/Waterslide \$30.00	\$30			
Alcohol Deposit	\$200	\$200	n/a		\$150			
Additional	Security req \$35/hr	Security req \$35/hr				Stage - \$25/section		

CLUTE				RICHWOOD		
All fees are due at time of registration				All fees due at time of reservation		
Pavilion #1 (small)	Pavilion #2 (large)	Event Center	Fields	Municipal Park Pavilion	Bobby Ford Park Pavilion	PK Forrest Building
75	300	approx 200		Approx 100		Approx 50
\$100	\$100	\$350	\$100	\$100	\$50	\$100
Mon-Thur \$50 Fri-Sun \$75	Mon-Thur \$65 Fri-Sun \$150	Mon - Thurs \$45/hr - 4 hr min Fri-Sun \$500	Mon-Fri 2 hr \$60 Mon-Fri 3 hr \$90 Tourney rates increase to \$100 & \$200	\$100 Full day only	\$25/ 2 hours	\$110 Full day only
Moonwalk/Infla table \$15				Moonwalk/Infla table \$25	Moonwalk/Infla table \$25	Moonwalk/Infla table \$25
		Non-Refundable Fee \$100private- \$200Public		\$100	\$100	\$100
		Final Cleanup \$250 Private /\$350 Public; setup \$100-\$250; Residents received reduced pricing.		BBQ Pit \$25 Security req \$35/hr	Security req \$35/hr	Security req \$35/hr

ORDINANCE NO. 18-425

AN ORDINANCE BY THE COUNCIL OF THE CITY OF RICHWOOD, TEXAS AMENDING ARTICLE II – PUBLIC PARK LANDS CREATING SECTION 14-1 – DEFINITIONS; CREATING SECTION 14-2 FEES FOR RENTAL OF PUBLIC PARK LANDS AND APPENDIX C – FEE SCHEDULE OF THE CODE OF ORDINANCES TO ADD FEES FOR PARK AND FACILITY RENTALS; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR A SAVINGS CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City's code of ordinances specifies fees should be adopted by ordinance; and

WHEREAS, the City wishes to simplify the current fee schedule and ensure adequate coverage for costs association with inspections and cleaning services prior to and after an event held at or on public park lands.

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

Section 1: That SECTION 14-1 – Definitions are hereby created and read as follows:

City Public Park Lands. Park lands shall include all public city parks, fields, pavilions or community buildings.

Section 2: That SECTION 14-2 – Fees for Rental of Public Park Lands is hereby created and read as follows:

- (a) City Public Park Lands require payment in full at time of reservation in the amount(s) shown in Appendix C of the Code of Ordinances.
- (b) Some events may require security to be provided by the Richwood Police Department, which will result in additional fees.
- (c) Cancellations must be made at least fourteen (14) days prior to the rental date to be eligible for a full refund. Cancellations made between the seventh (7th) and thirteenth (13th) day prior to the rental date are eligible for a fifty percent (50%) refund. Cancellations made within six (6) days of the rental date are not eligible for a refund.
- (d) Any cancellation or change in date or time will result in an additional \$12.00 fee.
- (e) Any refunds (rental or deposit) will be refunded within three (3) to four (4) weeks following the rental date, and mailed to the address provided.

Section 3: That Section 14-32. - Alcoholic beverages prohibited is hereby amended to read as follows:

It shall be unlawful for any person to possess alcoholic beverages of any kind in any City Public Park Lands, except for the following:

- (a) Private events held under facility rental agreements where the responsible party has paid for security to be provided by the Richwood Police Department; or
- (b) Approval from City Council has been granted prior to possession of alcoholic beverage(s). Security by the Richwood Police Department is also required if City Council approval is granted.

