

AGENDA

BE IT KNOWN that the **CITY COUNCIL** of the City of Richwood will meet in **City Council Regular Meeting** on **Monday, October 12, 2020** at **6:10 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

II. ROLL CALL OF COUNCIL MEMBERS

III. PUBLIC COMMENTS

IV. PRESENTATIONS

A. Brazosport Independent School District

V. CONSENT AGENDA

A. Approval of Minutes

1. Regular meeting held September 14, 2020
2. Special meeting held September 21, 2020

B. Discuss and consider a resolution amending the authorized representatives under the investment agreement for TexPool and TexPool Prime to add Finance Director, Patricia Ditto.

C. Discuss and consider a resolution amending the Fiscal Year 2019-2020 Budget to transfer FY19 interest revenue between fund balances.

D. Discuss and consider a resolution amending the Fiscal Year 2020-2021 Budget to transfer budgeted funds from transportation to 2019A Bond Project funds.

VI. DISCUSSION AND ACTION ITEMS

A. Final review and action on replat of lots known as Marquis of Magnolia, to amend building lines and rename subdivision to Ridgeway at Richwood.

B. Discuss and consider a resolution authorizing the submission of a Community Development Block Grant - Mitigation (CDBG-MIT) application to the Texas General Land Office and authorizing the Mayor and City Manager to act as the representatives in all matters pertaining to the City's participation in the CDBG-MIT program.

- C. Discuss and consider a resolution authorizing the Mayor to sign Governor Greg Abbott's Back the Blue pledge on behalf of the City of Richwood in support of Law Enforcement Officers.
- D. Appoint applicants to serve on Charter Review Commission
- E. Discussion and possible action regarding the sale of real property located at 215 Halbert, Richwood, Texas 77531.
- F. Discuss and consider authorizing the City Manager to execute a contract, extending the interlocal agreement with the City of Angleton for animal control services.
- G. Discuss and consider adoption of a Citizen Participation Plan for the CDBG-MIT program, for the City of Richwood
- H. Discuss and consider adoption of Procurement Policies & Procedures for the City of Richwood.
- I. Discuss and consider an ordinance (No. 20-470) amending Chapter 20 Traffic and Vehicles of the City of Richwood's Code of Ordinances to change times regarding the one-way traffic flow on Audubon Woods Drive.
- J. Discuss and consider an ordinance (No. 20-472) relating to flood damage prevention and repealing ordinance number 351.
- K. Approve items removed from Consent Agenda

VII. EXECUTIVE SESSION

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

- 1. Eric Foerster, City Manager

VIII. CAPITAL IMPROVEMENT PROJECTS UPDATE

IX. CITY MANAGER'S REPORT

X. COUNCIL MEMBER COMMENTS & REPORTS

XI. MAYOR'S REPORT

XII. FUTURE AGENDA ITEMS

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, Kirsten Garcia, do hereby certify that I did, on _____ 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.

Kirsten Garcia, 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.

Minutes of City Council

The City Council Regular Meeting of September 14, 2020

BE IT KNOWN THAT, a City Council Regular Meeting of City of Richwood was held September 14, 2020, beginning at 6:00 PM in the Richwood City Hall Richwood City Hall, 1800 N. Brazosport Blvd., Richwood, Texas 77531

I. CALL TO ORDER

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

II. INVOCATION

Tricia Ditto, Finance Director, led the invocation.

III. PLEDGES OF ALLEGIANCE

Mayor Pro Tem, Mike Johnson, 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
Mark Brown II, Position 4:	Present
Katie Johnson, Position 5:	Absent

Others in attendance: Kirsten Garcia, City Secretary; Eric Foerster, City Manager; Matt Allen, City Attorney; Tricia Ditto, Finance Director; Clif Custer, Director of Public Works; Stephen Mayer, Chief of Police

V. PUBLIC COMMENTS

There were no public comments.

VI. CONSENT AGENDA

A. Approval of Minutes

1. Minutes from regular meeting held, August 10, 2020

2. Minutes from special meeting held, August 24, 2020

3. Minutes from special meeting held, August 31, 2020

B. August 2020 Budget Report

Motion to approve the consent agenda. This motion, made by Mark Brown II and seconded by Matthew Yarborough, Passed.

Yea: 4, Nay: 0

VII. PUBLIC HEARING ON PROPOSED 2020-2021 TAX RATE

Public hearing opened at 6:05 p.m.

Tricia Ditto, Finance Director, presented tax rate options.

Motion to close the public hearing on proposed 2020-2021 Tax Rate. This motion, made by Matthew Yarborough and seconded by Melissa Strawn, Passed.

Yea: 4, Nay: 0

VIII. DISCUSSION AND ACTION ITEMS

- A. Consideration and possible action - reading of Ordinance 2020-469 , An Ordinance appropriating adopting a budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021.

Motion to adopt Ordinance 469 adopting a budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021. This motion, made by Mark Brown II and seconded by Matthew Yarborough, Passed.

Yea: 4, Nay: 0

- B. Consideration and action - Reading of Ordinance 2020-470, An Ordinance adopting a tax rate of \$0.627470 and levying taxes for the use and support of the Municipal Government of the City of Richwood, Texas and providing for the interest and sinking fund of the taxable year 2020.

I move that the property tax rate be decreased by the adoption of a tax rate of \$0.627470, which is effectively a 7.3 percent increase in the tax rate. This motion, made by Mark Brown II and seconded by Matthew Yarborough, Passed.

Yea: 4, Nay: 0

- C. Discuss and consider switching insurance carriers for General Liability Insurance, at a savings of \$7,369 for the next fiscal year.

Motion to approve the switch of insurance carriers for General Liability Insurance, at a savings of \$7,369 for the next fiscal year. This motion, made by Matthew Yarborough and seconded by Mark Brown II, Passed.

Yea: 4, Nay: 0

- D. Discuss and consider authorizing Strand Engineering to proceed with Utility Rate Study not to exceed \$20,000.

Clif Custer, Public Works Director, presented.

Motion to authorize Strand Engineering to proceed with Utility Rate Study not to exceed \$20,000. This motion, made by Matthew Yarborough and seconded by Mark Brown II, Passed.

Yea: 4, Nay: 0

- E. Discuss and consider approving the condemnation process to acquire necessary easement on the property known as 2902 Bayou View Ct, Richwood, Tx, for the purpose of a water main extension.

No action taken.

- F. Discuss and consider a resolution amending the FY 19-20 Budget to reassign budgeted funds from Capital Equipment to a transfer from General Fund to Replacement Fund for Fire Equipment.

Motion to approve resolution amending the FY 19-20 Budget to reassign budgeted funds from Capital Equipment to a transfer from General Fund to Replacement Fund for Fire Equipment. This motion, made by Mark Brown II and seconded by Melissa Strawn, Passed.

Yea: 4, Nay: 0

IX. EXECUTIVE SESSION

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

No action from Executive Session

1. Eric Foerster, City Manager

- B. Pursuant to Chapter 551.071, consultation with Counsel on legal matters.

X. ACTION AS RESULT OF EXECUTIVE SESSION

No action as result of executive session.

XI. CAPITAL IMPROVEMENT PROJECTS UPDATE

Clif Custer, Public Works Director, presented.

XII. CITY MANAGER’S REPORT

No report.

XIII. COUNCIL MEMBER COMMENTS & REPORTS

Mark Brown II stated he would like to see City events - also would like the City to establish a back the blue pledge.

XIV. MAYOR’S REPORT

No report.

XV. FUTURE AGENDA ITEMS

Pledge - Back the Blue
215 Halbert
Charter Review Committee
Executive Session for CM Review
Condemnation

XVI. ADJOURNMENT

Being there no further business, the meeting was adjourned at 8:02 p.m.

These minutes were read and approved on this 12th day of October 2020.

ATTEST:

Mayor

Minutes of City Council

The City Council Regular Meeting of September 21, 2020

BE IT KNOWN THAT, a City Council Regular Meeting of City of Richwood was held September 21, 2020, beginning at 6:00 PM in the Virtually via GoToMeeting at Richwood City Hall Richwood City Hall, 1800 N. Brazosport Blvd., Richwood, Texas 77531

I. CALL TO ORDER

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

II. ROLL CALL OF COUNCIL MEMBERS

Steve Boykin, Mayor:	Present
Mike Johnson, Position 1:	Present
Melissa Strawn, Position 2:	Present
Matthew Yarborough, Position 3:	Absent
Mark Brown II, Position 4:	Present
Katie Johnson, Position 5:	Present

Others in attendance: Kirsten Garcia, City Secretary; Eric Foerster, City Manager;

III. PUBLIC COMMENTS

There were no public comments.

IV. DISCUSSION AND ACTION ITEMS

- A. Discuss and consider authorizing the Mayor to commit up to \$15,000 of the City's Coronavirus Relief Fund (CRF) allocation to Brazosport ISD for the use of bulk purchases for technology for students with limited connectivity to facilitate remote learning activities through the CRF Operation Connectivity Bilk-Purchase Local Match Reimbursement Program for Local Education Agencies, facilitated through the Texas Education Agency.

Rodrigo Escalante - 2918 Oakwood Shores Dr - Mr. Escalante asked how much CRF funding did we receive and how much did we request. If we have an excess of what we requested, we need to ethically give the money back and not use it for other uses. Also, the Operation Connectivity is a \$200 million dollar allocation from the CARES Act to the TEA, so that is providing even more on top of taxes. There are other schools that Richwood students attend, including private schools, which do not receive public funding. He added that Lake Jackson announced they lost one million dollars in sales

tax during the months that business was shut down. He also asked how we know that the funds we donate will be used for schools or students in Richwood.

Motion to authorize the Mayor to commit up to \$15,000 of the City's Coronavirus Relief Fund (CRF) allocation to Brazosport ISD for the use of bulk purchases for technology for students with limited connectivity to facilitate remote learning activities through the CRF Operation Connectivity Bilk-Purchase Local Match Reimbursement Program for Local Education Agencies, facilitated through the Texas Education Agency. This motion, made by Mike Johnson and seconded by Katie Johnson, Passed.

Yea: 3, Nay: 1

Mark Brown II: Nay

V. COUNCIL MEMBER COMMENTS & REPORTS

Mark Brown II stated that he supports distance learning for the kids and that they have the tools that they need. He just feels like the district is already providing for them, so we should not drain more public funds because the district wants more money.

VI. MAYOR'S REPORT

Mayor Boykin gave an update regarding Tropical Storm Beta.

VII. ADJOURNMENT

Being there no further business, the meeting was adjourned at 5:24 p.m.

These minutes were read and approved on this 12th day of October 2020.

ATTEST:

Steve Boykin, Mayor

Kirsten Garcia, City Secretary



Resolution Amending Authorized Representatives

Please use this form to amend or designate Authorized Representatives.

This document supersedes all prior Authorized Representative forms.

*** Required Fields**

1. Resolution

WHEREAS,

Participant Name*

Location Number*

("Participant") is a local government of the State of Texas and is empowered to delegate to a public funds investment pool the authority to invest funds and to act as custodian of investments purchased with local investment funds; and

WHEREAS, it is in the best interest of the Participant to invest local funds in investments that provide for the preservation and safety of principal, liquidity, and yield consistent with the Public Funds Investment Act; and

WHEREAS, the Texas Local Government Investment Pool ("TexPool/ Texpool Prime"), a public funds investment pool, were created on behalf of entities whose investment objective in order of priority are preservation and safety of principal, liquidity, and yield consistent with the Public Funds Investment Act.

NOW THEREFORE, be it resolved as follows:

- A. That the individuals, whose signatures appear in this Resolution, are Authorized Representatives of the Participant and are each hereby authorized to transmit funds for investment in TexPool / TexPool Prime and are each further authorized to withdraw funds from time to time, to issue letters of instruction, and to take all other actions deemed necessary or appropriate for the investment of local funds.
- B. That an Authorized Representative of the Participant may be deleted by a written instrument signed by two remaining Authorized Representatives provided that the deleted Authorized Representative (1) is assigned job duties that no longer require access to the Participant's TexPool / TexPool Prime account or (2) is no longer employed by the Participant; and
- C. That the Participant may by Amending Resolution signed by the Participant add an Authorized Representative provided the additional Authorized Representative is an officer, employee, or agent of the Participant;

List the Authorized Representative(s) of the Participant. Any new individuals will be issued personal identification numbers to transact business with TexPool Participant Services.

1.	 Name	 Title	 Phone	 Fax	 Email	 Signature
2.	 Name	 Title	 Phone	 Fax	 Email	 Signature
3.	 Name	 Title	 Phone	 Fax	 Email	 Signature

1. Resolution (continued)

4.

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Name Title

Phone Fax Email

Signature

List the name of the Authorized Representative listed above that will have primary responsibility for performing transactions and receiving confirmations and monthly statements under the Participation Agreement.

Name

In addition and at the option of the Participant, one additional Authorized Representative can be designated to perform only inquiry of selected information. This limited representative cannot perform transactions. If the Participant desires to designate a representative with inquiry rights only, complete the following information.

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Name Title

Phone Fax Email

- D. That this Resolution and its authorization shall continue in full force and effect until amended or revoked by the Participant, and until TexPool Participant Services receives a copy of any such amendment or revocation. This Resolution is hereby introduced and adopted by the Participant at its regular/special meeting held on the day of , **20**.

Note: Document is to be signed by your Board President, Mayor or County Judge and attested by your Board Secretary, City Secretary or County Clerk.

Name of Participant*

SIGNED

Signature*

Printed Name*

Title*

ATTEST

Signature*

Printed Name*

Title*

2. Mailing Instructions

The completed Resolution Amending Authorized Representatives can be faxed to TexPool Participant Services at 1-866-839-3291, and mailed to:

TexPool Participant Services
1001 Texas Avenue, Suite 1150
Houston, TX 77002



AGENDA MEMORANDUM- OCTOBER 12, 2020

ITEM # CONSENT

CONTACT: Patricia Ditto, Deputy Finance Director
Eric Foerster, City Manager

SUBJECT: Budget Amendment to adjust the Fund Balances of Funds 10, 11, 15 and 30 through transfers to reallocate interest revenue from 2019A Bond proceeds received in FY19.

SUMMARY:

Proceeds from the 2019A bond issue were invested into TexPool and began earning interest immediately. The allocation of these earnings were not allocated to Fund 26 2019A Bond project as they are required to be. This necessitates the reallocation of these earning from FY19 to the correct fund by way of transfers.

BACKGROUND INFORMATION:

The calculation of the amount of transfers was calculated by Finance Director and approved by the city's current auditor lead John Manning of Pattillo, Brown & Hill, LLP.

FISCAL IMPACT: These transfers will the fund balances of Funds 10, 11,15 & 30 and increase the fund balance of Fund 26.

RECOMMENDATION: Council to approve the above-described Budget Amendment to adjust fund balances.

RESOLUTION 20-R-33

A RESOLUTION AMENDING THE FISCAL YEAR 2019-2020 BUDGET TO TRANSFER FY19 INTEREST REVENUE BETWEEN FUND BALANCES

WHEREAS, the City of Richwood City Council adopted a budget for the City of Richwood, Texas, for the fiscal year 2019-2020 in September 2019;

WHEREAS, bond proceeds from the issuance of Series 2019A GO bonds were received in July 2019 and invested in TexPool funds;

WHEREAS, interest revenue received from these proceeds was allocated incorrectly to various funds, increasing fund balance of these funds;

WHEREAS, staff requests that the following amounts be transferred to Fund 26 from: Fund 10 \$6,573.00; Fund 11 \$612.94; Fund 15 \$262.68; Fund 30 \$1,313.46,

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF RICHWOOD, TEXAS HEREBY AMENDS THE FISCAL YEAR 2019-2020 BUDGET AS FILED WITH THE CITY SECRETARY AS FOLLOWS:

TRANSFERS OUT

Decrease to Fund Balance – General Fund	(\$ 6,573.00)
Decrease to Fund Balance – Government Capital Improvements	(\$ 612.94)
Decrease to Fund Balance – CCPD	(\$ 262.68)
Decrease to Fund Balance – Water & Sewer	(\$ 1,313.46)
NET INCREASE (DECREASE)	(\$ 8,762.08)

TRANSFER IN

Increase to Fund Balance – 2019A Bond Project Fund	<u>\$ 8,762.08</u>
NET INCREASE (DECREASE)	\$ 8,762.08

PASSED AND APPROVED on this 12th day of October 2020.

Steve Boykin, Mayor

ATTEST:

Kirsten Garcia, City Secretary

STATE OF TEXAS
COUNTY OF BRAZORIA

KNOW ALL MEN BY THESE PRESENTS THAT:

I, MATHIAS TCHAMENGO, OWNER OF THE PROPERTY SUBDIVIDED IN THE FOREGOING PLAT OF RIDGEWAY OF RICHWOOD, DOES HEREBY MAKE SUBDIVISION OF SAID PROPERTY ACCORDING TO THE LINES, LOTS AND EASEMENTS SHOWN HEREON AND DO HEREBY DEDICATE TO THE PUBLIC ALL EASEMENTS FOR THEIR USE FOREVER AND DESIGNATE SAID SUBDIVISION AS THE PLAT OF 24 LOTS, BEING A SUBDIVISION OF 6.223 ACRES IN THE CITY OF RICHWOOD, BRAZORIA COUNTY, TEXAS AND DO HEREBY BIND MYSELF, MY HEIRS AND ASSIGNS TO WARRANT AND DEFEND THE TITLE TO THE LAND SO DEDICATED.

WITNESS MY HAND THIS THE 31 DAY OF October, 2020.

MATHIAS TCHAMENGO

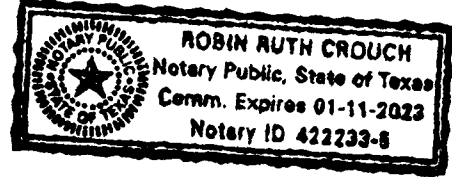
STATE OF TEXAS
COUNTY OF BRAZORIA

BEFORE ME THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED MATHIAS TCHAMENGO, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THE SAME WAS THE ACTING OWNER FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE 31 DAY OF October, 2020.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES



VELASCO DRAINAGE DISTRICT

THE BOARD OF SUPERVISORS OF THE VELASCO DRAINAGE DISTRICT DOES NOT WARRANT, REPRESENT OR GUARANTEE:

- THAT DRAINAGE FACILITIES OUTSIDE THE BOUNDARIES OF THIS SUBDIVISION ARE AVAILABLE TO RECEIVE RUNOFF FROM THE FACILITIES DESCRIBED ON THIS PLAT.
- THAT DRAINAGE FACILITIES DESCRIBED IN THIS SUBDIVISION ARE ADEQUATE FOR RAINFALL IN EXCESS OF VELASCO DRAINAGE DISTRICT MINIMUM REQUIREMENTS (10 YEAR FREQUENCY).
- THAT BUILDING ELEVATION REQUIREMENTS HAVE BEEN DETERMINED BY THE VELASCO DRAINAGE DISTRICT.
- THAT THE DISTRICT ASSUMES RESPONSIBILITY FOR CONSTRUCTION, OPERATION OR MAINTENANCE OF SUBDIVISION DRAINAGE FACILITIES.

THE DISTRICT REVIEW IS SOLELY BASED ON THE DOCUMENTATION SUBMITTED FOR REVIEW AND A RELIANCE ON SUBMISSION OF THE REPORT BY THE TEXAS PROFESSIONAL ENGINEER. THE DISTRICTS REVIEW IS NOT INTENDED AND SHALL NOT SERVE AS A SUBSTITUTION OF THE OVERALL RESPONSIBILITY AND/OR DECISION MAKING POWER OF THE PARTY MAKING THE PLAN OR PLAT HEREIN, THEIR OR ITS PRINCIPALS OR AGENTS.

