



Physical Address: 501 South Main Street

Mailing Address: PO Box 228

Rhome, Texas 76078

Telephone: 817-636-2462

www.cityofrhome.com | citysecretary@cityofrhome.com

Mayor
Patricia Mitchell

City Council

Mayor Pro-Tem,
Place 1
Josh McCabe

Place 2
Michelle Tye

Place 3
Elaine Priest

Place 4
Kathy Konegni

Place 5
Kasey Shumake

City
Administrator
Amanda DeGan

City Attorney
Carvan Adkins

City Secretary
Shaina Odom

Fire Chief
Scott Estes

Police Chief
Eric Debus

Public Works
Director

NOTICE OF MEETING OF THE RHOME CITY COUNCIL

Meeting Date: Thursday, February 23, 2023

Regular Session: 6 pm

Meeting Location: Rhome Community Center, 261 North School Road, Rhome, TX 76078

LIVE Streaming: In an effort to be as accessible as possible, we *may*

Live Stream the meeting using GoToMeeting from your computer or phone.

By Computer

By Phone

GoToMeeting: Select Join: Select Meeting

Call 1 (517) 317-3122

Session ID: 517-317-3122

Access Code: 893-591-517

Access Code: 893-591-517

Toll Free Option: 1 (877) 309-2073

The Rhome City Council *may* conduct this meeting by videoconference call in accordance with Section 551.127 of the Texas Open Meetings Act. A quorum of the City Council will be physically present at the address listed above and the public may attend the meeting at the same location.

Regular Session: 6 pm

Call to Order and Establish a Quorum

Invocation – Pastor Heath Van Zandt

Pledge of Allegiance to the American Flag

Pledge of Allegiance to the Texas Flag

Honor the Texas Flag; I pledge allegiance to thee, Texas, One state under God, One and indivisible

Public Comments

1. The Council is not permitted to take action on or discuss any comments made to the Council at this time concerning an item not listed on the agenda. However, a Council Member or Mayor may make a statement of fact regarding the item, make a statement concerning the policy regarding the item and/or may propose that the item be placed on a future agenda or direct the City Administrator to contact the individual to address. If you are attending the meeting via Live Streaming, and you would like to make a Public Comment, you must email the City Secretary at citysecretary@cityofrhome.com prior to 4 pm on the day of meeting and must identify each subject you plan to present to be recognized.
2. If the writer of a Public Comment is unable to read their own comment, it should be given to a friend, family member, or associate, that is able to attend in person and read the statement in their stead.
3. Public Comments made in person require the speaker to submit the sign-up form to the City Secretary prior to the meeting, and the form must identify each subject the speaker plans to present.
4. A statement of no more than 3 minutes may be made. There will be no yielding of time to another person. Comments should be directed to the entire Council, not individual members. Engaging in verbal attacks, or comments intended to insult, abuse, malign, or slander any individuals shall be cause for termination of time privileges and removal from Council Chambers.

Announcements from Mayor and Council Members

- Planning and Zoning Meeting, March 6, 2023 at 6 p.m.
- Monthly Bulk Trash Pick Up, March 7, 2023
- City Council Meeting, March 9, 2023 at 6 p.m.
- Volunteer opportunity to help beautify City Hall flower beds

Consent Agenda

All items under this section are recommended for approval for the Consent Agenda. These items are of a routine nature and require only brief deliberation by Council. Council reserves the right to remove any item on the Consent Agenda for further deliberation.

1. Minutes of City Council Regular Session dated February 9, 2023
2. Resolution 2023-04 - Changing Signers on Logic Account
3. Resolution 2023-05 - Outlining a Legislative Platform Statement for the 88th Legislative Session
4. Resolution 2023-06 - Authorizing the City's Continued Participation in the Atmos Cities Steering Committee (ACSC)

Public Hearing(s)

1. City Council to conduct a Public Hearing to consider a replat; one tract being legally described as Acres: 3.00, Abstract: A-817 JC, also known as 401 E Hickory Street, Rhome, TX 76078

Regular Agenda

Discussion and any necessary action for the following:

1. Replat; one tract being legally described as Acres: 3.00, Abstract: A-817 JC, also known as 401 E Hickory Street, Rhome, TX 76078 **(City Secretary)**
2. Electronic Billboard Request Update on Hwy 114 **(City Administrator)**
3. Resolution 2023-07 - Records Management Program for retention and destruction of records per City Ordinances **(City Administrator)**
4. Clarification of petition submitted in 2022 regarding the Mayor Pro Tem position **(City Administrator)**
5. Ordinance 2023-01 - Calling the May 6, 2023 General Election for two-year terms for Council Member – Place 1, Council Member – Place 2, Council Member – Place 3, and a one-year term for Council Member – Place 5, authorizing the City Administrator to sign Joint Contract with Wise County for Election Services, and setting meeting date to Canvass the Election **(City Secretary)**

Executive Session

Pursuant to the following designated section of the Texas Government Code, Annotated, Chapter 551 (Texas Open Meetings Act), the Council may convene into executive session to discuss the following:

1. Section 551.071 Consultation with Attorney - pending or contemplated litigation, settlement offer or to seek advice from attorney
 - a. RVR Economic Development Agreement Terms Update **(City Administrator)**
2. Section 551.072 Deliberation regarding Real Property - purchase, exchange, lease, or value of real property if deliberation in an open meeting would have detrimental effect on position of the governmental body in negotiations with a third person

3. Section 551.074 Personnel – discuss appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee, or hear complaint or charge against officer or employee in executive session unless officer or employee requests a public hearing
4. Section 551.087 – Deliberations regarding Economic Development Negotiations – to discuss or deliberate regarding commercial or financial information that the City has received from a business prospect that the City seeks to locate, stay or expand in or near the City and with which the City is conducting economic development negotiations

Regular Agenda (Resume)

1. Action to be taken from Executive Session discussions

Future Agenda Items

(Agenda items are due by 5 p.m. on the Wednesday of the week prior to the Council meeting)

Adjourn

A quorum of Planning & Zoning Commissioners may be present at this meeting and its members may participate in the discussions of the items on the agenda over which they have responsibilities or authority.

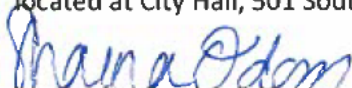
A quorum of Parks & Recreation Board Members may be present at this meeting and its members may participate in the discussions of the items on the agenda over which they have responsibilities or authority.

**Pursuant to the Open Meetings Act, Chapter 551, Section 551.071 of the Texas Government Code, the Council may convene into executive session at any time during the meeting if a need rises for the City Council to seek advice from the City Attorney concerning any item on this agenda, to discuss pending and contemplated litigation, or a settlement offer, or to discuss a matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Board of Texas clearly conflicts with Chapter 551.*

The Council may vote and / or act upon each of the items listed in this Agenda. Except for Public Presentation and Input and items in the agenda designated as public hearing or otherwise designated for public input, there will be no public input during the course of this meeting without express authorization from the presiding officer.

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to the meeting. Please contact City Hall at 817-636-2462 for further information.

CERTIFICATION: I do hereby certify that the above City Council Agenda was posted on the designated bulletin board located at City Hall, 501 South Main Street, Rhome, Texas by 6 pm on February 19, 2023.



Shaina Odom, City Secretary

I certify that the attached notice and agenda of items to be considered by the Rhome City Council was removed by me from the designated bulletin board located at City Hall, 501 South Main Street, Rhome, Texas, on the ____ day of _____, 2023.

_____, Title: _____



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AGENDA ITEM 1



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Mayor
Patricia Mitchell

City Council

**Mayor Pro-Tem,
Place 1**
Josh McCabe

Place 2
Michelle Tye

Place 3
Elaine Priest

Place 4
Kathy Konegni

Place 5
Kasey Shumake

**City
Administrator**
Amanda DeGan

City Attorney
Carvan Adkins

City Secretary
Shaina Odom

Fire Chief
Scott Estes

Police Chief
Eric Debus

**Public Works
Director**

MINUTES OF MEETING OF THE RHOME CITY COUNCIL

Meeting Date: Thursday, February 9, 2023

Regular Session: 6 pm

Meeting Location: Rhome Community Center, 261 North School Road, Rhome, TX 76078

Regular Session: 6 pm

Mayor Mitchell called the meeting to order at 6 pm.

Call to Order and Establish a Quorum

Invocation – Pastor Heath Van Zandt

Pastor Heath Van Zandt led the Invocation

Pledge of Allegiance to the American Flag

Pledge of Allegiance to the Texas Flag

Honor the Texas Flag; I pledge allegiance to thee, Texas, One state under God, One and indivisible

Public Comments

- 1. The Council is not permitted to take action on or discuss any comments made to the Council at this time concerning an item not listed on the agenda. However, a Council Member or Mayor may make a statement of fact regarding the item, make a statement concerning the policy regarding the item and/or may propose that the item be placed on a future agenda or direct the City Administrator to contact the individual to address. If you are attending the meeting via Live Streaming, and you would like to make a Public Comment, you must email the City Secretary at citysecretary@cityofrhome.com prior to 4 pm on the day of meeting and must identify each subject you plan to present to be recognized.*
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- 3. Public Comments made in person require the speaker to submit the sign-up form to the City Secretary prior to the meeting, and the form must identify each subject the speaker plans to present.*
- 4. A statement of no more than 3 minutes may be made. There will be no yielding of time to another person. Comments should be directed to the entire Council, not individual members. Engaging in verbal attacks, or comments intended to insult, abuse, malign, or slander any individuals shall be cause for termination of time privileges and removal from Council Chambers.*
 - Lisa Ann Wilson – 240 W First Street*

Announcements from Mayor and Council Members

- Filing has begun as of January 18, 2023 with the last day to File for a Place on the Ballot being February 17, 2023
- City Hall is closed from 9:45 a.m. to 1:15 p.m. on Monday, February 13, 2023 for City Employee Training
- Coffee With A Cop February 18, 2023 @ 8 a.m. at the Police Department
- City Hall is Closed February 20, 2023 for Presidents' Day
- City Council Meeting, February 23, 2023 at 6 p.m.

Consent Agenda

All items under this section are recommended for approval for the Consent Agenda. These items are of a routine nature and require only brief deliberation by Council. Council reserves the right to remove any item on the Consent Agenda for further deliberation.

1. Minutes of City Council Regular Session dated January 26, 2023 **(City Secretary)**
2. ACH Return Fee **(City Administrator)**
3. Racial Profiling Report **(Police Chief Debus)**

Mayor Pro-Tem McCabe made a motion to approve the Consent Agenda as presented. Council Member Tye seconded the motion. Motion passed unanimously.

Monthly Staff Reports and Board Minutes

All items under this section are for informational purposes only; no action will be taken by Council.

1. Departments: Administration, Building & Development, Fire Rescue, Municipal Court, Police and Public Works (Department Heads)

Regular Agenda

Discussion and any necessary action for the following:

1. Rifle-Resistant Body Armor Grant Program **(Police Chief Debus)**

Police Chief Debus explained this grant is for Rifle Resistant Body Armor. This is a 100% match grant. The Police Department will be reimbursed for the entire purchase. The body armor is for mass casualty situations and not every day wear. This is a higher-grade shield for high power weapons. This armor goes over their uniforms for quicker response. Council Member Tye made a motion to move forward with the Grant, and approving the resolution. Council Member Shumake seconded the motion. Motion passed unanimously.

2. Organizational Overview and Projects Update **(City Administrator)**

City Administrator DeGan went over the projects she has been working on over the last couple of weeks. Records Management, Budget preparation, finance help, water / wastewater, and meeting with developers. No action was taken.

