



CITY COUNCIL HANDBOOK

This City Council Handbook is meant to help guide you through the process of Council membership as you take on the critical role of a City of Richwood Council member or Mayor. Within this handbook you will be introduced to your new role, operating procedures, and Council responsibilities. Refer to this handbook and the City Charter during your term for assistance and guidance.

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Welcome!

Congratulations on your election to the City of Richwood City Council. The City is pleased you have been chosen to serve the citizens, community, and employees of Richwood. Serving on City Council will be both a challenging and rewarding experience.

The role as Council member is not to be taken lightly, with this position comes a great deal of responsibility. You are responsible for regularly attending all meetings and understanding the duties of the council. You have a responsibility to the citizens to consistently work and vote for the betterment of the community as a whole.

Council member's role will require time and effort; however, membership on the City Council provides you with the rewarding opportunity to be a genuine public servant. With your position, you will be an integral part of shaping the community. You will work directly with other boards, commissions, and staff.

This City Council Orientation Handbook is meant to help guide you through the process of Council membership as you take on the critical role of a City of Richwood Council member. Within this handbook you will be introduced to your new role as Council member, operating procedures, and Council responsibilities. Refer to this handbook and the City Charter during your term for assistance and guidance.

Welcome aboard! We truly hope you enjoy your role as a City of Richwood Council member!

Sincerely,

Kirsten Garcia
City Secretary

PLEASE NOTE THAT THIS HANDBOOK IS A GENERAL OVERVIEW AND IS NOT INTENDED TO BE A CUMULATIVE OR EXHAUSTIVE LIST OF THE POLICY OR PRACTICES OF THE CITY OF RICHWOOD, THE DUTIES, RESPONSIBILITIES AND OBLIGATIONS OF A COUNCIL MEMBER, AND/OR ALL LEGAL ISSUES RELATING TO COUNCIL MEMBERS. ALSO, ALL REFERENCES TO LEGAL ISSUES AND/OR LAW ARE SUBJECT TO CHANGE AS THE RELEVANT LAW AND/OR STATUTE MAY CHANGE FROM TIME TO TIME. IF YOU HAVE ANY QUESTIONS, INCLUDING LEGAL QUESTIONS, PLEASE DIRECT THEM TO ME AND I WILL ASSIST YOU.

City of Richwood Department Heads

City Manager

Eric Foerster

Office: 979.265.2082

Mobile: 979.487.9380

Email: efoerster@richwoodtx.gov

Finance Director

Lindsay Koskiniemi

Office: 979.265.2082

Mobile: 979.418.2536

Email: lkoskiniemi@richwoodtx.gov

City Secretary

Kirsten Garcia

Office: 979.265.2082

Mobile: 979.418.2500

Email: kgarcia@richwoodtx.gov

Police Chief

Stephen Mayer

Office: 979.265.8157

Mobile: 979.418.2692

Email: smayer@richwoodtx.gov

Fire Chief (Volunteer)