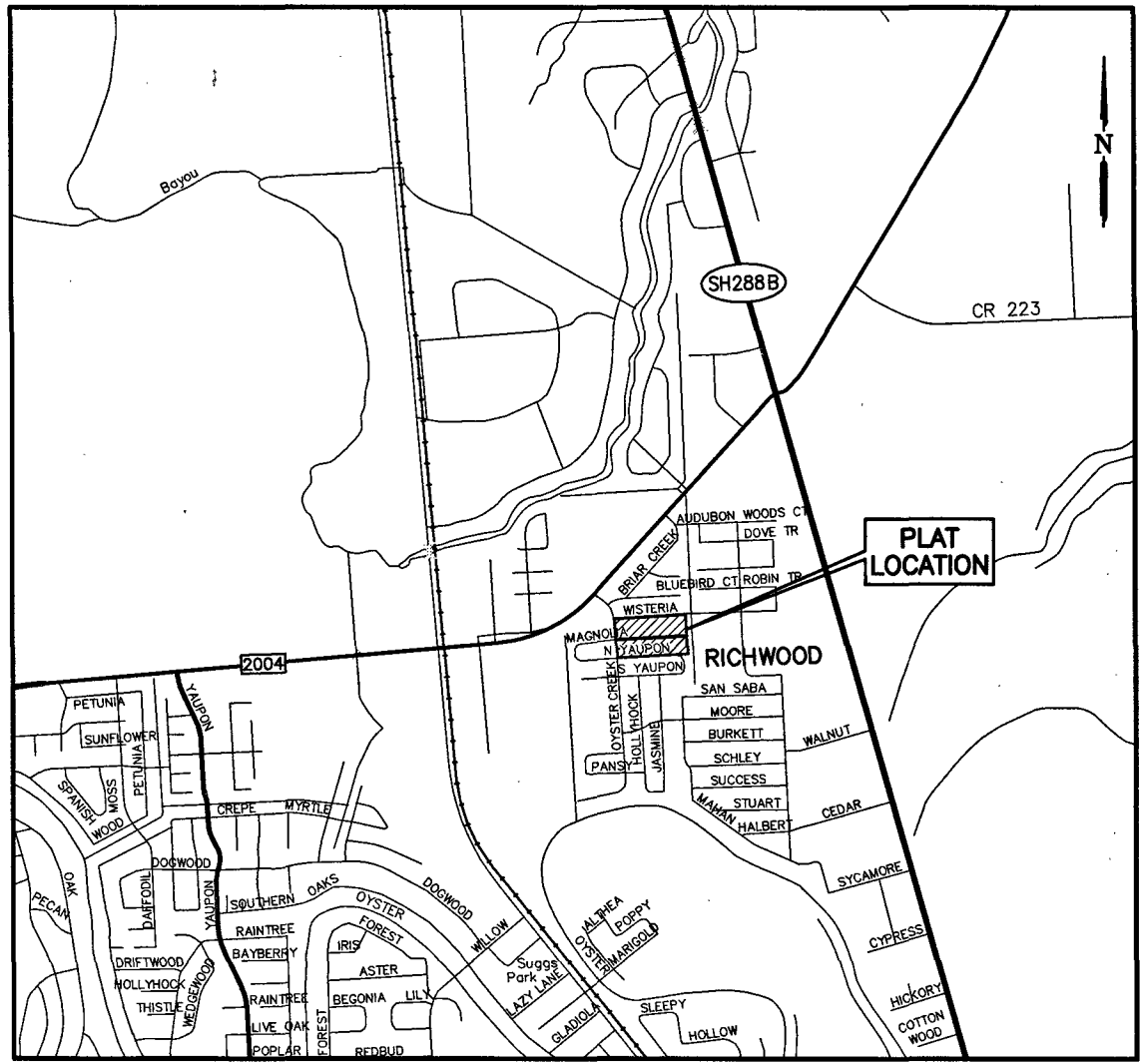
LOUIS H. JONES - VICE-CHAIRMAN

G.L. KIDWELL - CHAIRMAN

F. ROBERT HAMLET - SECRETARY

DATE:

SCALE: 1" = 50'



VICINITY MAP
MAP NOT TO SCALE

FIELD NOTES FOR 6.223 ACRES

Being a tract of land containing 6.223 acres (271,090 square feet), located within Jared E. Groce Survey, Abstract Number (No.) 66, in Brazoria County, Texas; Said 6.223 acres being a portion of Magnolia Street (sixty feet wide per Volume (Vol.) 719, Page (Pg.) 195 of the Official Records of Brazoria County Texas (O.R.B.C.T.)), being all of Lots 26 through 35 of Block 7 of Glenwood Bayou, a subdivision of record in Vol. 719, Pg. 195 of the O.R.B.C.T., and being all of Lots 1 through 11 of Block 16 of Glenwood Bayou Corrected Plat, a subdivision of record in C.C.F. No. 1967013610 of the O.R.B.C.T.; Said 6.223 acres being more particularly described by metes and bounds as follows (bearings and coordinates are based on Grid Texas Coordinate System of 1983 (NAD), South Central Zone per G.P.S. observations):

BEGINNING at a set 5/8-inch iron rod with "Baker & Lawson" cap set on the west right-of-way (R.O.W.) line of said Magnolia Street, at the southeast corner of Lot 24 of said Block 16, and the southeast corner of a tract recorded in the name of Barry D. Kluge under C.C.F. No. 2005032302 of the O.R.B.C.T., for the northeast corner of the herein described tract, from which a 1/2-inch iron rod with "Pinpoint" cap bears South 89 degrees 36 minutes East, a distance of 0.3 feet;

THENCE, with the west R.O.W. line of said Magnolia Street and the east line of said Block 16 the following two (2) corners:

- South 02 degrees 53 minutes 27 seconds East, a distance of 70.06 feet to a 5/8-inch iron rod with "Baker & Lawson" cap set at the beginning of a curve to the right, from which a 1/2-inch iron rod with "Pinpoint" cap bears North 60 degrees 14 minutes East, a distance of 0.4 feet;
2. 76.13 feet along the arc of said curve to the right, having a radius of 50.00 feet, a central angle of 87 degrees 14 minutes 36 seconds, a chord that bears South 40 degrees 43 minutes 51 seconds West, a distance of 68.99 feet to a 5/8-inch iron rod with "Baker & Lawson" cap set for an interior corner of the herein described tract, at the beginning of a non-tangent curve to the right;

THENCE, through and across said Magnolia Street, 64.39 feet along the arc of said curve to the right, having a radius of 50.00 feet, a central angle of 73 degrees 46 minutes 52 seconds, a chord that bears South 03 degrees 10 minutes 59 seconds East, a distance of 60.03 feet to a 5/8-inch iron rod with "Baker & Lawson" cap set on the south line of said Magnolia Street, being the north line of said Block 7, for an interior corner of the herein described tract, at the beginning of a non-tangent curve to the left;

THENCE, with the south line of said Magnolia Street, and the north line of said Block 7, 83.77 feet along the arc of said curve to the left, having a radius of 110.00 feet, a central angle of 43 degrees 38 minutes 08 seconds, a chord that bears North 63 degrees 58 minutes 13 seconds East, a distance of 81.76 feet to a 5/8-inch iron rod with "Baker & Lawson" cap set at the west corner of Lot 36 of said Block 7, for an angle point;

THENCE, with the southwest line of said Lot 36, South 47 degrees 50 minutes 51 seconds East, a distance of 214.65 feet to a 5/8-inch iron rod with "Baker & Lawson" cap set at the common corner of Lot 35 of Block 7 of said Glenwood Bayou, and Lots 13 and 14 of Block 7 of said Glenwood Bayou Corrected Plat, for the southeast corner of the herein described tract;

THENCE, with the north line of Lots 14 through 23 of Block 7 of said Glenwood Bayou Corrected Plat, South 87 degrees 01 minutes 57 seconds West, a distance of 1,022.68 feet to a 5/8-inch iron rod with "Baker & Lawson" cap set at the common corner of Lot 25 of Block 7 of said Glenwood Bayou, and Lots 23 and 24 of Block 7 of said Glenwood Bayou Corrected Plat, for the southwest corner of the herein described tract;

THENCE, with the east line of said Lot 25, and through and across said Magnolia Street, North 02 degrees 54 minutes 47 seconds West, a distance of 180.19 feet to a 5/8-inch iron rod with "Baker & Lawson" cap set on the north R.O.W. line of said Magnolia Street, being the south line of said Block 16, for an interior corner of the herein described tract;

THENCE, with the north R.O.W. line of said Magnolia Street and the south line of said Block 16, South 87 degrees 02 minutes 36 seconds West, a distance of 39.85 feet to a 5/8-inch iron rod with "Baker & Lawson" cap set at the southeast corner of Lot 12 of said Block 16, for an angle point; from which a found 1/2-inch iron rod bears South 74 degrees 57 minutes West, a distance of 2.9 feet;

THENCE, with the east line of said Lot 12, North 02 degrees 58 minutes 14 seconds West, a distance of 120.00 feet to a 5/8-inch iron rod with "Baker & Lawson" cap set at the common corner of Lots 12, 13 and 14 of said Block 16, for the northwest corner of the herein described tract;

THENCE, with the south lines of Lots 14 through 24 of said Block 16, North 87 degrees 02 minutes 36 seconds East, a distance of 883.37 feet to the POINT OF BEGINNING and containing 6.223 acres of land.

LEGEND

- O.R.B.C.T. = OFFICIAL RECORDS OF BRAZORIA COUNTY TEXAS
C.C.F. No. = COUNTY CLERKS FILE NUMBER
R.O.W. = RIGHT-OF-WAY
D.E. = DRAINAGE EASEMENT
B.L. = BUILDING SETBACK LINE
U.E. = UTILITY EASEMENT
CIR = CAPPED IRON ROD
IP = IRON PIPE
P.O.B. = POINT OF BEGINNING
O = SET 5/8" CAPPED IRON ROD "BAKER & LAWSON"
© = FOUND 1/2" IRON PIPE (UNLESS OTHERWISE NOTED)

CITY COUNCIL APPROVALS

I CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF RIDGEWAY OF RICHWOOD, WAS APPROVED

THIS THE ____ DAY OF _____, 20____, BY THE CITY COUNCIL OF THE CITY OF RICHWOOD, TEXAS.

STEVE BOYKIN, MAYOR _____ MELISSA STAWN, MEMBER _____

MARK BROWN II, MEMBER _____ MIKE JOHNSON, MEMBER _____

MATT YARBOROUGH, MEMBER _____ KATIE JOHNSON, MEMBER _____

PLANNING AND ZONING COMMISSION APPROVALS

THIS IS TO CERTIFY THAT THE PLANNING AND ZONING COMMISSION (OR THE CITY COUNCIL IF THERE IS NO PLANNING AND ZONING COMMISSION) OF THE CITY OF RICHWOOD, TEXAS, HAS APPROVED THIS PLAT AND SUBDIVISION OF RIDGEWAY OF RICHWOOD AS SHOWN HEREIN. IN TESTIMONY WHEREOF, WITNESS THE OFFICIAL SIGNATURES OF THE CHAIRMAN AND SECRETARY OF THE PLANNING AND ZONING COMMISSION, THIS THE ____ DAY OF _____, 20____.

CHAIRMAN _____ SECRETARY _____

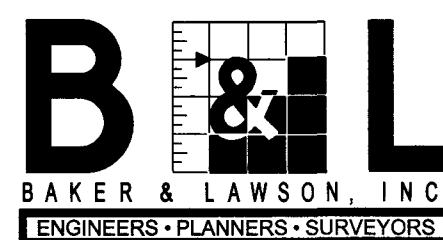
SURVEYOR'S NOTES:

- THIS PLAT LIES WITHIN THE CITY LIMITS OF RICHWOOD.
- THE PROPERTY SURVEYED LIES FULLY WITHIN ZONE "X", DESCRIBED AS AREAS DETERMINED TO BE OUTSIDE THE 300-YEAR FLOODPLAIN ACCORDING TO THE FLOOD INSURANCE RATE MAP NO. 48039C0610H WITH AN EFFECTIVE DATE OF JUNE 05, 1989.
- ALL DISTANCES ARE U.S. SURVEY FEET GRID AND CAN BE CONVERTED TO SURFACE BY MULTIPLYING THE COMBINED SCALE FACTOR OF 1.00013.
- ALL BEARINGS ARE REFERENCED TO THE TEXAS PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD-83, U.S. SURVEY FEET.
- ALL ELEVATIONS ARE BASED ON: TBM CHISELED "C" ON SOUTH SIDE OF STORM SEWER INLET ON NORTH SIDE OF WISTERIA BETWEEN 112 & 114 WISTERIA 200' EAST OF DRAINAGE DITCH.
- THE BOUNDARY CLOSURE CALCULATIONS HEREON IS 1:10,000.
- ALL LOT AND /OR BOUNDARY CORNERS NOT LABELED AS FOUND HERE ON WILL BE MARKED WITH A 5/8" I.R. W/CAP STAMPED "BAKER & LAWSON" UPON RECORDATION.
- THE REASON FOR THIS PLAT IS TO REVISE THE BUILDING LINES.

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND, THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS.

SIGNED: _____ DATE: _____
DEVIN R. ROYAL REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 6667

OWNER:
MATHIAS TCHAMENGO
NCHI TRADING LLC
2226 BLUE ROSE DRIVE
MISSOURI CITY, TEXAS 77459



300 EAST CEDAR ST.
ANGLETON, TEXAS 77515
OFFICE: (979) 849-6681
TBPLS No. 10052500

SCALE:	1" = 50'	REVISION NO.	REVISION DESCRIPTION	DRAWN BY:	BT
DATE:	09/11/2020			CHECKED BY:	AH
PROJECT NO:	14258			DRAWING NO:	1 OF 1

FINAL AMENDING PLAT
OF RIDGEWAY OF RICHWOOD
A 6.223 ACRE, 24-LOT SUBDIVISION

OUT OF MARQUIS AT MAGNOLIA,
C.C.F. No. 2018033899 O.R.B.C.T.
THE GLENWOOD BAYOU SUBDIVISION RECORDED IN
C.C.F. # 1967013610, O.R.B.C.T.
SITUATED IN THE J.E. GROCE SURVEY, A-66
BRAZORIA COUNTY, TEXAS
CITY OF RICHWOOD

STATE OF TEXAS
COUNTY OF BRAZORIA

KNOW ALL MEN BY THESE PRESENTS THAT:

I, MATHIAS TCHAMENGO, OWNER OF THE PROPERTY SUBDIVIDED IN THE FOREGOING PLAT OF MARQUIS AT MAGNOLIA, DOES HEREBY MAKE SUBDIVISION OF SAID PROPERTY ACCORDING TO THE LINES, LOTS AND EASEMENTS SHOWN HEREON AND DO HEREBY DEDICATE TO THE PUBLIC ALL EASEMENTS FOR THEIR USE FOREVER AND DESIGNATE SAID SUBDIVISION AS THE PLAT OF 24-LOTS, BEING A SUBDIVISION OF 6.28 ACRES IN THE CITY OF RICHWOOD, BRAZORIA COUNTY, TEXAS AND DO HEREBY BIND MYSELF, MY HEIRS AND ASSIGNS TO WARRANT AND DEFEND THE TITLE TO THE LAND SO DEDICATED.

WITNESS MY HAND THIS THE ____ DAY OF _____, 20__.

MATHIAS TCHAMENGO

STATE OF TEXAS
COUNTY OF BRAZORIA

BEFORE ME THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED MATHIAS TCHAMENGO, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THE SAME WAS THE ACTING OWNER FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

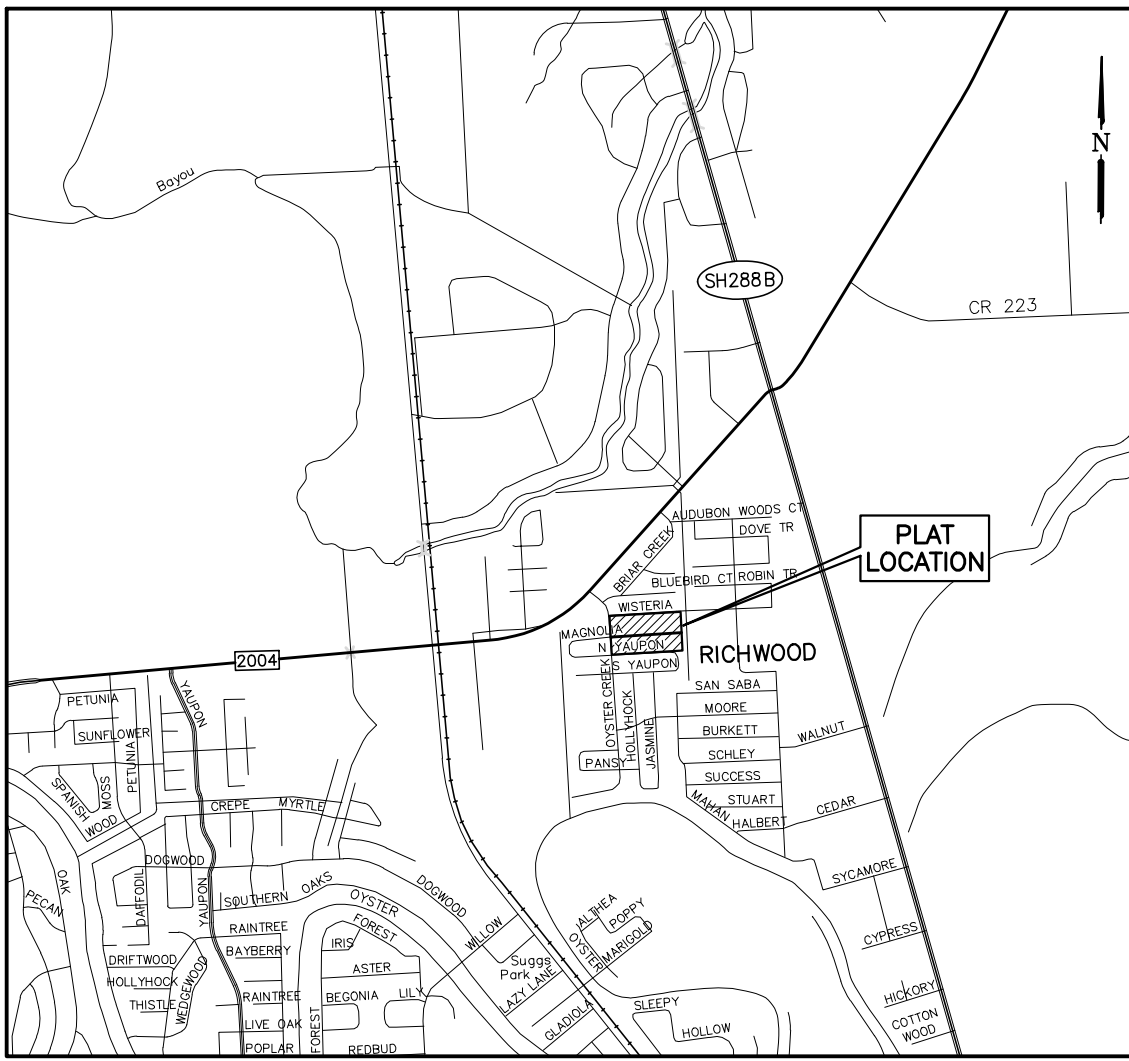
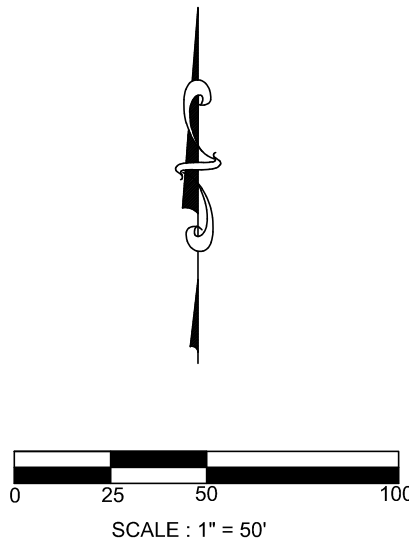
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, 20__.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