3. Facilities Overview and Update **(City Administrator)**

City Administrator DeGan said Council should consider putting together a Facility Review Committee. The Committee would consist of 4 residents, 1 Council Member and 1 Staff Member. Council gave direction to the City Administrator to contact everyone who applied for Place 5 when Meehan resigned. City Administrator DeGan said she would be the staff member on the committee board. Council also asked for her to visit with RVR regarding land and facilities.

Executive Session

Pursuant to the following designated section of the Texas Government Code, Annotated, Chapter 551 (Texas Open Meetings Act), the Council may convene into executive session to discuss the following:

1. Section 551.071 Consultation with Attorney - pending or contemplated litigation, settlement offer or to seek advice from attorney
2. Section 551.072 Deliberation regarding Real Property - purchase, exchange, lease, or value of real property if deliberation in an open meeting would have detrimental effect on position of the governmental body in negotiations with a third person
3. Section 551.074 Personnel – discuss appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee, or hear complaint or charge against officer or employee in executive session unless officer or employee requests a public hearing
4. Section 551.087 – Deliberations regarding Economic Development Negotiations – to discuss or deliberate regarding commercial or financial information that the City has received from a business prospect that the City seeks to locate, stay or expand in or near the City and with which the City is conducting economic development negotiations

Regular Agenda (Resume)

1. Action to be taken from Executive Session discussions

No Executive session held.

Future Agenda Items

(Agenda items are due by 5 p.m. on the Wednesday of the week prior to the Council meeting)

Adjourn

Mayor Pro-Tem McCabe made a motion to adjourn the meeting at 6:57 pm. Council Member Konegni seconded the motion. Motion passed unanimously. Meeting adjourned at 6:57 pm.

Patricia Mitchell,

Mayor

ATTEST:

Shaina Odom
City Secretary



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AGENDA ITEM 2

RESOLUTION 2023-04

APPROVAL OF A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF RHOME, TEXAS AUTHORIZING THE ADDITION OF THE CURRENT CITY SECRETARY AND CITY ADMINISTRATOR AS AUTHORIZED REPRESENTATIVES ON THE AGREEMENT WITH LOCAL GOVERNMENT INVESTMENT COOPERATIVE (LOGIC) ON BEHALF OF THE CITY

WHEREAS, The City of Rhome has entered into an Interlocal Agreement (the "Agreement") and has become a participant in the public funds investment pool created thereunder known as Local Government Investment Cooperative ("LOGIC");

WHEREAS, the Resolution designated on one or more "Authorized Representatives" within the meaning of the Agreement;

WHEREAS, the Government Entity now wishes to update and designate the following persons as the "Authorized Representatives" within the meaning of the Agreement;

NOW, THEREFORE, BE IT RESOLVED BY THE RHOME CITY COUNCIL:

Section 1: That all matters stated in the Recitals hereinabove are found to be true and correct and are incorporated herein by reference as if copied in their entirety.

Section 2: The following officers, officials or employees of the Government Entity are hereby designated as "Authorized Representatives" within the meaning of the Agreement, with full power and authority to: deposit money to and withdrawal money from the Government Entity's LOGIC account or accounts from time to time in accordance with the Agreement and the Information Statement describing the Agreement and to take all other actions deemed necessary or appropriate for the investment of funds of the Government Entity in LOGIC:

Amanda DeGan, City Administrator, 817-636-2462
Email: city.administrator@cityofrhome.com

Shaina Odom, City Secretary, 817-636-2462
Email: citysecretary@cityofrhome.com

Section 3: The Primary Contact on the account will be the City Secretary, Shaina Odom.

Section 4: The foregoing supersedes and replaces the Government Entity's previous designation of officers, officials or employees of the Government Entity as Authorized Representatives under the Agreement pursuant to paragraph 4 of the Resolution. Except as hereby modified, the Resolution shall remain in full force and effect.

Section 5: If any portion of this Resolution shall, for any reason, be declared invalid by an court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof and the Council hereby determines that it would

have adopted this Resolution without the invalid provision.

Section 6: That this Resolution shall become effective from and after its date of passage.

PASSED AND APPROVED ON THIS THE 23rd DAY OF FEBRUARY, 2023.

Patricia Mitchell, Mayor

ATTEST:

Shaina Odom, City Secretary

APPROVED AS TO FORM:

Carvan Adkins, City Attorney



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AGENDA ITEM 3



Agenda Commentary
Meeting Date: February 23, 2023

Department: Administration

Contact: Amanda DeGan, City Administrator

Agenda Item: Approval of a Resolution Outlining a Legislative Platform Statement for the 88th Legislative Session

Type of Item: ☐ Ordinance ☐ Resolution ☐ Contract/Agreement ☐ Public Hearing
☐ Plat ☐ Discussion & Direction ☒ Other

Summary:

- Staff previously discussed the idea of Council approving a Resolution that outlines the support and opposition of topics for the 88th Legislative Session
- Staff developed a Resolution for Council to approve that may be used during the Wise County Legislative Days in Austin
- Staff also recommends approval of the Resolution

Funding Expected: ☐ Revenue ☐ Expenditure ☒ N/A

Budgeted Item: ☐ Yes ☐ No ☒ N/A

GL Account: _____ Amount: _____

Legal Review Required: ☐ Yes ☐ No Date Completed: _____

Engineering Review: ☐ FD Review: ☐ PD Review: ☐ PW Review: ☐

History / Details / Recommendation:

Various municipalities in our area will be participating in the Wise County Legislative Days on March 5th thru 7th in Austin. The Rhome City Administrator has met with city managers who will travel to Austin in order to speak with many elected officials about the priorities in our communities.

The Resolution submitted on this agenda for review will help outline the support/opposition Council has for important topics that affect our ability to locally govern the community and be responsive to the needs of the residents and business owners. As the form of government that is closest to the residents/stakeholders in each municipality it is vital to our ability to delivery services that local governments remain responsive and accessible to our community.

RESOLUTION NO. 2023-05

A RESOLUTION OF THE RHOME CITY COUNCIL ESTABLISHING PRIORITIES FOR THE 88TH LEGISLATIVE SESSION IN TEXAS, AUTHORIZING REPRESENTATION OF THE MUNICIPALITY IN ADVOCATING CERTAIN POSITIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rhome finds it to be in the public interest, and necessary for the public health, safety, and welfare, that the City take positions on certain issues that may come before the 88th Texas Legislature; and

WHEREAS, the City Council finds legislative involvement to be a legitimate exercise of its elected duties as the governing body serving those who live, work, visit, and own property in the city limits and the extraterritorial jurisdiction; and

WHEREAS, the City Council understands that members of the Texas Senate and the Texas House of Representatives benefit from learning of the analysis performed and positions taken by locally-elected public officials; and

WHEREAS, the City Council has identified the following items as being worthy of voicing a position on behalf of the residents and businesses of Rhome.

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

Section 1: The Rhome City Council SUPPORTS legislation that would:

1. allow for greater flexibility by cities to fund local transportation projects; amend or otherwise modify state law to help cities fund transportation projects; or provide cities with additional funding options and resources to address transportation needs that the state and federal governments fail to address.
2. provide additional funding to the Texas Department of Transportation for equitable transportation projects that would benefit cities and provide local, state, and federal transportation funding of transportation infrastructure.
3. provide additional funding to the Texas Water Development Board, specifically the Rural Water Assistance Fund, Flood Infrastructure Fund, Clean Water State Revolving Fund, Drinking Water State Revolving Fund, State Water Implementation Fund for Texas, and the Texas Water Development Fund to provide cities with additional funding options and resources that provide for the planning, acquisition, design, and construction of water and wastewater related infrastructure and other water quality improvements.
4. provide enhanced notice requirements to potential buyers of property located within a public improvement district.

5. treat broadband service similar to other critical utility infrastructure to ensure statewide availability, equity, and affordability for citizens and businesses.
6. increase existing or create new grant program funding that provides financial assistance to local governmental public safety agencies for public safety resources, including legislation that supports the use and the purchase of body cameras and associated data storage costs.
7. give cities more input in the municipal utility district development process within the city limits and ETJ, including legislation that promotes additional transparency in the process for cities and city residents.
8. add safeguards to the formation of new municipal utility districts (MUDs) through the Texas Commission on Environmental Quality process, limit MUDs administrative costs, require MUDs to meet in the cities they tax from, coordinate with local cities or counties on MUD board elections, and provide additional financial information to citizens in an open and transparent manner.

Section 2: The Rhome City Council OPPOSES legislation that would:

1. erode municipal authority in any way, impose an unfunded mandate, or otherwise be detrimental to cities, especially legislation that would:
 - a. provide for state preemption of municipal authority in general.
 - b. impose further revenue and/or tax caps of any type.
 - c. erode the ability of a city to issue debt.
 - d. erode municipal authority related to development matters, including with respect to the following issues: (1) annexation, (2) eminent domain, (3) zoning, (4) regulatory takings, (5) building codes, (6) tree preservation, (7) short-term rentals, and (8) the extraterritorial jurisdiction (ETJ).
 - e. erode the authority of a city to be adequately compensated for the use of its rights-of-way and/or erode municipal authority over the management and control of rights-of-way, including by state or federal rules or federal legislation.
 - f. limit or prohibit the authority of city officials to use municipal funds to communicate with legislators; or limit or prohibit the authority of the Texas Municipal League to use any revenue, however derived, to communicate with legislators.
 - g. abolish the concept of the ETJ.
2. limit the type of economic development incentives available to the city or that would limit any use of incentives by a city to enhance business recruitment and job creation.

A. City officials are hereby authorized to advocate and otherwise convey positions expressed herein, and City staff is directed to provide a copy of this Resolution to the State Senator for District 12, and the State Representative for District 64.

B. This Resolution shall be effective immediately upon approval.

PASSED AND APPROVED this the 23rd day of February, 2023 by a vote of _____ ayes and _____ nays at a regular meeting of the City Council of the City of Rhome, Texas.

Patricia Mitchell, Mayor

ATTEST:

Shaina Odom, City Secretary

APPROVED AS TO FORM:

Carvan Adkins
City Attorney



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AGENDA ITEM 4



Agenda Commentary
Meeting Date: February 23, 2023

Department: Administration

Contact: Amanda DeGan, City Administrator

Agenda Item: Approval of a Resolution Authorizing the City's Continued Participation in the Atmos Cities Steering Committee (ACSC)

Type of Item: ☐ Ordinance ☒ Resolution ☐ Contract/Agreement ☐ Public Hearing
 ☐ Plat ☐ Discussion & Direction ☐ Other

Summary:

- The City of Rhome is part of a consortium of cities who participate in the Atmos Cities Steering Committee (ACSC)
- ACSC is the largest coalition of cities served by Atmos Mid-Tex, with 184 cities that represents more than 60 percent of the total load served by Atmos Mid-Tex.
- ACSC assists the member cities with rate cases and additional activities relative to the utility provider
- Staff recommends the City continue its partnership with ACSC and the other 183 member cities

Funding Expected: ☐ Revenue ☒ Expenditure ☐ N/A

Budgeted Item: ☒ Yes ☐ No ☐ N/A

GL Account: Amount: _____

Legal Review Required: ☐ Yes ☐ No Date Completed: _____

Engineering Review: ☐ FD Review: ☐ PD Review: ☐ PW Review: ☐

History / Details / Recommendation:

Staff received notice that it is time to renew our membership in the Atmos Cities Steering Committee (ACSC). Below is an excerpt that explains how the membership benefits the City:

"ACSC is actively involved in rate cases, appeals, rulemakings, and legislative efforts impacting the rates charged by Atmos within the City. These activities will continue throughout the calendar year. It is possible that additional efforts will be necessary on new issues that arise during the year, and it is important that ACSC be able to fund its participation on behalf of its member cities. A per capita assessment has historically been used, and is a fair method for the members to bear the burdens associated with the benefits received from that membership."