Clint Kocurek

Email: rvfd@richwoodtx.gov

Public Works Director

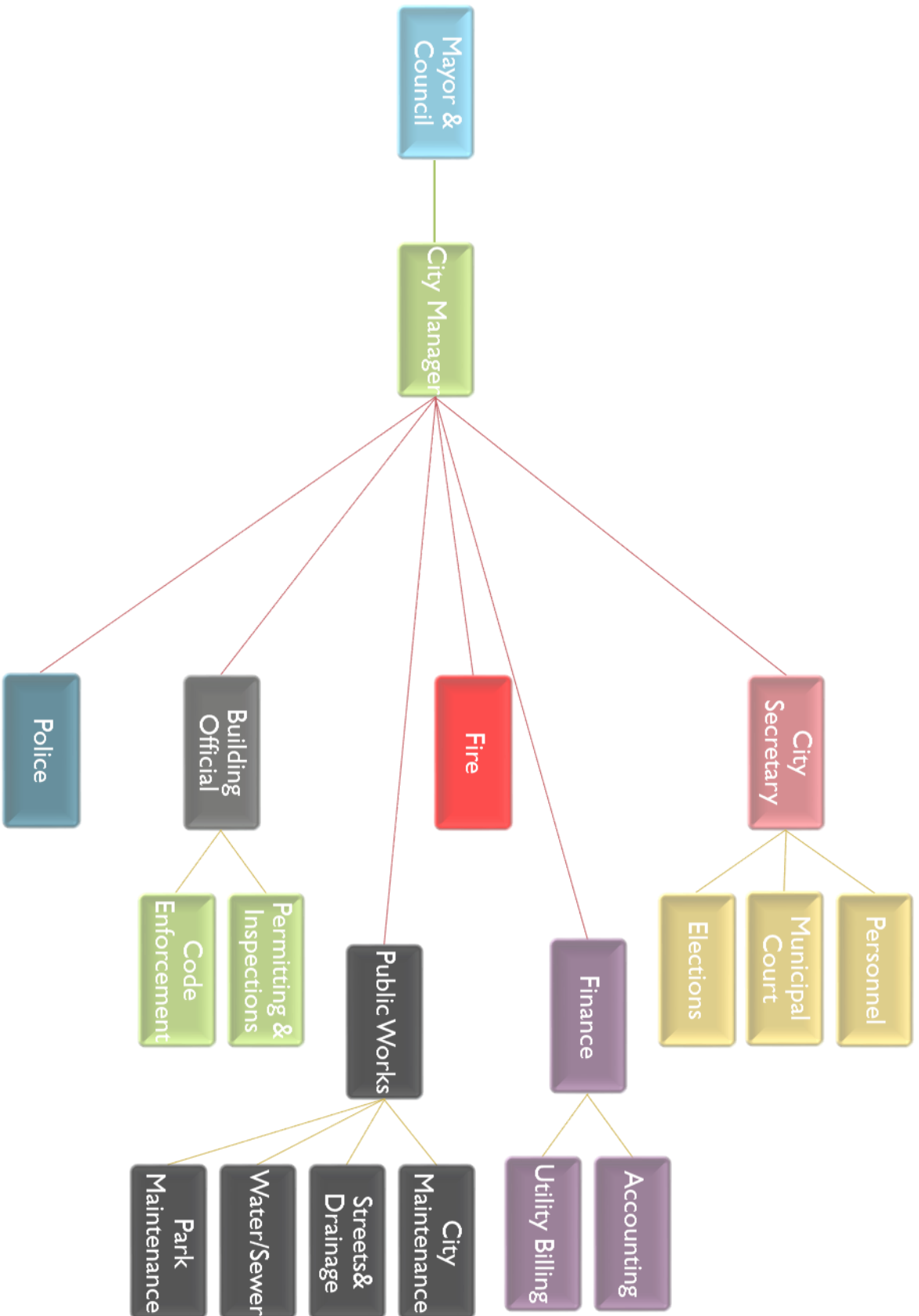
Clif Custer

Office: 979.265.2082

Mobile: 979.418.2612

Email: ccuster@richwoodtx.gov

Organizational Chart



Facilities and Parks

City Hall is located at 1800 Brazosport Blvd and houses the City Manager, Finance Department, City Secretary Department, Public Works, Building Official, Police Department, Municipal Court, Utility Billing, and Human Resources Department.



The Public Works Service Center is located at 600 Audubon Woods Dr and houses Parks and Utility workers and is home to a the Utilities Department (Water and Sewer), Streets and Drainage Department (Signs and Mowing), and Parks Department.

Volunteer Fire Department is located at 218 Halbert. It is home to the Fire Chief and Volunteer Fire Fighters





Larry Johnson Park

Amenities include basketball court and swing set

Richwood Municipal Park

600 Audubon Woods Dr
Amenities include Splash Pad, Playground, Tennis Courts, Soccer Fields, Baseball Field, and 2 Pavilions.

Freedom Park

216 Halbert St
No amenities.
Vegetative landscaping only.



PK Forrest Community Building

614 Audubon Woods Dr
Amenities include full kitchen and bathrooms. Occupancy limit of 50 people.



Dorothy Torrence Park

Cul-de-sac Misty Ct.
Amenities include gazebo and memorial headstone



Pocket Park

Corner of Blue Jay Ct and Cardinal Dr
Unnamed, undeveloped lot



Bobby Ford Park

540 Oyster Creek Dr
Amenities include pavilion, fishing pier, playground, basketball and 1/6th of mile walking track

Texas Forms of Government

There are two forms of local government in Texas: home rule and general law.

The City of Richwood is a home rule city.

Home Rule Cities

Home rule cities are any city with over 5,000 in population in which the citizens have adopted a home rule charter. A charter is a document that establishes the city's governmental structure and provides for the distribution of powers and duties among the various branches of government. The legal position of home rule cities is the reverse of general law cities. Rather than looking to State law to determine what they may do, as general law cities must, home rule cities look to the State Constitution and State Statutes to determine what they may not do. Thus, if a proposed home rule city action has not been prohibited or pre-empted by the State, the city generally can proceed.

Every home rule city in the State of Texas operates under one of two forms of government: mayor-council or council-manager. Among Texas' 329 home rule cities, the vast majority have the council-manager form.

The City of Richwood operates as a Council-Manager form of government.

Council-Manager Form

Under the council-manager plan, the voters elect a city council which, in turn, hires a city manager to administer the city's day-to-day affairs. In a council-manager city, as in any other, the council serves as the legislative body. The council sets policy. It approves the budget and sets the tax rate. It determines the size of the payroll and the extent and cost of municipal services. In short, the council is the final authority on all of the many policy decisions that determine the scope and functions of the city government. Under the council-manager plan, the mayor and council members have no administrative duties. These are vested in the city manager, who is responsible for directing the workforce and programs of the city in accordance with ordinances, rules, and regulations adopted by the council. The typical city manager in Texas is appointed for an indefinite term and is subject to dismissal by the council at any time. He or she is designated, either by charter or ordinance, as the chief executive and administrative officer of the city and is the unilateral authority to hire, discipline, and fire the department heads. In some cases, however, certain employees, such as the city attorney, city secretary, or municipal judge are directly hired and/or supervised by the council rather than the manager.

Although the manager's role varies from one city of another, the manager's primary function is to implement the policies established by the council and ensure that the city is operated in an economical and responsible manner.