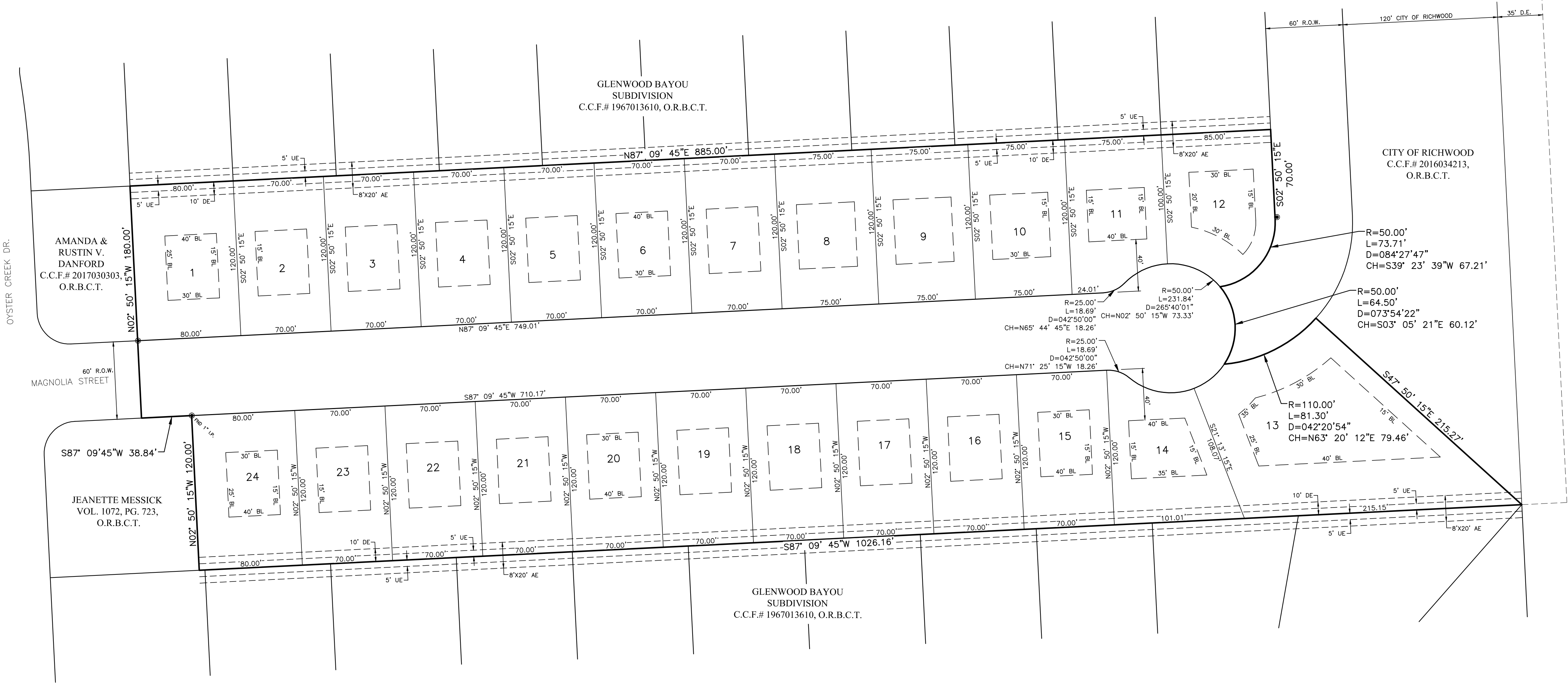
MY COMMISSION EXPIRES

MARQUIS AT MAGNOLIA

J.E. GROCE SURVEY, A-66 BRAZORIA COUNTY, TEXAS



VICINITY MAP
MAP NOT TO SCALE



FIELD NOTES DESCRIPTION:

TO BE ADDED AT A LATER TIME

SURVEYOR'S NOTES:

- THIS PLAT LIES WITHIN THE CITY LIMITS OF RICHWOOD.
- THE PROPERTY SURVEYED LIES FULLY WITHIN ZONE "X", DESCRIBED AS AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN ACCORDING TO THE FLOOD INSURANCE RATE MAP NO. 48039C0610H1 WITH AN EFFECTIVE DATE OF JUNE 05, 1989.
- ALL DISTANCES ARE U.S. SURVEY FEET GRID AND CAN BE CONVERTED TO SURFACE BY MULTIPLYING THE COMBINED SCALE FACTOR OF 1.00013.
- ALL BEARINGS ARE REFERENCED TO THE PLAT OF GLENWOOD BAYOU SUBDIVISION, O.R.B.C.T.
- ALL ELEVATIONS ARE BASED ON NAVD-88 DATUM.
- THE BOUNDARY CLOSURE CALCULATIONS HEREON IS 1:10,000.
- THE FINAL PLAT WILL EXPIRE TWO (2) YEARS AFTER FINAL APPROVAL BY CITY COUNCIL, IF CONSTRUCTION OF THE IMPROVEMENTS HAS NOT BEEN COMMENCED WITHIN THE TWO-YEAR PERIOD OR THE ONE-YEAR EXTENSION PERIOD GRANTED BY CITY COUNCIL.

ALL LOT AND / OR BOUNDARY CORNERS NOT LABELED AS FOUND HERE ON WILL BE MARKED WITH A 5/8" I.R. W/CAP STAMPED "BAKER & LAWSON" UPON RECORDATION.

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND, THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS.



SIGNED: JOSHUA A. MCGINN DATE: REGISTERED PROFESSIONAL LAND SURVEYOR TEXAS REGISTRATION NO. 6467

CITY COUNCIL APPROVALS

I CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF MARQUIS AT MAGNOLIA, WAS APPROVED

THIS THE ____ DAY OF _____, 20__ BY THE CITY COUNCIL OF THE CITY OF RICHWOOD, TEXAS.

MARK GUTHRIE, MAYOR

SARAH REED, MEMBER

MARK BROWN II, MEMBER

LAUREN LACOUNT, MEMBER

FRANK BLANKS, MEMBER

CHRIS HARDISON, MEMBER

PLANNING AND ZONING COMMISSION APPROVALS

THIS IS TO CERTIFY THAT THE PLANNING AND ZONING COMMISSION (OR THE CITY COUNCIL IF THERE IS NO PLANNING AND ZONING COMMISSION) OF THE CITY OF RICHWOOD, TEXAS, HAS APPROVED THIS PLAT AND SUBDIVISION OF (NAME OF SUBDIVIDER) AS SHOWN HEREIN. IN TESTIMONY WHEREOF, WITNESS THE OFFICIAL SIGNATURES OF THE CHAIRMAN AND SECRETARY OF THE PLANNING AND ZONING COMMISSION, THIS THE ____ DAY OF _____, 20__.

CHAIRMAN

SECRETARY

VELASCO DRAINAGE DISTRICT

THE BOARD OF SUPERVISORS OF THE VELASCO DRAINAGE DISTRICT DOES NOT WARRANT, REPRESENT OR GUARANTEE:

- THAT DRAINAGE FACILITIES OUTSIDE THE BOUNDARIES OF THIS SUBDIVISION ARE AVAILABLE TO RECEIVE RUNOFF FROM THE FACILITIES DESCRIBED ON THIS PLAT.
- THAT DRAINAGE FACILITIES DESCRIBED IN THIS SUBDIVISION ARE ADEQUATE FOR RAINFALL IN EXCESS OF VELASCO DRAINAGE DISTRICT MINIMUM REQUIREMENTS (10 YEAR FREQUENCY).
- THAT BUILDING ELEVATION REQUIREMENTS HAVE BEEN DETERMINED BY THE VELASCO DRAINAGE DISTRICT.
- THAT THE DISTRICT ASSUMES RESPONSIBILITY FOR CONSTRUCTION, OPERATION OR MAINTENANCE OF SUBDIVISION DRAINAGE FACILITIES.

THE DISTRICT REVIEW IS SOLELY BASED ON THE DOCUMENTATION SUBMITTED FOR REVIEW AND A RELIANCE ON SUBMISSION OF THE REPORT BY THE TEXAS PROFESSIONAL ENGINEER. THE DISTRICT'S REVIEW IS NOT INTENDED AND SHALL NOT SERVE AS A SUBSTITUTION OF THE OVERALL RESPONSIBILITY AND/OR DECISION MAKING POWER OF THE PARTY MAKING THE PLAN OR PLAT HEREIN, THEIR OR ITS PRINCIPALS OR AGENTS.

LOUIS H. JONES - VICE-CHAIRMAN

G.L. KIDWELL - CHAIRMAN

F. ROBERT HAMLET - SECRETARY

DATE:

LEGEND

O.R.B.C.T. = OFFICIAL RECORDS OF BRAZORIA COUNTY TEXAS
C.C.F.# = COUNTY CLERK'S FILE NUMBER

R.O.W. = RIGHT-OF-WAY

D.E. = DRAINAGE EASEMENT

B.L. = BUILDING SETBACK LINE

U.E. = UTILITY EASEMENT

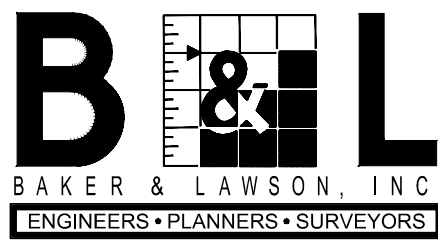
IR = IRON ROD

IP = IRON PIPE

○ = SET 5/8" IRON ROD

● = FOUND 1/2" IRON ROD (UNLESS OTHERWISE NOTED)

OWNER:
MATHIAS TCHAMENGO
NCHI TRADING LLC
2226 BLUE ROSE DRIVE
MISSOURI CITY, TEXAS 77459



300 EAST CEDAR ST.
ANGLETON, TEXAS 77515
OFFICE: (979) 849-6681
TBPLS No. 10052500

SCALE: 1" = 50'	REVISION NO.	REVISION DESCRIPTION:	DRAWN BY: BT
DATE: 03-26-2018			CHECKED BY: AH
PROJECT NO: 12427			DRAWING NO: 1 OF 1

RESOLUTION 20-R-34

A RESOLUTION OF THE CITY COUNCIL OF RICHWOOD, TEXAS, AUTHORIZING THE SUBMISSION OF A COMMUNITY DEVELOPMENT BLOCK GRANT-MITIGATION (CDBG-MIT) APPLICATION TO THE TEXAS GENERAL LAND OFFICE AND AUTHORIZING THE MAYOR AND CITY MANAGER TO ACT AS THE CITY'S EXECUTIVE OFFICERS AND AUTHORIZED REPRESENTATIVES IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE CDBG-MIT PROGRAM.

WHEREAS, the City of Richwood desires to develop a viable community, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low-to-moderate income; and

WHEREAS, certain conditions exist related to disastrous events, which represent a threat to the public health, safety and welfare; and

WHEREAS, it is necessary and in the best interests of to apply for funding under the CDBG-MIT Program;

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

1. That a CDBG-MIT application is hereby authorized to be filed with the Texas General Land Office for funding consideration under the Community Development Block Grant-Mitigation.
2. That the application be for \$3,245,724 of grant funds to provide drainage and street improvements
3. That the Mayor and City Manager are designated as the Chief Executive Officers and Authorized Representatives to act in all matters in connection with this application and participation in the CDBG-MIT Program.
4. That the Mayor is designated to oversee all grant activities so as to ensure there are no Conflicts of Interest.
5. That all funds will be used in accordance with all applicable federal, state, local and programmatic requirements including but not limited to procurement, environmental review, labor standards, real property acquisition, and civil rights requirements.
6. That contributing funds in the amount of \$32,458 in cash are committed by the City of Richwood toward application activities.

PASSED AND APPROVED on this 12th day of October 2020.

Steve Boykin, Mayor

Attest:

Kirsten Garcia, City Secretary



I sign this Texas Backs the Blue Pledge to oppose any efforts to defund the police and to show my support for the brave law enforcement officers who risk their lives to protect and serve. Defunding our police departments would invite crime into our communities and put people in danger. That is why I pledge to support any measure that discourages or stops efforts to defund police departments in Texas.

Our law enforcement officers have our backs every single day, and we need to show them that Texans have their backs.

#TexasBacksTheBlue

SIGNATURE

GREG ABBOTT, GOVERNOR

RESOLUTION NO. 20-R-31

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF RICHWOOD, TEXAS, AUTHORIZING THE MAYOR TO SIGN, TEXAS GOVERNOR, GREG ABBOTT'S BACK THE BLUE PLEDGE ON BEHALF OF THE CITY OF RICHWOOD IN SUPPORT OF LAW ENFORCEMENT OFFICERS.

WHEREAS, the City of Richwood, Texas recognizes the value of the sacrifice and dedication made by Law Enforcement Personnel who risk their lives to protect and serve and;

WHEREAS, the City Council of the City of Richwood, Texas opposes any efforts to defund the police;

WHEREAS, the City Council of the City of Richwood, Texas wishes to honor the service of our Law Enforcement Personnel;

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

The City hereby approves and adopts the attached Back the Blue pledge to support any measure that discourages or stops efforts to defund police departments in Texas.

PASSED AND APPROVED this the 12th day of October 2020.

THE CITY OF RICHWOOD, TEXAS

ATTEST

Steve Boykin, Mayor

Kirsten Garcia, City Secretary



AGENDA MEMORANDUM

ITEM #

CONTACT: Kirsten Garcia, City Secretary

SUBJECT: Appointment of Charter Review Committee members.

SUMMARY: Consider appointing applicants for Charter Review Committee.

BACKGROUND INFORMATION:

Every two years, the Charter Review Committee convenes (in even years) to review and suggest charter amendments to go to election (in odd years)

ISSUE:

So far, we have received one formal application, from Patty Guthrie. I have received verbal interest from Clint Kocurek, Kimberly Mayer and Brittany Figaro to serve on the committee. We still need one other member to complete the committee.

FISCAL IMPACT: None

RECOMMENDATION: Council to appoint the above mentioned applicants.

Thank you,

A handwritten signature in blue ink that reads "K. Garcia".

Kirsten Garcia



09/08/2020

Re: Property Sale 215 Halbert St.

Mayor and Council,

Staff is requesting a review of the sale of city property located at 215 Halbert Street.

During a review of property value at the location, a price of 15,000-19,000 was suggested by the auctioneers due to the comps in the area. This was given on 08/20/2020. This is significantly less than the Opinion of Value given on 09/17/2019. The value at that time was 30,000.

Staff is seeking guidance to continue with the auction, or to hold off for a better value at some time in the future.

Please see the attached documentation.

Respectfully,

Eric Foerster, MPA, CPM

Eric Foerster

From: Jackie Shillingburg <jackie@onlinepros.com>
Sent: Thursday, August 20, 2020 1:01 PM
To: Eric Foerster
Cc: Lori Campbell
Subject: Land for Auction-Lemons Auctioneers, LLC & Online Pros
Attachments: CityofRichwoodLandCMA.pdf; CityofRichwoodDavidsonSlaterPlace.pdf

Hi Eric,

Good Afternoon.

We missed seeing you on Tuesday but did get some photos of the property.

I know that you had an appraisal done on the property on September 17, 2019.

The world has changed quite a bit since you had that appraisal done so I decided to look at the recent sales comps in the area. Unfortunately, there are no other land comps in the neighborhood but I was able to pull land from the surrounding area. I also went ahead and pulled the average price per square footage in Davidson Slater Place.

The numbers are no where close to the \$30,000.00 mark.

Concerning land right now the average list per square footage is \$0.89 which would bring the list price to \$15, 518. 93 (CMA Attached)

Concerning the homes in the neighborhood the average list price is \$106.54 which would bring the list price to \$18.577.37 (CMA Attached)

At this point the land shows to only be valued around \$15,000.00 - \$19,000.00 based on surrounding sales comps.

Please advise if you would still like to move forward with the auction process based on this information?

Thanks,

Jackie Lemons-Shillingburg, CAI, TCAP, AMM, PRI
President Texas Auctioneers Association
National Auctioneers Association Ambassador
Lemons Auctioneers, LLC. and Online Pros
Vice President
Auctioneer-Realtor
18810 Juergen Rd.,
Tomball, Texas 77377

Office: (800) 243-1113 or (281) 357-4977

Cell: 713-542-0538

Fax: (281) 357-4974

www.onlinepros.com



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Prepared By: Jacquelyn Shillingburg

Listings as of 08/20/20 at 12:27 pm

Comparative Market Analysis

Property Type is 'Lots' Status is one of 'Active', 'Option Pending', 'Pend Cont to Show', 'Pending' Status is 'Sold' Status Contractual Search Date is 08/20/2020 to 02/22/2020 City/Location is 'Richwood' Zip Code is like '77331'

Lots

Active Properties																			
MLS #	Address	Subdivision	Acres	Lot Sz SqFt	List Price	LP/SqFt	LP/Acre	CDOM											
86747220	33419 Blue Marlin Drive	Oakwood Shores	3.045	132,640	\$51,000	\$0.38	\$16,749	401											
22016292	31919 Redfish Trail	Oakwood Shores S/D	3.150	137,302	\$54,000	\$0.39	\$17,143	*583											
17625808	33203 Blue Crab Court Court	Oakwood Shores	3.057	133,163	\$62,900	\$0.47	\$20,576	15											
48037134	2711 Oakwood Shores Drive	OAKWOOD SHORES	1.471	64,076	\$64,000	\$1.00	\$43,508	*694											
72450908	32503 Amberjack Drive	Oakwood Shores	4.018	175,024	\$80,000	\$0.46	\$19,910	289											
30870861	32802 Amberjack Drive	OAKWOOD SHORES	2.040		\$85,000		\$41,667	*1,218											
72848370	1704 N Brazosport Hwy 288b Boulevard	Richwood	3.600	157,252	\$239,900	\$1.53	\$66,639	52											
25012809	N Hwy 288B Brazosport Blvd	Richwood	5.000	217,800	\$259,000	\$1.19	\$51,800	733											
22581811	Highway N 1281-4 Brazosport Boulevard N	Penny	8.560	372,874	\$780,000	\$2.09	\$91,121	525											

# LISTINGS:	9	Medians:	3.150	147,277	\$80,000	\$0.74	\$41,667	525
		Minimums:	1.471	64,076	\$51,000	\$0.38	\$16,749	15
		Maximums:	8.560	372,874	\$780,000	\$2.09	\$91,121	1,218
		Averages:	3.771	173,768	\$186,200	\$0.94	\$41,013	501

Sold Properties

MLS #	Address	Subdivision	Acres	Lot Sz SqFt	List Price	LP/SqFt	LP/Acre	CDOM	Sold Price	SP/SqFt	SP/Acre	SP%LP	Cls Date
58098646	33210 Blue Marlin Drive	Oakwood Shores	2.004	87,294	\$42,000	\$0.48	\$20,958	128	\$38,500	\$0.44	\$19,212	91.67	06/17/20

This represents an estimated sale price for this property. It is not the same as the opinion of value in an appraisal developed by a licensed appraiser under the Uniform Standards of Professional Appraisal Practice.



Prepared By: Jacquelyn Shillingburg

Listings as of 08/20/20 at 12:27 pm

Comparative Market Analysis

Lots											
# LISTINGS:	1										
Medians:	2,004	87,294	\$42,000	\$0.48	\$31,312	128	\$38,500	\$0.44	\$19,212	91.67	
Minimums:	2,004	87,294	\$42,000	\$0.48	\$16,749	128	\$38,500	\$0.44	\$19,212	91.67	
Maximums:	2,004	87,294	\$42,000	\$0.48	\$91,121	128	\$38,500	\$0.44	\$19,212	91.67	
Averages:	2,004	87,294	\$42,000	\$0.48	\$39,007	128	\$38,500	\$0.44	\$19,212	91.67	

Quick Statistics (10 Listings Total)											
	Min	Max	Average	Median							
List Price	\$42,000	\$780,000	\$171,780	\$72,000							
Sold Price	\$38,500	\$38,500	\$38,500	\$38,500							
Adj. Sold Price	\$38,500	\$38,500	\$38,500	\$38,500							
LP/SF	\$0.38	\$2.09	\$0.89	\$0.48							
SP/SF	\$0.44	\$0.44	\$0.44	\$0.44							
Adj. SP/SF	\$0.44	\$0.44	\$0.44	\$0.44							

This represents an estimated sale price for this property. It is not the same as the opinion of value in an appraisal developed by a licensed appraiser under the Uniform Standards of Professional Appraisal Practice.

Comparative Market Analysis

Prepared By: Jacquelyn Shillingburg

Listings as of 08/19/20 at 4:31 pm

Property Type is 'Single-Family' Status is one of 'Active', 'Option Pending', 'Pend Cont to Show', 'Pending' Status is 'Sold' Status Contractual Search Date is 08/19/2020 to 02/21/2020 City/Location is 'Richwood' Subdivision is like 'Davidson Slater Place'

Single-Family

Active Properties

MLS #	Address	Subdivision	Pool	BR	FB	HB	# Gar	Bld SqFt	Yr Bld	Lot SF	List Price	LP/SqFt	CDOM
97287153	114 W Mahan Street	Davidson Slater Place	No	3	2	1	2	1,595	1983	11,352	\$210,000	\$131.66	5
# LISTINGS: 1													
Medians:													
Minimums:													
Maximums:													
Averages:													

Pend Cont to Show Properties

MLS #	Address	Subdivision	Pool	BR	FB	HB	# Gar	Bld SqFt	Yr Bld	Lot SF	List Price	LP/SqFt	CDOM
82682213	238 Schley Street	Davidson Slater Place	No	3	2	0	2	1,356	1977	15,002	\$177,500	\$130.90	86
# LISTINGS: 1													
Medians:													
Minimums:													
Maximums:													
Averages:													

Pending Properties

MLS #	Address	Subdivision	Pool	BR	FB	HB	# Gar	Bld SqFt	Yr Bld	Lot SF	List Price	LP/SqFt	CDOM
25691919	242 Schley Street	Davidson Slater Place	No	3	2	0	0	1,767	1979	15,002	\$105,000	\$59.42	17
64131916	212 Stuart Street	Davidson Slater Place	No	3	1	1	1	1,214	1956	15,002	\$135,000	\$111.20	57
71247016	218 San Saba Street	Davidson Slater Place	No	3	2	0	2	1,774	1985	15,002	\$173,500	\$97.80	8

This represents an estimated sale price for this property. It is not the same as the opinion of value in an appraisal developed by a licensed appraiser under the Uniform Standards of Professional Appraisal Practice.