RESOLUTION NO. 2023-06

A RESOLUTION AUTHORIZING CONTINUED PARTICIPATION WITH THE ATMOS CITIES STEERING COMMITTEE; AND AUTHORIZING THE PAYMENT OF FIVE CENTS PER CAPITA TO THE ATMOS CITIES STEERING COMMITTEE TO FUND REGULATORY AND RELATED ACTIVITIES RELATED TO ATMOS ENERGY CORPORATION

WHEREAS, the City of Rhome is a regulatory authority under the Gas Utility Regulatory Act (GURA) and has exclusive original jurisdiction over the rates and services of Atmos Energy Corporation, Mid-Tex Division (Atmos) within the municipal boundaries of the city; and

WHEREAS, the Atmos Cities Steering Committee (ACSC) has historically intervened in Atmos rate proceedings and gas utility related rulemakings to protect the interests of municipalities and gas customers residing within municipal boundaries; and

WHEREAS, ACSC is participating in Railroad Commission dockets and projects, as well as court proceedings and legislative activities, affecting gas utility rates; and

WHEREAS, the City is a member of ACSC; and

WHEREAS, in order for ACSC to continue its participation in these activities which affects the provision of gas utility service and the rates to be charged, it must assess its members for such costs;

NOW THEREFORE, BE IT RESOLVED BY THE RHOME CITY COUNCIL:

Section 1: That the City is authorized to continue its membership with the Atmos Cities Steering Committee to protect the interests of the City of Rhome and protect the interests of the customers of Atmos Energy Corporation, Mid-Tex Division residing and conducting business within the City limits.

Section 2: The City is further authorized to pay its 2023 assessment to the ACSC in the amount of five cents (\$0.05) per capita.

Section 3: A copy of this Resolution and approved assessment fee payable to “*Atmos Cities Steering Committee*” shall be sent to:

Brandi Stigler
Atmos Cities Steering Committee
c/o Arlington City Attorney’s Office, Mail Stop 63-0300
101 S. Mesquite St., Suite 300
Arlington, Texas 76010

PRESENTED AND PASSED on this the 23rd day of February 2023, by a vote of _____ ayes
and _____ nays at a regular meeting of the City Council of the City of Rhome, Texas.

Patricia Mitchell, Mayor

ATTEST:

Shaina Odom, City Secretary

APPROVED AS TO FORM:

Carvan Adkins, City Attorney

ACSC Master List of Members (184 Total)

1. Abilene	63. Fairview	125. Northlake
2. Addison	64. Farmers Branch	126. Oak Leaf
3. Albany	65. Farmersville	127. Ovilla
4. Allen	66. Fate	128. Palestine
5. Alvarado	67. Flower Mound	129. Pantego
6. Angus	68. Forest Hill	130. Paris
7. Anna	69. Forney	131. Parker
8. Archer City	70. Fort Worth	132. Pecan Hill
9. Argyle	71. Frisco	133. Petrolia
10. Arlington	72. Frost	134. Plano
11. Aubrey	73. Gainesville	135. Ponder
12. Azle	74. Garland	136. Pottsboro
13. Bedford	75. Garrett	137. Prosper
14. Bellmead	76. Georgetown	138. Quitman
15. Belton	77. Glenn Heights	139. Red Oak
16. Benbrook	78. Grand Prairie	140. Reno (Parker County)
17. Beverly Hills	79. Grapevine	141. Rhome
18. Blossom	80. Groesbeck	142. Richardson
19. Blue Ridge	81. Gunter	143. Richland
20. Bowie	82. Haltom City	144. Richland Hills
21. Boyd	83. Harker Heights	145. River Oaks
22. Bridgeport	84. Haskell	146. Roanoke
23. Brownwood	85. Haslet	147. Robinson
24. Bryan	86. Hewitt	148. Rockwall
25. Buffalo	87. Highland Park	149. Roscoe
26. Burkburnett	88. Highland Village	150. Rowlett
27. Burleson	89. Honey Grove	151. Royse City
28. Caddo Mills	90. Hurst	152. Sachse
29. Canton	91. Hutchison	153. Saginaw
30. Carrollton	92. Hutto	154. Sansom Park
31. Cedar Hill	93. Iowa Park	155. Seagoville
32. Celeste	94. Irving	156. Seymour
33. Celina	95. Justin	157. Sherman
34. Centerville	96. Kaufman	158. Snyder
35. Cisco	97. Keene	159. Southlake
36. Clarksville	98. Keller	160. Springtown
37. Cleburne	99. Kemp	161. Stamford
38. Clyde	100. Kennedale	162. Stephenville
39. College Station	101. Kerens	163. Sulphur Springs
40. Colleyville	102. Kerrville	164. Sweetwater
41. Colorado City	103. Killeen	165. Temple
42. Comanche	104. Krum	166. Terrell
43. Commerce	105. Lakeside	167. The Colony
44. Coolidge	106. Lake Dallas	168. Trophy Club
45. Coppell	107. Lake Worth	169. Tyler
46. Corinth	108. Lancaster	170. University Park
47. Crandall	109. Lavon	171. Venus
48. Cross Roads	110. Lewisville	172. Vernon
49. Crowley	111. Little Elm	173. Waco
50. Dalworthington Gardens	112. Little River	174. Watauga
51. Denison	113. Lorena	175. Waxahachie
52. Denton	114. Madisonville	176. Westlake
53. DeSoto	115. Malakoff	177. Westover Hills
54. Draper	116. Mansfield	178. Westworth Village
55. Duncanville	117. McKinney	179. Whitesboro
56. Early	118. Melissa	180. White Settlement
57. Eastland	119. Mesquite	181. Wichita Falls
58. Edgecliff Village	120. Midlothian	182. Wilmer
59. Emory	121. Murphy	183. Woodway
60. Ennis	122. Newark	184. Wylie
61. Euless	123. Nocona	
62. Everman	124. North Richland Hills	

City of Arlington, c/o Atmos Cities Steering Committee
Attn: Brandi Stigler
101 S. Mesquite St., Ste 300
MS #63-0300
Arlington, TX 76010

Invoice

Date	Invoice #
1/31/2023	23-124

Bill To
City of Rhome

Item	Population	Per Capita	Amount
2023 Membership Assessment	1,580	0.05	79.00
Please make check payable to: Atmos Cities Steering Committee and mail to Atmos Cities Steering Committee, Attn: Brandi Stigler, Arlington City Attorney's Office, 101 S. Mesquite St., Ste 300, MS #63-0300, Arlington, Texas 76010			Total \$79.00

2022 YEAR IN REVIEW ISSUE

This past year was a busy one for ACSC. This annual review highlights the significant events of 2022 that impacted ACSC and what's on the horizon next year.

ACSC Welcomes New 2022 Members

The Atmos Cities Steering Committee welcomed several new members to the coalition in 2022, including Archer City, Belton and Seymour. ACSC, an organization of more than 180 cities in north and central Texas with nearly 1.2 million residential customers, is one of the state's most important municipal coalitions active at the Texas Railroad Commission in ratemaking matters. Membership is determined by passage of a resolution by each governing body.

RRC Amends Gas Facilities Rules

On November 1, the Texas Railroad Commission updated rules relating to the designation of natural gas facilities as critical during emergencies.

Initially proposed last year by the Railroad Commission as part of its implementation of Senate Bill 3 and House Bill 3648 from the 87th Texas Legislature, the rules specify how the agency designates certain gas facilities as critical," which is particularly important when it comes to the power grid. This is because natural gas suppliers fuel many electric generators and failures by the gas industry have been identified as major contributing factors behind last year's rolling outages.

The Railroad Commission initially adopted the rules in November 2021, but then re-opened the rulemaking process soon afterwards there-after in response to additional staff and stakeholder input. On November 1, 2022 the three-member panel adopted new changes, many of them technical in nature. The rules took effect on November 21.

The Details

Some of the adopted changes incorporate suggestions from the Atmos Cities Steering Committee. For instance, the agency agreed to further clarify the process that gas facilities must follow when requesting critical designations, as per an ACSC suggestion. The agency also agreed to clarify how the agency makes such designations, as per an ACSC suggestion. Some of the other changes include the following:

- The Commission adopted amendments to provide more certainty regarding the definition of "energy emergency." In specific terms, the Commission adopted amendments to define an event with "potential to result in firm load shed" as when the reliability coordinator of a power region in Texas issues an Energy Emergency Alert Level 1 or 2.
- The Commission adopted amendments to the list of critical gas suppliers to exclude gas wells producing an average

of 250 Mcf of natural gas per day or less and oil leases producing an average of 500 Mcf of natural gas per day or less.

- The Commission adopted amendments clarifying that certain facilities designated as critical may request an exception unless the facility is included on the electricity supply chain map. The amendments likewise clarify acceptable reasons for requesting an exception.

More Information

More information about the rule designated as 16 TAC § 3.65 can be found at the Railroad Commission website.

Railroad Commission Sets Emergency Gas Curtailment Rules

In response to the massive gas supply failures during Winter Storm Uri, the Texas Railroad Commission on April 12 updated its rules governing emergency service priorities.

As a result of the action, gas suppliers will have to follow new rules during those emergency situations when they lack sufficient supply to serve all customers. The Atmos Cities Steering Committee earlier expressed general support for a draft of the new rules.

In specific terms, the agency reset its 1970s-era “Order 489” that relates to gas deliveries during “curtailment events;” i.e., when gas utilities lack sufficient supply to serve all customers. The new action amends a section of the Texas Administrative Code (16 TAC § 7.455) relating to curtailment standards and likewise repeals a

section of the Texas Administrative Code (16 TAC § 7.305) relating to the commission’s existing curtailment program.

Prioritizing Human-Needs Customers

Of particular importance, the rules set forth various service priorities for gas suppliers that find themselves unable to meet all their firm delivery obligations. The rules name human-needs customers — such as residences, hospitals, water and wastewater facilities, and emergency responder facilities — as the top priority for gas service, as well as electric generation facilities. It then sets forth other customer categories, in priority-order of service. The agency’s three commissioners adopted the new rules after only a brief discussion, and they took effect on September 1.

Lawmakers Begin Filing Energy-Related Bills in Advance of 88th Legislature

The next Regular Session of the Texas Legislature — the 88th — convenes on January 10. Some of the bills filed so far would affect gas utility customers, including residential customers living within cities served by the Atmos Cities Steering Committee. However, given that Texas hasn’t suffered a repeat energy crisis like the one brought on by Winter Storm Uri, don’t expect to see a flood of energy-related bills similar to what the legislature experienced in 2021.

Two bills of interest we’ve seen filed so far are House Bills 697 and 743, by Reps. Justin Holland and Jay Dean respectively. Under HB 697 home sellers would be required to reveal the sort of gas piping installed at their residence. The disclosure holds importance for customer safety given that older iron pipes have been associated with various fatal accidents. Under House Bill 743, cities and counties would be prohibited from adopting ordinances that restrict the use of gas appliances in residential or commercial buildings. The issue has been pressed in recent years by gas utilities as they have witnessed a reduction in the use of gas appliances nationwide for environmental reasons.

Railroad Commission Oks Securitization Financing Order

On February 8, the Texas Railroad Commission approved a \$3.4 billion financing order to pay natural gas costs from Winter Storm Uri.

Under the regulatory action, ratepayers will end up paying potentially for decades for fuel they consumed during the weeklong storm. The Railroad Commission had given its initial OK in November 2021, and the February action pushed the process forward by directing a separate agency known as the Texas Public Finance Authority to issue the bonds.

