



Physical Address: 501 South Main Street

Mailing Address: PO Box 228

Rhome, Texas 76078

Telephone: 817-636-2462

[www.cityofrhome.com](http://www.cityofrhome.com) | [citysecretary@cityofrhome.com](mailto: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, January 26, 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 (646) 749-3122

Session ID: 646-749-3122

Access Code: 614-044-165

Access Code: 614-044-165

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 Jeremy Laux

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](mailto: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**

- Filing has begun as of January 18, 2023 with the last day to File for a Place on the Ballot being February 17, 2023

## **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 12, 2023 **(City Secretary)**
2. Approval/action on the FY 2023 Contract for the Rhome Community Library **(City Administrator)**
3. Approval/action of a Resolution Authorizing Continued Membership in the Oncor Cities Steering Committee (OCSC) for the Upcoming 88<sup>th</sup> Legislative Session **(City Administrator)**
4. Approval/action adding Juneteenth to the City of Rhome's Observed Holiday Schedule **(City Administrator)**

## **Regular Agenda**

**Discussion and any necessary action for the following:**

1. Compensating Reserve Officers **(Police Chief Debus)**
2. Discussion and any Necessary Action Concerning Short Term Rentals in the City **(City Administrator)**
3. Discussion/Action relative to temporary paid time off for severe illness (i.e., COVID, or flu) through December 31, 2023 **(City Administrator)**
4. Community Engagement Options to Increase Information to Stakeholders **(City Administrator)**
5. Legislative Update Regarding the 88<sup>th</sup> Session of the State of Texas **(City Administrator)**
6. Rescheduling April 27, 2023 City Council Meeting **(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
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 January 23, 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: \_\_\_\_\_



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](http://www.cityofrhome.com) [cityadministrator@cityofrhome.com](mailto:cityadministrator@cityofrhome.com)

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# CONSENT AGENDA



Physical Address: 501 South Main Street

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Rhome, Texas 76078

Telephone: 817-636-2462

[www.cityofrhome.com](http://www.cityofrhome.com) | [citysecretary@cityofrhome.com](mailto: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**  
VACANT

**City  
Administrator**  
Amanda DeGan

**City Attorney**  
Carvan Adkins

**City Secretary**  
Shaina Odom

**Interim Fire Chief**  
Michelle Di  
Credico

**Police Chief**  
Eric Debus

**Public Works  
Director**

## MINUTES OF MEETING OF THE RHOME CITY COUNCIL

Meeting Date: Thursday, January 12, 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.

### Regular Session: 6 pm

Mayor Mitchell called the meeting to order at 6 pm.

### Call to Order and Establish a Quorum

Invocation – Chief Eric Debus

**Police Chief Eric Debus 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](mailto: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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  - Deborah BeCraft – 360 W Second Street
  - Lisa Ann Wilson- By JoAnn Wilson – 240 W First Street

## **Announcements from Mayor and Council Members**

- City Hall Closed January 16, 2023 for Martin Luther King Jr. Day
- First day to sign up for a Place on The Ballot for the May 6, 2023 Election

## **Regular Agenda**

1. Appoint and swear in an applicant to Place 5 of the Rhome City Council (**City Administrator & City Secretary**)

**Council interviewed each candidate one by one asking the same questions to each candidate.**

## **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:*

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

Council Entered into Executive session at 6:54 pm. Council reconvened into regular session at 7:12 pm.

Council Member Priest nominated Kasey Shumake into Rhome City Council Place 5. Mayor Pro-Tem McCabe seconded the motion. Motion passed unanimously. City Secretary, Shaina Odom, swore in Kasey Shumake.

## **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 March 24, 2022 (**City Secretary**)
2. Minutes of City Council Regular Session dated December 8, 2022 (**City Secretary**)
3. Minutes of City Council Regular Session dated December 12, 2022 (**City Secretary**)
4. Council approval/action adding City Administrator, Amanda DeGan, to all bank accounts as a signatory (**City Secretary**)
5. Council approval/action adding City Administrator, Amanda DeGan, to the Wells Fargo Credit Card (**City Secretary**)
6. Council approval/action regarding police department property and evidence disposal (**Chief Debus**)

Council Member Tye made a motion to approve the consent agenda as presented. Council Member Konegni 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)

## **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

Mayor Mitchell opened the Public Hearing at 7:21 pm. The Public Hearing was recessed until February 6, 2023 at 6 pm. The

Public Hearing was closed at 7:20 pm.