Comparative Market Analysis

Prepared By: Jacquelyn Shillingburg

Listings as of 08/19/20 at 4:31 pm

Single-Family

LISTINGS: 3

Medians:
 Minimums:
 Maximums:
 Averages:

3 2 0 1 1,767 1979 15,002 \$135,000 \$97.80 17
 3 1 0 0 1,214 1956 15,002 \$105,000 \$59.42 8
 3 2 1 2 1,774 1985 15,002 \$173,500 \$111.20 57
 3 2 0 1 1,585 1973 15,002 \$137,833 \$89.47 27

Sold Properties

MLS #	Address	Subdivision	Pool	BR	FB	HB	# Gar	Bld SqFt	Yr Blt	Lot SF	List Price	LP/SqFt	CDOM	Cls Date	Sold Price	SP/SqFt	SP/LP%
23046708	241 San Saba Street	Davidson Slater Place	No	3	2	0	2	2,000	1966	15,002	\$199,000	\$99.50	118	03/31/20	\$199,000	\$99.50	100.00
6877477	131 W Mahan Street	Davidson Slater Place	No	4	2	1	0	2,624	1965	40,000	\$235,000	\$89.56	*174	05/08/20	\$232,000	\$88.41	98.72
73436796	251 Moore Street	Davidson Slater Place	No	3	2	1	2	1,860	2001	14,566	\$242,000	\$130.11	28	05/27/20	\$245,000	\$131.72	101.24
# LISTINGS:	3	Medians:	3	2	1	2	2,000	1966	15,002	\$235,000	\$99.50	\$99.50	118		\$232,000	\$99.50	100.00
		Minimums:	3	2	0	0	1,860	1965	14,566	\$199,000	\$89.56	\$89.56	28		\$199,000	\$88.41	98.72
		Maximums:	4	2	1	2	2,624	2001	40,000	\$242,000	\$130.11	\$130.11	174		\$245,000	\$131.72	101.24
		Averages:	3	2	1	1	2,161	1977	23,189	\$225,333	\$106.39	\$106.39	107		\$225,333	\$106.54	99.99

Quick Statistics (8 Listings Total)

	Min	Max	Average	Median
List Price	\$105,000	\$242,000	\$184,625	\$188,250
Sold Price	\$199,000	\$245,000	\$225,333	\$232,000
Adj. Sold Price	\$198,500	\$237,500	\$222,667	\$232,000
LP/SF	\$59.42	\$131.66	\$106.27	\$105.35
SP/SF	\$88.41	\$131.72	\$106.54	\$99.50
Adj. SP/SF	\$88.41	\$127.69	\$105.12	\$99.25

This represents an estimated sale price for this property. It is not the same as the opinion of value in an appraisal developed by a licensed appraiser under the Uniform Standards of Professional Appraisal Practice.

Comparative Market Analysis

Prepared By: Jacquelyn Shillingburg

Listings as of 08/20/2020 at 12:27 pm

Property Type is 'Lots' Status is one of 'Active', 'Option Pending', 'Pend Cont to Show', 'Pending' Status is 'Sold' Status Contractual Search Date is 08/20/2020 to 02/22/2020 City/Location is 'Richwood' Zip Code is like '77531'

Lots

Active Properties

MLS #	Address	Subdivision	Acres	Lot Sz SqFt	List Price	LP/SqFt	LP/Acre	CDOM
86747220	33419 Blue Marlin Drive	Oakwood Shores	3.045	132,640	\$51,000	\$0.38	\$16,749	401
22016292	31919 Redfish Trail Drive	Oakwood Shores S/D	3.150	137,302	\$54,000	\$0.39	\$17,143	*583
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72848370	1704 N Brazosport Hwy 288b Boulevard	Richwood	3.600	157,252	\$239,900	\$1.53	\$66,639	52
25012809	N Hwy 288B Brazosport Blvd	Richwood	5.000	217,800	\$259,000	\$1.19	\$51,800	733
22581811	Highway N 1281-4 Brazosport Boulevard N	Penny	8.560	372,874	\$780,000	\$2.09	\$91,121	525

LISTINGS:

9

Medians:	3.150	147,277	\$80,000	\$0.74	\$41,667	525
Minimums:	1.471	64,076	\$51,000	\$0.38	\$16,749	15
Maximums:	8.560	372,874	\$780,000	\$2.09	\$91,121	1,218
Averages:	3.771	173,766	\$186,200	\$0.94	\$41,013	501

Sold Properties

MLS #	Address	Subdivision	Acres	Lot Sz SqFt	List Price	LP/SqFt	LP/Acre	CDOM	Sold Price	SP/SqFt	SP/Acre	SP%LP	Cls Date
58099646	33210 Blue Marlin Drive	Oakwood Shores	2.004	87,294	\$42,000	\$0.48	\$20,958	128	\$38,500	\$0.44	\$19,212	91.67	06/17/20

This represents an estimated sale price for this property. It is not the same as the opinion of value in an appraisal developed by a licensed appraiser under the Uniform Standards of Professional Appraisal Practice.

Jackie Shillingburg

jackie@jshillingburg.com
 281.278.2222
 My Real Estate Expert LLC

Prepared By: Jacquelyn Shillingburg

Listings as of 08/20/20 at 12:27 pm

Comparative Market Analysis

Lots											
# LISTINGS:	1										
Medians:	2,004	87,294	\$42,000	\$0.48	\$31,312	128	\$38,500	\$0.44	\$19,212	91.67	
Minimums:	2,004	87,294	\$42,000	\$0.48	\$16,749	128	\$38,500	\$0.44	\$19,212	91.67	
Maximums:	2,004	87,294	\$42,000	\$0.48	\$91,121	128	\$38,500	\$0.44	\$19,212	91.67	
Averages:	2,004	87,294	\$42,000	\$0.48	\$39,007	128	\$38,500	\$0.44	\$19,212	91.67	

Quick Statistics (10 Listings Total)						
	Min	Max	Average	Median		
List Price	\$42,000	\$780,000	\$171,780	\$72,000		
Sold Price	\$38,500	\$38,500	\$38,500	\$38,500		
Adj. Sold Price	\$38,500	\$38,500	\$38,500	\$38,500		
LP/SF	\$0.38	\$2.09	\$0.89	\$0.48		
SP/SF	\$0.44	\$0.44	\$0.44	\$0.44		
Adj. SP/SF	\$0.44	\$0.44	\$0.44	\$0.44		

This represents an estimated sale price for this property. It is not the same as the opinion of value in an appraisal developed by a licensed appraiser under the Uniform Standards of Professional Appraisal Practice.

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 Information is believed to be accurate but is not guaranteed

Comparative Market Analysis

Prepared By: Jacquelyn Shillingburg

Listings as of 08/19/20 at 4:31 pm

Property Type is 'Single-Family' Status is one of 'Active', 'Option Pending', 'Pend Cont to Show', 'Pending' Status is 'Sold' Status Contractual Search Date is 08/19/2020 to 02/21/2020 City/Location is 'Richwood' Subdivision is like 'Davidson Slater Place'

Single-Family

Active Properties

MLS #	Address	Subdivision	Pool	BR	FB	HB	# Gar	Bld SqFt	Yr Blt	Lot SF	List Price	LP/SqFt	CDOM
97287153	114 W Mahan Street	Davidson Slater Place	No	3	2	1	2	1,595	1983	11,352	\$210,000	\$131.66	5
# LISTINGS: 1													
Medians:													
Minimums:													
Maximums:													
Averages:													

Pend Cont to Show Properties

MLS #	Address	Subdivision	Pool	BR	FB	HB	# Gar	Bld SqFt	Yr Blt	Lot SF	List Price	LP/SqFt	CDOM
82692213	238 Schley Street	Davidson Slater Place	No	3	2	0	2	1,356	1977	15,002	\$177,500	\$130.90	86
# LISTINGS: 1													
Medians:													
Minimums:													
Maximums:													
Averages:													

Pending Properties

MLS #	Address	Subdivision	Pool	BR	FB	HB	# Gar	Bld SqFt	Yr Blt	Lot SF	List Price	LP/SqFt	CDOM
25691919	242 Schley Street	Davidson Slater Place	No	3	2	0	0	1,767	1979	15,002	\$105,000	\$59.42	17
64131916	212 Stuart Street	Davidson Slater Place	No	3	1	1	1	1,214	1956	15,002	\$135,000	\$111.20	57
71247016	218 San Saba Street	Davidson Slater Place	No	3	2	0	2	1,774	1985	15,002	\$173,500	\$97.80	8

This represents an estimated sale price for this property. It is not the same as the opinion of value in an appraisal developed by a licensed appraiser under the Uniform Standards of Professional Appraisal Practice.

Comparative Market Analysis

Prepared By: Jacquelyn Shillingburg

Listings as of 08/19/20 at 4:31 pm

Single-Family

# LISTINGS: 3																	
Medians: 17																	
Minimums: 8																	
Maximums: 57																	
Averages: 27																	
Sold Properties																	
MLS #	Address	Subdivision	Pool	BR	FB	HB	# Gar	Bld SqFt	Yr Blt	Lot SF	List Price	LP/SqFt	CDOM	Cls Date	Sold Price	SP/SqFt	SP/LP%
23046708	241 San Saba Street	Davidson Slater Place	No	3	2	0	2	2,000	1966	15,002	\$199,000	\$99.50	118	03/31/20	\$199,000	\$99.50	100.00
6877477	131 W Mahan Street	Davidson Slater Place	No	4	2	1	0	2,624	1965	40,000	\$235,000	\$89.56	*174	05/08/20	\$232,000	\$88.41	98.72
73436796	251 Moore Street	Davidson Slater Place	No	3	2	1	2	1,860	2001	14,566	\$242,000	\$130.11	28	05/27/20	\$245,000	\$131.72	101.24
# LISTINGS: 3																	
Medians: 118																	
Minimums: 28																	
Maximums: 174																	
Averages: 107																	

Quick Statistics (8 Listings Total)

	Min	Max	Average	Median
List Price	\$105,000	\$242,000	\$184,625	\$188,250
Sold Price	\$199,000	\$245,000	\$225,333	\$232,000
Adj. Sold Price	\$198,500	\$237,500	\$222,667	\$232,000
LP/SF	\$59.42	\$131.66	\$106.27	\$105.35
SP/SF	\$88.41	\$131.72	\$106.54	\$99.50
Adj. SP/SF	\$88.41	\$127.69	\$105.12	\$99.25

This represents an estimated sale price for this property. It is not the same as the opinion of value in an appraisal developed by a licensed appraiser under the Uniform Standards of Professional Appraisal Practice.

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Information is believed to be accurate but is not guaranteed

Angleton Real Estate Appraisal
217 Sebesta Rd
Angleton, TX 77515-9492

09/17/2019

The City of Richwood
1800 Brazosport Blvd.
Richwood, TX 77531

Re: Property: 215 Halbert St
Richwood, TX 77531
Borrower: N/A
File No.: 15277

Opinion of Value: \$ 30,000
Effective Date: 09/10/2019

In accordance with your request, we have appraised the above referenced property. The report of that appraisal is attached.

The purpose of the appraisal is to develop an opinion of market value for the property described in this appraisal report, as improved, in unencumbered fee simple title of ownership.

This report is based on a physical analysis of the site and improvements, a locational analysis of the neighborhood and city, and an economic analysis of the market for properties such as the subject. The appraisal was developed and the report was prepared in accordance with the Uniform Standards of Professional Appraisal Practice.

The opinion of value reported above is as of the stated effective date and is contingent upon the certification and limiting conditions attached.

It has been a pleasure to assist you. Please do not hesitate to contact me or any of my staff if we can be of additional service to you.

Sincerely,



William E. Coleman
SRA
License or Certification #: 1360034
State: TX Expires: 04/30/2021

USPAP Compliance Addendum

Loan #
File # 15277

Borrower	N/A		
Property Address	215 Halbert St		
City	Richwood	County	Brazoria
State	TX	Zip Code	77531
Lender/Client	N/A		

APPRAISAL AND REPORT IDENTIFICATION

This Appraisal Report is one of the following types:

- ☒ Appraisal Report This report was prepared in accordance with the requirements of the Appraisal Report option of USPAP Standards Rule 2-2(a).
- ☐ Restricted Appraisal Report This report was prepared in accordance with the requirements of the Restricted Appraisal Report option of USPAP Standards Rule 2-2(b). The intended user of this report is limited to the identified client. This is a Restricted Appraisal Report and the rationale for how the appraiser arrived at the opinions and conclusions set forth in the report may not be understood properly without the additional information in the appraiser's workfile.

ADDITIONAL CERTIFICATIONS

I certify that, to the best of my knowledge and belief:

- ☐ The statements of fact contained in this report are true and correct.
- ☐ The report analyses, opinions, and conclusions are limited only by the reported assumptions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- ☐ I have no (or the specified) present or prospective interest in the property that is the subject of this report and no (or specified) personal interest with respect to the parties involved.
- ☐ I have no bias with respect to the property that is the subject of this report or the parties involved with this assignment.
- ☐ My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- ☐ My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- ☐ My analyses, opinions, and conclusions were developed and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
- ☐ This appraisal report was prepared in accordance with the requirements of Title XI of FIRREA and any implementing regulations.

PRIOR SERVICES

- ☒ I have NOT performed services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- ☐ I HAVE performed services, as an appraiser or in another capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment. Those services are described in the comments below.

PROPERTY INSPECTION

- ☐ I have NOT made a personal inspection of the property that is the subject of this report.
- ☒ I HAVE made a personal inspection of the property that is the subject of this report.

APPRAISAL ASSISTANCE

Unless otherwise noted, no one provided significant real property appraisal assistance to the person signing this certification. If anyone did provide significant assistance, they are hereby identified along with a summary of the extent of the assistance provided in the report.

ADDITIONAL COMMENTS

Additional USPAP related issues requiring disclosure and/or any state mandated requirements: The Income and Cost approaches to value are not derived, as they are not necessary for credible analysis. This report is made under the following Extraordinary Assumptions: -The subject site is not affected or encumbered by any health or environmental issues. -All Multiple Listing Services Data used within this report is true and accurate. -All public and / or private utilities servicing the subject site satisfy typical market participants expectations.

Should any of the Extraordinary Assumptions stated above be found false, the conclusions as stated within this report are subject to change.

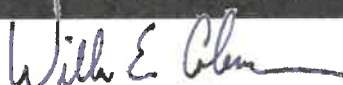
This report is made under the Hypothetical Condition that the property is one tract and not divided as the survey shows.

MARKETING TIME AND EXPOSURE TIME FOR THE SUBJECT PROPERTY

- ☒ A reasonable marketing time for the subject property is 3-6 mons. day(s) utilizing market conditions pertinent to the appraisal assignment.
- ☒ A reasonable exposure time for the subject property is 3-6 mons. day(s).

APPRAISER

SUPERVISORY APPRAISER (ONLY IF REQUIRED)

Signature 
 Name William E. Coleman
 Date of Signature 09/17/2019
 State Certification # 1360034
 or State License #
 State TX
 Expiration Date of Certification or License 04/30/2021
 Effective Date of Appraisal 09/10/2019

Signature _____
 Name _____
 Date of Signature _____
 State Certification # _____
 or State License # _____
 State _____
 Expiration Date of Certification or License _____
 Supervisory Appraiser Inspection of Subject Property
☐ Did Not ☐ Exterior-only from Street ☐ Interior and Exterior

Elite Appraisal Services (281) 997-9300
LAND APPRAISAL REPORT

File No. 15277

SUBJECT	Borrower <u>N/A</u>		Census Tract <u>6637.00</u>		Map Reference <u>26420</u>		
	Property Address <u>215 Halbert St</u>		County <u>Brazoria</u>		State <u>TX</u> Zip Code <u>77531</u>		
	City <u>Richwood</u>						
	Legal Description <u>DAVIDSON SLATER PLACE (A0066 J E GROCE TR 105A)(RICHWOOD), BLOCK 12, LOT 2</u>						
NEIGHBORHOOD	Sale Price \$ <u>N/A</u>		Date of Sale <u>N/A</u>	Loan Term <u>N/A</u> yrs.	Property Rights Appraised ☒ Fee ☐ Leasehold ☐ De Minimis PUD		
	Actual Real Estate Taxes \$ <u>532</u>		(yr) <u></u>	Loan charges to be paid by seller \$ <u>N/A</u>		Other sales concessions <u>N/A</u>	
	Lender/Client <u>N/A</u>		Address <u>N/A</u>				
	Occupant <u>N/A</u>		Appraiser <u>William E. Coleman</u>		Instructions to Appraiser <u>N/A</u>		
	Location ☐ Urban ☒ Suburban ☐ Rural		Employment Stability ☐ Good ☒ Avg. ☐ Fair ☐ Poor				
	Built Up ☐ Over 75% ☒ 25% to 75% ☐ Under 25%		Convenience to Employment ☐ ☒ ☐ ☐				
	Growth Rate ☐ Fully Dev. ☐ Rapid ☒ Steady ☐ Slow		Convenience to Shopping ☐ ☒ ☐ ☐				
	Property Values ☐ Increasing ☒ Stable ☐ Declining		Convenience to Schools ☐ ☒ ☐ ☐				
	Demand/Supply ☐ Shortage ☒ In Balance ☐ Oversupply		Adequacy of Public Transportation ☐ ☒ ☐ ☐				
	Marketing Time ☐ Under 3 Mos. ☒ 4-6 Mos. ☐ Over 6 Mos.		Recreational Facilities ☐ ☒ ☐ ☐				
Present <u>65%</u> One-Unit <u>0%</u> 2-4 Unit <u>0%</u> Apts. <u>0%</u> Condo <u>10%</u> Commercial		Adequacy of Utilities ☐ ☒ ☐ ☐					
Land Use <u>0%</u> Industrial <u>0%</u> Vacant <u>25%</u> Vacant		Property Compatibility ☐ ☒ ☐ ☐					
Change in Present Land Use ☒ Not Likely ☐ Likely (*) ☐ Taking Place (*)		Protection from Detrimental Conditions ☐ ☒ ☐ ☐					
Predominant Occupancy ☒ Owner ☐ Tenant <u>100%</u> % Vacant		Police and Fire Protection ☐ ☒ ☐ ☐					
One-Unit Price Range \$ <u>55</u> to \$ <u>800</u>		Predominant Value \$ <u>225</u>					
One-Unit Age Range <u>0</u> yrs. to <u>80</u> yrs.		Predominant Age <u>20</u> yrs.					
Appeal to Market ☐ ☒ ☐ ☐							
Comments including those factors, favorable or unfavorable, affecting marketability (e.g. public parks, schools, view, noise) <u>The subject is located outside the city limits of Richwood, Brazoria County, Texas. Proximity to schools, shopping, medical and employment centers is average. Local police and fire protection is adequate, and provided by the city of Richwood and Brazoria County.</u>							
SITE	Dimensions <u>No Survey Provided</u>		= <u>17,437</u> sf		☐ Corner Lot		
	Zoning Classification <u>C-1: Commercial</u>		Present Improvements ☒ Do ☐ Do Not		Conform to Zoning Regulations		
	Highest and Best Use ☐ Present Use ☒ Other (specify) <u>Residential as it is legally permissible with zoning variance.</u>						
	Public ☐ Other (Describe) <u>OFF SITE IMPROVEMENTS</u>		Topo <u>Level</u>				
	Elec. ☒		Size <u>17,437</u> sf				
	Gas ☒		Shape <u>Triangular</u>				
	Water ☒		View <u>17,437 sf / Res.</u>				
	San. Sewer ☒		Drainage <u>Assumed Adequate</u>				
	☐ Underground Elect. & Tel.		Is the property located in a FEMA Special Flood Hazard Area? ☐ Yes ☒ No				
	Comments (favorable or unfavorable including any apparent adverse easements, encroachments, or other adverse conditions) <u>No adverse easements or conditions noted. Local governing agency should be contacted for specific build-up requirements. The subject is located across the street from the fire station and a park. For the city of Richwood, the subject site can be rezoned to Residential. There is no market demand for commercial development for the subject site.</u>						
MARKET DATA ANALYSIS	The undersigned has recited the following recent sales of properties most similar and proximate to subject and has considered these in the market analysis. The description includes a dollar adjustment reflecting market reaction to those items of significant variation between the subject and comparable properties. If a significant item in the comparable property is superior to or more favorable than the subject property, a minus (-) adjustment is made, thus reducing the indicated value of subject; if a significant item in the comparable is inferior to or less favorable than the subject property, a plus (+) adjustment is made thus increasing the indicated value of the subject.						
	ITEM	SUBJECT PROPERTY	COMPARABLE NO. 1	COMPARABLE NO. 2	COMPARABLE NO. 3		
	Address	<u>215 Halbert St</u> <u>Richwood, TX 77531</u>	<u>0 Stewart</u> <u>Richwood, TX 77531</u>	<u>0 Moore</u> <u>Richwood, TX 77531</u>	<u>101 Wisteria St</u> <u>Richwood, TX 77531</u>		
	Proximity to Subject		<u>0.44 miles NE</u>	<u>0.36 miles N</u>	<u>0.64 miles N</u>		
	Sales Price	\$ <u>N/A</u>	\$ <u>1.67</u>	\$ <u>0.8</u>	\$ <u>3.59</u>		
	Price \$/Sq. Ft.	\$ <u></u>	\$ <u>25,000</u>	\$ <u>112,000</u>	\$ <u>34,000</u>		
	Data Source(s)	<u>Brazoria CAD</u>	<u>Brazoria CAD</u>	<u>Brazoria CAD</u>	<u>Brazoria CAD</u>		
	ITEM	DESCRIPTION	+ (-) \$ Adjust.	DESCRIPTION	+ (-) \$ Adjust.	DESCRIPTION	+ (-) \$ Adjust.
	Date of Sale/Time Adj.	<u>N/A</u>	<u>09/29/2017</u>	<u>03/10/2017</u>	<u>04/11/2016</u>		
	Location	<u>Residential</u>	<u>Residential</u>	<u>Residential</u>	<u>Residential</u>		
Site/View	<u>17,437 sf</u>	<u>15,000 sf</u>	<u>0 139,827 sf</u>	<u>+0.24 9,466 sf</u>	<u>-0.72</u>		
Access	<u>Typical</u>	<u>Typical</u>	<u>Typical</u>	<u>Typical</u>			
Pub. Utilities	<u>Public Utilities</u>	<u>Public Utilities</u>	<u>Public Utilities</u>	<u>Public Utilities</u>			
Sales or Financing	<u>N/A</u>	<u>Conventional</u>	<u>Conventional</u>	<u>Cash</u>			
Concessions	<u>N/A</u>	<u>0</u>	<u>0</u>	<u>0</u>			
Net Adj. (Total)		☐ + ☐ - \$ <u></u>	☒ + ☐ - \$ <u>0.24</u>	☐ + ☒ - \$ <u>-0.72</u>			
Indicated Value of Subject		\$ <u>1.67</u>	\$ <u>1.04</u>	\$ <u>2.87</u>			
Comments on Market Data <u>Sales offered in support of the subject values are deemed the most recent and similar available. All are within close proximity and are similar.</u>							
RECONCILIATION	Comments and Conditions of Appraisal <u>This report is made "as-is".</u>						
	Final Reconciliation <u>Adjusted sales indicate a value range of \$1.04 per sf to \$2.87 per sf. A value of \$2.00 per sf is deemed appropriate. 17,437 sf X \$1.70 = \$29,642</u>						
	I (WE) ESTIMATE THE MARKET VALUE, AS DEFINED, OF THE SUBJECT PROPERTY AS OF <u>09/10/2019</u> TO BE \$ <u>30,000</u>						
	Appraiser <u>William E. Coleman</u>			Supervisory Appraiser (if applicable)			
	Date of Signature and Report <u>09/17/2019</u>			Date of Signature			
	Title <u>SRA</u>			Title			
	State Certification # <u>1360034</u> ST TX			State Certification # ST			
	Or State License # ST			Or State License # ST			
	Expiration Date of State Certification or License <u>04/30/2021</u>			Expiration Date of State Certification or License			
	Date of Inspection (if applicable) <u>09/10/2019</u>			35 ☐ Did ☐ Did Not Inspect Property Date of Inspection			

