



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

Place 1
 Jimmy Johnson

Mayor Pro-Tem,
Place 2
 Michelle Tye

Place 3
 Randall Loftis

Place 4
 Kristi King

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
 Jesus Dominguez

NOTICE OF MEETING OF THE RHOME CITY COUNCIL

Meeting Date: Thursday, July 27, 2023

Regular Session: 6 p.m.

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 (646) 749-3129
Session ID: 646-749-3129	Access Code: 764-265-405
Access Code: 764-265-405	Toll Free Option: 1 (877) 307-2073

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 p.m.

Call to Order and Establish a Quorum

Invocation led by 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.*
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- 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

- Bulk Trash Pickup August 1, 2023
- Planning and Zoning Meeting August 7, 2023 @ 6 pm
- City Council Meeting August 10, 2023 @ 6 pm

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 July 13, 2023 **(City Secretary)**
2. Minutes of City Council Budget Workshop dated July 14, 2023 **(City Secretary)**

Regular Agenda

Discussion and any necessary action for the following:

1. Swearing in Reserve Officer, James George **(Police Chief)**
2. Dissolving By Laws for Fire Department **(Fire Chief)**
3. ESD **(Fire Chief)**
4. MDD Update from Boyd Mayor Holmes **(City Administrator)**
5. Budget Discussion **(City Administrator)**

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

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 July 24, 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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Administrator
Amanda DeGan

City Attorney
Carvan Adkins

City Secretary
Shaina Odom

Fire Chief
Scott Estes

Police Chief
Eric Debus

Public Works
Director
Jesus Dominguez

MINUTES OF MEETING OF THE RHOME CITY COUNCIL

Meeting Date: Thursday, July 13, 2023

Regular Session: 6 p.m.

Regular Session: 6 p.m.

Call to Order and Establish a Quorum

Invocation led by Pastor Heath Van Zandt

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- JoAnn Wilson
- Lisa Wilson – By JoAnn Wilson
- Deborah BeCraft
- Sam Eason

Announcements from Mayor and Council Members

- City Council Budget Workshop July 14, 2023 @ 9:00 a.m.
- City Council Meeting July 27, 2023 @ 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 June 22, 2023 **(City Secretary)**
2. Authorize City Administrator to execute Rise Broadband Contract **(City Administrator)**
3. Oncor Denial Resolution **(City Administrator)**
4. Resolution clarifying meeting on July 14, 2023 **(City Administrator)**
5. TDA Go Signatory Resolution 2023-13 **(City Secretary)**

Mayor Mitchell requested to move items 2-5 on the consent agenda to regular agenda for discussion.

- 1) Mayor Pro-Tem Tye made a motion to approve item number 1 on the consent agenda, Council Member Shumake seconded the motion. Motion passed unanimously.
- 2) Mayor Pro-Tem Tye made a motion to approve the city administrator to execute the contract, Council Member King seconded the motion. Motion passed unanimously.
- 3) Council Member Loftis made a motion to approve resolution 2023-14, denying the rate increase. Mayor Pro-Tem Tye seconded the motion. Motion passed unanimously.
- 4) Mayor Pro-Tem Tye made a motion to approve Resolution 2023-15 clarifying the Budget Workshop meeting scheduled on July 14, 2023. Council Member Shumake seconded the motion. Motion passed unanimously.
- 5) Council Member King made a motion to approve Resolution 2023-13. Mayor Pro-Tem 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. Technology Overview (City Administrator)

Fulcrum's, Ryan Young, came in a gave a quick overview of the items needing to be addressed in the upcoming budget. No action was taken at this time.

2. Oncor Transmission Lines (City Administrator)

Oncor came in a gave an overview of the project. The transmission line needs to run from Ramhorn Hill to Flower Mound, approximately 20 miles. There will be a 100-foot easement on both sides of the developed lines. They will be running one route to connect from Rhome to Flower Mound. The goal of the lines is to keep the power on for residents during storms, like the ice storm in 2021. The Public Utility Commission will make the final decision on which route is

going to be used. July 24, 2023 is the deadline to file an intervention, July 31, 2023 is the deadline to file testimony. Hearings on merits is August 28 through August 31, 2023. The final decision will be made by the Public Utility Commission between December 5 through December 21, 2023. Mayor Pro-Tem Tye made a motion to approve Resolution 2023-16. Council Member King seconded the motion. Motion passed unanimously.