2. City Council is to conduct a Public Hearing to consider a Specific Use Permit; legally described as BLK: 7 & ½ 43 ORIGINAL TOWN RHOME 0.9900 Acres, also known as, 311 Old Mill Road Rhome, TX 76078

Mayor Mitchell opened the Public Hearing at 7:21 pm. The Public Hearing was recessed until March 6, 2023 at 6 pm. The Public Hearing was closed at 7:21 pm.

### **Regular Agenda (Resume)**

#### **Discussion and any necessary action for the following:**

2. 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)**

Tabled

3. Application for a Specific Use Permit; legally described as BLK: 7 & ½ 43 ORIGINAL TOWN RHOME 0.9900 Acres, also known as, 311 Old Mill Road Rhome, TX 76078 **(City Secretary)**

Tabled

4. Walnut Creek Water Agreement **(Chief Debus)**

Police Chief, Eric Debus, explained to Council, the contract increases the water supply by 500,000 gallons per day, 250,000 gallons of the water will be directly dedicated to RVR. The funding was already provided to supply infrastructure upgrades. The agreement will expire on October 12, 2029. Mayor Pro-Tem McCabe made a motion for City Administrator, Amanda DeGan to execute the contracts with Walnut Creek and RVR. Council Member Tye seconded the motion. Motion passed unanimously.

5. Fiberoptic service to the water tower for NISD **(Chief Debus)**

NISD will cover the cost of installing the fiberoptic to the water tower. This helps them with communication to the buses through the district. Mayor Pro-Tem McCabe made a motion to allow NISD to install fiberoptics to the water tower. Council Member Konegni seconded the motion. Motion passed unanimously.

6. Public notifications and community engagement **(City Administrator)**

City Administrator, Amanda DeGan, went over the quotes received from IWorQ, CodeRed, and a partnership with Wise County called Alert Sense. IWorQ quoted \$3,000 annually, CodeRed quotes \$1,900 Annually, and Alert Sense was around \$500 per year. Council Member Priest made a motion to go with Alert Sense, Council Member Tye seconded the motion. Motion passed unanimously. Discussion regarding a service called Constant Contact led to direction from the Council to get a firm price and bring back to Council for further discussion and approval.

7. Agreement with financial consultants to assist with remaining transition to STW **(City Administrator)**

Council Member Tye made a motion to authorize the City Administrator, Amanda DeGan, to bring in financial consultants into City Hall to help with the remainder of the transition to consolidated cash, with total not to exceed \$5,000.00. Council Member Shumake seconded the motion. Motion passed unanimously.

#### **8. Confirmation of a Fire Chief (City Administrator)**

City Administrator, Amanda DeGan, introduced the incoming Fire Chief, Scott Estes. He will start on January 30, 2023. Mayor Pro-Tem McCabe made a motion to accept Scott Estes into the Fire Chief position. Council Member Konegni seconded the motion. Motion passed unanimously.

#### **9. Organizational analysis and prioritization of projects (City Administrator)**

City Administrator, Amanda DeGan, went over a power point of the things she has seen since she started a month ago. She went over the ideas she has for the betterment of Rhome. Mayor Pro-Tem McCabe stated he would like to see about a 10-minute presentation once a month from the City Administrator. No action was taken

#### **10. Proposed ONCOR transmission line placement (Council Member Priest)**

Council Member Priest went to the meeting regarding the ONCOR transmission line placement plans. She stated that ONCOR is looking for answers from the city on their proposed line plans. City Administrator, Amanda DeGan was instructed to reply to ONCOR with the objections for the line placement behind ByWell Estates and the lines proposed to run through Rolling V. Direction Only.

### **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 action was taken as a result of Executive Session.

### **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 8:52 pm. Council Member Tye seconded the motion. Motion passed unanimously.