ADDITIONAL COMPARABLE SALES

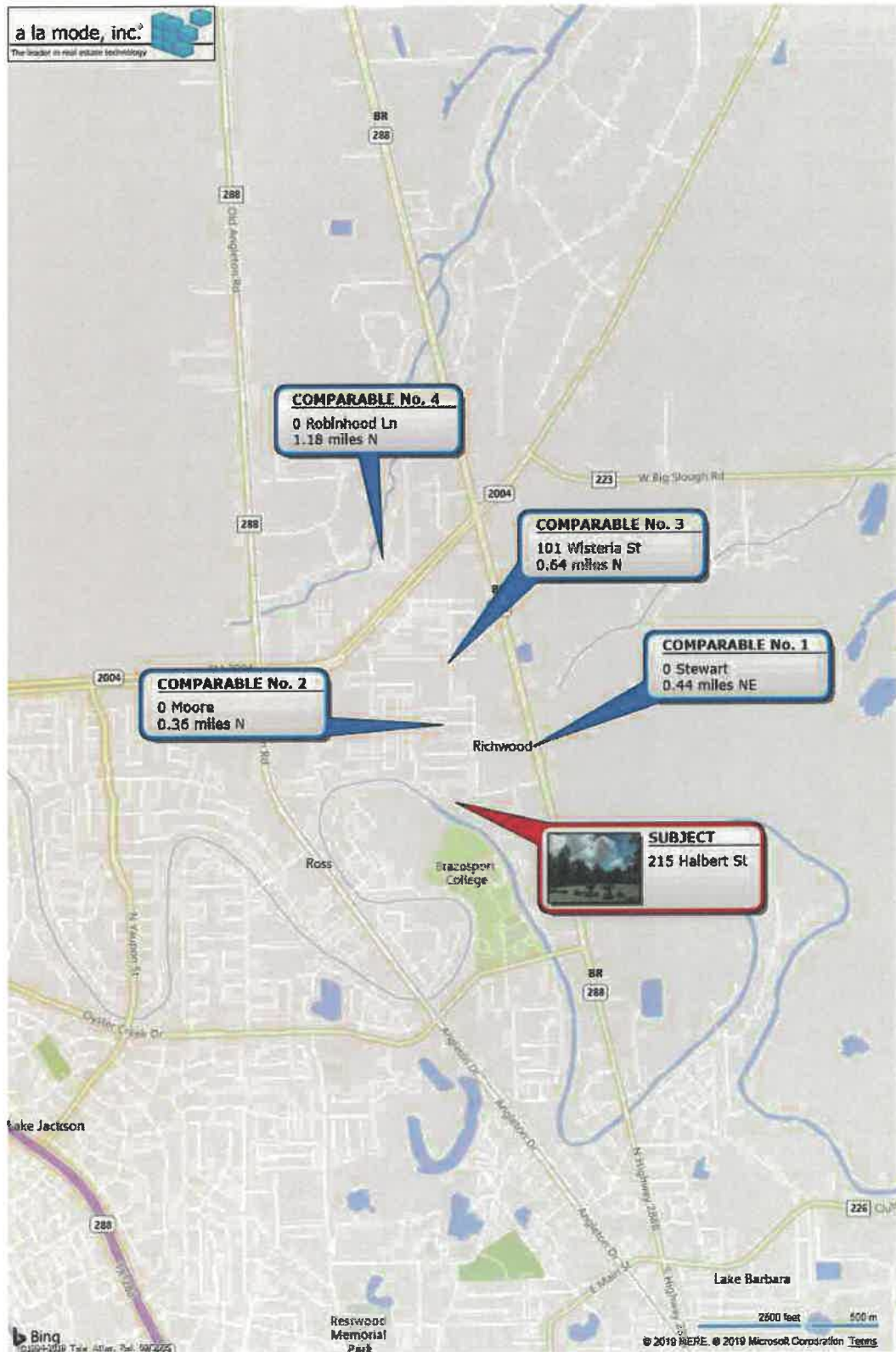
File No. 15277

ITEM	SUBJECT PROPERTY	COMPARABLE NO. 4	COMPARABLE NO. 5	COMPARABLE NO. 6			
Address	215 Halbert St Richwood, TX 77531	0 Robinhood Ln Richwood, TX 77531					
Proximity to Subject		1.18 miles N					
Sales Price	\$ N/A	\$ 1.35	\$	\$			
Price \$/Sq. Ft.	\$	\$ 45,000	\$	\$			
Data Source(s)	Brazoria CAD	Brazoria CAD					
ITEM	DESCRIPTION	DESCRIPTION	+ (-) \$ Adjust.	DESCRIPTION	+ (-) \$ Adjust.	DESCRIPTION	+ (-) \$ Adjust.
Date of Sale/Time Adj.	N/A	01/02/2015					
Location	Residential	Waterfront	-0.27				
Site/View	17,437 sf	33,455 sf	+0.14				
Access	Typical	Typical					
Pub. Utilities	Public Utilities	Public Utilities					
Sales or Financing Concessions	N/A	Cash					
Net Adj. (Total)	N/A	0					
Indicated Value of Subject		\$ 1.22					
Comments on Market Data The appraiser focused on smaller tracts located in the city of Richwood.							

MARKET DATA ANALYSIS

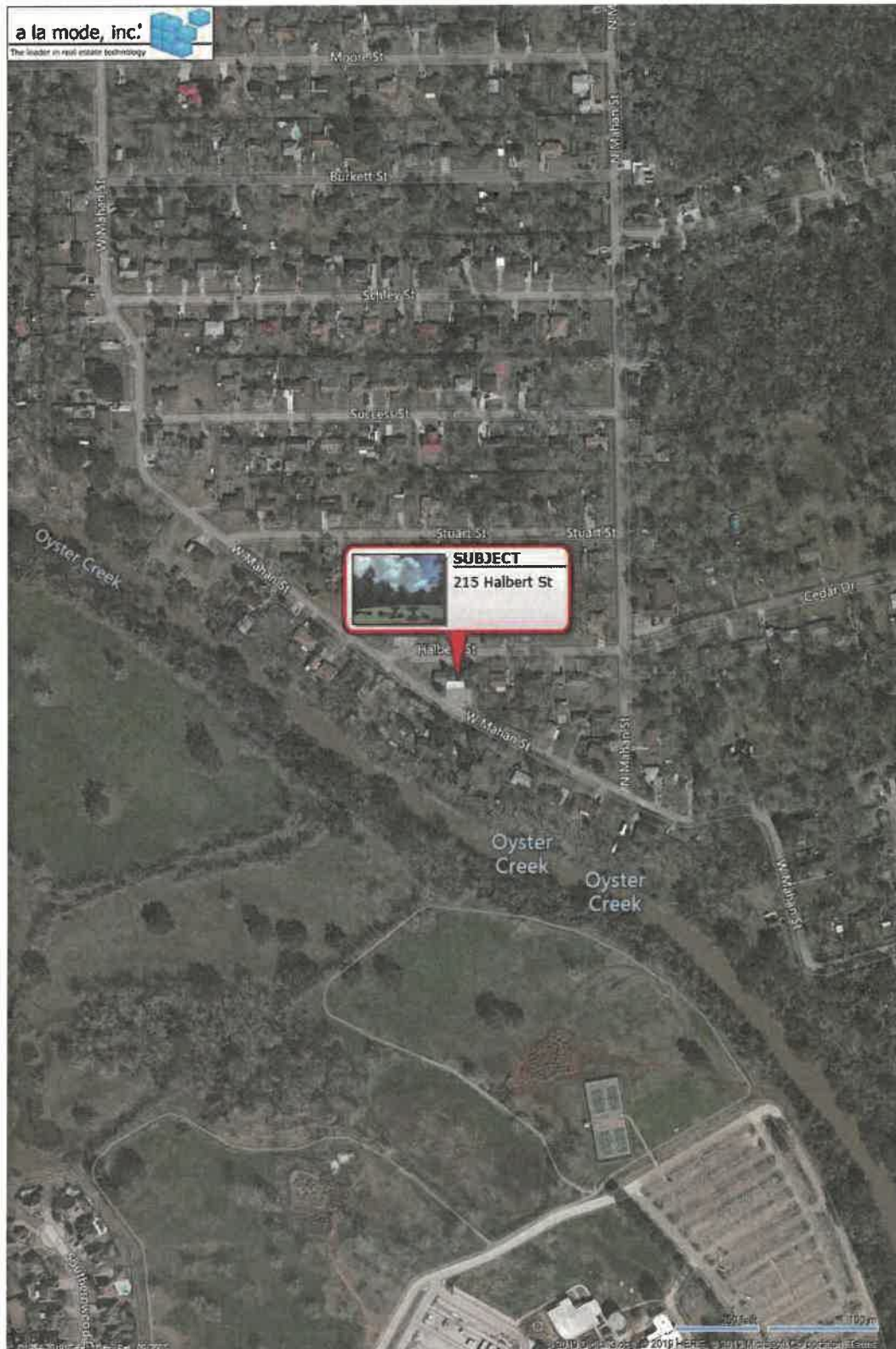
Location Map

Borrower	N/A				
Property Address	215 Halbert St				
City	Richwood	County	Brazoria	State	TX
				Zip Code	77531
Lender/Client	N/A				



Aerial Map

Borrower	N/A					
Property Address	215 Halbert St					
City	Richwood	County	Brazoria	State	TX	Zip Code 77531
Lender/Client	N/A					



Subject Photo Page

Borrower	N/A				
Property Address	215 Halbert St				
City	Richwood	County	Brazoria	State	TX Zip Code 77531
Lender/Client	N/A				

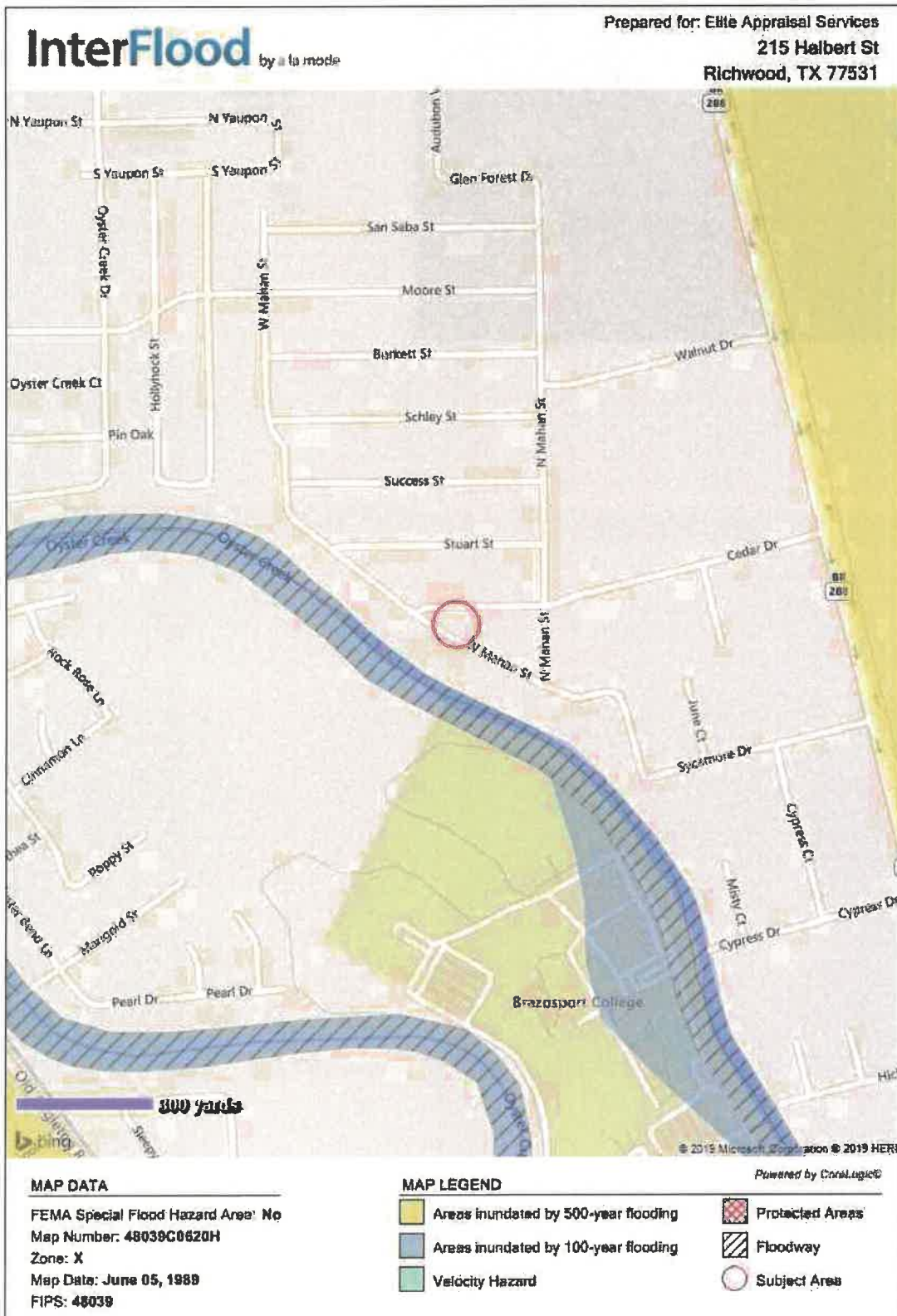


Subject Front

215 Halbert St
Sales Price N/A
Gross Living Area
Total Rooms
Total Bedrooms
Total Bathrooms
Location Residential
View 17,437 sf
Site
Quality
Age

Flood Map

Borrower	N/A				
Property Address	215 Halbert St				
City	Richwood	County	Brazoria	State	TX Zip Code 77531
Lender/Client	N/A				



Client:	City of Richwood	Client File #:	15277
Subject Property:	215 Halbert St, Richwood, TX 77531	Appraisal File #:	15277

STATEMENT OF ASSUMPTIONS AND LIMITING CONDITIONS

This appraisal is subject to the following assumptions and limiting conditions:

- This report is prepared using forms developed and copyrighted by the Appraisal Institute. However, the content, analyses, and opinions set forth in this report are the sole product of the appraiser. The Appraisal Institute is not liable for any of the content, analyses, or opinions set forth herein.
- No responsibility is assumed for matters legal in character or nature. No opinion is rendered as to title, which is assumed to be good and marketable. All existing liens, encumbrances, and assessments have been disregarded, unless otherwise noted, and the property is appraised as though free and clear, having responsible ownership and competent management.
- I have examined the property described herein exclusively for the purposes of identification and description of the real property. The objective of our data collection is to develop an opinion of the highest and best use of the subject property and make meaningful comparisons in the valuation of the property. The appraiser's observations and reporting of the subject improvements are for the appraisal process and valuation purposes only and should not be considered as a warranty of any component of the property. This appraisal assumes (unless otherwise specifically stated) that the subject is structurally sound and all components are in working condition.
- I will not be required to give testimony or appear in court because of having made an appraisal of the property in question, unless specific arrangements to do so have been made in advance, or as otherwise required by law.
- I have noted in this appraisal report any significant adverse conditions (such as needed repairs, depreciation, the presence of hazardous wastes, toxic substances, etc.) discovered during the data collection process in performing the appraisal. Unless otherwise stated in this appraisal report, we have no knowledge of any hidden or unapparent physical deficiencies or adverse conditions of the property (such as, but not limited to, needed repairs, deterioration, the presence of hazardous wastes, toxic substances, adverse environmental conditions, etc.) that would make the property less valuable, and have assumed that there are no such conditions and make no guarantees or warranties, express or implied. We will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because I am not an expert in the field of environmental hazards, this appraisal report must not be considered as an environmental assessment of the property. I obtained the information, estimates, and opinions furnished by other parties and expressed in this appraisal report from reliable public and/or private sources that I believe to be true and correct.
- I will not disclose the contents of this appraisal report except as provided for in the Uniform Standards of Professional Appraisal Practice, and/or applicable federal, state or local laws.
- The Client is the party or parties who engage an appraiser (by employment or contract) in a specific assignment. A party receiving a copy of this report from the client does not, as a consequence, become a party to the appraiser-client relationship. Any person who receives a copy of this appraisal report as a consequence of disclosure requirements that apply to an appraiser's client, does not become an intended user of this report unless the client specifically identified them at the time of the assignment. The appraiser's written consent and approval must be obtained before this appraisal report can be conveyed by anyone to the public through advertising, public relations, news, sales, or other media.
- A true and complete copy of this report contains _____ pages including exhibits which are considered an integral part of the report. The appraisal report may not be properly understood without access to the entire report.
- If this valuation conclusion is subject to satisfactory completion, repairs, or alterations, it is assumed that the improvements will be completed competently and without significant deviation.