Section 4: That APPENDIX C – Fee Schedule is hereby amended to add Park and Facility Rental Fees as follows:

Park and Facility Rental Fees			
FACILITY	RENTAL FEE *Add \$50 if alcohol will be served	DEPOSIT	ADDITIONAL DEPOSIT (Large groups/Loud Music/Alcohol)
James Vera Ball Field / Soccer Fields Stop 1-3	N/A	\$100	N/A
PK Forrest Building	\$110/day – Residents* \$135/day – Non-Residents*	\$100	\$100
Richwood Municipal Pavilion	\$100/day – Residents* \$125/day – Non-Residents*	\$100	\$100
Bobby Ford Park	\$25/2 hours – Residents* \$50/2 hours – Non-Residents*	\$50	\$50
BBQ Pit	\$25	\$100	N/A
Moonwalk Waterslide Inflation *Liability Insurance must be provided	\$25 each	N/A	N/A
Police Security Fee	\$35.00 / hour / officer		

Section 5: 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 of Richwood, Texas, hereby declares that it would have enacted such remaining portions despite any such invalidity.

Section 6: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict only.

Section 7: That this ordinance shall be effective immediately upon passing.

Passed and Approved on this 11th day of June, 2018.

Mark Guthrie, Mayor

ATTEST:

Giani Cantu, City Secretary

APPROVED AS TO FORM:

Jason Cordoba, City Attorney

MEMORANDUM

To: The Honorable Mark Guthrie, Mayor and Members of the Richwood City Council

From: Giani Cantu, City Secretary

Date: June 8, 2018

Subject: RFP 18-006P Solid Waste Disposal

This was the City's second RFP for Solid Waste Disposal. Waste Connections was the only submittal. Their bid included an increase in the fee per standard service account from \$14.71 to \$15.85, or about 7.7 percent. The fees for additional garbage cans will remain the same at \$6.00 each. The increase in Waste Connections fees will be addressed in the upcoming FY 2018-2019 Budget.

Staff's recommendation is for Council to award the solid waste disposal services contract to Waste Connections.

The tab sheet is attached.

RFP TAB SHEET / EVALUATION SUMMARY

Opening Date: 6/7/2018 Time: 2:15PM

RFP 18-006P Solid Waste Disposal Services

Wase Connections of Texas, LLC.

Proposals Received
Date Time
6/7/2018 2:13pm

Sealed Bids Opened by:
Kirsten Garcia
Witnessed and Recorded by:
Giani Cantu, City Secretary



WC of Tx

Evaluation Score 1-5 (Total 100 point value)

- 5% Management Summary
- 40% Proposal
- 20% Experience and Capacity
- 15% Qualifications
- 5% References
- 15% Pricing

0	0	0
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MEMORANDUM

To: The Honorable Mark Guthrie, Mayor and Members of the Richwood City Council

From: Giani Cantu, City Secretary

Date: June 8, 2018

Subject: RFQ 18-003Q Impact Fee Study

This was the City's second request for qualifications for the Impact Fee Study.

The City received three submittals. One however, was after the opening. That submittor was notified that it was deemed unresponsive due to the late submittal in accordance with the RFQ.

The other two submittals were from Kimley-Horn and Freese & Nichols. Staff reviewed the statements of qualifications, evaluated and scored accordingly. Both companies were very reputable and submitted great proposals. After full evaluation, Freese & Nichols received the highest scoring and is being recommended for award. A copy of the tabulation and evaluation sheet is attached.

RFQ TAB SHEET / EVALUATION SUMMARY

RFQ 18-003Q New Water & Wastewater Impact Fee Study

Opening Date: 6/7/2018 Time: 2:00 PM

Company	Date	Time
Kimley Horn	6/7/2018	9:51 AM
Freese and Nichols	6/7/2018	11:30 AM
Costello	6/7/2018	3:17 PM

Sealed Bids Opened by:
Kirsten Garcia
Witnessed and Recorded by:
Giani Cantu, City Secretary


Evaluation Score 1-5 (Total 100 point value)

		Kimley Horn	Freese Nichols	Costello*	
5%	Management Summary	4	5		
40%	Proposal	4	5		
20%	Experience and Capacity	5	5		
20%	Qualifications	5	5		
15%	References	5	5		
		91	100	0	

* Nonresponsive - Costello did not meet time deadline for RFQ submission.