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Patricia Mitchell,  
Mayor

ATTEST:

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Shaina Odom  
City Secretary



**Agenda Commentary**  
**Meeting Date: January 26, 2023**

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Department: Administration

Contact: Amanda DeGan, City Administrator

**Agenda Item: Approval/action on the FY 2023 Contract for the Rhyme Community Library**

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

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**Summary:**

- The City of Rhyme partners with the Library each fiscal year to help the Library maintain its accreditation with the state.
- The Council has customarily approved this agreement in January.
- The cost is included in the FY 2022/2023 approved budget

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Funding Expected: ☐ Revenue ☒ Expenditure ☐ N/A

Budgeted Item: ☒ Yes ☐ No ☐ N/A

GL Account: \_\_\_\_\_ Amount: **\$600**

Legal Review Required: ☐ Yes ☐ No Date Completed: \_\_\_\_\_

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

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**Details / Recommendation:** Staff recommends approval.

## **Resolution No. 2023-02**

### **CONSIDER A RESOLUTION TO APPROVE THE ANNUAL CONTRACT OF SERVICE BETWEEN THE CITY OF RHOME, TEXAS AND THE RHOME COMMUNITY LIBRARY FOR SERVICES AS A LIBRARY**

This agreement is made between the City of Rhome, Texas, (hereinafter called "City" and the Rhome Community Library (hereinafter called "Library") an established Library located in the City of Rhome, Texas.

#### **Witnesseth:**

**WHEREAS,** as the Library and the City of Rhome have expressed the desire to enter into a contract to provide a free library system for enhanced services to both the Library and the City, and;

**WHEREAS** the Library has and maintains an established free Library which is capable of and is serving the City of Rhome and is also capable of serving a segment of the county population that lies outside the limits of any municipality.

#### **NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS HEREINAFTER SET FORTH, THE LIBRARY AND CITY AGREE:**

- Section 1: The Library shall provide library service as and assume the functions of a free library for the City and surrounding county area that lies outside the boundaries of incorporated municipalities.
- Section 2: The City shall pay annually to the Library the sum of six hundred dollars (\$600.00) for the purchase of technology whether equipment or software and provide the City with a proof of purchase and/or for purchases related to books, programs, or general operating expenses.
- Section 3: The Library, except as otherwise provided herein, shall have the sole control, administration and direction of policies over the Library.
- Section 4: All citizens of Wise County residing outside the limits of incorporated municipalities shall have equal privileges with respect to Library services provided by the Library.
- Section 5: The Rhome Community Library agrees that the Library Annual Report to the Texas State Library shall be open to inspection by the City or its designated representatives during normal business hours.

This contract shall be for one-year period commencing October 1, 2022 and ending September 30, 2023.

**APPROVED** by the governing body of the Rhome Community Library, Inc. in a meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2023 and executed by the President of that governing body and the Library Director of the Rhome Community Library.

**RHOME COMMUNITY LIBRARY**

**BY** \_\_\_\_\_  
**Name:** \_\_\_\_\_

**BY** \_\_\_\_\_  
**Name:** \_\_\_\_\_

**APPROVED** by the Rhome City Council in a meeting held on the 26<sup>th</sup> day of January 2023.

**CITY OF RHOME, TEXAS**

\_\_\_\_\_  
**Patricia Mitchell, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Shaina Odom**  
**City Secretary**

\_\_\_\_\_  
**Amanda DeGan**  
**City Administrator**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Carvan Adkins**  
**City Attorney**



**Agenda Commentary**  
**Meeting Date: January 26, 2023**

Department: Administration

Contact: Amanda DeGan, City Administrator

**Agenda Item: Approval/action of a Resolution Authorizing Continued Membership in the Oncor Cities Steering Committee (OCSC) for the Upcoming 88<sup>th</sup> Legislative Session**

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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