VALUE DEFINITION

☒ Market Value Definition (below) ☐ Alternate Value Definition (attached)

MARKET VALUE is defined as the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. buyer and seller are typically motivated;
2. both parties are well informed or well advised and acting in what they consider their own best interests;
3. a reasonable time is allowed for exposure in the open market;
4. payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
5. the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

Source: The Dictionary of Real Estate Appraisal, 4th ed., Appraisal Institute

* NOTICE: The Appraisal Institute publishes this form for use by appraisers where the appraiser deems use of the form appropriate. Depending on the assignment, the appraiser may need to provide additional data, analysis and work product not called for in this form. The Appraisal Institute plays no role in completing the form and disclaims any responsibility for the data, analysis or any other work product provided by the individual appraiser(s).

Client:	City of Richwood	Client File #:	15277
Subject Property:	215 Halbert St, Richwood, TX 77531	Appraisal File #:	15277

APPRAISER CERTIFICATION

I certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analysis, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, unbiased professional analysis, opinions, and conclusions.
- I have no present (unless specified below) or prospective interest in the property that is the subject of this report, and I have no (unless specified below) personal interest with respect to the parties involved.
- I have no bias with respect to any property that is the subject of this report or to the parties involved with this assignment.
- My engagement in this assignment was not contingent upon the developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the use of this appraisal.
- My analysis, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
- Individuals who have provided significant real property appraisal assistance are named below. The specific tasks performed by those named are outlined in the Scope of Work section of this report.

☒ None ☐ Name(s) _____

As previously identified in the Scope Of Work section of this report, the signer(s) of this report certify to the inspection of the property that is the subject of this report as follows:

Property inspected by Appraiser ☒ Yes ☐ No

Property inspected by Co-Appraiser ☐ Yes ☐ No

ADDITIONAL CERTIFICATION FOR APPRAISAL INSTITUTE MEMBERS

Appraisal Institute Member Certify:

- The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics & Standards of Professional Appraisal Practice of the Appraisal Institute, which include the Uniform Standards of Professional Appraisal Practice.
- The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.

Designated Appraisal Institute Member Certify:

- As of the date of this report, I ☒ have / ☐ have not completed the continuing education program of the Appraisal Institute.

Designated Appraisal Institute Member Certify:

- As of the date of this report, I ☐ have / ☐ have not completed the continuing education program of the Appraisal Institute.

APPRAISER:

Signature

Name William E. Coleman

Report Date 09/17/2019

Trainee ☐ Licensed ☐ Certified Residential ☒ Certified General ☐

License # 1360034 State TX

Expiration Date 04/30/2021

CO-APPRAISER:

Signature

Name

Report Date

Trainee ☐ Licensed ☐ Certified Residential ☒ Certified General ☐

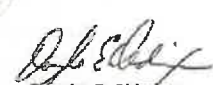
License # State

Expiration Date

* NOTICE: The Appraisal Institute publishes this form for use by appraisers where the appraiser deems use of the form appropriate. Depending on the assignment, the appraiser may need to provide additional data, analysis and work product not called for in this form. The Appraisal Institute plays no role in completing the form and disclaims any responsibility for the data, analysis or any other work product provided by the individual appraiser(s).

Cert

WILLIAM EUGENE COLEMAN
325 CALDWELL CIR
ANGLETON, TX 77515

	Certified Residential Real Estate Appraiser
Appraiser: William Eugene Coleman	
License #: TX 1360034 R	License Expires: 04/30/2021
Having provided satisfactory evidence of the qualifications required by the Texas Appraiser Licensing and Certification Act, Occupations Code, Chapter 1103, authorization is granted to use this title: Certified Residential Real Estate Appraiser	
For additional information or to file a complaint please contact TALCB at www.talcb.texas.gov .	
	 Douglas E. Oldmixon Commissioner



301 E. Fourth Street, Cincinnati, OH 45202

DECLARATIONS
for
REAL ESTATE APPRAISERS
ERRORS & OMISSIONS INSURANCE POLICY

THIS IS BOTH A CLAIMS MADE AND REPORTED INSURANCE POLICY.

**THIS POLICY APPLIES TO THOSE CLAIMS THAT ARE FIRST MADE AGAINST THE INSURED
AND REPORTED IN WRITING TO THE COMPANY DURING THE POLICY PERIOD.**

Insurance is afforded by the company indicated below: (A capital stock corporation)

☒ Great American Assurance Company

Note: The Insurance Company selected above shall herein be referred to as the Company.

Policy Number: **RAP4118489-19**

Renewal of:

Program Administrator: **Herbert H. Landy Insurance Agency Inc.**
75 Second Ave Suite 410 Needham, MA 02494-2876

Item 1. Named Insured: **William Coleman**Item 2. Address: **325 Caldwell Circle**City, State, Zip Code: **Angleton, TX 77515**

Item 3. Policy Period: From **03/24/2019** To **03/24/2020**
(Month, Day, Year) (Month, Day, Year)

(Both dates at 12:01 a.m. Standard Time at the address of the Named Insured as stated in Item 2.)

Item 4. Limits of Liability:

A. \$ **1,000,000** Damages Limit of Liability – Each ClaimB. \$ **1,000,000** Claim Expenses Limit of Liability – Each ClaimC. \$ **1,000,000** Damages Limit of Liability – Policy AggregateD. \$ **1,000,000** Claim Expenses Limit of Liability – Policy Aggregate

Item 5. Deductible (Inclusive of Claim Expenses):

A. \$ **0.00** Each ClaimB. \$ **0.00** AggregateItem 6. Premium: \$ **1,029.00**Item 7. Retroactive Date (if applicable): **03/24/2015**

Item 8. Forms, Notices and Endorsements attached:

D42100 (03/15) D42300 TX (05/13) IL7324 (08/12)**D42402 (05/13) D42412 (03/17) D42413 (06/17)**

Authorized Representative

D42101 (03/15)

Page 1 of 1



Real Estate Appraisers
Errors & Omissions Insurance Policy

ADDITIONAL INSURED ENDORSEMENT

In consideration of the premium charged, it is agreed the person or entity designated below is insured under this Policy solely for vicarious liability arising from Appraisal Services performed by the Named Insured. Nothing contained in this endorsement will serve to increase the Company's limit of liability.

Name of person or entity:

**Elite Appraisal Services, Inc.
Stellar Appraisal and Consulting, Inc.**

Other than as stated above, nothing herein contained shall be held to vary, alter, waive or extend any of the terms, conditions, provisions, agreements or limitations of the Policy to which this endorsement is attached.

Insured:	William Coleman		COLW81-1
Policy Period:	03/24/2019 - 03/24/2020	Policy Number:	RAP4118489-19
Endorsement Effective Date:	03/24/2019	Endorsement:	1

**INTERLOCAL AGREEMENT
REGARDING ANIMAL SERVICES
BETWEEN
CITY OF ANGLETON, TEXAS
&
CITY OF RICHWOOD, TEXAS**

THIS AGREEMENT is made and entered into by and between the City of Angleton Texas, hereinafter referred to as "Angleton", and the City of Richwood, Texas, hereinafter referred to as "Richwood", and in this regard, the parties hereto mutually agree, and state as follows:

I. Recitals

WHEREAS, Angleton and Richwood are both Home Rule Municipalities in Brazoria County, Texas and enter this Interlocal Agreement under the authority of the Interlocal Cooperation Act (the "Act"), Chapter 791 of the Texas Government Code, as amended. Angleton and Richwood wish to enter into an agreement for the City of Angleton to provide animal shelter services and field animal control services within the city limits of Richwood.

WHEREAS both Cities represent that each is independently authorized to perform the functions contemplated by this Agreement; and

WHEREAS, Angleton operates Animal Control Services in its police department support services division, and has a municipal animal shelter and the police department manpower to provide animal control services and the manpower necessary to manage and run a municipal animal shelter for the purpose of reducing general animal control problems, including but not limited to protecting its citizens from the dangers and problems associated with free roaming animals, and Richwood has a need for such Animal Control Services and is not equipped to render such services; and

WHEREAS, each party has sufficient funds available from current revenues to perform the functions contemplated by this Agreement; and

WHEREAS, both Angleton and Richwood find it mutually desirable to enter into this Agreement; and

NOW, THEREFORE, for and in consideration of the mutual benefits and promises each to the other made herein, the parties named above do hereby agree as follows:

II. Definitions

- A. Animal: As used in this agreement, "animal" shall mean domesticated dogs and cats.
- B. Animal Control Services: "Animal Control Services" shall mean the services provided by the City in response to an Animal Call necessary to effectively carry out an animal control program for Richwood. Animal Control Services shall include: the

humane capture of stray, unrestrained, homeless, abandoned, or unwanted animals and the humane transportation of captured animals to the Animal Shelter; response to calls regarding wild animals that have entered a person's residence; response to calls regarding animal bites and scratches, including the initial investigation of such incidents; and the capture of a biting animal for state-mandated rabies quarantine observation by the Local Rabies Control Authority. Animal Control Services do not include trapping nuisance animals, wild animals, horses, or livestock or removal of deceased animals. The City shall not be responsible for conducting cruelty investigations, or any enforcement of Richwood's animal ordinance. Animal Control Services shall include animal rescue, and efforts to place animals in adoptive care through a pet adoption program.

- C. Animal Shelter: "Animal Shelter" shall mean the facility known as the Angleton Animal Services Animal Shelter, currently located at 535 S. Anderson in Angleton, Brazoria County, Texas that keeps or legally impounds stray, homeless, abandoned, or unwanted animals, and has a pet adoption program.
- D. City: "City" shall mean the City of Angleton, Brazoria County, Texas, with its offices located at 121 S. Velasco, Angleton, Brazoria County, Texas, 77515.
- E. Client: "Client" shall mean the City of Richwood, Brazoria County, Texas Department with its offices located at 1800 Brazosport Blvd., Richwood, Brazoria County, Texas.
- F. Animal Call: "Animal Call" shall means calls made by the Client or Richwood residents to the City's Police Department dispatch to request Animal Control Services.
- G. Animal Services Officer: "Animal Services Officer: shall mean an officer of the Angleton Police Department Support Services Division, as defined in the City of Angleton Code of Ordinances, Chapter 4 Animals, as amended.
- H. Any word or phrases not specifically defined herein shall have as its meaning the ordinary and commonly understood meaning except for specific animal control or veterinary terms.

III. City's Obligations

City agrees to provide Animal Control Services to Client for all Animal Calls occurring in areas located within the corporate city limits of Richwood, Texas, as reflected on the current city limits map as of the date of this agreement.

City will dispatch an Animal Services Officer in response to an Animal Call, and City agrees to transport all captured animals to the Animal Shelter, provided however, that wild animals may be released back into their natural habitat.

IV. Client's Obligations

Client shall fully cooperate with City in the provision of Animal Control Services, including but not limited to, furnishing: any and all information in its possession about the ownership of a suspected rabid animal, including rabies Vaccination Certificates maintained by any department of the Client; any history of the animal; the name and address of any person reporting an animal bite or scratch; the name and address of any possible victims of an animal bite or scratch; and the name and address of any person believed to own an animal which the Client or a resident has called the City to capture or remove.

Client agrees to furnish information to City in a timely and expeditious manner.

Client agrees to assist with the apprehension of any animal in appropriate situations and if necessary dispatch a Richwood law enforcement officer to assist.

Client agrees to file all criminal or civil charges, in the appropriate court, for any violations of Client's rules and regulations or for any violations of State Statutes, at the sole discretion of the Client.

Client agrees to pay all fees associated with the impoundment, testing, medical treatment or final disposition of any animal; for any product or service provided by the Animal Shelter as set forth in this agreement; and for any product or service provided by any person other than the City.

V. Consideration

a. In consideration for the City's performance of the duties listed herein, the Client will Pay the City a set amount per annum. The Client shall pay the City for the services as delineated in this contract in the following manner: Client agrees to pay city Fifteen Thousand and 00/100 Dollars per year in a lump sum payment on or before October 10th. Initial payment will be paid on or before October 10, 2020.

b. Upon renewal as provided in Article VIII herein, the amount paid in each year following the first will be no less than Fifteen Thousand and 00/100 Dollars (\$15,000.00), to cover the Client's portion of the cost of animal services. However, in the event that the City determines prior to renewal of this Agreement that the amount of Fifteen Thousand and 00/100 Dollars is insufficient to cover said costs, the City and Client will meet no later than April 1st, to determine the appropriate amount of consideration. The City shall provide to the Client a line-item presentation, by program, of the operating budget proposed by the City for the new period. A comparison of the actual revenues and expenses to the amounts budgeted and paid in the prior period will be included in determining the amount of consideration for the new period.

VI. Reports

City shall submit a comprehensive annual report of all Animal Control Services to Client within thirty (30) days of the close of each fiscal year, currently being September 30th. City shall provide to Client, upon request, a copy of any other report not confidential by law or contract, which it may be required to prepare and submit to any federal, state, or other jurisdiction in the course of its animal and rabies control activities. City shall also render to Client at reasonable intervals, such reports and accounting as Client from time to time may require; provided however, if such request becomes burdensome, City may invoice for the cost of preparation of such reports.

VII. Default

In the event Client fails to: (i) pay all costs set forth in Article V above, or (ii) perform its obligations as set forth herein, the City shall give Client written notice of default with an opportunity to cure such default within ten (10) days. If Client fails to cure such default during the 10-day cure period, the Agreement shall terminate, and Client shall assume responsibility for its own animal control.

VIII. Termination and Renewal

Both Richwood, and Angleton mutually agree that the terms and provisions of this agreement will commence on the 1st day of October 2020 and shall continue in full force and effect until September 30, 2021. The Agreement will be renewed annually only upon full review of the Services provided herein and upon written approval by both parties. The Agreement may be terminated by either party with a thirty (30) day written notice exercising their right to cancel this agreement as hereinafter provided. All costs and liabilities incurred by the City, if any, on behalf of the Client prior to the termination shall be the responsibility of the Client.

The City shall be responsible for the Animal Control Services contemplated under this Agreement. The City shall supply all materials, equipment, tools, transportation, and labor required for, or reasonably incidental to, the performance of Animal Control Services. The City shall have ultimate control over the execution of the work under this Agreement. The City shall have the sole obligation to employ, direct, control, supervise, manage, discharge, and compensate all of its employees.

IX. General Provisions

- a. This agreement shall be subject to all present and future valid laws, orders, rules and regulations of the State of Texas and any other regulatory body thereof having jurisdiction and shall be construed under the laws of the State of Texas.
- b. Notwithstanding anything in this Agreement which may be construed to the contrary, this interlocal agreement shall not operate as a merger, consolidation, or annexation of one political subdivision by another

- c. Severability Clause: The parties intend for the various provisions of this Agreement to be severable so that the invalidity, if any, of any one section (or more) shall not affect the validity of the remaining provisions or sections.
- d. This document may be executed in any number of original signature counterparts, each of which shall for all purposes be deemed an original, and all such counterparts shall constitute one and the same document. Each party has the full power and authority to enter into and perform this Agreement, and the person signing this Agreement on behalf of each party has been properly authorized and empowered to enter into this Agreement. The persons executing this Agreement hereby represent that they have authorization to sign on behalf of their respective entity.
- e. This Agreement represents the entire agreement of the parties and supersedes any verbal or written representations of, to or by the parties to each other.
- f. Notices to either party shall be sufficient if sent in writing, postage pre-paid, registered, or certified mail to the City Manager of the party at the address herein.
- g. It is understood and agreed that this Agreement may be executed in a number of identical counterparts, each of which shall be deemed an original for all purposes.

CITY OF ANGLETON, TEXAS

By: _____
Jason Perez, Mayor

Date: _____

Attest:

Frances Aguilar, City Secretary

-Additional Signatures to Follow on Next Page-

CITY OF RICHWOOD, TEXAS

By: _____
Steve Boykin, Mayor

Date: _____

Attest:

Giani Cantu, City Secretary

Approved:

Chris Whittaker, City Manager
Angleton, Texas

**THE CITY OF RICHWOOD
CITIZEN PARTICIPATION PLAN
TEXAS GENERAL LAND OFFICE (GLO) COMMUNITY DEVELOPMENT BLOCK
GRANT MITIGATION (CDBG-MIT) PROGRAM**

COMPLAINT PROCEDURES

These complaint procedures comply with the requirements of the Texas General Land Office Community Development Block Grant Mitigation (CDBG-MIT) Program and Local Government Requirements found in 24 CFR §570.486 (Code of Federal Regulations). Citizens can obtain a copy of these procedures at the City of Richwood, 1800 N. Brazosport Blvd., Richwood, TX 77531, 979-265-2082 during regular business hours.

Below are the formal complaint and grievance procedures regarding the services provided under the CDBG-MIT project(s).

1. A person who has a complaint or grievance about any services or activities with respect to the CDBG-MIT project(s), whether it is a proposed, ongoing, or completed CDBG-MIT project(s), may during regular business hours submit such complaint or grievance, in writing to the City Manager, at 1800 N. Brazosport Blvd., Richwood, TX 77531 or may contact 979-265-2082.
2. A copy of the complaint or grievance shall be transmitted by the City Manager to the entity that is the subject of the complaint or grievance and to the City Attorney within five (5) working days after the date of the complaint or grievance was received.
3. The City Manager shall complete an investigation of the complaint or grievance, if practicable, and provide a timely written answer to person who made the complaint or grievance within ten (10) days.
4. If the investigation cannot be completed within ten (10) working days per 3 above, the person who made the grievance or complaint shall be notified, in writing, within fifteen (15) days where practicable after receipt of the original complaint or grievance and shall detail when the investigation should be completed.
5. If necessary, the grievance and a written copy of the subsequent investigation shall be forwarded to the CDBG-MIT program for their further review and comment.
6. If appropriate, provide copies of grievance procedures and responses to grievances in both English and Spanish, or other appropriate language.

TECHNICAL ASSISTANCE

When requested, the City shall provide technical assistance to groups that are representative of persons of low- and moderate-income in developing proposals for the use of CDBG-MIT funds. The City, based upon the specific needs of the community's residents at the time of the request, shall determine the level and type of assistance.

PUBLIC OUTREACH EFFORTS

The City shall provide for reasonable public notice, appraisal, examination and comment on the activities proposed for the use of CDBG-MIT funds. These efforts shall include:

1. Provide for and encourage citizen participation, particularly by low and moderate income persons who reside in slum or blighted areas and areas in which CDBG-MIT funds are proposed to be used;
2. Ensure that citizens will be given reasonable and timely access to local meetings, information, and records relating to an entity's proposed and actual use of CDBG-MIT funds;
3. Furnish citizens information, including but not limited to:
 - a) the amount of CDBG-MIT funds expected to be made available
 - b) the range of activities that may be undertaken with the CDBG-MIT funds
 - c) the estimated amount of the CDBG-MIT funds proposed to be used for activities that will meet the national objective of benefit to low and moderate income persons
 - d) if applicable, the proposed CDBG-MIT activities likely to result in displacement and the entity's anti-displacement and relocation plan
4. Provide citizens with reasonable advance notice of, and opportunity to comment on, proposed activities in an application to the state and, for grants already made, activities which are proposed to be added, deleted or substantially changed from the entity's application to the state. Substantially changed means changes made in terms of purpose, scope, location or beneficiaries as defined by criteria established by the state; and
5. These outreach efforts may be accomplished through one or more of the following methods:
 - a) Publication of notice in a local newspaper—a published newspaper article may be used so long as it provides sufficient information regarding program activities and relevant dates;
 - b) Notices prominently posted in public buildings and distributed to local Public Housing Authorities and other interested community groups;
 - c) Posting of notice on the local entity website (if available);
 - d) Public Hearing; or
 - e) Individual notice to eligible cities and other entities as applicable using one or more of the following methods:
 - Certified mail
 - Electronic mail or fax
 - First-class (regular) mail
 - Personal delivery (e.g., at a Council of Governments [COG] meeting)

PUBLIC HEARING PROVISIONS (IF APPLICABLE)

If a public hearing is scheduled and conducted by a CDBG-MIT applicant or recipient, the following public hearing provisions shall be observed:

1. Furnish citizens information, including but not limited to:
 - (a) The amount of CDBG-MIT funds available per application;
 - (b) The range of activities that may be undertaken with the CDBG-MIT funds;
 - (c) The estimated amount of the CDBG-MIT funds proposed to be used for activities that will meet the national objective of benefit to low- and moderate-income persons; and
 - (d) The proposed CDBG-MIT activities likely to result in displacement and the unit of general local government's anti-displacement and relocation plans required under 24 CFR 570.488.