In larger cities, city managers spend comparatively little time on citizen contacts, personnel problems, and other routine matters. Managers in these cities usually have a sizable staff capable of handling day-to-day problems, thus allowing the manager to concentrate on communicating with the council, policy issues, planning activities, and work sessions with the department heads. On the other hand, the managers of medium-sized cities frequently operate with limited resources

and small staffs. The manager must, by necessity, be personally involved in the details of providing police, fire, solid waste, and other services.

General Law Cities

General law cities are small cities, most of which are less than 5,000 in population. All general law cities operate according to specific state statutes prescribing their power and duties. General law cities are limited to doing what the state authorizes or permits them to do. If state law does not grant general law cities the express or implied power to initiate a particular action, none may be taken. There are three categories of general law cities: Type A, Type B, and Type C. General law cities operate under one of two forms of government: *aldermanic* or *commission*.

Approximately seventy-five percent of all Texas cities operate under the general laws; the remainder are home rule cities.

Type A general law municipalities are the larger general law cities. The governing body of a municipality operating as a Type A general law municipality is known as the “city council” and varies in size depending on whether the municipality has been divided into wards. If the municipality has been divided into wards, the council consists of a mayor and two council members from each ward- whatever the number. If the municipality has not been divided into wards, the governing body always consists of a mayor and five council members.

In a Type B general law municipality with the aldermanic form of government, the governing body is known as the “board of aldermen” and includes six members (a mayor and five aldermen), all of whom are elected at-large. At its discretion, the board of aldermen may provide by ordinance for the appointment or election of such additional officers as are needed to conduct the business of the municipality.

Type C general law cities operate with the commission form of government. The governing body is known as the “board of commissioners” and always consists of a mayor and two commissioners. No other elective officers are required; however, the board of commissioners must appoint a city clerk, and may provide by ordinance for the election or appointment of such other officers as are required.

Duties of Council

The City Council is the governing body for the City of Richwood and must bear responsibility for the integrity of governance. The City Council will govern the City in a manner associated with a commitment to the preservation of the values and integrity of representative local government and democracy, and a dedication to the promotion of efficient and effective governing. The following statements will serve as a guide and acknowledge the commitment being made in this service to the community:

1. The Council has as high priorities, the continual improvement of the member’s professional ability and the promotion of an atmosphere conducive to the fair exchange of ideas and policies among members.

2. In its governance role, the Council will continue to be dedicated to friendly and courteous relationships with staff, other council members, and the public, and seek to improve the quality and image of public service.
3. The Council will also strive to recognize its responsibility to future generations by addressing the interrelatedness of the social, cultural, and physical characteristics of the community when making policies.
4. Each Council member will make a commitment to improve the quality of life for the individual and the community, and to be dedicated to the faithful stewardship of the public trust.

Commitment of City Resources

Individual Council members may not commit City resources to undertake an investigation, request information, or obtain other special privileges in a manner not generally afforded to the public at large.

If the City Manager determines that a Council member's request will result in significant disruption to the conduct of City business, will require a significant expenditure of resources, or should best be collectively voted on and approved by the entire Council, the City Manager will notify the requestor and place the item on the next regular meeting's agenda, unless specifically requested not to do so. As a general guideline, any request that results in the expenditure of four (4) or more workhours will be considered "significant."

Communication with Staff

Interference in administrative matters.

Neither the council nor any of its members shall direct or request the city manager or any of his/her subordinates to appoint or to remove from office or employment any person except a person whose office is filled by appointment of the council under the provisions of this Charter. Except for the purpose of inquiry and investigation, the council and its members shall deal with the administrative services of the city solely through the city manager; and neither the council nor any member thereof shall give orders to any subordinate of the city manager, either publicly or privately.

Responsibilities of Council Members

Mayoral Responsibilities

The Mayor occupies the highest elected office in the municipal government. As a political head of the City, the Mayor is expected to provide the leadership necessary to keep it moving in the proper direction.

- The Mayor is the presiding officer at all meetings. The Mayor Pro tem will preside in his/her absence.
- The Mayor only votes in the event of a tie.

- The Mayor will preserve order and decorum and will require council members engaged in debate to limit discussion to the question under consideration.
- The Mayor is the spokesperson for the Council on all matters unless, absent, at which time his/her designee will assume the role.
- The Mayor will encourage all Council members to participate in council discussion and give each member an opportunity to speak before any member can speak again on the same subject.
- The Mayor is responsible for keeping the meetings orderly by recognizing each member for discussion, limiting speaking time, encouraging debate among members and keeping discussion on the agenda item being considered.
- The Mayor, when authorized by the Council, will sign all official documents such as ordinances, resolutions, conveyances, grant agreements, official plats, contracts, and bonds.
- The Mayor will perform other duties consistent with the City Charter or as may be imposed on him/her by Council.
- The Mayor has the power to veto any ordinance or resolution.

Mayor Pro Tem Responsibilities

The Mayor Pro tem is a Council member appointed by the Mayor at the first regular city council meeting following each city election or runoff election, if needed. The Mayor Pro tem will act as Mayor during the disability or absence of the Mayor or if the office is vacated and in this capacity, and will have the rights conferred upon the Mayor.