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**Summary:**

- Rhome is one of 171 cities who participate in the OCSC, which helps monitor and represent member cities before the Public Utility Commission, ERCOT, the courts, and the Legislature relative to electric utility regulation.
- OCSC keeps us informed of rate cases, appeals, rules regarding Oncor, and bills that come before the Legislature that may not be of benefit to us our residents.
- The 88<sup>th</sup> Legislative Session began on January 10<sup>th</sup> and runs through May 29<sup>th</sup>
- Our assessment (invoice fee) is based on our population, which is calculated by OCSC at 1,580 residents at .10 cents per person = \$158.00
- Staff is seeking approval of the resolution to approve our membership

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Funding Expected:	<input type="checkbox"/> Revenue	<input checked="" type="checkbox"/> Expenditure	<input type="checkbox"/> N/A
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Budgeted Item:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
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GL Account:	Amount:	\$158.00
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Legal Review Required:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Date Completed:	
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Engineering Review:	<input type="checkbox"/> FD Review:	<input type="checkbox"/> PD Review:	<input type="checkbox"/> PW Review:	
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**Details / Recommendation:** Staff recommends approval and will bring major updates we receive forward for Council consideration as needed throughout the 88<sup>th</sup> Legislative session. The following explanation is taken from the OCSC Memo to Staff.

*"The Steering Committee undertakes activities on behalf of municipalities for which it needs funding support from its members. Municipalities have original jurisdiction over the electric distribution rates and services within the city. The Steering Committee has been in existence since the late 1980s. It took on a formal structure in the early 1990s. Empowered by city resolutions and funded by per capita assessments, the Steering Committee has been the primary public interest advocate before the Public Utility Commission, ERCOT, the courts, and the Legislature on electric utility regulation matters for over three decades."*

*The Steering Committee is actively involved in rate cases, appeals, rulemakings, and legislative efforts impacting the rates charged by Oncor Electric Delivery Company, LLC within the City. Steering Committee representation is also strong at ERCOT. It is possible that additional efforts will be necessary on new issues that arise during the year, and it is important that the Steering Committee 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.”*

**Attachments:**

Resolution

2023 OCSC Invoice

Memo to Steering Committee Member Cities

OCSC Master List of Cities

OCSC Newsletter

## **RESOLUTION NO. 2023-01**

**A RESOLUTION OF THE CITY OF RHOME AUTHORIZING CONTINUED PARTICIPATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR; AND AUTHORIZING THE PAYMENT OF TEN CENTS PER CAPITA TO THE STEERING COMMITTEE TO FUND REGULATORY AND LEGAL PROCEEDINGS AND ACTIVITIES RELATED TO ONCOR ELECTRIC DELIVERY COMPANY, LLC.**

**WHEREAS,** the City of Rhome is a regulatory authority under the Public Utility Regulatory Act (PURA) and has exclusive original jurisdiction over the rates and services of Oncor Electric Delivery Company, LLC (Oncor) within the municipal boundaries of the city; and

**WHEREAS,** the Steering Committee of Cities Served By Oncor (Steering Committee) has historically intervened in Oncor rate proceedings and electric utility related rulemakings to protect the interests of municipalities and electric customers residing within municipal boundaries; and

**WHEREAS,** the Steering Committee is participating in Public Utility Commission dockets and projects, as well as court proceedings, and legislative activity, affecting transmission and distribution utility rates; and

**WHEREAS,** the City is a member of the Steering Committee; and

**WHEREAS,** the Steering Committee functions under the direction of an Executive Committee **which** sets an annual budget and directs interventions before state and federal agencies, courts and legislatures, subject to the right of any member to request and cause its party status to be withdrawn from such activities; and

**WHEREAS,** the Steering Committee at its December 2022 meeting set a budget for 2023 that compels an assessment of ten cents (\$0.10) per capita; and

**WHEREAS,** in order for the Steering Committee to continue its participation in these activities which affects the provision of electric utility service and the rates to be charged, it must assess its members for such costs.

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

Section 1: That the City is authorized to continue its membership with the Steering Committee of Cities Served by Oncor to protect the interests of the City of Rhome and protect the interests of the customers of Oncor Electric Delivery Company, LLC residing and conducting business within the City limits.

Section 2: The City is further authorized to pay its assessment to the Steering Committee of ten cents (\$0.10) per capita based on the population figures for the City shown in the latest TML Directory of City Officials.