Atmos, CenterPoint, Texas Gas Service and 8 other gas utilities applied for financial recovery under the debt financing deal, which utilities promote as a method to help their customers avoid rate shock. Under ordinary circumstances, the cost of natural gas consumed by utility customers would have flowed directly into monthly bills. During last year's Winter Storm Uri, however, gas prices spiked to intolerable levels and so gas utilities instead set aside those fuel costs as "regulatory assets" to deal with later. The new bond financing allows utilities to receive reimbursements for these expenses. The downside for ratepayers, however, is that they will have to pay off the bonds over many years and with interest. The size of the resulting bill charges remains unclear.

UTILITIES PARTICIPATING IN PROGRAM

Under the financing order, Atmos Energy can receive reimbursements under the bond financing arrangement for approximately \$2 billion in fuel costs, CenterPoint can

receive approximately \$1.1 billion and TGS can receive \$197.3 million. Other utilities to receive recovery include Bluebonnet, Corix, EPCOR, SiEnergy, UniGas, TGS West Texas Service Area and CoServ.

The bond financing process (known as "securitization") received authorization in 2021 by the Texas Legislature, under House Bill 1520. By law, gas distribution utilities such as Atmos, CenterPoint and TGS cannot profit from the sale of the gas commodity, but instead must pass those costs directly to end users without markups.

UTILITY	STIPULATED MAXIMUM REGULATORY ASSET AMOUNT
Atmos	\$2,021,888,534
Bluebonnet	\$1,962,731
CenterPoint	\$1,099,929,626
Corix	\$294,407
EPCOR	\$11,296,221
SiEnergy	\$18,795,497
TGS	\$197,342,375
UniGas	\$32,431,370
TGS WTSA	\$59,663,320
CoServ	\$67,224,791

Atmos Reports More Financial Gains

Atmos Energy announced consolidated net income of \$774.4 million for the year ending September 30, 2022. In a Nov. 10 call with financial analysts, the company also said its capital expenditures totaled \$2.4 billion for the year, with capital expenditures expected to approximate \$2.7 billion in fiscal 2023.

Due to the availability of interim rate mechanisms (such as the Gas Reliability Infrastructure Program in Texas that allows the utility to promptly implement rate increases), Atmos said that 90 percent of its annual capital expenditures begin to earn financial returns within six months.

Atmos noted that average residential monthly customer bills were \$68 in the 2022 fiscal year, will rise to an estimated \$79 in fiscal 2023, and rise to an estimated \$91 in 2027. Meanwhile, the portion of customer bills associated with pass-through gas costs will decline — from about 50 percent in 2023, to 35 percent in 2027.

In addition to the effect of rate increases, some of the company's revenue growth has been driven by a growth in the number of its customers. Atmos noted that it added 62,000 customers in Texas during the 2022 fiscal year, including 50 new industrial customers. It estimated that it will add 120 industrial customers over the next three years.

The company said that 2022 marked the 20th consecutive year for earnings per share growth, and 39th consecutive year of dividend increases.

During the earnings call, Atmos also revealed other details regarding its financial performance:

Results for the Fiscal Year Ending September 30, 2022.

Consolidated operating income increased \$16 million to \$921 million for the year ending September 30, compared to \$905 million during the previous year. Refunds of excess deferred income taxes reduced operating income by \$111.8 million, although that was substantially offset by a corresponding decrease in income tax expenses. Excluding the impact of these refunds, operating income increased \$127.8 million because of rate increases, customer growth in distribution operations and other factors.

Distribution operating income decreased \$14 million to \$604.5 million for the year ending September 30, as compared with \$618.5 million during the corresponding prior-year period. Refunds of excess deferred taxes reduced operating income by \$98.5 million year over year, while a \$149.9 million increase in rates, customer growth of \$15.2 million and other factors drove up revenues.

Pipeline and storage operating income increased \$29.9 million to \$316.4 million for the year ending September 30, as compared with \$286.5 million during the prior year. Key operating drivers for this segment include a \$70.4 million increase from GRIP filings approved in fiscal 2021 and 2022.

Capital expenditures increased \$474.9 million to \$2.4 billion for the year ending September 30, compared with \$2 billion during the prior year.

2022 Atmos RRM and GRIP Orders

Two of the most significant rate-setting mechanisms employed by the Atmos gas utility are the Gas Reliability Infrastructure Program (GRIP) and the Rate Review Mechanism (RRM). The first, GRIP, was created by the Texas Legislature; the other, the RRM, does not exist in statute but rather is the result of various covenants reached between the Atmos utility and participating member governments of the Atmos Cities Steering Committee.

Both GRIP and the RRM permit Atmos to hike rates on an annual basis. However, under GRIP, Atmos can effectuate these hikes without any contemporaneous and substantive regulatory review. This means that under GRIP, Atmos (or any other utility that employs it) can increase rates without consideration of offsetting savings, without consideration of revenue levels — without even consideration of the prudence of their underlying investments.

The RRM, by contrast, requires utilities to submit their rate requests to regulatory scrutiny, sets forth various deadlines for expedited reviews of those rate requests, and allows for examination of various mitigating factors that can limit rate hikes and potentially save money for Texas gas consumers. While outcomes may vary from year to year, on balance the RRM process

consistently provides better long-term outcomes for ratepayers than GRIP.

Atmos, which serves about 2 million customers in north, central and west Texas, employs the RRM only in areas falling within the boundaries of ACSC cities. It employs GRIP in those sections of its service territory lying outside the territorial boundaries of ACSC cities and within some non-ACSC cities. Under GRIP, utilities can hike rates once per year for six years before submitting to a more thorough rate case at the Texas Railroad Commission.

Just below we summarize 2022 rate increases for Atmos customers under both mechanisms.

Atmos Mid-Tex RRM

On April 1, 2022, Atmos filed a rate request under the Rate Review Mechanism process claiming that it was entitled to additional system-wide revenues of \$141.3 million for its Mid-Tex service territory, based on a 2021 test year. Under a 2022 settlement, that amount will be reduced to \$115 million, \$83.26 million of which would be applicable to ACSC members. ACSC's consultants concluded that the system-wide deficiency under the RRM regime should be \$95.8 million instead of the claimed \$141.3 million. The effective date for the new

rates was October 1, 2022. The impact of the settlement on average residential rates is an increase of \$4.60 monthly, or 6.7 percent. The increase for average commercial usage will be \$14.34 or 4.3 percent.

Atmos West Texas RRM

On April 1, 2022, Atmos filed a rate request under the Rate Review Mechanism process claiming it was entitled to additional revenues of \$8.77 million for 71 ACSC cities within the company's West Texas service territory, based on a 2021 test year. Under a 2022 settlement, that amount will be reduced to \$6.72 million. The impact of this increase to an average residential customer's bill is approximately \$3.36 per month. Comparison of these new rates to rates in effect for areas not under the RRM process reveals that settling cities will maintain an economic monthly rate advantage over Lubbock, and West Texas service territory environs.

Mid-Tex GRIP

On Feb. 25, 2022, Atmos filed for a GRIP increase for the unincorporated areas of its Mid-Tex Division, which has approximately 2,747,558 customers, of which 83,056 were subject to the new GRIP order. The GRIP filing is the fourth since the company's most recent rate case in 2018. Under a June 7, 2022, GRIP order, the approved revenue requirement increase in the West Texas service area is \$128,361,676, of which \$5,645,756 is to be recovered from customers subject to the order. The GRIP filing will result in an increased residential customer charge of

\$5.15 per month. More information can be found on the Railroad Commission website, under Case No. 00008887.

West Texas GRIP

On Feb. 25, 2022, Atmos filed for a GRIP increase for the unincorporated areas of its West Texas Division, which has approximately 314,896 customers. However, 22,532 customers were subject to the new GRIP order. The GRIP filing is the fourth since the company's most recent rate case, in 2018. The Texas Railroad Commission approved the GRIP adjustment on June 7, 2022. Under it, the approved revenue requirement increase in the West Texas service area is \$14,686,365, of which \$1,221,084 is to be recovered from customers subject to the order. The GRIP filing will result in an increase in the residential customer charge of \$3.20 per month, bringing the total customer charge to \$27.99. More information can be found on the Railroad Commission website, under Case No. 00008885.

Expected 2023 RRM, GRIP and DARR Activities

- Atmos anticipates making a GRIP filing for its Texas Pipeline division in February 2023, with new rates anticipated for the third quarter of 2023.
- Atmos anticipates making a Dallas Annual Rate Review ("DARR") filing in January 2023, with new rates anticipated for the fourth fiscal quarter of 2023.
- Atmos anticipates making Rate Review Mechanism ("RRM") filings for Mid-Tex and West Texas Cities in April 2023, with new rates anticipated for the first fiscal quarter of 2024

2023 ACSC Meetings

March 9
June 8—Zoom only
September 7
December 7—Zoom only

2023 Officers

Chair—Jennifer Richie (Waco)
Vice Chair—Meg Jakubik (Bedford)
Secretary—Lupé Orozco (Keller)
Treasurer—David Johnson (Arlington)

For more questions or concerns regarding any ACSC matter or communication, please contact the following representative, who will be happy to provide assistance:



Thomas L. Brocato
(512) 322-5857
tbrocato@lglawfirm.com

Jamie Mauldin
(512) 322-5890
jmauldin@lglawfirm.com



Physical Address: 501 South Main Street

Mailing Address: PO Box 228

Rhome, Texas 76078

Telephone: 817-636-2462 | Metro: 817-638-2758

www.cityofrhome.com cityadministrator@cityofrhome.com

AGENDA ITEM 1



Mailing Address: PO Box 228

Rhome, Texas 76078

Telephone: 817-636-2462 | Metro: 817-638-2758

www.cityofrhome.com | cityofrhome@earthlink.net

APPLICATION FOR PRELIMINARY PLAT

Proposed Subdivision Name: COPPERFIELD STATION ADDITION

Property Owner Information

Name: PAUL & LILLIANNE GARCIA

Address: _____

Phone Number: _____

Email: _____

Applicant Information – if different from Property Owner

Name: _____

Address: _____

Phone Number: _____

Email: _____

Developer Information

Name: _____

Address: _____

Phone Number: _____

Email: _____

Engineer Information

Name: _____

Address: _____

Phone Number: _____

Email: _____

Legal

Description: A-817 JC Tatum 3.121 acres

Property ID: 748582

Type of

Proposed

Development:

☒ SF Residential

☐ MF
Residential

☐ Duplex

☐ Commercial/
Industrial

☐ Other

Total # of Acres

in Plan: 3.121

Total Number

of Lots in Plan: 8

Current Zoning

Classification: SF 7.2

The following is to be completed only if a person other than the property owner is making this application:

I, PAUL GARCIA, property owner of the previously described property, do hereby certify that I have given my permission to ANEL RODRIGUEZ, to make this Preliminary Plat application. Signature of property owner: Paul Garcia

Basic Fee for Preliminary Plat:

\$ 700.00

+ **Single Family:** Number of Lots: 8 at \$20 per lot for the first 10 lots and \$7.50 for each additional lot, plus \$25.00 per acre for areas not platted

\$

+ into lots

+ **Commercial/Industrial:** \$50.00 per acre; Number of Acres: _____

\$

Multi Family/Duplex: Number of Units: _____ at \$25.00 per unit

\$

Application Fee:

\$

I hereby certify that I am, or represent, the legal owner of the property described above and do hereby submit this Preliminary Plat.