MEMORANDUM

To: The Honorable Mark Guthrie, Mayor and Members of the Richwood City Council

From: Michael Coon, City Manager

Date: June 8, 2018

Subject: Discuss and consider releasing funding for remaining Capital and Equipment replacement items approved in the Fiscal Year 2017-2018 budget

Due to the uncertainty of the fiscal impact from Hurricane Harvey, during the process of adopting the Fiscal Year 2017-2018 Budget City Council requested that the budgeted items in the capital projects and equipment replacement funds be brought back to City Council for approval before expending the funds. City Council has already approved staff to move forward with the server replacement project and with replacing the enterprise software. Staff is projecting the funds will be available for the remaining projects and is now asking permission to expend the funds for the items listed below.

- Replace Sewer Jetter (\$59,999)
- Replace Chlorine Room (\$20,255)
- Water & Sewer Impact Fee Study (\$66,831)
- Relocate & Replace Fire Station Hydrant (\$8,550)
- Reskin the Service Center (\$39,200)
- Replace Public Works Truck (\$30,610)

MEMORANDUM

To: The Honorable Mark Guthrie, Mayor and Members of the Richwood City Council

From: Michael Coon, City Manager

Date: June 8, 2018

Subject: Update on review of Indoor Gun Range & Noise Control Ordinances

No progress to report on the ordinance update.

MEMORANDUM

To: The Honorable Mark Guthrie, Mayor and Members of the Richwood City Council

From: Michael Coon, City Manager

Date: June 8, 2018

Subject: Update on Flood Mitigation Efforts

Staff continues to work with the Flood & Drainage Advisory Committee to try discuss and consider our options for trying to mitigate the risks from future flooding. This month staff has submitted a proposal to the Texas Department of Emergency Management to fund a phased project to (1) further study the feasibility and environmental impact and (2) potentially fund 75 percent for the proposed \$6 million diversion channel. Staff has also been working with Strand Engineering to develop a proposal to examine the feasibility of installing flood gates on the City's drainage ditches that are connected the Bastrop Bayou. This proposal will be presented to the Flood & Drainage Advisory Committee at their next meeting.

MEMORANDUM

To: The Honorable Mark Guthrie, Mayor and Members of the Richwood City Council

From: Michael Coon, City Manager

Date: June 8, 2018

Subject: To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or a charge against an officer or employee: Police Chief appointment

Stephan Mayer, the former Chief of Police in Weslaco, has accepted a conditional job offer to lead Richwood's Police Department. The offer is contingent upon (1) the completion of the Police Department's background check and (2) City Council's approval.

Chief Mayer started his law enforcement career in 1989 as a reserve officer for San Benito, after which he worked for the City of Harlingen for almost 26 years before serving as the Chief of Police in Weslaco.

During the recruitment process, the City received 21 applications. Seven of the 21 applicants were selected to complete a supplemental questionnaire, the results of which were used to help determine which candidates would receive an interview. Three candidates were then interviewed by the following panel members:

- Kevin Moriarty, Richwood Resident & President of Swagelok
- James Fitch, Clute Chief of Police
- Sereniah Breland, Alvin City Manager
- Clif Custard, Richwood Public Works Director
- Mark Guthrie, Mayor of Richwood
- Michael Coon, Richwood City Manager

The panel was looking for someone that would continue the development and training of the department's personnel, lead the department with the highest degree of integrity and transparency, and continue to strengthen the department's relationship with the community. After getting to know Chief Mayer during the initial interview and through subsequent conversations, I believe that he is the right person to meet these high standards.

MEMORANDUM

To: The Honorable Mark Guthrie, Mayor and Members of the Richwood City Council

From: Michael Coon, City Manager

Date: June 8, 2018

Subject: To deliberate the purchase, exchange, lease, or value of real property: Property located along the Magnolia Lane right of way in Glenwood Subdivision also identified as property 211913 by the Brazoria County Appraisal District

To help facilitate the development of the vacant property along Magnolia St., the City has been working with the Nchi Assets Group to grant the developer permission to place the required drainage pond on a piece of City-owned property adjacent to the development. The City has future plans to build a drainage pond on that same site and it is estimated that having the developer build their drainage pond first will save the City \$60,000 when the City is ready to build our larger pond.