Section 3: A copy of this Resolution and the assessment payment check made payable to “*Steering Committee of Cities Served by Oncor*” shall be sent to Brandi Stigler, Steering Committee of Cities Served by Oncor, c/o City Attorney’s Office, Mail Stop 63-0300, 101 S. Mesquite St., Suite 300, Arlington, Texas 76010.

PRESENTED AND PASSED on this the 26th day of January, 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



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

Invoice

Date	Invoice #
1/4/2023	23-119

Bill To
City of Rhome

Item	Population	Per Capita	Amount
2023 Membership Assessment	1,580	0.10	158.00
Please make check payable to: Oncor Cities Steering Committee and mail to Oncor Cities Steering Committee, Attn: Brandi Stigler, Arlington City Attorney's Office, 101 S. Mesquite St., Ste. 300, MS #63-0300, Arlington, Texas 76010		<b>Total</b> \$158.00	

## MEMORANDUM

TO: Steering Committee of Cities Served by Oncor  
FROM: Paige Mims, Chair  
DATE: January, 2023  
RE: **Action Needed – 2023 Membership Assessment Invoice**

Enclosed please find the 2023 Steering Committee of Cities Served by Oncor (“Steering Committee”) membership assessment invoice and draft resolution. These items are discussed below. We ask that your city please take action on the membership assessment as soon as possible.

Although the Steering Committee does not require that your city take action by resolution to approve the assessment, some members have requested a resolution authorizing payment of the 2023 membership assessment. Payment of the membership assessment fee shall be deemed to be in agreement with the terms of the Steering Committee participation agreement.

Please forward the membership assessment fee and, if applicable, the signed resolution to Brandi Stigler, Steering Committee of Cities Served by Oncor, c/o City Attorney’s Office, Mail Stop 63-0300, 101 S. Mesquite St., Suite 300, Arlington, Texas 76010. Checks should be made payable to: *Steering Committee of Cities Served by Oncor*. If you have any questions, please feel free to contact me at (972/941-7125) or Thomas Brocato ([tbrocato@lglawfirm.com](mailto:tbrocato@lglawfirm.com), (512/914-5061).

### **Membership Assessment Invoice and Resolution**

The Steering Committee is the most active consumer group advocating the interests of cities and residential and small commercial customers within the cities to keep electric transmission and distribution (*i.e.*, wires) rates reasonable. Steering Committee activities protect the authority of municipalities over the regulated wires service and rates charged by Oncor Electric Delivery Company, LLC (“Oncor”).

The work undertaken by the Steering Committee has saved cities and ratepayers millions of dollars in unreasonable charges. In order to continue to be an effective voice before the Public Utility Commission of Texas (“Commission” or “PUC”), ERCOT, the Legislature, and in the courts, the Steering Committee must have your support. The membership assessment is deposited in an account which funds Steering Committee activities.

Currently, the Steering Committee is involved in numerous rulemakings and projects at the PUC. The Steering Committee expects to participate in Oncor’s Rate Case and Energy Efficiency Cost Recovery Factor (“EECRF”) proceedings later this year.

On December 8, 2022, the Steering Committee approved the 2023 assessment for Steering Committee membership. Based upon the population-based assessment protocol previously adopted by the Steering Committee, the assessment for 2023 is a per capita fee of \$0.10 based upon the population figures for each city shown in the latest TML Directory of City Officials. The enclosed invoice represents your city’s assessment amount.

To assist you in the assessment process, we have attached several documents to this memorandum for your use:

- OCSC 2022 Year in Review
- Model resolution approving the 2023 assessment (optional, provided for those cities that have requested a resolution to authorize payment)
- Model staff report supporting the resolution
- List of Steering Committee members
- 2023 Assessment invoice
- 2024 Assessment invoice and statement (only if not yet paid)
- Blank member contact form to update distribution lists