Date: 8/31/22

Printed Name: Anel Rodriguez

Signature:



Preliminary Plat Review Checklist

Development: Copperfield Station

Chapter 10 – Subdivision Regulation

Complete	N/A	Requirement	Section
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Plat Application (see attached)	-
<input type="checkbox"/>	<input type="checkbox"/>	Filing Fee \$700.00 + \$50.00 per acre	-
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Letter of transmittal, including street surfacing, drainage, sanitary facilities, and water supply	4.2.1.c
<input type="checkbox"/>	<input checked="" type="checkbox"/>	The criteria for use in designing storm sewers, culverts, bridges, drainage channels, and any other drainage facilities shall conform to the latest Storm Drainage Criteria and Design Manual of the City of Fort Worth	8.4.4
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sheets not greater than 24" x 36"	5.1
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Scale no less than 1" = 100'	5.1
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Existing boundary lines – drawn in heavy lines	5.1.1.1
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Location of existing watercourses, railroads, and other drainage and transportation features	5.1.1.2
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Outline of wooded areas	5.1.1.3
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Location of important individual trees	5.1.1.3
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Location of the following existing features/structures within or adjacent to the tract: <input checked="" type="checkbox"/> Streets <input checked="" type="checkbox"/> Alleys <input checked="" type="checkbox"/> Easements <input checked="" type="checkbox"/> Buildings and Structures <input checked="" type="checkbox"/> Sewers <input checked="" type="checkbox"/> Water Mains <input checked="" type="checkbox"/> Culverts <input checked="" type="checkbox"/> Underground Structures	5.1.1.4
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Topographical information with contours at 1-foot intervals	5.1.1.5
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Elevations shall be referred to a Geodetic Survey or City Survey	5.1.1.5

Complete	N/A	Requirement	Section
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Name and property lines of adjoining property owners	5.1.2.1
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Name and location of adjacent subdivisions, streets, easements, pipelines, watercourses, etc.	5.1.2.2
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Written statement as to the easement use	5.1.2.2
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Lines outside of subdivision boundaries to be dashed	5.1.2.3
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Proposed name of subdivision	5.1.3.1
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Location, right-of-way width, and names of proposed streets	5.1.3.2
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Width and depth of all lots	5.1.3.3
<input checked="" type="checkbox"/>	<input type="checkbox"/>	If side lines are not parallel, approximate distance between them at the building line and at the narrowest point	5.1.3.3
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Location of building lines alleys and easements	5.1.3.4
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Location and approximate size of sites for schools, churches, parks, commercial retail, industrial, office, multifamily, educational, medical, and other special land uses	5.1.3.5, 6.1
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Approximate acreage of property to be subdivided	5.1.3.6
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Key map showing relation of subdivision to major thoroughfares in all directions to a distance of at least ½-mile	5.1.4
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Date	5.1.5
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Scale and north arrow	5.1.5
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Title under which plat is to be recorded	5.1.5
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Name, address and phone number of owner	5.1.5
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Name and address of licensed land surveyor	4.2.1, 5.1.5
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Name and address of licensed professional engineer	4.2.1, 5.1.5

[illegible]

line of Hickory Street a variable width right-of-way.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS,

THE BASIS OF *BEARINGS*: Bearings are based on GPS observations using the Simple Network Coordinate System, Texas North Central Zone 4202, North American Datum of 1983 (2011). All distances are surface projections, using a scale factor of 0.0012 (2001).

That John P. and Lorraine Garcia do hereby accept this plot designating the herein above described property as **COMMERCIAL STATION ADDITION**, on addition to the City of Rincon, Was. County, Texas and designate to the public use (lower the roads and easements shown hereon (if any) for the mutual use and accommodation of any public utility, desiring to use or using same for the purpose of construction, maintaining, adding to or removing any all of their respective systems located thereon.

WITNESS MY HAND at _____ Texas, this _____ day
of _____, 2022.

Liliane Corcio
Owner

Juan P. García
Owner

JUAN P. AND CILLIANNE GARCIA
401 EAST HICKORY STREET

JUAN P. AND LILLIANNE GARCIA
401 EAST HICKORY STREET
RHOME, TEXAS 76078

3615 KARNAGHAN LANE
MELISSA, TEXAS 75454
TEL. (972) 946-4172
TRPELS NO. 10194713

PRELIMINARY PLAT
COPPERFIELD STATION ADDITION
LOTS 1-8, BLOCK 1
BENIG 3121 ACRES OF LAND SITUATED IN THE
J.C. TAYLOR SURVEY, ABSTRACT NO. 817
CITY OF RHODE, WISE COUNTY, TEXAS

PRELIMINARY, THIS DRAWING SHALL NOT BE
RECORDED FOR ANY PURPOSE

CERTIFICATE OF APPROVAL BY THE CITY COUNCIL OF THE
CITY OF RHOME:
Approved this _____ day of _____, 2022,
by the City Council of the City of Rhome. Texts

Mayor
City of Rhame, Texas

City Secretary
City of Rhame, TexasVICINITY MAP
(NOT TO SCALE)

City Secretary

From: Welden, Kyle <kyle.welden@kimley-horn.com>
Sent: Monday, January 23, 2023 10:06 AM
To: City Secretary
Cc: Warchesik, Shelby
Subject: RE: 401 Hickory

Shaina,

Yes, we completed the plan review with the digital plans. I don't believe we need anything else.

Thanks,
Kyle

From: City Secretary <citysecretary@cityofrhome.com>
Sent: Friday, January 20, 2023 12:07 PM
To: Welden, Kyle <kyle.welden@kimley-horn.com>
Cc: Warchesik, Shelby <Shelby.Warchesik@kimley-horn.com>
Subject: RE: 401 Hickory

Do you need anything else besides these? Was the plan review completed with the digital plans?

Thank you,

Shaina

Shaina Odom
City Secretary



Physical Location: 501 South Main Street
Mailing Address: PO Box 228
Rhome, Texas 76078
817-636-2462

ATTENTION PUBLIC OFFICIALS!

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From: Welden, Kyle <kyle.welden@kimley-horn.com>
Sent: Tuesday, November 29, 2022 6:52 PM
To: City Secretary <citysecretary@cityofrhome.com>
Cc: Warchesik, Shelby <Shelby.Warchesik@kimley-horn.com>
Subject: RE: 401 Hickory

Shaina,

See attached letter for the developer. I didn't have their email address to send it out. Let me know if you have any questions.

Thanks,
Kyle

From: City Secretary <citysecretary@cityofrhome.com>
Sent: Wednesday, November 23, 2022 11:14 AM
To: Welden, Kyle <kyle.welden@kimley-horn.com>
Subject: 401 Hickory

Did you complete the plan review for this?

Thank you,

Shaina

Shaina Odom
City Secretary



Physical Location: 501 South Main Street
Mailing Address: PO Box 228
Rhome, Texas 76078
817-636-2462

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Physical Address: 501 South Main Street

Mailing Address: PO Box 228

Rhode, Texas 76078

Telephone: 817-636-2462 | Metro: 817-638-2758

www.cityofrhode.com cityadministrator@cityofrhode.com

AGENDA ITEM 2



Agenda Commentary
Meeting Date: February 23, 2023

Department: Administration

Contact: Amanda DeGan, City Administrator

Agenda Item: Electronic Billboard Request Update on Hwy 114

Type of Item: ☐ Ordinance ☐ Resolution ☐ Contract/Agreement ☐ Public Hearing
☐ Plat ☐ Discussion & Direction ☒ Other

Summary:

- Council previously considered a request for a variance from the sign ordinance to allow an electronic billboard in the ETJ on Hwy 114.
- Staff were asked in December of 2002 to gather feedback from the residents of By Well Estates and report back to Council

Funding Expected: ☐ Revenue ☐ Expenditure ☒ N/A

Budgeted Item: ☐ Yes ☐ No ☒ N/A

GL Account: _____ Amount: _____

Legal Review Required: ☐ Yes ☐ No Date Completed: _____

Engineering Review: ☐ FD Review: ☐ PD Review: ☐ PW Review: ☐

History / Details / Recommendation:

Police Chief, Eric Debus (acting as the Interim City Administrator), mailed a postcard to residents in By Well asking for feedback on the installation of an electronic billboard near their development (see attached postcard). Staff will present the responses and discuss the issue with Council.

Billboard Survey

Email Responses from ByWell Citizens

I live here in By Well on Speedway. I don't think it would cause a problem. The only concern I do have is getting us a traffic light and a turn lane for our entrance. As you well know, we have a HUGE traffic problem at this intersection. If you can't help us, can you point me in the right direction to get something done about this?

I also want to thank you all in blue for ALL you do!!!! Stay safe out there!

I have lived in the Bywell area since 2009. I have slowly watched the industrial complexes move in around us. Along with their businesses, they bring in light pollution. This is no longer a "dark" community where you could enjoy the night sky. We have one flood light that is installed on Grand Prix Ct. that illuminates enough light that I can stand in my yard and my body will cast a shadow from it. The trailer manufacturer across Hwy 114 installed a digital light board on the front of their building and it produces considerable light. The industrial complexes next door to the east of Bywell produce an enormous amount of light from building exteriors to parking lots. The concrete plant to the west of us has two large flood lights on their tanks that show into our neighborhood. I say all of this to say we don't need ANOTHER light producer around our neighborhood. If it was a printed billboard, then ok. But not another digital board. Now, if the developer wants to build traffic lights at the entrance to our neighborhood, maybe there could be a compromise. TXDOT and the city of Rhome haven't helped in that endeavor.

I do not think it's a good idea to have a digital or any kind of billboard sign at a crossroad. Rhome has so much traffic now and certainly doesn't need any additional distractions. Billboards in an area of flowing traffic don't seem to be as much of a distraction.

That's my 2 cents!!!

I and my family live in ByWell Estates and just got the mailer about the billboard. Please, please, please do NOT let that installation happen. The intersection in front of ByWell on SH114 is already a very dangerous intersection where there are many vehicle collisions. Just in my time here over the last 2.5 years I've seen multiple big rigs and cement trucks on their sides, crushed vehicles and even motorcycles.

I very strongly believe that a digital billboard would make the intersection even more dangerous than it already is. Many of us are braving that intersection on a daily basis with kids in our cars. I'd hate to see anymore families injured or killed due to even more lack of attention at the corner of SH114 and County Road 4841.

Thank you for all you've already been doing to keep our communities safe here in Rhome.

I received a post card in the mail concerning the proposed digital billboard at SH 114 and CR 4841. I live adjacent to this location and have seen multiple accidents at this intersection. I am sure you are aware of those at well. My biggest concern is safety. If drivers are distracted by reading the billboard there is a greater opportunity for collisions at this intersection. It is already dangerous with 18-wheelers cutting through from US 81/287 as well as school bus traffic travelling to the bus barn on CR 4840. The traffic

volume continues to increase as development occurs in this corridor. For this reason, I oppose this billboard at this location. Thank you for listening to my concerns

I'm glad a postcard was sent out to ask for opinions about a billboard at the SH114/CR4841 intersection, but I wonder if our opinions will even make a difference? I guess it doesn't hurt to try...

We've lived in ByWell for almost 16 years: We moved into our home 2 months before our son was born. Obviously, our son will turn 16 this year and he's so excited to get his driver's license, but I'm absolutely terrified at the thought of him having to navigate that intersection every time he leaves or enters our neighborhood.

Between the school buses coming and going in every direction, cement trucks and rock haulers making U-turns at that intersection, rush hour commuters utilizing 4841 as a shortcut between 114 and 287, and the everyday idiots that are already on the road, I'm genuinely surprised there have not been more fatality accidents at that intersection. But there WILL BE MORE if our city allows a digital billboard to be placed there, and the victims' blood will be on the hands of those who make that decision.

I promise I'm not trying to be distasteful when I say this, but that intersection needs a traffic light, not a f***ing billboard.