Council Member Responsibilities

Council members are the City's legislators. Their primary duty is policymaking, which includes identifying the needs of local residents, formulating programs to meet the changing requirements of the community, and measuring the effectiveness of ongoing municipal services. Every Council member is entitled to vote or abstain, in the case of a conflict of interest, on every question decided at the council meeting, and has full parliamentary privileges in council meetings, including the right to speak and make motions when recognized by the Mayor.

Absences

If a member of City Council is absent from three (3) regular meetings without explanation acceptable to a majority of the City Council, his/her office will be declared vacant at the next regular meeting, pending a vote of the Council.

Where Council Activities Occur

Majority of Council

A majority of Council is 4 council members, the mayor is included in the count of members for quorum. A quorum of Council must be present at any meeting in order for any posted meeting to begin and/or take action. A majority of Council is also required to pass all city ordinances, except for canvassing an election. The Mayor does not vote, only in the case of a tie.

Regular and Special Council Meetings

The Mayor and City Council have regular City Council meetings on the second Monday of each month at 6:00 p.m. in the City Hall Council Chambers, located at 1800 Brazosport Blvd N, Richwood, Texas; unless otherwise adopted by a majority of City Council. All meetings are open to the public unless specified as an Executive Session. A quorum is required.

Special Meetings may be called at the request of the Mayor, City Manager, or City Council

A written agenda notice of all council meetings (regular or special) is required by law, to be posted 72 hours in advance of the council meeting including the date, hour, location, and subject of meeting.

Council Workshop Meetings

Workshops are special meetings and scheduled as needed by the City Manager, Mayor or City Council. Workshops typically take place in the City Hall Council Chambers, located at 1800 Brazosport Blvd N, Richwood, Texas. Workshops tend to be a more relaxed atmosphere where council/staff can discuss general topics without taking a vote. Discussion typically goes until the presiding officer adjourns the workshop. All workshops are open to the public. A quorum is required to hold a workshop.

Emergency Meeting

Emergency Meetings may be called at the request of the Mayor, City Manager, or City Council. At least two (2) hours notice is required for an emergency meeting in the case of an “emergency or urgent public necessity,” the nature of which must be stated in the notice. Technically a “workshop” is a “special meeting” because it is not the regularly scheduled meeting on record with the State.

Executive Sessions

The Council may recess to an executive session for any purpose permitted by State law. The general subject matter for consideration will be expressed in the agenda or the motion calling for the session. Final action will not be taken by Council until the matter is placed on the agenda and a vote taken in an open meeting. Executive sessions are typically held in the Executive Conference Room located behind the Council Chambers.

A governing body may generally hold a closed meeting for one or more of the following nine reasons:

- Consideration of specific personnel matters – Texas Government Code (TGC) 551.074
- Certain consultations with its attorney – TGC 551.071
- Discussions about the value or transfer of real property – TGC 551.072
- Discussions about security personnel, security devices, or a security audit – TGC 551.076
- Discussions about a prospective gift or donation to a governmental body
- Discussions by a governing body of potential items on tests that the governing body conducts for purposes of licensing individuals to engage in an activity – TGC 551.088
- Discussions of certain economic development matters – TGC 551.087
- Discussions of certain competitive matters relating to a city owned electric or gas utility for which the city council is the governing body – TGC 551.086
- Certain information relating to the subject of emergencies and disasters – TGC 418.183(f)

Decorum

In order to provide for the timely discussion and disposition of business, Council sets their Rules of Procedure which will govern, with the Mayor (or in his/her absence, the Mayor Pro tem or, if likewise, unavailable, an appointed member of Council) serving as the presiding officer. The City Secretary will serve as the Parliamentarian and will recommend rulings, upon request by the presiding officer, to all points of order raised during the proceedings.

Guidelines for Public Comments at Meetings

City Council has adopted a policy providing guidelines to allow for public comment during regularly scheduled meetings. Citizens are given the opportunity to give public comment at regular City Council meetings. Comments are limited to 3 minutes. Because of the Open Meetings Act, members of Council are not allowed to respond or take part in any discussion related to the comments made. If more than one citizen wishes to address city council on the same subject matter, individuals are encouraged to select a spokesperson for the group.

Update Effective September 1, 2019, HB 2840 amends the OMA to modify how a governmental body may manage public input at its meetings.

Specifically, HB 2840 will requires the following:

- A council must allow every person who wishes to address the board on an agenda item to do so during or before the board's consideration of the item;
- A council must allow public comment before or during the board's consideration of agenda items at all open meetings as defined by the OMA;
- A council may establish reasonable rules for public comments, including rules that limit the total time a member of the public can address the board on a given item;
- A council may not prohibit public criticism of the board, including criticism of any act, omission, policy, procedures, program, or service; and
- If a council adopts rules limiting the amount of time a member of the public may have to address the board, but does not use simultaneous translation equipment in a manner that allows the board to hear the translated public testimony simultaneously, then the board must provide at least twice the amount of time for non-English speakers who need a translator