## OCSC Master List of Members (171 Total)

1. Addison	49. Edgecliff Village	97. Lamesa	145. Seymour
2. Allen	50. Ennis	98. Lancaster	146. Sherman
3. Alvarado	51. Eules	99. Lavon	147. Snyder
4. Andrews	52. Everman	100. Lewisville	148. Southlake
5. Anna	53. Fairview	101. Lindale	149. Springtown
6. Archer City	54. Farmers Branch	102. Lindsay	150. Stephenville
7. Argyle	55. Fate	103. Little Elm	151. Sulphur Springs
8. Arlington	56. Flower Mound	104. Little River Academy	152. Sunnyvale
9. Azle	57. Forest Hill	105. Malakoff	153. Sweetwater
10. Bedford	58. Forney	106. Mansfield	154. Temple
11. Bellmead	59. Fort Worth	107. McKinney	155. Terrell
12. Belton	60. Frisco	108. Mesquite	156. The Colony
13. Benbrook	61. Frost	109. Midland	157. Trophy Club
14. Beverly Hills	62. Gainesville	110. Midlothian	158. Tyler
15. Big Spring	63. Garland	111. Murchison	159. University Park
16. Breckenridge	64. Garrett	112. Murphy	160. Venus
17. Bridgeport	65. Glenn Heights	113. New Chapel Hill	161. Waco
18. Brownwood	66. Grand Prairie	114. North Richland Hills	162. Watauga
19. Buffalo	67. Granger	115. Northlake	163. Waxahachie
20. Burkburnett	68. Grapevine	116. O'Donnell	164. Westover Hills
21. Burleson	69. Gunter	117. Oak Leaf	165. Westworth Village
22. Caddo Mills	70. Haltom City	118. Oak Point	166. White Settlement
23. Cameron	71. Harker Heights	119. Odessa	167. Wichita Falls
24. Canton	72. Haslet	120. Ovilla	168. Willow Park
25. Carrollton	73. Henrietta	121. Palestine	169. Wilmer
26. Cedar Hill	74. Hewitt	122. Pantego	170. Woodway
27. Celina	75. Highland Park	123. Paris	171. Wylie
28. Centerville	76. Honey Grove	124. Parker	
29. Cleburne	77. Howe	125. Plano	
30. Coahoma	78. Hudson Oaks	126. Pottsboro	
31. Colleyville	79. Hurst	127. Prosper	
32. Collinsville	80. Hutchins	128. Ranger	
33. Colorado City	81. Hutto	129. Red Oak	
34. Comanche	82. Iowa Park	130. Rhome	
35. Commerce	83. Irving	131. Richardson	
36. Coppell	84. Jolly	132. Richland	
37. Copperas Cove	85. Josephine	133. Richland Hills	
38. Corinth	86. Justin	134. River Oaks	
39. Cross Roads	87. Kaufman	135. Roanoke	
40. Crowley	88. Keene	136. Robinson	
41. Dallas	89. Keller	137. Rockwall	
42. Dalworthington Gardens	90. Kemp	138. Rosser	
43. De Soto	91. Kennedale	139. Rowlett	
44. DeLeon	92. Kerens	140. Royse City	
45. Denison	93. Killeen	141. Sachse	
46. Duncanville	94. Krum	142. Saginaw	
47. Early	95. Lake Worth	143. Sansom Park	
48. Eastland	96. Lakeside	144. Seagoville	

# 2022 OCSC NEWSLETTER

Steering Committee of  
Cities Served by  
**Oncor**

## 2022 YEAR IN REVIEW ISSUE

This past year was an active one for the Steering Committee of Cities Served by Oncor. This Year in Review edition of the OCSC newsletter highlights significant 2022 events and looks ahead to 2023.

## OCSC Welcomes New 2022 Members

The Steering Committee of Cities Served by Oncor welcomed several new members to the coalition in 2022, including the cities of Seymour, Garrett, Lavon, Gunter and Hutchins. OCSC, an organization of more than 160 Texas cities with residents served by the Oncor transmission and distribution utility, represents consumer interests in ratemaking matters at the Public Utility Commission of Texas. Membership in this standing committee is determined by passage of a resolution by each governing body.