DRAINAGE EASEMENT AGREEMENT

STATE OF TEXAS §

COUNTY OF BRAZORIA §

THIS DRAINAGE EASEMENT AGREEMENT "Easement Agreement" is entered into as of the _____ day of _____, 2018, by and among the City of Richwood, Texas, a home rule municipality (hereinafter called "CITY") and NCHI Assets Group, LLC, a Texas limited liability company (hereinafter called "DEVELOPER").

Recitals

- a. CITY is the owner of the real property located in the City of Richwood, Brazoria County, Texas, described as follows:

_____ and as more particularly described in Exhibit "A" attached hereto ("CITY'S PROPERTY").

- b. DEVELOPER is the owner of real property located in the City of Richwood, Brazoria County, Texas, described as follows:

_____ and as more particularly described in Exhibit "B" attached hereto. DEVELOPER intends to construct single family homes on such property ("SUBDIVISION").

- c. The CITY wishes to grant a limited non-exclusive drainage easement to DEVELOPER on a portion of the CITY'S PROPERTY described as follows:

_____ and as more particularly described in Exhibit "C" attached hereto ("EASEMENT PROPERTY")

to construct and maintain a retention pond to act as a temporary reservoir for drainage of excess rainwater that may accumulate in the SUBDIVISION PROPERTY until terminated as set forth herein.

Grant of Easement

1. The CITY, for good and valuable consideration and/or the promises contained herein by DEVELOPER, does hereby grant and convey unto DEVELOPER a non-exclusive drainage easement over and across the EASEMENT PROPERTY for the purpose of the construction and maintenance of a retention pond for drainage and flood control for the SUBDIVISION. The CITY shall be the only other party that may utilize the EASEMENT PROPERTY, but such use shall not unreasonably interfere with the rights granted to DEVELOPER herein.

Character of Easement

2. The EASEMENT PROPERTY granted herein is appurtenant to the dominant tenement. The easement is to benefit the SUBDIVISION.

Location of Easement

3. The EASEMENT PROPERTY shall be located as follows:

[Obtain from Engineer's Report] see Exhibit "C" attached hereto.

Purpose of Easement Property

4. The EASEMENT PROPERTY shall be used for the purpose of constructing and maintaining a retention pond to act as a temporary reservoir for drainage of excess rainwater that may accumulate on SUBDIVISION PROPERTY owned by DEVELOPER.

Developer's Obligations Regarding Easement Property

5. DEVELOPER shall maintain the EASEMENT PROPERTY by keeping the grass in, on and around the EASEMENT PROPERTY mowed until the easement rights granted herein are terminated. After the subdivision has been platted, but prior to the commencement of construction of the SUBDIVISION PROPERTY, DEVELOPER shall form and file a property owners' association for the subdivision in the Official Records of Brazoria County, Texas. The property owners' association shall adhere to the requirements set forth in the Texas Property Code and the deed restrictions shall contain the following the covenant: "The property owners' association shall issue special assessments, if necessary, to maintain the Easement Property dated _____ and filed under clerk's file number _____ in the Official Records of Brazoria County, Texas." Following the formation of the property owners' association, the DEVELOPER and property owners' association shall be jointly and severally responsible for maintaining the EASEMENT PROPERTY including, but not limited to, repairs, maintenance, and modifications to easement infrastructure. The property owners' association shall maintain an escrow account with a minimum balance of \$2,000.00 to cover any failure on the part of the property owners' association to maintain the EASEMENT PROPERTY. If at any time, the balance of this account falls below \$2,000.00, the property owners' association agrees to replenish the account to maintain a minimum balance of \$2,000.00. The property owners' association further agrees to provide verification of the balance of this account upon request by the CITY.