Parliamentary Procedures At A Glance

To Do This: (1)	You Say This:	May You Interrupt Speaker?	Must You Be Seconded?	Is the Motion Debatable?	Is the Motion Amendable?	What Vote Is Required?
Adjourn the meeting (before all business is complete)	“I move that we adjourn.”	May not interrupt speaker	Must be seconded	Not debatable	Not amendable	Majority vote
Recess the meeting	“I move that we recess until....”	May not interrupt speaker	Must be seconded	Not debatable	Amendable	Majority Vote
Complain about noise, Room temperature, etc.	“Point of privilege.”	May interrupt speaker	No second needed	Not debatable (2)	Not amendable	None (3)
Suspend further consideration of something	“I move we table it.”	May not interrupt speaker	Must be seconded	Not debatable	Not amendable	Majority vote
End debate	“I move the previous question.”	May not interrupt speaker	Must be seconded	Not debatable	Not amendable	Two-thirds vote
Postpone consideration of something	“I move we postpone this matter until...”	May not interrupt speaker	Must be seconded	Debatable	Amendable	Majority vote
Have something studied further	“I move we refer this matter to a committee.”	May not interrupt speaker	Must be seconded	Debatable	Amendable	Majority vote
Amend a motion	“I move that this motion be amended by...”	May not interrupt Speaker	Must be seconded	Debatable	Amendable	Majority Vote
Introduce business (a primary motion)	“I move that...”	May not interrupt Speaker	Must be seconded	Debatable	Amendable	Majority Vote

Notes:

1. These motions or points are listed in established order of precedence. When any one of them is pending, you may not introduce another that’s listed below it. But you may introduce another that’s listed above it.

2. In this case, any resulting motion is debatable.
3. Chair decides

Parliamentary Procedures At A Glance (continued)

To Do This: (4)	You Say This:	May You Interrupt Speaker?	Must You Be Seconded?	Is the Motion Debatable?	Is the Motion Amendable?	What Vote Is Required?
Object to procedure or To a personal affront	“Point of order.”	May interrupt the speaker	No second needed	Not debatable	Not amendable	None (3)
Request information	“Point of information.”	If urgent, may interrupt speaker	No second needed	Not debatable	Not amendable	None
Ask for a vote by actual count to verify a voice count	“I call for a division of the house.”	May not interrupt speaker (5)	No second needed	Not debatable	Not amendable	None unless someone objects (6)
Object to considering some undiplomatic or improper matter	“I object to consideration of this question.”	May interrupt speaker	No second needed	Not debatable	Not amendable	Two-thirds vote required
Take up a matter previously tabled	“I move we take from the table...”	May not interrupt speaker	Must be seconded	Not debatable	Not amendable	Majority required
Reconsider something already disposed of	“I move we now (or later) reconsider our action relative to...”	May interrupt speaker	Must be seconded	Debatable if original motion is debatable	Not amendable	Majority required
Consider something out of its scheduled order	“I move we suspend the rules and consider...”	May not interrupt speaker	Must be seconded	Not debatable	Not amendable	Two-thirds vote required
Vote on a ruling by the chair	“I appeal the chair’s decision.”	May interrupt speaker	Must be seconded	Debatable	Not amendable	Majority in the negative required to reverse chair’s decision.

Notes:

4. The motions, points and proposals have no established order of precedence. Any of them may be introduced at any time except when the meeting is considering one of the top three matters listed in the chart (motion to adjourn, motion to recess, point of privilege.)

5. But division must be called for before another motion is started.
6. Then majority vote is required.

City Council Agenda Packet Information

Agenda packets are emailed to members of City Council and posted to the City website, www.richwoodtx.gov, the Friday before each Council Meeting, unless there is a scheduled holiday. The City currently utilizes Board Book for archiving and posting of all City agendas and minutes. To access the agendas and agenda packets simply click on Agendas and Minutes on the home page of the website. The council communications for agenda items are prepared by department heads and approved by the City Manager. City staff must submit all agenda items to the City Secretary for City Manager approval no later than 5 days before the Friday packets are posted.

The Mayor and City Manager may submit items for consideration at a future meeting. City Council Members desiring to have a matter heard at a City Council meeting should present the item in an open meeting as a Future Agenda Item. The Council member should forward to the City Secretary a short summary statement of the proposed item and any supporting documentation they wish to present to Council before 5:00 p.m. on the seventh (7th) day preceding such meeting.

Consent Agenda

The consent agenda is used to cover items that are routine in nature, typically items that have already been approved through the budget process, that should not require discussion. Agenda commentaries are provided and include details of the subject matter. Reading through the packet provided will help members of council make informed decisions.

Items of Community Interest

The Texas Government Code that addresses this issue in Section 551.041 and is quoted below: *Sec. 551.0415. Governing Body of Municipality of County: **Reports** about Items of Community Interest regarding which no action will be taken.*

- (a) Notwithstanding Sections [551.041](#) and [551.042](#), a quorum of the governing body of a municipality or county may receive from staff of the political subdivision and a member of the governing body may make a report about items of community interest during a meeting of the governing body without having given notice of the subject of the report as required by this subchapter if no action is taken and, except as provided by Section 551.042, possible action is not discussed regarding the information provided in the report.
- (b) For purposes of Subsection (a), "items of community interest" includes:
 - (1) expressions of thanks, congratulations, or condolence;
 - (2) information regarding holiday schedules;
 - (3) an honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutary recognition for purposes of this subdivision;
 - (4) a reminder about an upcoming event organized or sponsored by the governing body;
 - (5) information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the political subdivision; and
 - (6) announcements involving an imminent threat to the public health and safety of people in the political subdivision that has arisen after the posting of the agenda.

meeting –for members of council to inform the public of special events that may be taking place around the city, kudos, refrain from giving direction to staff.