## Oncor Rate Case Update

On December 28, 2022, after several months of deliberation, the State Office of Administrative Hearing (SOAH) released its Proposal for Decision (PFD) in Oncor's ongoing rate case, PUC Docket No. 53601. Oncor initially filed its application to change rates with the Public Utility Commission of Texas on May 13, 2022, requesting an annual retail base rate revenue requirement of \$5.811 billion. Put differently, Oncor sought a \$251 million increase to its revenue requirement, which represents a 4.5 percent increase over its adjusted test-year revenues. If adopted, the requested revenue requirement would have increased residential rates by 11.2 percent.

OCSC played an active role throughout the case, with recommendations focused on striking an appropriate balance between consumer rates and Oncor's capital recovery. OCSC recommended that the PUC reduce Oncor's requested revenue requirement by \$525.7 million. If adopted, this reduction would result in a \$275 million reduction to Oncor's 2021 test-year revenue requirement.

SOAH agreed that Oncor's requested rates would unduly burden consumers. Accordingly, the PFD recommends that the PUC decrease Oncor's test-year revenue requirement by \$60.6 million.

To reach its conclusion, among other things, SOAH found that:

- Oncor's current capital structure of 57.5% long-term debt and 42.5% common equity is appropriate.
- Oncor's Return on Equity (ROE) should be 9.3% rather than Oncor's requested ROE of 10.30%.
- The PUC should not consider Oncor's mobile generation unit leasing costs, which accounted for \$3.1 million of Oncor's rate base, in Oncor's revenue requirement.
- A ten-year amortization period for all non-tax regulatory assets and liabilities, except the Intangible Amortization Over-Recovery Liability, is appropriate. The Intangible

Amortization Over-Recovery Liability should have a five-year amortization period.

The PFD also addresses substantive concerns raised by OCSC in hearing. For example, the PFD recommends that the PUC include language in Oncor's tariff that expressly grants city customers input in selecting street light alternatives.

The PFD, if adopted by the PUC commissioners,

would substantially lower Oncor's requested revenue requirement and, among other things, ensure that city customers have appropriate input in key decisions such as Oncor's streetlamp selections. To take effect, the PFD still must be adopted by the PUC Commissioners. The Commissioners should issue their decision soon, likely at the next PUC Open Meeting on January 12, 2023.

Find more information at the PUC website, under Docket No. 53601.

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## **Policymakers Consider Post-Winter Storm Uri Market Reforms**

In response to the statewide power outages from the previous year, the Public Utility Commission during 2022 continued its consideration of potentially far-reaching reforms for the ERCOT market.

Broadly referred to as "Phase II" reforms, the market modifications — if authorized — could lead to generation capacity additions but likewise add to consumer costs. Consideration of these Phase II changes followed the adoption of so-called "Phase I" changes in 2021. These previous changes included new weatherization requirements for power plants and modifications to existing operational rules at ERCOT.

On Nov. 10, the Public Utility Commission released an independent study from the San Francisco-based E3 consulting firm that outlined several Phase II reform options. These included a "Performance Credits Mechanism" model favored by PUC chair Peter Lake, and a separate "Forward Reliability Market" favored by the E3 consultants themselves.

However, both proposals as well as others in the E3 report drew pushback from key lawmakers during 2022. Some representatives of influential ERCOT stakeholder groups and the state's independent monitor of the ERCOT market also panned the E3 analysis during Nov. 17 and Dec. 5 legislative hearings.

### **Reform Options**

The Forward Reliability Market (recommended by the E3 consultants) and the Performance Credits Mechanism (favored by PUC Chair Lake) share various operational similarities and would impact consumers in similar ways. For example, both would add approximately \$460 million per year to energy costs, according to the E3 report. Both also appear similar to "capacity market" concepts historically rejected in Texas.

More specifically, the Forward Reliability Market ("FRM") design recommended by the E3 consultants would establish a reliability standard within ERCOT — that is, a level of targeted capacity reserves based on calculated outage risks — and then a corresponding quantity of reliability credits would be created to fulfill that standard. Market participants would acquire these reliability credits through a mandatory, centrally cleared forward market administered by ERCOT.