2. Public notice of any hearings must be published at least seventy-two (72) hours prior to the scheduled hearing. The public notice must be published in a local newspaper. Each public notice MUST include the DATE, TIME, LOCATION and TOPICS to be considered at the public hearing. A published newspaper article may also be used to meet this requirement so long as it meets all content and timing requirements. Notices should also be prominently posted in public buildings and distributed to local Public Housing Authorities and other interested community groups.
3. Each public hearing shall be held at a time and location convenient to potential or actual beneficiaries and will include accommodation for persons with disabilities. Persons with disabilities must be able to attend the hearings and an applicant must make arrangements for individuals who require auxiliary aids or services if contacted at least two days prior to each hearing.
4. When a considerable number of non-English speaking residents can be reasonably expected to participate in a public hearing, an interpreter will be present to accommodate the needs of the non-English speaking residents.
5. City may conduct a public hearing via webinar if they also follow the provisions above. If the webinar is used to conduct a public hearing, a physical location with associated reasonable accommodations must be made available for citizens to participate so as to ensure that those individuals without necessary technology are able to participate.
6. If applicable, the locality must retain documentation of the hearing notice(s), attendance lists, minutes of the hearing(s), and any other records concerning the actual use of funds for a period of three years after the project is closed out. Such records must be made available to the public in accordance with Chapter 552, Government Code.

Steve Boykin, Mayor
City of Richwood

Date

LA CIUDAD DE RICHWOOD
PLAN DE PARTICIPACIÓN DEL CIUDADANO
TEXAS GENERAL LAND OFFICE (GLO) PROGRAMA DE MITIGACION (CDBG-
MIT) BLOQUE DE DESARROLLO COMUNITARIO

PROCEDIMIENTOS DE QUEJAS

Estos procedimientos de queja cumplen con los requisitos del Programa de Recuperación de Desastres (CDBG-MIT) y los Requisitos de Gobiernos Locales del Código de Regulaciones Federales (CFR §570.486). Los ciudadanos pueden obtener una copia de estos procedimientos en la ciudad de Richwood, 1800 N. Brazosport Blvd., Richwood, TX 77531, 979-265-2082 (Teléfono) durante las horas de negocio.

A continuación se presentan los procedimientos formales de quejas y quejas en relación con los servicios prestados en el marco del proyecto (s) CDBG-MIT.

1. Una persona que tenga una queja o queja acerca de cualquier servicio o actividad con respecto al (los) proyecto (s) CDBG-MIT, si se trata de un proyecto (s) CDBG-MIT propuesto, en curso o terminado, presentar dicha queja o queja, por escrito al 1800 N. Brazosport Blvd., Richwood, TX 77531 o puede llamar a 979-265-2082 (teléfono).
2. Una copia de la queja o queja será transmitida por el Administrador de la ciudad a la entidad que es el sujeto de la queja o queja y al Abogado de la ciudad dentro de los cinco (5) días hábiles después de la fecha de la queja o queja fue recibida .
3. El Administrador de la ciudad completará una investigación de la queja, si es factible, y proporcionará una respuesta escrita a tiempo a la persona que hizo la queja o queja dentro de diez (10) días.
4. Si la investigación no puede completarse dentro de los diez (10) días hábiles por no. 3 anterior, la persona que hizo la queja o queja será notificada por escrito dentro de los quince (15) días cuando sea posible después de recibir la queja o queja original y detallará cuándo debe concluirse la investigación.
5. Si es necesario, la queja y una copia escrita de la investigación posterior serán enviadas al programa CDBG-MIT para su revisión y comentario.
6. Si es apropiado, proporcione copias de los procedimientos de quejas y respuestas a las quejas en inglés y español, u otro idioma apropiado.

ASISTENCIA TÉCNICA

Cuando se le solicite, la ciudad proporcionará asistencia técnica a grupos que sean representativos de personas de ingreso bajo o moderado en el desarrollo de propuestas para el uso de fondos de CDBG-MIT. La ciudad, basado en las necesidades específicas de los residentes de la comunidad en el momento de la solicitud, determinará el nivel y tipo de asistencia.

ESFUERZOS PUBLICOS

La ciudad proporcionará un aviso público razonable, evaluación, examen y comentario sobre las actividades propuestas para el uso de fondos de CDBG-MIT. Estos esfuerzos incluirán:

1. Proveer y fomentar la participación ciudadana, en particular por personas de ingresos bajos y moderados que residen en áreas de tugurios o áreas deterioradas y áreas en las cuales se proponen utilizar fondos de CDBG-MIT;
2. Asegurar que los ciudadanos tendrán acceso razonable y oportuno a las reuniones locales, información y registros relacionados con el uso propuesto y real de fondos de CDBG-MIT por parte de la entidad;
3. Proporcionar información a los ciudadanos, incluyendo pero no limitado a:
 - a) la cantidad de fondos CDBG-MIT que se espera estén disponibles
 - b) la gama de actividades que se pueden emprender con los fondos CDBG-MIT
 - c) el monto estimado de los fondos CDBG-MIT que se propone utilizar para actividades que cumplan el objetivo nacional de beneficio para personas de ingresos bajos y moderados
 - d) si procede, las actividades propuestas de CDBG-MIT que puedan resultar en desplazamiento y el plan de desplazamiento y deslocalización de la entidad
4. Proporcionar a los ciudadanos un aviso anticipado razonable y la oportunidad de comentar sobre las actividades propuestas en una solicitud al estado y, para las subvenciones ya realizadas, actividades que se proponen agregar, eliminar o cambiar sustancialmente de la aplicación de la entidad al estado . Cambios sustanciales significa cambios hechos en términos de propósito, alcance, ubicación o beneficiarios según lo definido por los criterios establecidos por el estado; y
5. Estos esfuerzos de divulgación pueden lograrse a través de uno o más de los siguientes métodos:
 - a) Publicación de un aviso en un periódico local: se puede utilizar un artículo de periódico publicado siempre que proporcione información suficiente sobre las actividades del programa y las fechas pertinentes;
 - b) Avisos destacados en edificios públicos y distribuidos a las Autoridades Locales de Vivienda ya otros grupos comunitarios interesados;
 - c) Publicación de aviso en el sitio web de la entidad local (si está disponible);
 - d) Audiencia pública; o
 - e) Notificación individual a ciudades elegibles y otras entidades según sea aplicable usando uno o más de los siguientes métodos:
 - Correo certificado
 - Correo electrónico o fax
 - Correo de primera clase (normal)
 - Entrega personal (por ejemplo, en una reunión del Consejo de Gobiernos [COG])

DISPOSICIONES PARA LA AUDIENCIA PÚBLICA (SI ES APLICABLE)

Para cada audiencia pública programada y conducida por un solicitante o receptor de CDBG-MIT, se observarán las siguientes disposiciones de audiencia pública:

1. Proporcionar a los ciudadanos información, que incluye pero no se limita a:
 - a) La cantidad de fondos de CDBG-MIT disponibles por solicitud;
 - b) El rango de actividades que se pueden realizar con los fondos de la CDBG-MIT;

- c) El monto estimado de los fondos de CDBG-MIT propuestos para ser utilizados en actividades que cumplirán el objetivo nacional de beneficiar a las personas de ingresos bajos y moderados; y
 - d) Las actividades propuestas de CDBG-MIT que probablemente resulten en desplazamiento y la unidad de los planes generales de antidesubicación y reubicación del gobierno local requeridos bajo 24 CFR 570.488
2. El aviso público de cualquier audiencia debe ser publicado por lo menos setenta y dos (72) horas antes de la audiencia programada. El aviso público debe ser publicado en un periódico local. Cada aviso público DEBE incluir la FECHA, TIEMPO, LOCALIZACIÓN y TEMAS a ser considerados en la audiencia pública. Un artículo de periódico publicado también puede usarse para cumplir este requisito, siempre y cuando cumpla con todos los requisitos de contenido y tiempo. Los avisos también deben ser destacados en los edificios públicos y distribuidos a las Autoridades Locales de Vivienda ya otros grupos comunitarios interesados.
 3. Cada audiencia pública se celebrará en un momento y lugar conveniente para los beneficiarios potenciales o reales e incluirá alojamiento para personas con discapacidades. Las personas con discapacidades deben ser capaces de asistir a las audiencias y el solicitante debe hacer arreglos para las personas que requieren ayudas auxiliares o servicios si se ponen en contacto por lo menos dos días antes de cada audiencia.
 4. Cuando un número significativo de residentes que no hablan inglés puede ser razonablemente esperado para participar en una audiencia pública, un intérprete estará presente para acomodar las necesidades de los residentes que no hablan inglés.
 5. La ciudad puede conducir una audiencia pública vía webinar si también siguen las disposiciones anteriores. Si el seminario web se utiliza para llevar a cabo una audiencia pública, debe ponerse a disposición de los ciudadanos un lugar físico con adaptaciones razonables asociadas para garantizar que los individuos sin la tecnología necesaria puedan participar.
 6. Si es aplicable, la localidad debe conservar la documentación de los avisos de audiencia, las listas de asistencia, las actas de las audiencias y cualquier otro registro referente al uso real de los fondos por un período de tres años después del cierre del proyecto. Dichos registros deben ponerse a disposición del público de conformidad con el Capítulo 552, Código del Gobierno.

Steve Boykin, Alcalde
La ciudad de Richwood

Date

CITY OF RICHWOOD
Procurement Policies and Procedures for Federal Grants

Policies

1. Those closely involved in the establishment of the written selection criteria and selection shall have no potential conflicts of interest with any of the individuals, firms, or agencies under review (e.g., family relationships, close friendships, business dealings). Any person who might potentially receive benefits from grant-assisted activities may not participate in the decision-making process. Nepotism and conflict of interest regulations can be found in the Texas Government Code Chapter 573, Texas Local Government Code Chapter 171, and 2 CFR 200.318 – 2 CFR 200.326 and Appendix II to Part 200.
2. All procurement transactions will be conducted in a manner providing full and open competition.
 - a. No unreasonable requirements are placed on firms in order for them to qualify;
 - b. No unnecessary experience or excessive bonding required;
 - c. Noncompetitive pricing practices between firms or between affiliated companies is disallowed;
 - d. Noncompetitive contracts to consultants that are on retainer contracts;
 - e. No organizational conflicts of interest;
 - f. If a “brand name” product is specified, an equal or like product is acceptable; and
 - g. A vendor that intends to respond to the Request for Proposals, Request for Qualifications and/or Invitation for Bid may not participate in the development or drafting of specifications, requirements, statements of work, or invitations for bids or requests for proposals, including, but not limited to, the development of the scoring criteria, the final selection of firms to be contacted, or the scoring of proposals.
3. All procurement transactions shall incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured.
4. All procurement transactions shall identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.
5. If the City of Richwood uses a prequalified list when acquiring goods or services, the City of Richwood will ensure the list is updated regularly, provides enough qualified sources to ensure maximum open and free competition.
6. All procurement transactions must conform to applicable local, state, and federal laws and regulations.
7. Small and minority businesses, women's business enterprises, and labor surplus area firms are encouraged to participate. If the awarded vendor is a prime contractor and may use subcontractors, the following affirmative steps are required of the prime contractor:
 - a. Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
 - b. Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;

- c. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
- d. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
- e. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce.

Procedures

Procurement Cycle Steps

Need Defined—City of Richwood Finance department submits request and specifications. Purchaser reviews request and specifications for unnecessary or duplicative items in accordance with 2 CFR 200.318 (d).

Procurement Method Selected—Based on type and estimated cost of good/service as well as purchasing authority, purchaser determines the procurement method that will result in a best value acquisition for the City of Richwood.

Contract Cost and Price - A cost or price analysis must be conducted in connection with every procurement action more than the federal Simplified Acquisition Threshold including contract modifications (2 CFR 200.323).

The simplified acquisition threshold for federal procurement actions is currently set by the Federal Acquisition Regulation at 48 CFR Subpart 2.1 (Definitions) and in accordance with 41 U.S.C. 1908 as \$50,000, but this threshold is periodically adjusted for inflation. 2 C.F.R. §200.88

The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, an independent estimate must be made before receiving bids or proposals. 2 C.F.R. § 200.323(a).

Cost analysis is the evaluation of the separate elements (e.g., labor, materials, etc.) that make up a contractor's total cost proposal or price (for both new contracts and modifications) to determine if they are allowable, directly related to the requirement and ultimately, reasonable.

Price analysis is essentially price comparison. It is the evaluation of a proposed price (i.e., lump sum) without analyzing any of the separate cost elements of which it is composed.

Solicitation— City of Richwood creates the appropriate solicitation document, with terms and conditions and evaluation criteria clearly defined, and notifies vendor sources for an informal or formal bid process.

Receipt of Bids and Responses to Solicitation—Vendors submit their response to the solicitation.



Evaluation and Awards— City of Richwood reviews the responses from vendors, determines compliance with the solicitation and makes an award recommendation based on the pre-defined best value criteria.

Negotiation of Profit - Federal Guidelines require negotiations of profit as a separate element of the price for each contract and modification in which there is no price competition and, in all cases, where cost analysis must be performed. 2 C.F.R. § 200.323(b)

The City of Richwood will use one of the following five methods of procurement described at 2 CFR Section 200.320: (1) procurement by micro-purchases, (2) procurement by small purchase procedures, (3) procurement by sealed bids, (4) procurement by competitive proposals, or (5) procurement by noncompetitive proposals.

1. Simplified Acquisition Procedures for Purchases Below Micro-Purchase Threshold

For purposes of this section, the micro-purchase threshold is \$3,000.

Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold (§200.67 Micro-purchase). To the extent practicable, the City of Richwood must distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be awarded without soliciting competitive quotations if the non-Federal entity considers the price to be reasonable.

2. Small Purchase

Small purchase procedures are those relatively simple and informal procurement methods for securing services, supplies, or other property that cost less than the lesser of the Federal Simplified Acquisition Threshold or the \$50,000 threshold defined in state law (Local Government Code §262.003 for counties and §252.021 for municipalities). If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources.

For service contracts that are under the small purchase threshold and do not fall under professional services as defined in Section 2254.002(2) of Local Government Code, the City of Richwood may receive quotes and award the contract to any reasonable and responsible bidder. The local governing body has the final authority to award contracts.

3. Construction and Materials Contracts

In order for sealed bidding to be feasible, the following conditions should be present:

- a. A complete, adequate, and realistic specification or purchase description is available;
- b. Two or more responsible bidders are willing and able to compete effectively for the business; and
- c. The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price.

If sealed bids are used, the following requirements apply:

- a. Bids must be solicited from an adequate number of known suppliers, providing them sufficient response time prior to the date set for opening the bids, for local, and tribal governments, the invitation for bids must be publicly advertised;

- b. The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond;
- c. All bids will be opened at the time and place prescribed in the invitation for bids, and for local and tribal governments, the bids must be opened publicly;
- d. A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of; and
- e. Any or all bids may be rejected if there is a sound documented reason.

4. Professional Services Contracts

This method is generally used when conditions are not appropriate for the use of sealed bids. If this method is used, the following requirements apply:

- a. Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical;
- b. Proposals must be solicited from an adequate number of qualified sources;
- c. The City of Richwood must have a written method for conducting technical evaluations of the proposals received and for selecting recipients;
- d. Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered; and
- e. The City of Richwood may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.

5. Noncompetitive Proposals

This method may be used only when one or more of the following circumstances apply:

- a. The item is available only from a single source;
- b. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
- c. The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request; or
- d. After solicitation of a number of sources, competition is determined inadequate.



These Policies and Procedures are implemented through of the City of Richwood’s administrative team of:

Mayor: Steve Boykin

City Manager: Eric Foerster

City Secretary: Kirsten Garcia

Finance Director: Patricia Ditto

Steve Boykin, Mayor

Date

ORDINANCE 20-470

AN ORDINANCE AMENDING CHAPTER 20 TRAFFIC AND VEHICLES OF THE CITY OF RICHWOOD CODE OF ORDINANCES TO CHANGE TIMES REGARDING THE ONE-WAY TRAFFIC FLOW ON AUDUBON WOODS DRIVE; PROVIDING THAT ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith SHALL BE REPEALED TO THE EXTENT OF THE CONFLICT ONLY; PROVIDING FOR A PENALTY; PROVIDING FOR A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Richwood adopted Ordinance 367 enacting a Master Traffic Plan on July 16, 2011;

WHEREAS, the school zone times have changed temporarily due to global pandemic, COVID-19, and will most likely change again in the future;

WHEREAS, the City Council of the City of Richwood wishes to amend Section 20-121(a); Section 20-124 and Section 20-130 of Chapter 20 Traffic and Vehicles.

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

Section 3: That section 20-130 - One-way traffic is hereby amended to read as follows:

Audubon Woods Drive is a one-way street going northbound from North Mahan to Wisteria for an hour and a half prior to the start of the school day, an hour prior to the release of students in the afternoon and for an hour after the release of students at the end of the school day. Monday through Friday on school days only, as per official school calendar.

Section 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict only.

Section 5: A violation of this ordinance shall be a Class C misdemeanor and the penalty for violating this ordinance shall be as provided for in Section 1-6 of the Code of Ordinances of the City of Richwood.

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

Section 7: The City Secretary shall publish the caption of this ordinance within ten (10) days of the final passage in the official newspaper of the City. This ordinance shall take effect immediately after adoption.

PASSED AND ADOPTED on this 12th day of October, 2020.

ATTEST:

**KIRSTEN GARCIA
CITY SECRETARY**

**STEVE BOYKIN
MAYOR**

APPROVED AS TO LEGALITY:

**MATT ALLEN
CITY ATTORNEY**

ORDINANCE NO. 20-472

AN ORDINANCE OF THE CITY OF RICHWOOD RELATING TO FLOOD DAMAGE PREVENTION, SETTING DEFINITIONS RELATING TO SUCH ORDINANCE, REQUIRING BUILDING PERMITS, ESTABLISHING AN ADMINISTRATOR, PROVIDING FOR A VARIANCE REQUEST PROCEDURE, SETTING APPELLATE PROCEDURES, SETTING STANDARDS TO REDUCE FLOOD HAZARDS FOR HOMES, CONTAINING A SEVERABILITY CLAUSE, SPECIFICALLY REPEALING ORDINANCE NUMBER 351 OF THE CITY OF RICHWOOD, CONTAINING A PENALTY FOR VIOLATION OF SAID ORDINANCE, SAID PENALTY BEING A FINE UP TO \$500.00 UPON CONVICTION THEREOF.

ARTICLE 1

STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND METHODS

SECTION A. STATUTORY AUTHORIZATION

The Legislature of the State of Texas has in the Flood Control Insurance Act, Texas Water Code, Section 16.315, delegated the responsibility of local governmental units to adopt regulations designed to minimize flood losses. Therefore, the City Council of the City of Richwood, does ordain as follows:

SECTION B. FINDINGS OF FACTS

(1) The flood hazard areas of the City of Richwood are subject to periodic inundation, which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety and general welfare.

(2) These flood losses are created by the cumulative effect of obstructions in floodplains which cause an increase in flood heights and velocities, and by the occupancy of flood hazard areas by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated, floodproofed or otherwise protected from flood damage.

SECTION C. STATEMENT OF PURPOSE

It is the purpose of this ordinance to promote the public health, safety, and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (1) Protect human life and health;
- (2) Minimize expenditure of public money for costly flood control projects;

(3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;

(4) Minimize prolonged business interruptions;

(5) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;

(6) Help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize future flood blight areas; and

(7) Ensure that potential buyers are notified that property is in a flood area.

SECTION D. METHODS OF REDUCING FLOOD LOSSES

In order to accomplish its purposes, this ordinance uses the following methods:

(1) Restrict or prohibit uses that are dangerous to health, safety or property in times of flood, or cause excessive increases in flood heights or velocities;

(2) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

(3) Control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of flood waters;

(4) Control filling, grading, dredging and other development which may increase flood damage;

(5) Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

ARTICLE 2

DEFINITIONS

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

ALLUVIAL FAN FLOODING - means flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high-velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.

APEX - means a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

APPURTENANT STRUCTURE - means a structure which is on the same parcel of property as the principal structure to be insured and the use of which is incidental to the use of the principal structure.

AREA OF FUTURE CONDITIONS FLOOD HAZARD - means the land area that would be inundated by the 1-percent-annual chance (100 year) floods based on future conditions hydrology.

AREA OF SHALLOW FLOODING - means a designated AO, AH, AR/AO, AR/AH or VO zone on a community's Flood Insurance Rate Map (FIRM) with a 1 percent or greater annual chance of flooding to an average depth of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

AREA OF SPECIAL FLOOD HAZARD - is the land in the floodplain within a community subject to a 1 percent or greater chance of flooding in any given year. The area may be designated as Zone a on the Flood Hazard Boundary Map (FHBM) After detailed rate making has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO V1-30, VE or V.

BASE FLOOD - means the flood having a 1 percent chance of being equaled or exceeded in any given year.