City Council Mail Process

The City Secretary’s Office receives and processes the City Council’s incoming mail. All mail will be stamped with the received date and distributed in corresponding boxes located in the City Secretary’s Office. City Council mail is not opened and reviewed unless the Council member so requests. Council members are welcome to pick up mail at City Hall. Mail will be distributed to members of Council at each regular Council Meeting.

Telephone Calls and Mayor/Council Appointments

All calls for the Mayor and Council are directed to the City Manager or City Secretary. In most cases, citizen questions are operational in nature and can be handled by city staff. For items not resolvable by city staff, only city issued emails are shared with the public.

Council Tablets and Email

All City Council members are supplied tablets by the City to use during Council meetings for their term duration. Council members are also issued a City email address to use while in office to communicate with the public and staff. Please keep in mind that all information on assigned computers and within the City’s network are subject to the Public Information Act.

Your City Email Address: [firstletterfirstname][lastname]@richwoodtx.gov

Your City Issued Password: [yourpositiontitle]_[yearelected]

(Example: Mayor_2019 or Position1_2019)

You may change your password if you wish. If you have any problems accessing your email, please contact the City Secretary’s Office for assistance.

Compensation

Council does not receive compensation for service. However, Council members do receive a discounted rate on their utility bill.

Expense Reimbursement Policy/Travel Advance

The City of Richwood will pay reasonable expenses which are incurred in the course of authorized City business. The City has two objectives when reimbursing expenses: to provide employees and volunteers with sufficient funds to execute business on behalf of the City, and to safeguard City funds by paying only reasonable and necessary expenses. Employees and volunteers traveling on behalf of the City of Richwood are expected to utilize services and accommodations appropriate for the business to be conducted.

The Mayor is authorized to approve travel for members of City Council, and the Mayor Pro tem authorizes travel for the Mayor. City Council approves out-of-state travel for Council members and any non-employee traveling out of state on official City business.

Upon request, the City Secretary will prepare a Travel Authorization form for any travel that is more than fifty (50) miles from City Hall which will require payment for registration, parking, materials, meals, and/or overnight stay. The City will pay the Internal Revenue Service mileage reimbursement rate in effect at the time of travel. Parking expenses, including airport parking, will also be reimbursed with supporting documentation for the expense. Transportation costs while at the business destination, such as taxis and vehicle rentals, are also a reimbursable expense with proper documentation.

For extended stay over multiple days, the City will pay actual expenses for hotels, motels, or other lodging. An itemized bill from the hotel must be attached to the expense report. If available, reduced government or conference rate must be used when making reservations.

The City will pay for the cost of meals during overnight travel on a per diem basis. The City's per diem rate will be \$10 for breakfast, \$15 for lunch and \$20 for dinner. The per diem rate will be adjusted for partial days and or meals provided with registration and hotel costs. Meal related tips are included in the per diem meal rate. The cost of alcoholic beverages is not reimbursable. At no point shall the meal amounts exceed \$45 per day. Meals per diems are paid on a reimbursement basis. Detailed receipts must be provided to receive reimbursement.

Texas Municipal League Institute

The Texas Association of Mayors, Council members and Commissioners (TAMCC) and the Texas Municipal League (TML) encourage elected officials to learn about their governance roles and city government through a variety of educational opportunities. These opportunities provide elected officials a chance to enhance their policy-making and leadership skills. TML and TAMCC sponsor the Texas Municipal League Institute (TMLI) to recognize and reward elected officials who commit to continuing their professional development. This recognition, for completing a certain number of continuing education credits (CEUs) within a calendar year, begins with a *certificate of recognition* and increases to a *certified municipal official*.

Council Appointees

City Council appoints the City Manager, City Attorney, and Municipal Judges in the City of Richwood. The following is a summary of each appointment.

City Manager

The Council will appoint a City Manager who is the Chief Administrative Official of the City and responsible to the Council for the administration of all the affairs of the City under his/her jurisdiction. He/she will be chosen by the Council solely on the basis of his/her executive and administrative training, experience and ability, and need not, when appointed, be a resident of the City. No member of the Council, during the time for which he/she is elected and one year thereafter, may be appointed or designated city manager. The City Council may employ the services of a city manager by contractual agreement. The city manager may be removed only by the action of the City Council.

The city manager will have the following powers and duties:

- The city manager may hire, appoint, and terminate department heads not specifically appointed by the council. All other employees will be hired, employed, assigned, and terminated by the city manager in accordance with procedures delineated in the personnel policies manual.
- Prepare the budget annually and submit it to the council, and be responsible for its administration after adoption.
- Prepare and submit to the council as of the end of each month a complete report on the finances and administrative activities of the city for the previous month and the year to date.
- Keep the council advised of the financial condition and future needs of the city and make such recommendations as may seem desirable.
- The city manager will present the council with an inventory of all city-owned property and equipment, including real property, at the time he/she presents his/her annual budget message. In order to meet this requirement, he/she will cause to be established an event-oriented inventory management system and will cause a physical inventory to be made of all property at least once every two (2) years.
- As a part of the annual budget message to council, the city manager will provide the council with a written status report on all franchises granted by the city. The report will address any problem areas and the annual revenues received from each franchiseholder.
- Perform such duties as may be prescribed by this Charter or may be required of him/her by the council not inconsistent with this Charter.