Duration of Easement

6. The term of this Easement Agreement shall terminate upon the earlier of the following events: a) the CITY provides written notice to the DEVELOPER or the registered agent of the property owners' association of the subdivision that the CITY will expand the EASEMENT PROPERTY; or b) DEVELOPER fails to comply with the terms of this Easement Agreement

following thirty (30) days written notice to the DEVELOPER. CITY hereby binds itself, its successors, and assigns to warrant and forever defend the above subscribed EASEMENT PROPERTY and rights unto DEVELOPER, its successors, and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

Terms and Conditions

7. Grant of Easement "AS IS". THE GRANT OF THIS EASEMENT SHALL BE MADE ON AN "AS IS," "WHERE IS" AND "WITH ALL FAULTS" BASIS, AND DEVELOPER EXPRESSLY ACKNOWLEDGES THAT, EXCEPT AS OTHERWISE SPECIFIED HEREIN, CITY HAS MADE NO WARRANTY OR REPRESENTATION, EXPRESS OR IMPLIED, OR ARISING BY OPERATION OF LAW, INCLUDING, BUT NOT LIMITED TO, ANY WARRANTY OF CONDITION, TITLE, HABITABILITY, MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE WITH RESPECT TO THE DRAINAGE EASEMENT PROPERTY, ALL SUCH REPRESENTATIONS AND WARRANTIES, AS WELL AS ANY IMPLIED WARRANTIES BEING EXPRESSLY DISCLAIMED.

DEVELOPER ACKNOWLEDGES AND AGREES THAT DEVELOPER IS RELYING SOLELY ON DEVELOPER'S EXAMINATION OF THE DRAINAGE EASEMENT PROPERTY. DEVELOPER IS NOT RELYING ON ANY INFORMATION OR DISCLOSURES PROVIDED BY CITY, ITS AGENTS OR REPRESENTATIVES. CITY MAKES NO REPRESENTATIONS REGARDING THE ADEQUACY, QUALITY, OR EFFICACY OF ANY ISSUE RELATED TO THE DRAINAGE OF THE SUBDIVISION.

Indemnification

8. **DEVELOPER FURTHER AGREES TO FULLY INDEMNIFY AND DEFEND CITY AGAINST ANY AND ALL CLAIMS, DEMANDS, LOSSES AND EXPENSES BY CITY, OFFICERS, MANAGERS, EMPLOYEES, AGENTS, ATTORNEYS, ASSIGNS AND REPRESENTATIVES (HEREINAFTER COLLECTIVELY "INDEMNIFIED PARTIES") ARISING FROM OR INCIDENTAL TO ANY USE OF THE EASEMENT PROPERTY. THIS INDEMNIFICATION SHALL INCLUDE ANY AND ALL PROPERTY DAMAGE, PERSONAL INJURY OR DEATH, WHETHER PROXIMATELY CAUSED BY THE SOLE, JOINT, OR GROSS NEGLIGENCE OF THE INDEMNIFIED PARTIES. SAID INDEMNIFICATION SHALL SPECIFICALLY INCLUDE ANY AND ALL ATTORNEY'S FEES INCURRED BY CITY AND THE INDEMNIFIED PARTIES REGARDING ANY CLAIM COVERED BY THIS INDEMNIFICATION.**

Entire Agreement

9. This instrument contains the entire agreement between the parties relating to the rights herein granted and the obligations herein assumed. Any oral representations or modifications concerning this instrument shall be of no force or effect excepting a subsequent modification in writing, signed by the party to be charged or their successors and/or assigns

Attorneys' Fees

10. In the event of any controversy, claim, or dispute relating to this instrument or the breach thereof, the prevailing party shall be entitled to recover from the losing party reasonable expenses, attorneys' fees, and costs.

Binding Affect

11. This Agreement shall bind and inure to the benefit of the respective parties, their personal representatives, successors, and assigns.

IN WITNESS WHEREOF, the instrument is executed this ____ day of June, 2018.

GRANTOR:

CITY OF RICHWOOD, TEXAS

By: _____
Its: _____

GRANTEE:

NCHI ASSETS GROUP, LLC

Mathias Tchamengo, Manager

ACKNOWLEDGMENTS

State of Texas §
County of Brazoria §

This instrument was acknowledged before me on the _____ day of June, 2018 by
_____ in the capacity stated.