3. Update on Walnut Creek Special Utility District Water Supply (City Administrator & Public Works Director)

Public Works Director, Jesus Dominguez, gave an update to Council regarding the current water situation with Walnut Creek. We are still under restrictions, due to the heat, causing the ground to shift and main waterlines breaking. No action was taken.

4. Appointments to Vacancies on Committee Boards (City Secretary)

City Secretary, Odom, notified Council there have been no applications submitted at this point, and staff will continue to advertise the vacancies. No action was taken.

5. Authorization for Chief Debus to hire new Reserve Officer (City Administrator)

Mayor Pro-Tem Tye made a motion to appoint reserve officer, James George. Council member King seconded the motion. Motion passed unanimously. Staff will bring back the ordinance requiring the Council to approve the hiring of reserve officers, and full-time officers.

6. Event Permit Application (Council Member Loftis)

Council member Loftis would like to change the application for the pavilion rental and the event permit and make it into one form because it is confusing as is. No action was taken.

7. Civic Pavilion Rental Application (Council Member Loftis)

Tabled

8. Proposed Event Applications and Use of City Resource Permit (Council Member Loftis)

Tabled

9. Citizen Survey Results (City Administrator)

City Administrator, DeGan, presented a slide deck on the results of the Citizen Survey. No action was taken.

10. Presentation of City Inventory List per Ordinance Requirement (City Administrator)

City Administrator, DeGan, presented the City Inventory List. Staff were directed to bring back an update to policy to remove this requirement and list fixed assets as part of the audit process.

Executive Session

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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 was held.

Future Agenda Items

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

Adjourn

Council Member Johnson made a motion to adjourn the meeting at 7:56 pm. Mayor Pro-Tem seconded the motion. Motion passed unanimously.

Patricia Mitchell,
Mayor

ATTEST:

Shaina Odom
City Secretary



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AGENDA ITEM 2



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City
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Amanda DeGan

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Carvan Adkins

City Secretary
Shaina Odom

Fire Chief
Scott Estes

Police Chief
Eric Debus

Public Works
Director
Jesus Dominguez

MINUTES OF VISIONING/BUDGET WORKSHOP OF THE RHOME CITY COUNCIL

Meeting Date: Friday, July 14, 2023

Regular Session: 9 a.m.

Regular Session: 9 a.m.

Call to Order and Establish a Quorum

Invocation

Pledge of Allegiance to the American Flag

Pledge of Allegiance to the Texas Flag

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No Public Comment

Budget Workshop

1. Overview of City Operations, Economic Development, Population, City Boundaries (including Extra Territorial Jurisdiction)
2. Debt Types, Uses and the Relevant Laws
3. Overview of Current City Debt
4. Revenue Discussion – Sources, Use, and Restrictions
5. Review of Tax Base and Tax Rates along with an Overview of Exemptions
6. Fund Overview – General & Utility Fund
7. City Asset Review – Municipal and Utility
8. Department Goals and Objectives
9. Fiscal Year 2023 – 2024 Budget Preparation and Planning

City Administrator, DeGan, presented a slide deck regarding the workings of the budget process to the City Council. PowerPoint attached.

Adjourn

Council member Loftis made a motion to adjourn, Council member Shumake seconded the motion. Motion passed unanimously. Meeting adjourned at 12:19 pm.

Patricia Mitchell,
Mayor

ATTEST:

Shaina Odom
City Secretary



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AGENDA ITEM 1



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AGENDA ITEM 2



Department: Fire Department
Contact: Scott Estes, Fire Chief

Agenda Item: Dissolving By Laws for Fire Department

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

Summary:

- Rhome Fire Rescue no longer operates solely as a volunteer department. We are officially a combination department, having 2 full-time paid, 8 part-time paid and 5 volunteer members. Under a full-time chief all positions will be appointed or tested through a Standard Operating Guideline by the Fire Chief. Moving forward as a department we will need one standard SOG book to guide the department. Having two separate policies is confusing and not necessary now.

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:

Please see summary above.