City Attorney

Council will appoint a competent attorney, duly licensed by the State of Texas, to be city attorney. He/she will be appointed and removed at the will and pleasure of council by a majority vote of the entire Council. He/she will receive compensation as may be fixed by council. The city attorney, or other attorneys selected by him/her with the approval of council, will represent the city in all litigation. He/she will be the legal advisor, attorney and counsel for the city and all officers and departments thereof. Currently the City contracts legal services with Cordoba Law Firm.

Municipal Judge

The municipal court will be presided over by a magistrate who will be known as the judge of the municipal court. He/she will be elected by a majority of the council and will hold office for an indefinite term. The judge will be a resident of Brazoria County for at least one year immediately prior to his/her appointment, possess good moral character and have never been convicted of a felony or any crime involving moral turpitude in this or any other state. The council will have authority to elect an associate judge of the municipal court in the same manner and with the same qualifications set forth for the presiding judge. The associate judge will have the same duties and responsibilities as the presiding judge and will serve in the absence of the presiding judge. In the event either the presiding judge or associate judge (if one is so appointed) of the municipal court is unable to act for any reason, the mayor will act in his/her place until the council has appointed a replacement. The judge, associate judge, or anyone acting in his/her place will receive such compensation as may be set by the council. The council will have the power to create and establish additional municipal courts, with the same or separate jurisdictions, and to elect an additional magistrate for each court so established.

Media Relations

The City of Richwood has many media outreach projects that include, a website, social media outlets, a monthly newsletter entitled *Richwood Focus* that is shared electronically, town hall meetings, and surveys from time to time. The City has 5 active social media accounts managed by individual departments and overseen by the Public Information Officer (PIO). The PIO interacts with the media, and is responsible for providing information as needed.

It is required by law that each city has an official newspaper in which to publish public notices and other matters required in the Charter. The *Facts Newspaper* is Richwood's official newspaper.

Boards and Commissions

To be placed on a board, commission, or committee, citizens must submit a request to the City Secretary and then the request must be approved by City Council. The City Secretary serves as staff liaison and secretary to all Boards and Commissions. All boards, commissions, and committees keep and maintain meeting minutes to be placed on file with the City Secretary.

Most boards and commission terms expire December 31st of every year or two years.

The City Council appoints citizens to serve on the following Richwood boards and commissions:

- Board of Adjustments & Appeals (Currently served by Council)
- Charter Review Commission (Appointed every 2 years)
- Keep Richwood Beautiful Commission (includes Parks)
- Planning Commission (Currently served by Council)
- Crime Control and Prevention District Board
- Economic Development (not active)

Ordinances and Resolutions

The City Council takes official action by two means: resolutions and ordinances. The distinction between an ordinance and a resolution is in subject matter, not terminology. An ordinance cannot be changed into a resolution merely by calling it a resolution. A resolution generally states a position of policy of a city. An ordinance is more formal and authoritative than a resolution. An ordinance is a local law that usually regulates persons or property and usually relates to a matter of a general and permanent nature.

If the ordinance is approved, it is then signed by the Mayor and attested by the City Secretary. After adoption, an ordinance will not be amended or repealed except by the adoption of another ordinance amending or repealing the original ordinance.

Effective Date

Every ordinance becomes effective upon adoption or at any later time specified in the ordinance. Ordinances imposing any penalty, fine, or forfeiture become effective after the caption, the offense and penalty clauses of the ordinance have been published in the official city newspaper.

Texas Open Meetings Act

State law requires that all council meetings be scheduled at a fixed time and place; a quorum of the council must be present for the transaction of business; any question before the council be decided by majority vote of the members present and voting, except where the law requires more than a simple majority; and that the mayor always presides, if present.

Every meeting of the City Council must be conducted in accordance with the Texas Open Meetings Act, Chapter 551 of the Texas Government Code. The Act requires each elected or appointed member of a governmental body to take at least one hour of training in the Open Meetings Act.

The training must be completed not later than 90 days after the member takes the oath of office or assumes the responsibilities of the office.

The required training can be met in at least two ways:

1. Viewing a video that is available to borrow or online.
2. Receive training from certified entities, such as TML.

A written notice of council meetings is required by law, to be posted 72 hours in advance of the council meeting including the date, hour, location, and subject of meeting.

The Act requires that all council meetings, with narrow exceptions, be open to the public. Closed meetings (executive sessions) are permitted for the discussion of items that legitimately fall within the exceptions stated in the law. Please refer to the TML Handbook for Mayor and Councils for the complete list of exceptions to open meetings.

Stiff penalties are provided for violations of the Open Meetings Act. A Council member or any other person who participates in an illegal closed meeting can be punished by a fine of \$100 - \$500, confinement to the county jail for one to six months, or both. The same penalty can be applied to a council member who conspires to circumvent the requirements of the law by meeting in numbers less than a quorum.

Texas Public Information Act

“Public Information” is defined as information that is written, produced, collected, assembled, or maintained under a law or ordinance or in connection with the transaction of official business by; a governmental body; for a governmental body and the governmental body; by an individual officer or employee of a governmental body in the office’s or employee’s official capacity and the information pertains to official business of the governmental body.