Notary Public in and for the
State of Texas

State of Texas §
County of Brazoria §

This instrument was acknowledged before me on the _____ day of June, 2018 by Mathias
Tchamengo in his capacity as Manager of NCHI Assets Group, LLC.

Notary Public in and for the
State of Texas

CONFIDENTIAL MATERIAL
CITY MANAGER'S INTRA-AGENCY INFORMATION
DISCLOSURE PROHIBITED AND PUNISHABLE
UNDER SECTION 552.352 OF THE
TEXAS GOVERNMENT CODE

Manager's Letter Supplement
6/11/2018

Board of Adjustments Special Meeting

Discussion & Action Items

Discuss and consider a request for zoning variance to allow a five-foot rear setback for construction of an outdoor living space/storage space at 201 Audubon Woods Court. The current rear setback for this property is seven and half feet.

As a quick summation, this request is basically asking the City to allow the property owner to apply the rules for R-1A Patio Homes to his lot that is zoned R-1 Single-Family.

My recommendation is to deny this request. State law states that the board of adjustment may "authorize in specific cases a variance from the terms of a zoning ordinance if the variance is not contrary to the public interest and, due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and so that the spirit of the ordinance is observed, and substantial justice is done." I do not believe that the property owner has proven that any special conditions exist that would result in an unnecessary hardship.

I just don't see anything that would make it fair to give the property owner an exemption without changing the rules for everyone else. I believe it would be more appropriate to consider amending the zoning code for everybody, if Council would like to allow buildings closer to the back setback on R-1 Single-Family.

City Council Meeting

Recognitions

Richwood Police Department accreditation by Texas Police Chief Association Foundation

This award is a big accomplishment. If we stick with and enforce the policies that have been approved, our Police Department will be an example for other departments in our area for years to come.

Presentations

Volunteer Fire Department Quarterly Update

The Fire Chief, Clint Kocurek, will be present to give an update on the department's activities.

Consent Agenda

Approval of Minutes of Previous Meetings

No additional comments.

Payment of Bills

No additional comments.

Resolution appointing Michael Coon, City Manager; Giani Cantu, City Secretary/Finance Director and Linda Pace, Administrative Asst as point of contacts on all Bank of America accounts

We forgot to update the points of contact on the credit card accounts. So, now that there is an issue that needs corrected with a statement, the bank won't talk to us until the account is updated.

Discussion & Action Items

Appoint Mayor Pro-Tem

The past practice has been to follow the position numbers in sequential order to select the Mayor Pro-Tem. Last year Council Position 4, Lauren, was appointed to the position. If you decide to follow past practice, Katie would be the next in line for the Mayor Pro-Tem.

As far as a recommendation goes for this item, I don't have a preference on who is selected as Mayor Pro-Tem. This way of assigning the position has worked in the past, but you can always adopt another method if you want.

Consider and discuss designating the Facts as the official newspaper of the City of Richwood

I recommend designating the Facts as the official newspaper for the City. We are required by law to do this and they are the most widely distributed paper in our area.

Set regular Council meeting days and times

The current schedule works well for me, but I am willing to adapt to whatever day or time best suites City Council. I guess if you were to change the date, I would prefer not to meet on Wednesday nights because my wife helps out with the youth activities at our church and it's a little easier on her when I am home Wednesday nights.

Discuss and consider request for extension to previously granted variance to the animal ordinance by Carol and Byron Norsworthy at 1201 N Brazosport Blvd #8

My recommendation is to deny the request. The Norsworthy's have still not registered any of their dogs and I believe that the previous extension was more than enough time to find the other two dogs a new home.

Discuss and consider an ordinance amending Section 3 Definitions of Appendix B - Zoning Ordinance to add the definition of gas station and amending Section 4 Districts to add gas stations as conditional uses in B-1 Business and C-1 Commercial zones

I recommend adopting the proposed changes as presented. Making gas stations a conditional use will not completely ban them from the City, but it will allow for the City to make sure proper consideration is given when they are to be placed near residential property.