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AGENDA ITEM 3



Department: Administration
Contact: Amanda DeGan, City Administrator
Agenda Item: Emergency Service District (ESD) Overview

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

Summary:

- Emergency Service Districts (ESD's) are a creation of the Texas Constitution and have specific rules/laws that govern the creation and management of the entity.
 - Currently, Wise County has two (2) ESD's that have been formed in the county.
 - Per a Council members request, Staff have prepared a presentation to provide an overview of ESD's and the related funding/taxing structure.
 - Staff will be on hand to answer questions.
-

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:

Please see summary above.



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AGENDA ITEM 4



Department: Administration
Contact: Amanda DeGan, City Administrator

Agenda Item: Municipal Development Districts (MDD's) overview including the City of Boyd MDD

Type of Item:	<input type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Contract/Agreement	<input type="checkbox"/> Public Hearing
	<input type="checkbox"/> Plat	<input checked="" type="checkbox"/> Discussion & Direction		<input type="checkbox"/> Other

Summary:

- Municipal Development Districts (MDD's) are a tool a city may use to help development projects that are beneficial to the district.
- MDD's are similar to a Type B economic development corporation (EDC).
- An MDD is currently in use in the city of Boyd and the Boyd Mayor and City Manager will discuss how this has affected their city.
- The bylaws for the Boyd MDD are included in the packet for Council review.

Funding Expected:	<input type="checkbox"/> Revenue	<input type="checkbox"/> Expenditure	<input checked="" type="checkbox"/> N/A
Budgeted Item:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> N/A
GL Account:	_____	Amount:	_____
Legal Review Required:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Date Completed: _____
Engineering Review:	<input type="checkbox"/> FD Review:	<input type="checkbox"/> PD Review:	<input type="checkbox"/> PW Review: _____

History / Details / Recommendation:

MDD's are created by a city "to plan, acquire, establish, develop, construct, or renovate one or more development projects beneficial to the district." They are funded via a portion of the sales and use tax that is assessed when goods are purchased. The funds generated by the approval of an MDD may only be used for specific purposes:

1. Projects as defined by LGC Sections 505.051 and 505.158.
2. Convention center facility or related improvements – civic center or auditorium.
3. Parking lots for such convention or related facilities.
4. Civic center hotels

The Boyd MDD is used to "promote, assist, stimulate, and enhance economic development in Boyd" and has a mission "to aid the City of Boyd and interested private or public entities in making the community a better place to live, work and do business." (www.cityofboyd.com)



BOYD
MUNICIPAL DEVELOPMENT
DISTRICT BYLAWS
Updated 05/19/2022

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ARTICLE I PURPOSES

The Boyd Municipal Development District (the "District") is a political subdivision of the State of Texas and the City of Boyd, Texas (the "City"), created in accordance with Chapter 377 of the Texas Local Government Code, as amended (the "Act"), and other applicable laws. The District was created for the purpose of developing and financing all development projects as that term is defined in Section 377.001(3) of the Act, as amended (a "Development Project").

ARTICLE II BOARD OF DIRECTORS

Section 1. Board of Directors The property and affairs of the District shall be managed and controlled by a Board of Directors subject to the restrictions imposed by law and these Bylaws.

Section 2. Appointment, Number, and Term of Office A Board of Directors (the "Board") shall be appointed by the City of Boyd City Council (the "Council"). The Board shall consist of five (5) persons. The initial appointments shall include two (2) persons to serve two (2) year terms and three (3) persons to serve one (1) year terms. Thereafter, each member of the Board shall be appointed and serve a two (2) year term. A director continues to serve on the Board until their successor is appointed and is duly qualified to act.

Section 3. Qualifications Each of the Directors must reside in the City of Boyd. An employee, officer, or member of the City Council of the City ("City Council") may serve as a director, but may not have a personal interest in a contract executed by the District other than as an employee, officer, or member of the City Council of the City.

Section 4. Vacancies and Resignations A vacancy in any position of Director which occurs by reason of death, resignation, disqualification, removal or otherwise shall be filled by the City Council. A Director may resign at any time. Such resignation shall be made in writing, addressed to the Mayor and the City Secretary, with a copy to the Board, and shall take effect at the time specified therein, or if no time is specified, at the time of its receipt by the City Secretary. Any Director may be removed from office by the City Council at any time without cause.