Public Information includes any electronic communication created, transmitted, received or maintained on any device if the communication is in connection with the transaction of official business. “Official business” is defined in the Act to mean any matter over which a governmental body has any authority, administrative duties, or advisory duties. The Act expressly provides that a council member’s private computer or cell phone communications, if made in connection with the transaction of official business, is public information. The media on which the information is stored is all inclusive whether it be recorded on paper, film, or electronically, etc.

Each elected or appointed member of the governmental body must take at least one hour of training in the Public Information Act. **The training must be completed not later than 90 days after the member takes the oath of office or assumes the responsibilities of the office.**

The City Secretary is the Public Information Officer for the City of Richwood. All requests made under the Public Information Act must be directed to the City Secretary.

Conflict of Interest

The Mayor and members of City Council are expected to avoid involvements that put their own personal interests at cross purposes with those of the public. In most cases, good judgement is enough to keep city officials within the bounds of propriety. There are, however, state laws governing the behavior of city officials.

A conflict of interest exists when a public official is presented with a matter for consideration in which the official has some personal interest that has the potential of influencing the official in the exercise of independent judgement. The purpose of the rule regarding conflicts of interest is to prevent public officials from using their authority for personal benefit rather than for the benefit of the public.

The purpose of this statute is to prevent council members and other local officials from using their positions for hidden personal gain. The law requires the filing of a form by any council member whose private financial interest, or those of relatives, would be affected by an action of the council.

Please see the City Secretary to request a form of an affidavit which is required to be submitted to the City Secretary pursuant to Chapter 171 of the Texas Local Government Code.

Conflict of Disclosure

Chapter 176 of the Texas Local Government Code requires that mayors, council members, city managers or administrators, and certain other city officials must file a “conflicts of disclosure statement” with the city’s record administrator within seven (7) days of becoming aware of the following situations:

1. A city officer or the officer’s family member has an employment or business relationship that results in taxable income of more than \$2,500 with a person who has contracted with the city or with whom the city is considering doing business.

2. A city officer or the officer's family member receives and accepts one or more gifts with an aggregate value of \$250 in the preceding 12 months from a person who conducts business or is being considered for business with the officer's city.

The Chapter also requires a vendor who wishes to conduct business or be considered for business with a city to file a "conflict of interest questionnaire" if the vendor has a business relationship with the city and employment or other relationship with an officer or officer's family member, or gives a gift to either.

An officer who knowingly fails to file the statement commits a Class C misdemeanor, which is punishable by a fine up to \$500.

Please see the City Secretary to request a form of an affidavit which is required to be submitted to the City Secretary pursuant to Chapter 176 of the Texas Local Government Code.

Criminal Misconduct

There are a number of state penal laws that prohibit acts that improperly influence public employees. Two of the more pertinent statutes concern bribery and gifts. *Bribery* occurs when someone confers a benefit upon a public employee or official in return for an official's decision or act. The law prohibiting gifts is similar to bribery, except the prohibited benefits is conferred with regard to any particular decision or act. A *bribe or gift* can be anything that could "reasonably" be regarded as economic gain or economic advantage.

Elected City officials are agents of public purpose and hold office for the benefit of the public. They are bound to uphold the Constitution of the United States and the Texas Constitution and to carry out impartially the laws of the nation, state, and municipality thus to foster respect for all government. They are bound to discharge faithfully the duties of their office regardless of personal considerations. Recognizing that the public interest must be their primary concern, they should attend each Council meeting and diligently prepare for the issues to be undertaken.

National Incident Management System (NIMS) Training

NIMS Requirement - The Office of Homeland Security requires the following classes to be completed by City Council members. You can either take the course online and go at your own pace, or we can have our Emergency Management Coordinator teach it. You may already have completed the courses in previous work, if so, just provide a copy of the certificate for City records.

These courses are available on-line. All courses require you to have a FEMA Student ID# (SID). You can obtain one here: <https://cdp.dhs.gov/femasid>

ICS-100 <https://training.fema.gov/is/courseoverview.aspx?code=IS-100.b>

ICS-700 <https://training.fema.gov/is/courseoverview.aspx?code=IS-700.a>

Sources of Information

As a new Council member, you may want to look at the following sources of information. These items are made available on the City's website, www.richwoodtx.gov.

- City Charter.
- Previous City Council Meeting minutes.
- Current budget, previous year's financial reports and other key financial documents.
- Code of Ordinances.
- Local Government Code.
- Texas Constitution.
- Texas Municipal League- www.tml.org
- Sources of Information

A centralized webpage has been created on the city's website as a collection of information relating to new City Council member orientation. This page can be found here: <http://richwoodtx.gov/site/government/town-council/> or www.richwoodtx.gov. Click on City Government / City Council

City of Richwood Social Media Sites

General Government:

Facebook: @cityofrichwoodtx

Twitter: @RichwoodTexas

LinkedIn: <https://www.linkedin.com/company/richwood-texas>

Keep Richwood Beautiful:

Facebook: @richwoodbeautification

Parks & Recreation

Facebook: @PRCOR

Police

Facebook: @RWPDTX

Fire Dept.

Facebook: @richwoodfire