Discuss an ordinance amending water and sewer rate fees and charges for RV/Trailer parks and multi-family dwellings serviced by one meter

There is no action to be taken on this item. Staff would like direction from City Council before preparing an ordinance for next month's meeting.

For some more background information, with the turnover in the utility clerk position staff has discovered that the RV Parks owned by Mr. Mueller have not been charged appropriately. For his RV Parks, Mr. Mueller has two accounts each with one meter each and historically he has only been paying one base rate per meter. According to our ordinance those accounts should have been charged for the equivalent of 100 base rates because there are 100 RV pads. If we were to charge the full base rate, Mr. Mueller would have to pay more than \$60,000 more per year for water and sewer and he argues that is too much for the actual water he uses and the demands that the RV's place on the system. I agree that an RV typically doesn't use as much water as an apartment and I think charging half the base rate is appropriate.

Discuss and consider an ordinance amending Article II – Public Park Lands creating Section 14-1 – Definitions; Creating Section 14-2 Fees for rental of public park lands and amending Appendix C – Fee Schedule to add fees for park and facility rentals

I recommend approving the fees as previously discussed at the last Council Meeting.

Award RFP 18-006P Solid Waste Disposal to Waste Connections

I recommend the approval of the contract with Waste Connections. Waste Connections was the only company to submit a proposal both times we went out bid. Staff did go out to bid twice because there was a small rate increase and we wanted to make sure we did our due diligence if there was going to be an increase in the rates. The old standard rate was \$14.71 and under the new contract the rate will be \$15.85. The rate for additional cans is staying the same at \$6.00 each.

Award RFQ 18-003Q Water and Wastewater Impact Fee Study to Freese & Nichols

I recommend awarding the contract for the impact fee study to Freese & Nichols. Both companies that submitted proposals are highly qualified and have a large amount of experience performing these studies. However, the deciding factor came down to staff's belief that Freese & Nichols did a slightly better job of summarizing and presenting their proposal.

Discuss and consider releasing funding for remaining Capital and Equipment replacement items approved in the Fiscal Year 2017-2018 budget

I am recommending that Council approve the expenditures of funds for the following items that were approved in the FY 18 Budget:

- Replace Sewer Jetter (\$59,999)
- Replace Chlorine Room (\$20,255)
- Water & Sewer Impact Fee Study (\$66,831)
- Relocate & Replace Fire Station Hydrant (\$8,550)
- Reskin the Service Center (\$39,200)
- Replace Public Works Truck (\$30,610)

The expenditures for these projects were included in the budget projections that were shown to Council at your last meeting and the revenues are projecting to support these expenditures. Also, with regards to the Public Works truck, this vehicle would replace the one that caught on fire a few months back. Thankfully the truck was already scheduled to be replaced.

Update on review of Indoor Gun Range & Noise Control Ordinances

I have not had the time to make significant progress on this yet. Today I did try calling the City of Mesquite again but the person I need to talk to was out of the office. I sent an email and hopefully I will receive a response soon.

Update on Flood Mitigation Efforts

Staff has received a proposal for a flood gate study that we will be presenting to the Flood & Drainage Advisory Committee. A copy of the proposal will be included in the weekly update.

Executive Session

Under authority of Section 551.074 to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or a charge against an officer or employee: Police Chief appointment

I don't have anything besides what I provided you in the email from earlier this week. I think Chief Mayer will do a great job for the City and that above all else he will be straightforward and honest. I recommend making his hiring official.

Under authority of Sec. 551.072. to deliberate the purchase, exchange, lease, or value of real property: Property located along the Magnolia Lane right of way in Glenwood Subdivision also identified as property 211913 by the Brazoria County Appraisal District

The agreement has been attached to the packet. One substantial change is that instead of doing a lease we are proposing granting the developer an easement. The agreement also does not address the road repairs to the existing portion of Magnolia Street as staff and the engineer believe that it will suffice for now to crack seal the damaged road.

During this time we can discuss if Council would like to see any changes to the agreement before approving it.