Section 5. Officers and Term of Office The Board of Directors shall choose from its members a President, Vice President, and Secretary. The term of office for each officer shall be one (1) year with the term of office expiring on September 30th of each year. Officers may be re-elected.

Section 6. Compensation Directors shall not receive any salary or compensation for their services as Directors; provided that nothing contained herein shall be construed to preclude any Director from receiving reimbursement for their actual expenses incurred in the performance of their duties as a Director.

Section 7. Meetings of the Board Regular meetings of the Board shall be held in the City at such times as shall be designated, from time to time, by the Executive Director. Directors may hold their meetings and may have an office and keep the books of the District at Boyd City Hall, or such other place or places within the City as the Board may from time to time determine.

Special meetings of the Board shall be held whenever called by the President or Executive Director of the Board, or at the request of a majority of the Directors who are serving duly appointed terms of office at the time the meeting is called.

The Board shall meet in accordance with and file notice of each meeting of the Board for the same length of time and in the same manner and location as is required of a City under Chapter 551 of the Texas Government Code (the "Open Meetings Act").

The District, the Board, and any committee of the Board exercising the powers of the Board are subject to Chapter 552 of the Texas Government Code (the "Public Information Act").

Section 8. Quorum A majority of the Board shall constitute a quorum for the consideration of matters pertaining to the purposes of the District. The act of a majority of the Directors present and voting at a meeting at which a quorum is in attendance shall constitute the act of the Board, unless the act of a greater number is required by law or by these Bylaws.

A Director who is present at a meeting of the Board at which any corporate action is taken shall be presumed to have assented to such action, unless their dissent shall be entered in the minutes of the meeting or unless they shall file a written dissent to such action with the person acting as the secretary of the meeting before the adjournment thereof or shall forward such dissent by registered mail to the Secretary of the District immediately after the adjournment of the meeting. Such right to dissent shall not apply to a Director who voted in favor of the action.

Section 9. Board's Relationship with City Council The City Council shall require that the District be responsible to it for the proper discharge of its duties. All policies for development project administration shall be submitted for Council approval, and the Board shall administer said development projects accordingly. The Board shall determine its policies and direction within the limitations of the duties imposed by applicable laws, these Bylaws, contracts entered into with the City, and budget and fiduciary responsibilities of the Board.

Section 10. Board's Relationship with Administrative Departments of the City Any request for services made to the administrative departments of the City shall be made by the Board or its designee in writing to the City Administrator. The City Administrator may approve such request for assistance from the Board when such requested services are available within the administrative departments of the City and the Board has agreed to reimburse the administrative department's budget for the costs of such services so provided.

Section 11. Conflict of Interest The members of the Board of Directors shall be considered local public officials within the meaning of Chapter 171 of the Texas Local Government Code. If a Director has a substantial interest, as that term is defined in said Chapter, in a business entity or real property which is the subject of deliberation by the Board of Directors, the Director shall file an affidavit with the Secretary of the District stating the nature or extent of the interest. Such affidavit shall be filed prior to any vote or decision upon the matter of the Board of Directors, and if required by said Chapter, the interested Director shall abstain from any vote or decision upon the matter.

ARTICLE III OFFICERS

Section 1. President The President shall be a member of the Board and shall preside at all meetings of the Board. The President shall be the principal executive officer of the District and, subject to the Board, shall be in general charge of the properties and affairs of the District. The President shall have such other duties as assigned by the Board. The President may call special and emergency meetings of the Board. The President may only cast a vote on a board motion in order to resolve a tied vote.

Section 2. Vice President The Vice President shall be a member of the Board. The Vice President shall perform the duties and exercise the powers of the President upon the President's death, absence, disability, or upon the President's inability to perform the duties of the office. Any action taken by the Vice President in the performance of the duties of the President shall be conclusive evidence of the absence or inability to act of the President at the time such action was taken. A Vice President shall have such other powers and duties as may be assigned by the Board or the President.

Section 3. Secretary The Secretary shall keep or cause to be kept the minutes of all meetings of the Board; shall attend to the giving and serving of all notices; shall have charge of the District's books, records, documents and instruments, except the books of accounting, financial records and securities of which the City of Boyd Finance Officer shall have custody and charge, and such other books and papers as the Board may direct, all of which shall at all reasonable times be open to the inspection of any Director upon application at the office of the District Secretary subject to the control of the Board. The Executive Assistant, or designee, will assist the Secretary with the execution of his/her responsibilities.