BASE FLOOD ELEVATION (BFE) – The elevation shown on the Flood Insurance Rate Map (FIRM) and found in the accompanying Flood Insurance Study (FIS) for Zones A, AE, AH, A1-A30, AR, V1-V30, or VE that indicates the water surface elevation resulting from the flood that has a 1% chance of equaling or exceeding that level in any given year - also called the Base Flood.

BASEMENT - means any area of the building having its floor subgrade (below ground level) on all sides.

BREAKAWAY WALL - means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

CRITICAL FEATURE - means an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.

DEVELOPMENT - means any man-made change to improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving,

excavation or drilling operations or storage of equipment or materials.

ELEVATED BUILDING - means, for insurance purposes, a non-basement building, which has its lowest elevated floor, raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

EXISTING CONSTRUCTION - means for the purposes of determining rates, structures for which the “start of construction” commenced before the effective date of the FIRM or before January 1, 1975 for FIRMs effective before that date. “Existing construction” may also be referred to as “existing structures.”

EXISTING MANUFACTURED HOME PARK OR SUBDIVISION - means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION - means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

FLOOD OR FLOODING - means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) the overflow of inland or tidal waters.
- (2) the unusual and rapid accumulation or runoff of surface waters from any source.

FLOOD ELEVATION STUDY - means an examination, evaluation, and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation, and determination of mudslide (i.e., mudflow) and/or flood related erosion hazards.

FLOOD INSURANCE RATE MAP (FIRM) - means an official map of a community, on which the Federal Emergency Management Agency has delineated both the special flood hazard areas and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY (FIS) - see *Flood Elevation Study*

FLOODPLAIN OR FLOOD-PRONE AREA - means any land area susceptible to being inundated by water from any source (see definition of flooding).

FLOODPLAIN MANAGEMENT - means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

FLOODPLAIN MANAGEMENT REGULATIONS - means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

FLOOD PROTECTION SYSTEM - means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a “special flood hazard” and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees, or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

FLOOD PROOFING - means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents.

FLOODWAY - see *Regulatory Floodway*

FUNCTIONALLY DEPENDENT USE - means a use, which cannot perform its intended purpose unless it is located or carried out near water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

HIGHEST ADJACENT GRADE - means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

HISTORIC STRUCTURE - means any structure that is:

(1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminary determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

(2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

(3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or

(4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified wither:

(a) By an approved state program as determined by the Secretary of the Interior or;

(b) Directly by the Secretary of the Interior in states without approved programs.

LEVEE - means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

LEVEE SYSTEM - means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

LOWEST FLOOR - means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking or vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; **provided** that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of Section 60.3 of the National Flood Insurance Program regulations.

MANUFACTURED HOME - means a structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

MANUFACTURED HOME PARK OR SUBDIVISION - means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

MEAN SEA LEVEL - means, for purposes of the National Flood Insurance Program, the North American Vertical Datum (NAVD) of 1988 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced

NEW CONSTRUCTION - means, for the purpose of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

NEW MANUFACTURED HOME PARK OR SUBDIVISION - means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

RECREATIONAL VEHICLE - means a vehicle which is (i) built on a single chassis; (ii) 400 square feet or less when measured at the largest horizontal projections (iii) designed to be self-propelled or permanently towable by a light duty truck; and (iv) designed primarily not for use as

a permanent dwelling but as a temporary living quarters for recreational, camping, travel, or seasonal use.

REGULATORY FLOODWAY - means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

RIVERINE - means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

SPECIAL FLOOD HAZARD AREA - see *Area of Special Flood Hazard*

START OF CONSTRUCTION - (for other than new construction or substantial improvements under the Coastal Barrier Resources Act {Pub. L. 97-348}), includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building whether or not that alteration affects the external dimensions of the building.

STRUCTURE - means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

SUBSTANTIAL DAMAGE - means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT - means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before “start of construction” of the improvement. This term includes structures which have incurred “substantial damage”, regardless of the actual repair work performed. The term does not, however, include either: (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or (2) Any alteration of a “historic structure”, provided that the alteration will not preclude the structure’s continued designation as a “historic structure”.

VARIANCE - means a grant of relief by a community from the terms of a floodplain management regulation. (For full requirements see Section 60.6 of the National Flood Insurance Program regulations.)

VIOLATION - means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

WATER SURFACE ELEVATION - means the height, in relation to the North American Vertical Datum (NAVD) of 1988 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

ARTICLE 3

GENERAL PROVISIONS

SECTION A: LANDS TO WHICH THIS ORDINANCE APPLIES

The ordinance shall apply to all areas of special flood hazard with the jurisdiction of the City of Richwood.

SECTION B: BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD

The areas of special flood hazard identified by the Federal Emergency Management Agency in the current scientific and engineering report entitled, "The Flood Insurance Study (FIS) for Brazoria County TX and Incorporated Areas," dated effective December 30, 2020, with the accompanying Flood Insurance Rate Maps and/or Flood Boundary-Floodway Maps (FIRM and/or FBFM) dated December 30, 2020 and any revisions thereto are hereby adopted by reference and declared to be part of this ordinance.

SECTION C: ESTABLISHMENT OF DEVELOPMENT PERMIT

A Floodplain Development Permit shall be required to ensure conformance with the provisions of this ordinance.

SECTION D: COMPLIANCE

No structure or land shall hereafter be located, altered, or have its use changed without full compliance with the terms of this ordinance and other applicable regulations.

SECTION E: ABROGATION AND GREATER RESTRICTIONS

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

SECTION F: INTERPRETATION

In the interpretation and application of this ordinance, all provisions shall be; (1) considered as minimum requirements; (2) liberally construed in favor of the governing body; and (3) deemed neither to limit nor repeal any other powers granted under State statutes.

SECTION G: WARNING AND DISCLAIMER OF LIABILITY

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions greater floods can and will occur and flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the community or any official or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

ARTICLE 4

ADMINISTRATION

SECTION A: DESIGNATION OF THE FLOODPLAIN ADMINISTRATOR

The Public Works Director is hereby appointed the Floodplain Administrator to administer and implement the provisions of this ordinance and other appropriate sections of 44 CFR (Emergency Management and Assistance - National Flood Insurance Program Regulations) pertaining to floodplain management.

SECTION B: DUTIES AND RESPONSIBILITIES OF THE FLOODPLAIN ADMINISTRATOR

Duties and responsibilities of the Floodplain Administrator shall include, but not be limited to, the following:

(1) Maintain and hold open for public inspection all records pertaining to the provisions of this ordinance.

(2) Review permit application to determine whether to ensure that the proposed building site project, including the placement of manufactured homes, will be reasonably safe from flooding.

(3) Review, approve or deny all applications for development permits required by adoption of this ordinance.

(4) Review permits for proposed development to assure that all necessary permits have been obtained from those Federal, State or local governmental agencies (including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334) from which prior approval is required.

(5) Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Floodplain Administrator shall make the necessary interpretation.

(6) Notify, in riverine situations, adjacent communities and the State Coordinating Agency which is the Texas Water Development Board (TWDB) and also the Texas Commission on Environmental Quality (TCEQ), prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.

(7) Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.

(8) When base flood elevation data has not been provided in accordance with Article 3, Section B, the Floodplain Administrator shall obtain, review and reasonably utilize any base flood elevation data and floodway data available from a Federal, State or other source, in order to administer the provisions of Article 5.

(9) When a regulatory floodway has not been designated, the Floodplain Administrator must require that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

(10) Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Program regulations, a community may approve certain development in Zones A1-30, AE, AH, on the community's FIRM which increases the water surface elevation of the base flood by more than 1 foot, provided that the community **first** completes all of the provisions required by Section 65.12

SECTION C: PERMIT PROCEDURES

(1) Application for a Floodplain Development Permit shall be presented to the Floodplain Administrator on forms furnished by him/her and may include, but not be limited to, plans in duplicate drawn to scale showing the location, dimensions, and elevation of proposed landscape alterations, existing and proposed structures, including the placement of manufactured homes, and the location of the foregoing in relation to areas of special flood hazard. Additionally, the following information is required:

(a) Elevation (in relation to mean sea level), of the lowest floor (including basement) of all new and substantially improved structures;

(b) Elevation in relation to mean sea level to which any nonresidential structure shall be floodproofed;

(c) A certificate from a registered professional engineer or architect that the nonresidential floodproofed structure shall meet the floodproofing criteria of Article 5, Section B (2);

(d) Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development;

(e) Maintain a record of all such information in accordance with Article 4, Section (B)(1);

(2) Approval or denial of a Floodplain Development Permit by the Floodplain Administrator shall be based on all of the provisions of this ordinance and the following relevant factors:

(a) The danger to life and property due to flooding or erosion damage;

(b) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

(c) The danger that materials may be swept onto other lands to the injury of others;

(d) The compatibility of the proposed use with existing and anticipated development;

(e) The safety of access to the property in times of flood for ordinary and emergency vehicles;

(f) The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems;

(g) The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site;

(h) The necessity to the facility of a waterfront location, where applicable;

(i) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use.

SECTION D: VARIANCE PROCEDURES

(1) The Appeal Board, as established by the community, shall hear and render judgment on requests for variances from the requirements of this ordinance.

(2) The Appeal Board shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the enforcement or administration of this ordinance.

(3) Any person or persons aggrieved by the decision of the Appeal Board may appeal such decision in the courts of competent jurisdiction.

(4) The Floodplain Administrator shall maintain a record of all actions involving an appeal and shall report variances to the Federal Emergency Management Agency upon request.

(5) Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this ordinance.

(6) Variances may be issued for new construction and substantial improvements to be erected on a lot of 1/2 acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in Section C (2) of this Article have been fully considered. As the lot size increases beyond the 1/2 acre, the technical justification required for issuing the variance increases.

(7) Upon consideration of the factors noted above and the intent of this ordinance, the Appeal Board may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this ordinance (Article 1, Section C).

(8) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

(9) Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

[10] Prerequisites for granting variances:

(a) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

(b) Variances shall only be issued upon: (i) showing a good and sufficient cause; (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

(c) Any application to which a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

(11) Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that (i) the criteria outlined in Article 4, Section D (1)-(9) are met, and (ii) the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

ARTICLE 5

PROVISIONS FOR FLOOD HAZARD REDUCTION

SECTION A: GENERAL STANDARDS

In all areas of special flood hazards the following provisions are required for all new construction and substantial improvements:

(1) All new construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;

(2) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;

(3) All new construction or substantial improvements shall be constructed with materials resistant to flood damage;

(4) All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the

components during conditions of flooding;

(5) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

(6) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharge from the systems into flood waters; and,

(7) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

SECTION B: SPECIFIC STANDARDS

In all areas of special flood hazards where base flood elevation data has been provided as set forth in (i) Article 3, Section B, (ii) Article 4, Section B (8), or (iii) Article 5, Section C (3), the following provisions are required:

(1) **Residential Construction** - new construction and substantial improvement of any residential structure shall have the lowest floor (including basement), elevated to or above the base flood elevation. A registered professional engineer, architect, or land surveyor shall submit a certification to the Floodplain Administrator that the standard of this subsection as proposed in Article 4, Section C (1) a., is satisfied.

(2) **Nonresidential Construction** - new construction and substantial improvements of any commercial, industrial or other nonresidential structure shall either have the lowest floor (including basement) elevated to or above the base flood level or together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the Floodplain Administrator.

(3) **Enclosures** - new construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:

(a) A minimum of two openings on separate walls having a total net area of not less than 1 square inch for every square foot of enclosed area subject to flooding shall be provided.

(b) The bottom of all openings shall be no higher than 1 foot above grade.

(c) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

(4) Manufactured Homes -

(a) Require that all manufactured homes to be placed within Zone A on a community's FHBM or FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.

(b) Require that manufactured homes that are placed or substantially improved within Zones A1-30, AH, and AE on the community's FIRM on sites (i) outside of a manufactured home park or subdivision, (ii) in a new manufactured home park or subdivision, (iii) in an expansion to an existing manufactured home park or subdivision, or (iv) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to or above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

(c) Require that manufactured homes be placed or substantially improved on sites in an existing manufactured home park or subdivision with Zones A1-30, AH and AE on the community's FIRM that are not subject to the provisions of paragraph (4) of this section be elevated so that either:

(i) the lowest floor of the manufactured home is at or above the base flood elevation, or

(ii) the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

(5) Recreational Vehicles - Require that recreational vehicles placed on sites within Zones A1-30, AH, and AE on the community's FIRM either (i) be on the site for fewer than 180 consecutive days, or (ii) be fully licensed and ready for highway use, or (iii) meet the permit requirements of Article 4, Section C (1), and the elevation and anchoring requirements for "manufactured homes" in paragraph (4) of this section. A recreational vehicle is ready for

highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions.

SECTION C: STANDARDS FOR SUBDIVISION PROPOSALS

(1) All subdivision proposals including the placement of manufactured home parks and subdivisions shall be consistent with Article 1, Sections B, C, and D of this ordinance.

(2) All proposals for the development of subdivisions including the placement of manufactured home parks and subdivisions shall meet Floodplain Development Permit requirements of Article 3, Section C; Article 4, Section C; and the provisions of Article 5 of this ordinance.

(3) Base flood elevation data shall be generated for subdivision proposals and other proposed development including the placement of manufactured home parks and subdivisions which is greater than 50 lots or 5 acres, whichever is lesser, if not otherwise provided pursuant to Article 3, Section B or Article 4, Section B (8) of this ordinance.

(4) All subdivision proposals including the placement of manufactured home parks and subdivisions shall have adequate drainage provided to reduce exposure to flood hazards.

(5) All subdivision proposals including the placement of manufactured home parks and subdivisions shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

SECTION D: STANDARDS FOR AREAS OF SHALLOW FLOODING (AO/AH ZONES)

Located within the areas of special flood hazard established in Article 3, Section B, are areas designated as shallow flooding. These areas have special flood hazards associated with flood depths of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow; therefore, the following provisions apply:

(1) All new construction and substantial improvements of **residential** structures have the lowest floor (including basement) elevated to or above the base flood elevation or the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least 2 feet if no depth number is specified).

(2) All new construction and substantial improvements of **non-residential** structures;

(a) have the lowest floor (including basement) elevated to or above the base flood elevation or the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least 2 feet if no depth number is specified), or

(b) together with attendant utility and sanitary facilities be designed so that below the base specified flood depth in an AO Zone, or below the Base Flood Elevation in an AH Zone, level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads of effects of buoyancy.

(3) A registered professional engineer or architect shall submit a certification to the Floodplain Administrator that the standards of this Section, as proposed in Article 4, Section C are satisfied.

(4) Require within Zones AH or AO adequate drainage paths around structures on slopes, to guide flood waters around and away from proposed structures.

SECTION E: FLOODWAYS

Floodways - located within areas of special flood hazard established in Article 3, Section B, are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles and erosion potential, the following provisions shall apply:

(1) Encroachments are prohibited, including fill, new construction, substantial improvements and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.

(2) If Article 5, Section E (1) above is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Article 5.

(3) Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Program Regulations, a community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that the community **first** completes all of the provisions required by Section 65.12.

SECTION F: SEVERABILITY

If any section, clause, sentence, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

SECTION G: PENALTIES

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this court order and other applicable regulations. Violation of the provisions of this court order by failure to comply with any of its requirements (including

violations of the conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this court order or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$500 and in addition shall pay all costs and expenses involved in the case. Each and every day that such violation continues shall be considered a separate offense and punishable according to the terms of this ordinance. Nothing herein contained shall prevent the City of Richwood from taking such other lawful action as is necessary to prevent or remedy any violation.

SECTION H: ADOPTION

This ordinance shall take effect and be in force from and after its passage and approval

PASSED AND ADOPTED on this 12th day of October, 2020.

ATTEST:

**KIRSTEN GARCIA
CITY SECRETARY**

**STEVE BOYKIN
MAYOR**

APPROVED AS TO LEGALITY:

**MATT ALLEN
CITY ATTORNEY**



AGENDA MEMORANDUM- OCTOBER 12, 2020

ITEM # CONSENT

CONTACT: Patricia Ditto, Deputy Finance Director
Eric Foerster, City Manager

SUBJECT: Budget Amendment to adjust the budgets for Transportation and 2019A Bond Project funds to allow for engineering costs for sidewalks project.

SUMMARY:

Public Works has requested that \$20,000 of the budgeted amount in Fund 25 for Sidewalks M&R be transferred to Fund 26 to cover the cost of engineering for the sidewalks project.

BACKGROUND INFORMATION:

A quote from Strand is attached showing the \$20,000 cost for the engineering.

FISCAL IMPACT: None – transfer of budgeted amount from one fund to another with no net impact city-wide.

RECOMMENDATION: Council to approve the above-described Budget Amendment for Fund 25 and Fund 26.

Clif Custer

From: Engelke, Jared <Jared.Engelke@strand.com>
Sent: Friday, September 11, 2020 1:50 PM
To: Clif Custer
Cc: Tinsley, Ryan
Subject: Amendment No. 2 to Task Order 18-03, Oyster Creek and Yaupon Sidewalk and Pedestrian Bridge

Happy Friday Clif!

I have a draft bidding and construction scope of services put together for the sidewalk and pedestrian bridge project. Before internally routing it, I wanted to give you a summary list of items that could be included. Could you take a look at the list below and cross out anything you would prefer to handle internally? As discussed, the RPR services are anticipated to be handled by City staff.

- Distribute Bidding Documents through CivCast.
- Prepare one addenda and answer questions during bidding; a pre-bid meeting is not anticipated.
- Attend bid opening (in person), tabulate and analyze bid results, and assist City in the award of the Construction Contract.
- Prepare three sets of Contract Documents for signature.
- Attend preconstruction conference (in person).
- Perform one iteration of construction staking for sidewalk, curb ramps, and bridge layout.
- Review shop drawing submittals.
- Attend construction progress meetings (virtually or by phone).
- Assist City with project closeout.

The above services can be provided for \$20,000.

Again, Happy Friday and have a great weekend!

Jared



Jared Engelke, P.E.

Strand Associates, Inc.*

979 836 7937 ext. 6203

jared.engelke@strand.com | www.strand.com

P.E. (TX, WI)

Excellence in Engineering Since 1946

MEMORANDUM

To: Richwood City Council

From: Clif Custer

Date: October 12th, 2020

Subject: Budget Amendment

I am requesting a Budget Amendment in the amount of \$20,000.00. This will allow me to move money from the Transportation Fund – Sidewalks, to Sidewalks – Capital Projects to cover engineering costs for Sidewalk Project:

1. Construction bidding
2. Contractor Q&A
3. Bid opening attendance
4. Construction contract preparation
5. Preconstruction conference attendance
6. Construction progress meeting attendance (virtually or by phone)
7. Project close-out

RESOLUTION 2021-R-32

**A RESOLUTION AMENDING THE FISCAL YEAR 2020-2021 BUDGET TO
TRANSFER BUDGETED FUNDS FROM TRANSPORTATION TO 2019A BOND
PROJECT FUNDS**

WHEREAS, the City of Richwood City Council adopted a budget for the City of Richwood, Texas, for the fiscal year 2020-2021 in September 2020;

WHEREAS, Public Works Director Clif Custer has requested that \$20,000 be reduced from the Transportation Fund Sidewalks M&R budgeted amount to the 2019A Bond Project for Sidewalk engineering cost to allow for the cost of engineering for the sidewalk project;

WHEREAS, staff asks that Council approve a budget amendment: affecting Fund 25 Transportation by decreasing the budgeted amount of account 25-40-5382 Transportation Fund Sidewalks M&R by \$20,000 and increasing the budgeted amount for account 25-98-5965 Transfer out by \$20,000; and affecting Fund 26 2019A Bond Project Fund by increasing the budgeted amount for account 26-98-5960 Transfer in by \$20,000 and increasing the budgeted amount for account 26-26-9004 Engineering & Surveying by \$20,000.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF RICHWOOD, TEXAS HEREBY AMENDS THE FISCAL YEAR 2019-2020 BUDGET AS FILED WITH THE CITY SECRETARY AS FOLLOWS:

Transportation Fund

Decrease to Budget – Expenditures - credit	(\$20,000.00)
Increase to Budget – Transfer out - debit	<u>\$20,000.00</u>
NET INCREASE (DECREASE)	\$ 0.00

2019 A Bond Project Fun

Increase to Budget – Expenditures - debit	\$20,000.00
Increase to Budget – Transfers in - credit	(<u>\$20,000.00</u>)
NET INCREASE (DECREASE)	\$ 0.00

PASSED AND APPROVED on this 12th day of October 2020.

Steve Boykin, Mayor

ATTEST:

Kirsten Garcia, City Secretary