Thank you for your time! I appreciate all that you do, and I hope the City of Rhome does right by its citizens.

I'm sorry but I vote no for the new billboard. We really need a traffic light. I think a billboard will be an even bigger distraction and we already have too much going on there.

My name is (redacted) and I am a resident of By Well Estates, along with my family. I was informed of the request for a digital billboard at CR 4841. I never received a postcard but thankfully one of my neighbors told us about it. This is my formal response to that in hopes that it will be denied. We have lived in By Well since 2015 and the accidents that occur at our housing complex entrance needs to be dealt with before another distraction of a digital billboard is added to the mix. Cars, trucks and motorcycles coming around the corner of SH114 headed west is very scary as to how fast they go. I fear for my life each time I leave that entrance especially around the time of people headed home from work. My neighbor across the street was in one of those accidents last year. Thankfully he lived but his quality of life is gone and he will never be able to come back home. He can't take care of himself. With the amount of cars turning onto that CR having a digital distraction to grab their attention is really not a good idea. And while I'm on the subject could we PLEASE get a traffic light at that intersection? How many people have to die to get this done? I don't want it to be my family. I appreciate you taking the time to read this and pray that this digital billboard is denied and in its place a much needed traffic light instead.

sadly it is very difficult to recognize exactly where that sign might go?.....but anywhere near the ByWell entrance in my opinion is unacceptable..... at least a half a mile away somewhere on 114.... would be more appropriate... because closer only further minimizes the country living I spent my life savings to have so many years ago...

so I vote NO....please

This is a dangerous place to place a digital billboard due to the speed and lack of easy egress onto and off of Hwy114. People are being killed in accidents at this location already, and this will only provide another distraction for drivers on Hwy114. If the city allows this to be erected they will hold the liability of future accidents and lives lost. Instead there should be a stop light installed there as a measure of good faith to the residents of ByWell Estates. Thank you for your time regarding this matter.

It is really hard to believe that we have been asking for years to get a light out here just so we can get out of our Housing area And now we get this. We have also been asking for a better way to get to 287 as they have closed off one of the 2 routes that get us there and it's a nightmare not only getting out of our housing division but trying to go anywhere at this point. It is super dangerous and I've watched so many accidents happen and watched people I love either die or get hospitalized and now we're getting a Billboard? No thank you, we need the issue's address that we have mentioned. Please Put a light out here and help us come up with a better way to get out. For now they need to open up that other intersection on Robertson road that they closed. I have put out many emails to the people I was told to email and still have received nothing. I was told that they're doing a study right now but that takes years and in the meantime people are dying. We don't need a Billboard we need the traffic situation fixed around here as it is a Nightmare. Please help us and just say no to a Billboard that will cause more distractions than anything else.

I received the postcard concerning the request for a digital billboard near the entrance of By-Well.

Things may have changed, but back when I was mayor, we passed an ordinance restricting any billboards inside the city limits. One was erected a couple feet inside the city limits, near City Concrete after the ordinance was executed. There was much discussion about what to do including have the billboard removed. Since it was only a few feet inside the city limits, the developer and the city came to an agreement to where the developer paid for all off the "City of Rhome" monument signs on SH 114 and 287.

If that ordinance is still in place, I believe this billboard would not be allowed. Sorry I do not have the ordinance number, but I believe it would be in the mid 2000's.

As far as the current request, I am opposed to the placement. It adds no value to the community and the amount of light pollution during night time hours from that type of sign would be tremendous. If it is installed, I would hope that the lumens would be required to be greatly diminished at night and light deflectors installed as to not light up the backyards of the residences closest to SH 114.

Another reason I am opposed to the sign is traffic related. The entrance to By-Well has become extremely congested with crossing and turning traffic going into and out of By-Well and using the county road to get over to US 287. Many wrecks occur in this intersection due to speed, aggressive moves and lack of attention. Having an electronic billboard at this location would hold the attention of drivers along SH 114 for a few seconds as they approach this intersection, which is all it takes to get involved in an incident. This obviously includes many school buses that cross multiple times a day during the school year.

Please let me know if you would like to discuss further or if there is a meeting that I can attend to express these concerns in person.

Recently I received a postcard in the mail regarding a digital billboard . Obviously there is a large amount of traffic at the intersection in question or the company wouldn't be wanting to place one there . Most of the traffic is moving at highway speeds.(60mph plus). A billboard will be a distraction to these vehicles. There has already been several accidents at this intersection do to traffic in and out of By Well Estates and County Road 4841. Not to mention eighteen wheelers making u-turns going to the concrete pant .I feel another distraction on the roadway will lead to more accidents at said location.

Maybe the company that wants the billboard can entertain the idea to install a traffic signal. If there was a controlled intersection , then there would be more time for stopped traffic to see the billboard.

Thank you for including the By Well residents !

I received a postcard in the mail regarding the proposition of a digital billboard outside of our neighborhood, By Well Estates.

I believe this is a terrible idea, particularly at this moment. That intersection is already dangerous - even more so since the street closure to the crossover to 287 on the other side of 114 - funneling even more traffic to the proposed intersection. What we need is a light at the intersection (and a right turn lane into our entrance on westbound 114), not a big, bright distraction at an already dangerous intersection.

Thank you for taking the time to let us voice our concerns.

I received a postcard in the mail regarding the proposition of a digital billboard outside of our neighborhood, By Well Estates.

However I understand this bring revenue to our town, I dont believe it should take priority over a stoplight and a much needed turn lane into our community.

That intersection continues to pose safety threats for those entering or exiting our community. Again, what we need is a light at that intersection (and a right turn lane into our entrance on westbound 114); not a big, bright distraction at an already dangerous intersection.

Thank you for taking the time to let us voice our concerns.



Attention ByWell Residents:

A request has been made to erect a digital billboard (similar to one shown) on SH114 at County Road 4841. If you have comments or concerns, please email Police Chief Eric Debus at edebus@cityofrhome.com.



Physical Address: 501 South Main Street

Mailing Address: PO Box 228

Rhode, Texas 76078

Telephone: 817-636-2462 | Metro: 817-638-2758

www.cityofrhode.com cityadministrator@cityofrhode.com

AGENDA ITEM 3



Agenda Commentary
Meeting Date: February 23, 2023

Department: Administration
Contact: Amanda DeGan, City Administrator
Agenda Item: Records Management

Type of Item: ☐ Ordinance ☐ Resolution ☐ Contract/Agreement ☐ Public Hearing
☐ Plat ☒ Discussion & Direction ☐ Other

Summary:

- Per the City Ordinance, Staff have developed a Records Management Plan to outline the policies necessary to manage City documents/records.

Funding Expected: ☐ Revenue ☐ Expenditure ☒ N/A

Budgeted Item: ☐ Yes ☐ No ☒ N/A

GL Account: _____ Amount: _____

Legal Review Required: ☐ Yes ☐ No Date Completed: _____

Engineering Review: ☐ FD Review: ☐ PD Review: ☐ PW Review: ☐

History / Details / Recommendation:

Staff have spent several weeks organizing the records at City Hall by topic and date in order to scan them into the electronic repository for the records system. Scanning the records allows us to create a more secure environment for our essential/vital records along with those that are of on-going development related or historical significance.

As part of this work, Staff also reviewed Article 1.09 titled Records Management approved by Council in 1999 and updated over the years. The Ordinances call for a comprehensive Records Management Plan (RMP) to be developed for the City. The draft RMP was sent individually to Council last week for review and Staff will discuss the topic at the meeting.



RECORDS MANAGEMENT POLICY & PROCEDURES



TEXAS STATE LIBRARY
AND
ARCHIVES COMMISSION

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INTRODUCTION

The purpose of a city-wide Records Management Program (RMP) is to provide an orderly and predictable approach to managing city records, protecting vital and historical records that are essential to the city. In addition, a RMP allows efficiency in providing information to our city council, city staff, and members of the public. Use of an effective program will ensure a systematic, orderly control of records through their life cycle – from creation to scanning, during daily use, and ultimately to their appropriate final disposition – while still abiding by the laws of the State of Texas and our city ordinances.

As stated in the Texas Local Government Code, Section 203.026 each local governing body must establish a Records Management Program. The City of Rhome has also created supporting ordinances which designates the City Secretary as the official Records Management Officer for the City and requires a city-wide Records Management Program. The records management ordinances, found in our online repository – MuniCode, are updated as needed and may be accessed by the public through our [website](#).

The city has officially adopted the records retention schedules that comply with requirements established on schedules issued by the Texas State Library and Archives Commission (<https://www.tsl.texas.gov/slr/recordspubs/localretention.html>). Included in this manual are guidelines and necessary for understanding the Records Management Program.

OVERVIEW

Largely, each department keeps its own records and works closely with the City Secretary and the City Administrator to ensure consistency in procedures. The City Secretary is the official Records Management Officer and is responsible for administering the Records Management Program. The City Secretary works closely with Department Directors and other city staff to manage city records. Duties and responsibilities of the Records Management Officer, Elected Officials, Department Directors, and Staff are outlined in this manual. Cooperation between departments and the Records Management Officer is essential for a successful Records Management Program.

The RMP is intended to provide for the integrity of city records, ensure protection of confidential information, comply with state law retention and storage requirements, outline approved scanning options for electronic storage, and delineate destruction methods which have been adopted and approved by Council. The RMP is based on general categories (or record series) and retention schedules established by the Texas State Library and Archives Commission and may be based on retention schedules that are specific to departmental activities, such as:

- GR: Records Common to All Local Governments
- LC: Records of Municipal Courts
- PS: Records of Public Safety Agencies (Police, Fire/EMS)

- PW: Records of Public Works and other Government Services
- UT: Records of Utility Services
- EL: Records of Elections
- HR: Records of Public Health Agencies
- TX: Records of Property Taxation

DEFINITIONS

City records created or received in the transaction of official business or the creation or maintenance of which were paid for by public funds are declared to be public property and are subject to the provisions as set forth in this policy. A city officer or employee does not have, by virtue of the officer's or employee's position, any personal or property right to a city record even though the officer or employee may have developed or compiled the record. The unauthorized destruction, removal from files, or use of such records is prohibited and may subject that officer or employee to disciplinary action.

A record is defined as any information created or received by a local government if it meets the definition in the Local Government Records Act, as:

“Any document, paper, letter, book, map, photograph, sound or video recording, microfilm, magnetic tape, electronic medium, or other information recording medium, regardless of physical form or characteristic and regardless of whether public access to it is open or restricted under the laws of the state, created or received by a local government or any of its officers or employees pursuant to law, including an ordinance, or in the transaction of public business”. Local Government Code §201.003

Essential Record (ER): Any record of the city necessary to the resumption or continuation of operations of the city, or to the protection and fulfillment of obligations to the people of the state.

Permanent Record (PR): Any record of the city for which the retention period on a records control schedule is given as permanent or that may pertain to development or projects that will have a significant impact on business operations beyond the stated retention period.

Courtesy Copy (CC): Documents which are not normally kept for retention or historical purposes and are destroyed within a short period of time after creation do not need a RC designation and as these are usually considered (CC) or convenience copies designation.

Records Control Schedule (RCS): A document prepared by or under the authority of the records management officer listing the records maintained by the City, their retention periods, and other records disposition information that the records management program may require.

Retention period (RP): The minimum time that must pass after the creation, recording, or receipt of a record, or fulfillment of certain actions associated with a record, before it is eligible for destruction.