Section 4. Executive Director The City Administrator of the City will serve as the Executive Director of the District, provide administrative support services for the District, and perform duties for the Board as prescribed by the City Council. The Executive Director may participate in Board discussions, but shall not vote on matters before the Board.

Section 5. Executive Assistant The Administrative Assistant of the City will serve as the Executive Assistant of the District, provide administrative support services for the District, and perform duties for the Board as prescribed by the Executive Director. The Executive Assistant may participate in Board discussions, but shall not vote on matters before the Board.

ARTICLE IV GENERAL POWERS AND DUTIES OF THE DISTRICT

Section 1. Limitations of District Powers In the fulfillment of its purpose, the District shall be governed by the Act, and shall have all of the powers set forth and conferred in the Act, and in other applicable laws, subject to the limitations prescribed therein and herein and to the provisions thereof and hereof.

Section 2. Recommending Body The Board is a recommending body to the City Council.

Section 3. District Powers Subject to a favorable recommendation of the Board and approval by the City Council, the District may perform any act necessary to the full exercise of the District's powers, including:

- a. accepting a grant or loan from a department or agency of the United States; department, agency, or political subdivision of this state; or public or private person;
- b. acquiring, selling, leasing, conveying, or otherwise disposing of property or an interest in property, including a Development Project, under terms and conditions determined by the District;
- c. employing necessary personnel; and
- d. adopting rules to govern the operation of the District and its employees and property.

Subject to a favorable recommendation of the Board and approval by the City Council, the District may contract with a public or private person to plan, acquire, establish, develop, construct, or renovate a Development Project; or perform any other act the District is authorized to perform under the Act.

Section 4. Strategic Plan The District shall research, develop and prepare a Strategic Plan, which shall include proposed methods and the expected costs of implementation. The Plan shall include both short-term and long-term goals for the economic development of the City, proposed methods for the elimination of unemployment and under-employment, and the promotion of employment, through the expansion and development of a sound retail, industrial and manufacturing base for and within the City. The Plan shall be complimentary to the goals and objectives of the City Council, and/or any other goals and objectives of the City.

ARTICLE V FISCAL PROVISIONS

Section 1. Municipal Development Project Fund The District shall establish by resolution a fund known as the Municipal Development Project Fund. The District may establish separate accounts within the fund. The District shall deposit the proceeds from any sales and use tax imposed by the District, all revenue from the sale of bonds or other obligations by the District, and any other money required by law to be deposited into the Municipal Development Project Fund.

Section 2. Use of Municipal Development Project Fund Subject to a favorable recommendation of the Board and approval by the City Council, the District may use money in the Development Project Fund to:

- a. pay the cost of planning, acquiring, establishing, developing, constructing, or renovating one or more Development Projects in the District;
- b. pay the principal of, interest on, and other costs relating to bonds or other obligations issued by the District or to refund bonds or other obligations;
- c. pay the costs of operating or maintaining one or more Development Projects during the planning, acquisition, establishment, development, construction, or renovation or while bonds or other obligations for the planning, acquisition, establishment, development, construction, or renovation are outstanding; or
- d. as otherwise permitted by the Act as it exists or may be amended.

Section 3. Annual Budget On or before August 1 of each year, the Board shall prepare and present a proposed budget of expected revenues and proposed expenditure for the next ensuing fiscal year to the City Council. The fiscal year of the District shall commence on October 1 of each year and end on September 30. The District shall expend funds consistent with the Board adopted and Council approved budget. Any proposed expenditure not included in the budget will require approval by the City Council.

Section 4. Bonds and Other Obligations Subject to the approval of the Boyd City Council, the District may issue bonds, including revenue bonds and refunding bonds, or other obligations to pay the costs of a Development Project. The bonds or other obligations and the proceedings authorizing the bonds or other obligations shall be submitted to the Attorney General for review and approval as required by Chapter 1202, Government Code. The bonds or other obligations must be payable from and secured by the revenues of the District. The bonds or other obligations may mature serially or otherwise not more than 30 years from their date of issuance. The bonds or other obligations are not a debt of and do not create a claim for payment against the revenue or property of the District other than a Development Project for which the bonds are issued.