(1999 Code, sec. 31.110; Ordinance 2018-22 adopted 6/14/18)

PROGRAM GOALS

- (1) To develop and maintain an efficient retrieval operation for both active and inactive records.**
 - *Provide records management consultation and training to all elected officials and city departments, including standards for filing and storing both electronic and physical records.*
 - Assist in selecting standard filing equipment for most efficient retrieval of departmental records.
 - Develop and publish policies and procedures to guide city departments in carrying out their responsibilities for *records maintenance and destruction*.
 - Maintain records management *inventory list of all records to include the type of record, record series, retention date and location the record is stored.*
- (2) To provide for routine disposition of paperwork.**
 - Establish retention schedules for each series of records generated by each department, using the approved state schedules.
 - Assist in the inventory, maintenance and disposition of its records in accordance with state records laws, guidelines and retention schedules.
 - Promote the use of orderly storage and electronic scanning of municipal records
 - Routinely dispose of municipal records according to the Records Management Plan and state guidelines.
 - Document all records destroyed, maintaining certificates of destruction, and dates of destruction.
- (3) To enhance security for city records.**
 - Identify and protect records to minimize risks associated with legal matters and regulatory compliance.
 - Maintain a secure location for storage of city records along with security precautions of confidential records.
 - Annually identify and review records that have met retention and are no longer necessary to conduct city business.
 - Provide an annual city-wide records destruction of records that have met retention and can be legally destroyed.
- (4) To communicate the need of an effective records management program.**

- Train the necessary Staff in all phases of records management
 - Maintain open communication with all departments.
- (5) **To promote the use of the approved electronic document storage repository approved by Council.**
- Utilize and maintain a cost-effective electronic document imaging and enterprise content management system utilizing the records management component. (e.g. Laserfiche)
 - Maintain archives for permanent storage of historical records.

DUTIES OF RECORDS MANAGEMENT OFFICER

- a) Administer the records management program and provide assistance to department heads in its implementation;
- b) Plan, formulate, and prescribe records disposition policies, systems, standards, and procedures;
- c) In cooperation with department heads, identify essential records and establish a disaster plan for each municipal office and department to ensure maximum availability of the records in order to re-establish operations quickly and with minimum disruption and expense;
- d) Develop procedures to ensure the permanent preservation of the historically valuable records of the city;
- e) Establish standards for filing and storage equipment and for recordkeeping supplies;
- f) Study the feasibility of and, if appropriate, establish a uniform filing system and forms design and control system for the city;
- g) Provide records management advice and assistance to all municipal departments by preparation of a manual or manuals of procedure and policy and by on-site consultation;
- h) Monitor records retention schedules and administrative rules issued by the state library and archives commission to determine if the records management program and the municipality's records control schedules are in compliance with state regulations;
- i) Disseminate to the city council and department heads information concerning state laws and administrative rules relating to local government records;
- j) Instruct records liaison officers and other personnel in policies and procedures of the records management plan and their duties in the records management program;
- k) Direct records liaison officers or other personnel in the conduct of records inventories in preparation for the development of records control schedules as required by state law and this article;
- l) Ensure that the maintenance, preservation, microfilming, destruction, or other disposition of municipal records is carried out in accordance with the policies and procedures of the records management program and the requirements of state law;
- m) Maintain records on the volume of records destroyed under records control schedules, the volume of records microfilmed or stored electronically, and the estimated cost and space savings as the result of such disposal or disposition;

- n) Report annually to the municipality on the implementation of the records management plan in each department of the city, including summaries of the statistical and fiscal data compiled under subsection (13); and
- o) Bring to the attention of the city council noncompliance by department heads or other municipal personnel with the policies and procedures of the records management program or the Local Government Records Act.

(1999 Code, sec. 31.116, City of Rhome)

DUTIES AND RESPONSIBILITIES OF DEPARTMENT HEADS

In addition to other duties assigned in this article, department heads shall:

- a) Cooperate with the records management officer in carrying out the policies and procedures established in the city for the efficient and economical management of records and in carrying out the requirements of this article;
- b) Adequately document the transaction of government business and the services, programs, and duties for which the department head and his or her staff are responsible; and
- c) Maintain the records in his or her care and carry out their preservation, microfilming, destruction, or other disposition only in accordance with the policies and procedures of the records management program of the city and the requirements of this article.
- d) Each department head/director shall designate a member of his/her staff to serve as records liaison officer for the implementation of the records management program in the department. A department head/director may serve as the records liaison officer for their respective department.

(1999 Code, sec. 31.117 and 31.118, City of Rhome)

DUTIES OF RECORDS LIAISON OFFICERS

In addition to other duties assigned in this Article, Records Liaison Officers shall:

- a) Conduct or supervise the conduct of inventories of the records of the department in preparation for the development of records control schedules;
- b) In cooperation with the records management officer, coordinate and implement the policies and procedures of the records management program in their departments; and
- c) Disseminate information to department staff concerning the records management program.

(1999 Code, sec. 31.119)

DUTIES OF ALL ELECTED OFFICIALS AND EMPLOYEES

It is the responsibility of all elected officials and employees to:

- (1) Work with their Department Director or the Records Management Officer to determine official records - copy, identify records series, and apply retention schedules to the records they create or receive, including electronic records and electronic messages;
- (2) File paper copies or electronically archive official records, including electronic messages with longer retention schedules, in accordance with departmental policy and the Records Management Plan procedures for electronic records to ensure preservation within their legal retention cycle and accessibility to all appropriate personnel;
- (3) Routinely review electronic messages to delete any records, both sent and received, that no longer have any operational need and there is no legal retention requirement, to include emptying the "deleted items" folder to complete the deletion process;
- (4) Review personal computer files such as word processing documents and spreadsheets to distinguish a record copy from drafts in order to ensure the preservation of the record copy, and delete computer files when the "record copy" (digital or paper form) has met retention and has been destroyed.

LIFE CYCLE AND RETENTION OF A RECORD

CREATION:

Whenever you create information relating to public business, you are creating a public record. Public records are the heart of government operations.

These records:

- are created for the citizens;
- are the property of the citizens;
- are protected in the interest of the citizens;
- are historical records of how the government served the needs of the citizens.

ACTIVE USE:

Records in active use are stored in an area that allows for easy and efficient access. These records are kept within the department.

INACTIVE USE:

Records which you do not need regular access can be considered inactive. Records in this phase are needed less frequently, but need to be retained until the legal minimum retention has been met. These inactive records should be scanned into the electronic repository for retention and retrieval needs.

DISPOSITION:

Once a record has served its purpose for daily operations, the record is ready for final disposition. Some records are destroyed after meeting the

authorized minimum retention and other records are retained indefinitely (as permanent documents) when they have historical value, or archival value with far-reaching administrative needs. Records retained indefinitely should be stored within the electronic repository or brought to City Hall for retention.

The *first step* in the Records Management Program is conducting an internal inventory of your records. Before starting your inventory, it may be a good idea to review and familiarize yourself with the Retention Schedules (<https://www.tsl.texas.gov/slrml/localretention>). You will find retention schedules that are specific to each area of service delivery.

Once it has been determined if a document is a record copy or courtesy copy, the *second step* is to determine if it should be maintained as active or inactive and then processed accordingly.

DESTRUCTION OF RECORDS

All records destruction will be handled in accordance with the provisions set forth in the RMP, which operates under the Retention Schedules established by the Texas State Library and Archives Commission. City records may not be destroyed without documentation of the destruction. This documentation must be maintained whether the destruction was performed by in-house personnel or by a contracted service provider. When records are destroyed by a contracted service provider, they must provide the city with a certification of that destruction known as a Certificate of Destruction which will be retained by the Records Management Officer.

The following records will not be destroyed according to their respective schedules:

1. an open records request is pending;
2. the record is pertinent to a pending lawsuit;
3. or the department head requests in writing that the record be retained for an additional period.

Prior to the destruction of a record under an approved records control schedule, and authorization for the destruction must be obtained by the records management officer.

(1999 Code, sec. 31.121; Ordinance 2018-22 adopted 6/14/18)

Departments may also purge their files of “non-records” without consulting the Records Management Officer. Paper work or digital files are considered non-records when they are not the original or official copies of a document and do not furnish information on organization, function, policy, procedure, operation, or other activities and are retained in addition to the official copy. Some examples are:

- Courtesy copies as defined in the RMP;
- Duplicate (Xeroxed) copies of memos, letters, and obsolete blank forms;
- Multiple copies on email threads;
- *Surplus* copies of publications, circulars, or bulletins; or
- Notes used as reminders

If you have questions concerning which of your records fit into these categories, please contact the Records Management Coordinator or the City Administrator for assistance.

(E-MAIL) - ELECTRONIC MAIL STORAGE

This policy designates the appropriate storage for electronic mail in order to maintain compliance with the City's retention schedule. Additionally, appropriate storage of electronic content provides for the efficient use of the City network storage drives and other software systems.

EMAIL RETENTION AND STORAGE

Records created using the City's e-mail system should be saved for the approved retention period according to the records classification. This is to ensure emails are being retained in accordance with the appropriate retention period and destroyed accordingly. If the email has a retention period of longer than 4 years, print the message and file in a hard copy file or convert the message for storage in the electronic repository.

The Records Management Officer is responsible for training new employees to ensure compliance in accordance with the City's approved retention control schedules.

The list below indicates the most common types of emails received:

(1) Routine Correspondence - E-mails non-policy (*Routine/Transitory GR1000-26c*): These emails generally include:

- Correspondence and internal memoranda such as letters of transmittal, requests for publications, internal meeting notices, and similar routine matters. May also include subject files, which are collections of correspondence, memos and printed materials on various individuals, activities and topics.
- Emails that only serve an immediate purpose and can usually be deleted right away.
- Person to person messages, such as: attempting to set meeting schedules; providing information sources.

RETENTION: AV – As long as administratively valuable.

(2) General Correspondence - The retention periods below are for correspondence and internal memoranda that do not readily fall within other record group. These emails generally include:

- a. General Administrative Correspondence (GR1000-26b): – Includes internal memoranda pertaining to or arising from the routine administration or operation of the policies, programs, services and projects of a local government. May also include subject files, which are collections of correspondence, memos and printed materials on various individuals, activities and topics.
RETENTION: 2 years.
- b. Complaints - Emails regarding complaints received from a citizen or other person relating to government policy.
RETENTION: Resolution or dismissal of complaint + 2 years.
- c. Administrative (GR1000-26a)– This includes internal memoranda pertaining to the formulation, planning, implementation, modification, or redefinition of the policies, programs, services, or projects of a local government.
RETENTION: 4 years (Retention Note: Review before disposal; some correspondence of this type may merit permanent retention for historical reasons.)

VITAL RECORDS

What are vital records?

Vital records are defined as those:

- irreplaceable records for which reproductions do not have the same value as the originals
- records needed to avoid delay in restoration of services
- historical records or photographs that have significance to the City
- records that give direct evidence of legal status, ownership, accounts receivable and incurred obligations.

These records can be on various forms of media, such as paper, microfilm, disks, computer hard drives, email, or other forms of electronic storage devices, and are located in several different departments within the city. In the event of a disaster, vital records may be destroyed thus delaying the full resumption of business by weeks or months while staff members try to reconstruct necessary data.

How are vital records identified?

Identification of vital records is difficult since most departments have records that are vital to them but not necessarily to the city as a whole. If you feel that you might have vital records but don't know for sure, ask yourself the following questions:

- (1) Do these records provide adequate information about city assets? (Examples: fixed asset inventories, real estate deeds and/or maps)

- (2) Are these essential records (records that the city must have to keep operating) or important records (records that would enable the city to function more easily if it had them)? (Examples: general ledgers, journal entries)
- (3) Will these records assure the city of collecting the revenue due to the organization? (Examples: accounts receivable records, contracts)
- (4) Will these records protect the city against possible fraud or overpayment of claims against it? (Examples: accounts payable records, contracts, pension benefit records)

The most secure form of protection is to scan the original records into our electronic repository. If you need assistance scanning records or determining which are vital records, please contact the Records Management Officer or the City Administrator for assistance.

LITIGATION SUPPORT POLICY

If the city's documents are not organized, finding the files that are required when faced with litigation can be a monumental task. Conversely, when a document is requested in litigation discovery proceedings and should have been destroyed many months or years before, or if a copy of a document exists in another office, the city must be able to produce those documents or copies.

In the event a department is implicated in a court action, any records which may be involved must be retained and safe-guarded from destruction or tampering regardless of the retention period specified in the retention/disposition schedule. Upon notification of litigation proceedings, the City Attorney or Department Director is to notify the Records Management Officer immediately.

Records stored at the time of litigation will be removed and placed in a confidential area and access will be restricted as with any other confidential record. Records involved in litigation will be removed from the department and placed in the care of the Records Management Officer. If an exception to this policy is identified and approved, records retained by the department will be the responsibility of the Department Head.

DISASTER RECOVERY

Disaster Recovery is to ensure the continuity of the City's ability to continue to operate in the event of a disaster. The recovery process is primarily focused on water or fire-damaged records. All departments must take measures to prevent loss of their records. Preventative measures include creating back-up copies of vital or important information in the form of paper, electronic storage, digital conversions and/or storage off site of such copies.

In the event of damage to City records, please contact the Records Management Officer and/or the City Administrator immediately. We will work together to restore records or seek outside contractors to assist in the process.

DRAFT

RESOLUTION NO. 2023-07

A RESOLUTION APPROVING A RECORDS MANAGEMENT PLAN PER CITY ORDINANCE 2018-22 FOR THE CITY OF RHOME, TEXAS

WHEREAS, the City of Rhome had passed Ordinance 2018-22, which specifies the City Council will approve a Records Management Plan; and

WHEREAS, the Texas Local Government Records Act of the Local Government Code, Title 6, Chapter 201, applies to local governments; and,

WHEREAS, the Records Management Plan must contain the policies and procedures to assist in reducing costs, improving the preservation of essential records, and efficiency; and

WHEREAS, the Council wishes to establish clear guidelines for the retention and destruction of documents; and,

WHEREAS, the City has elected to use an electronic records repository to aid in disaster recovery of essential records; and,

NOW THEREFORE, BE IT RESOLVED BY THE RHOME CITY COUNCIL:

Section 1: That all matters stated in the Recitals hereinabove are found to be true and correct and are incorporated herein by reference as if copied in their entirety.

Section 2: That the City Council of the City of Rhome, Texas, hereby approves the Records Management Plan in order to assist elected officials and staff in their duties.

Section 3: If any portion of this Resolution shall, for any reason, be declared invalid by a court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof and the Council hereby determines that it would have adopted this Resolution without the invalid provision.

Section 4: That this Resolution shall become effective from and after its date of passage.

PASSED AND APPROVED ON THIS THE 23rd DAY OF FEBRUARY, 2023.

Patricia Mitchell, Mayor

ATTEST:

Shaina Odom, City Secretary

APPROVED AS TO FORM:

Carvan Adkins, City Attorney



Physical Address: 501 South Main Street

Mailing Address: PO Box 228

Rhode, Texas 76078

Telephone: 817-636-2462 | Metro: 817-638-2758

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AGENDA ITEM 4



Agenda Commentary
Meeting Date: February 23, 2023

Department: Administration

Contact: Amanda DeGan, City Administrator

Agenda Item: Clarification of petition submitted in 2022 regarding the Mayor Pro Tem Position

Type of Item: ☐ Ordinance ☐ Resolution ☐ Contract/Agreement ☐ Public Hearing
☐ Plat ☐ Discussion & Direction ☒ Other

Summary:

- Staff received a Council request to place this item on the agenda for clarification by our City attorney.

Funding Expected: ☐ Revenue ☐ Expenditure ☒ N/A

Budgeted Item: ☐ Yes ☐ No ☒ N/A

GL Account: _____ Amount: _____

Legal Review Required: ☐ Yes ☐ No Date Completed: _____

Engineering Review: ☐ FD Review: ☐ PD Review: ☐ PW Review: ☐

History / Details / Recommendation:

A petition was submitted in 2022 asking the Mayor Pro Tem to step down from office. The City Administrator reached out to the City Attorney to ensure the City had complied with any obligations that may exist on behalf of the municipality and has placed this on the agenda for Council to receive direction from the Attorney.



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AGENDA ITEM 5



Agenda Commentary
Meeting Date: February 23, 2023

Department: Administration

Contact: Amanda DeGan, City Administrator

Agenda Item: Calling May 6, 2023 Election and signing contract with Wise County to conduct Election

Type of Item: ☒ Ordinance ☐ Resolution ☒ Contract/Agreement ☐ Public Hearing
☐ Plat ☐ Discussion & Direction ☐ Other

Summary:

- Discussion and any necessary action regarding an Ordinance calling the May 6, 2023 General Election for two-year terms for Council Member – Place 1, Council Member – Place 2, Council Member – Place 3, and a one-year term for Council Member – Place 5, authorizing the City Administrator to sign Joint Contract with Wise County for Election Services, and setting meeting date to Canvass the Election

Funding Expected: ☐ Revenue ☒ Expenditure ☒ N/A

Budgeted Item: ☒ Yes ☐ No ☒ N/A

GL Account: Election Services

Amount: _____

Legal Review Required: ☐ Yes ☐ No

Date Completed: _____

Engineering Review: ☐ FD Review: ☐ PD Review: ☐ PW Review: ☐

History / Details / Recommendation:

Staff recommends approval for City Administrator to execute the contract with Wise County, approval of Ordinance 2023-01, Calling the May 6, 2023 Election, and Canvassing at the May 11, 2023 Council meeting, or scheduling a special meeting before May 11, 2023.

Wednesday, May 17, 2023 (11th day after election day)

Last day for official canvass of returns by the governing body of the political subdivision. (Sec. 67.003).

**CITY OF RHOME, TEXAS
ORDINANCE NO. 2023-001**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RHOME, TEXAS, CALLING A GENERAL ELECTION FOR THE OFFICES OF CITY COUNCIL MEMBER - PLACE 1, COUNCIL MEMBER - PLACE 2, COUNCIL MEMBER - PLACE 3, COUNCIL MEMBER - PLACE 5, TO BE HELD MAY 6, 2023; AUTHORIZING EXECUTION OF A JOINT ELECTION AGREEMENT WITH THE WISE COUNTY ELECTIONS ADMINISTRATOR TO CONDUCT THE ELECTION; AND PROVIDING PROCEDURES TO CONDUCT THE ELECTION

WHEREAS, the City of Rhome, Texas ("City") is a Type A general law municipality governed by Chapter 6 of the Texas Local Government Code; and

WHEREAS, the Texas Election Code establishes May 6, 2023, as the uniform election date for the general election for the City; and

WHEREAS, it is the City Council's intent that the election be conducted jointly with other political subdivisions of Wise County and be administered by the Wise County Elections Administrator in accordance with the provisions of the Texas Election Code; and

WHEREAS, it is City Council's intent that the City accept the Wise County Election Administrator's use of the direct recording electronic voting system, which has been certified by the Secretary of State in accordance with the Texas Election Code and approved by the United States Department of Justice; and

WHEREAS, the meeting at which this Ordinance is considered is open to the public as required by law, and public notice of the time, place and purpose of said meeting was given as required by Section 551.043 of the Texas Government Code.

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

SECTION 1. ORDER FOR GENERAL ELECTION. The City Council hereby calls and orders a general 3municipal election to be held on May 6, 2023 between the hours of 7:00am to 7:00pm for the purpose of electing three (4) persons to serve on City Council Place 1, Place 2, and Place 3, each to serve a term of two (2) years from May 2023 until May 2025, and Place 5 to serve a term of one (1) year from May 2023 until May 2024 or until their successors are duly elected and qualified.

SECTION 2. FILING FOR OFFICE. Qualified persons may file as candidates for the general election by filing applications each weekday in the office of the City Secretary during regular office hours of 8:00am to 4:00pm beginning Wednesday, January 18, 2023 and ending Friday, February 17, 2023.

SECTION 3. MAIL BALLOTS. Applications requesting a ballot by mail for either early voting or election day voting shall be mailed to: Wise County Elections, Early Voting Clerk, 200 South Trinity Street, Decatur, Texas 76234. Applications for early voting ballot by mail must be received no later than the close of business on Tuesday, April 25, 2023.

SECTION 4. EARLY VOTING. Early voting by personal appearance will be conducted on the following dates and times beginning April 24, 2023 and ending May 2, 2023.

The main early voting location is the Rhome Community Center, 261 School Road, Rhome, TX 76078

April 24, 2023	Monday	8:00am - 5:00pm
April 25, 2023	Tuesday	7:00am - 7:00pm
April 26, 2023	Wednesday	8:00am - 5:00pm
April 27, 2023	Thursday	8:00am - 5:00pm
April 28, 2023	Friday	8:00am - 5:00pm
May 1, 2023	Monday	8:00am - 5:00pm
May 2, 2023	Tuesday	7:00am - 7:00pm

SECTION 5. ELECTION DAY. The elections shall be held jointly with other political subdivisions of Wise County on Saturday, May 6, 2023, between the hours of 7:00am and 7:00pm.

SECTION 6. JOINT ELECTION CONTRACT. Prior to the election, the City anticipates that it will enter into an agreement for election services with the Wise County Elections Administrator. The City Administrator is hereby authorized to execute a Joint Election Contract with the Wise County Elections Administrator for the conduct of a joint election to be held on May 6, 2023, and to execute any amendments.

SECTION 7. ELECTION NOTICES. The City Secretary is hereby authorized and instructed to file, publish and/or post, in the time and manner prescribed by law all notices required to be so filed, published, or posted in connection with these elections and to provide and furnish ballot wording to the County election officials.

SECTION 8. APPOINTMENT OF ELECTION OFFICIALS. All election officials, including but not limited to the Early Voting Clerk and election judges, shall be the officials appointed to such positions by Wise County, and to the extent required by law, are hereby so appointed.

SECTION 9. DIRECT RECORDING SYSTEM. In accordance with Section 123.001 of the Texas Election Code, the Direct Recording Electronic Voting Systems approved by the Secretary of State are hereby adopted for the election on May 6, 2023.

SECTION 10. ACCESSIBLE VOTING SYSTEM. Section 61.012 of the Code requires that the City must provide at least one accessible voting system in each polling place used in Texas election on or after January 1, 2006. The City shall use, in Early Voting and Election Day Voting, a voter assist terminal as approved by the Secretary of State.

SECTION 11. ELECTION MATERIALS. The election materials specified in the Texas Election Code shall be printed in both English and Spanish for use at the polling places and for early voting for the election and provisions shall be made for oral assistance to Spanish speaking voters.

SECTION 12. ELECTION RESPONSIBILITY. The City shall contract with the Wise County Elections Administrator to perform all duties normally performed by the City Secretary in regular elections with respect to early voting, election day voting, and preparing the official ballots.

SECTION 13. The election shall be conducted in accordance with the Texas Election Code and the Constitution of the State of Texas.

PASSED AND APPROVED by the City Council of the City of Rhome, Texas, this the 23rd day of February 2023, by a vote of _____ ayes, _____ nays, and _____ abstentions, at a regular meeting of the City Council of the City of Rhome, Texas.

Patricia Mitchell,
Mayor

[SEAL]

ATTEST:

Shaina Odom
City Secretary

APPROVED TO AS FORM:

Carvan E. Adkins,
City Attorney