Section 5. Finance and Accounting The City of Boyd Finance Officer shall have custody of all funds and securities of the District and shall maintain all accounts and financial records in accordance with the City's standard accounting procedures. When necessary, the Finance Officer shall (i) endorse for collection, on behalf of the District, checks, notes and other obligations and deposit the same to the credit of the District in such bank or banks or depositories as shall be designated by the Board; (ii) sign all receipts and vouchers for payments made to the District, either alone or jointly with such other officer as may be designated by the Board; or (iii) when required by the Board, render a statement of the District's cash account. All purchases and expenditures by the District shall be in accordance with City of Boyd Purchasing Policies and Procedures. The Finance Officer shall provide the Board a monthly written report of the District's finances and shall provide an annual report within 90 days of the end of each fiscal year.

Section 6. Auditing Procedures The Board shall provide for an annual financial audit to be performed by a competent independent audit firm. Such audit may be performed by the auditing firm retained by the City and performed within the scope of the City's annual financial audit.

**ARTICLE VI
INDEMNIFICATION OF DIRECTORS AND OFFICERS**

Section 1. Right to Indemnification To the fullest extent allowed by law, the District shall indemnify all Directors and employees of the District against expenses (including attorney's fees) and amounts paid in settlement actually and reasonably incurred by a Director or employee in connection with the defense of any civil, criminal or administrative action, suit or proceeding in which the Director or employee is made a party or with which the Director or employee is threatened, by reason of being or because of any act as District Director or employee within the course and scope of their duties and/or employment if the Director or employee acted in good faith and in a manner in which the Director or employee reasonably believed to be in or not opposed to the best interest of the District, and with respect to any criminal action or proceeding, had no reasonable cause to believe their conduct was unlawful.

Section 2. Limit on Indemnification Notwithstanding the foregoing, a Director or employee shall not be entitled to indemnification regarding (i) any matter in which they shall be adjudged by a court of competent jurisdiction to be liable for intentional acts of misconduct or gross negligence in the performance of their duties, or

(ii) any matter in which they fail to notify the District of a claim within a reasonable time or fails to cooperate in the defense of such claim, but only to the extent that the defense of such claim is prejudiced by their failure to give notice or to cooperate.

Section 3. Insurance The District may purchase and maintain insurance, at its expense, to protect itself and any person who is or was serving as a Director or employee of the District against any expense, liability or loss.

**ARTICLE VII
ETHICS**

It is the policy of the District that Directors and officers conduct themselves in a manner consistent with sound business and ethical practices; that public interest always be considered in conducting District business; and the appearance of impropriety be avoided to ensure and maintain public confidence in the District. Any rules of ethical conduct adopted from time to time by the City shall apply to the District and its Directors.

**ARTICLE VIII
AMENDMENTS**

A proposal to alter, amend, or repeal these Bylaws shall be made by the affirmative vote of a majority of the full Board at any meeting. Any proposed change or amendment to the Bylaws, however, must be approved by the City Council to be effective.



Physical Address: 501 South Main Street

Mailing Address: PO Box 228

Rhyme, Texas 76078

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

www.cityofrhyme.com cityadministrator@cityofrhyme.com

AGENDA ITEM 5



Agenda Commentary
Meeting Date: July 27, 2023

Department: Administration
Contact: Amanda DeGan, City Administrator

Agenda Item: Preliminary Budget Discussions for Fiscal Year 2023-2024

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

Summary:

- As part of the annual budget process, Council reviews preliminary numbers and forecasting for our municipal revenue and expenditures.
- Council began this year’s budget discussions on July 14, 2023 at the annual budget workshop where we discussed the structure, definitions, and a general overview of the city and the municipal funds.
- The budget will not be finalized during this discussion as additional information is needed from the Appraisal District and public hearings are required over the next several weeks.
- Notices will be sent to the public to clearly state when the Council will meet and discuss city finances.

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 members have been working with the City Administrator to review the current year budget numbers along with projections of needs for the coming fiscal year. We will have a spreadsheet, along with associated explanations, to discuss with Council. Staff will also continue the discussion about overall infrastructure needs, funding availability, and projects.