By contrast, PUC Chair Lake's favored Performance Credits Mechanism ("PCM") design would establish a reliability standard along with a corresponding quantity of performance credits. The performance credits would be purchased by load-serving entities, and the value of the credits would go to generation resources based on their availability during high-risk hours. The overall value of the credits would be determined by an administratively set demand curve. In addition, the PCM design allows for load-serving entities and generators to trade Performance Credits during the year, through a voluntary market.

Other market designs examined by E3 include the state's status quo Energy Only design, a Load Serving Entity Reliability Obligation design, a Backstop Reliability Service design, a Dispatchable Energy Credits design, and a hybrid of the Backstop Reliability Service and Dispatchable Energy Credits designs.

## Legislative Concerns

These market reform efforts pursued by the PUC and the E3 report took center stage during a pair of legislative committee meetings — a Nov. 17 meeting of the Senate Business and Commerce Committee, and a Dec. 5 meeting of the House State Affairs committee. The E3 consultants themselves did not appear at either meeting — an absence described as “bad form” by one of the lawmakers.

Of the two committee meetings, it was that of Senate Business and Commerce in which lawmakers expressed the most skepticism about the report’s findings. For instance, Sen. Charles Schwertner, chair of the Senate Business and Commerce Committee, questioned whether any of the plans would guarantee the construction of new thermal generation. In addition, all nine Senate committee members signed onto a critical Dec. 1 letter addressed to the PUC. The lawmakers wrote in it that none of the proposals so far under consideration adhered to the goals set forth in Senate Bill 3, which was omnibus energy reform legislation adopted in 2021. “It is not in the best interest of our constituents to support any proposal that further delays investments in new dispatchable generation, and the Commission should carefully consider the unintended consequences of any type of proposal that creates more uncertainty for market participants,” the lawmakers wrote.

PUC Chair Lake defended the E3 report during both legislative hearings and said that three of the agency’s five commissioners have expressed qualified support for the PCM option. According to Lake, the extra consumer costs associated with that option are worthwhile because of its reliability benefits. He said that if it turned out more reliability was unneeded, then the extra costs would be inconsequential. “Anything short of a comprehensive reliability standard and reliability service like the PCM is just a band-aid,” Lake told members of the State Affairs Committee.

Lake said the PUC would adopt one of the planned options during the commissioners’ January 12 meeting, but not authorize implementation until after they receive input from the Texas Legislature during the upcoming session that convenes on January 10.

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## 2022 Interim Filings

In addition to the ongoing general rate, Oncor also submitted interim rate requests during 2022.

### Energy Efficiency Cost Recovery Factor Order

On May 31, Oncor filed an application with the PUC to adjust its Energy Efficiency Cost Recovery Factor to recover \$83,058,209 in program costs incurred during 2023. This included the energy-efficiency costs of \$51,665,637, a net under recovery of \$2,603,394 for 2021 program costs and other expenses. Under an agreement with OCSC and other parties, Oncor will reduce its recovery by \$200,000, for a total of \$82,858,209. The resulting EECRF charge for residential consumers amounts to \$.001028 per kilowatt hour, or approximately \$1.34 cents for a customer consuming

1,300 kilowatt hours of electricity per month. The PUC adopted the order on September 15, 2022. More information can be found in PUC Docket No. 53671.

### Transmission Cost of Service Order

On January 26, 2022, Oncor filed an application seeking an interim update of its previously approved transmission cost of service and wholesale transmission rate. On March 31, an approval was granted adjusting Oncor’s annual revenue on an interim basis to \$1,247,772,772 and adjusting its wholesale transmission rate to \$17,212.955892 per megawatt.

Find more information at the PUC website, under Docket No. 53145.

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## Oncor Distribution Spending and Reliability Update

Even while nearly tripling its spending in gross capital additions to its distribution systems over the years, Oncor’s service reliability decreased, according to the seventh annual “Electric Distribution System spending and Reliability Report” released Sept. 7 by the Texas Public Utility Commission.

An annual report that tracks reliability and reliability-related spending trends, the latest iteration covers the ten-year period from 2012-2021 and included findings for Oncor, as well as other major Texas utilities such as CenterPoint, AEP Texas, El Paso Electric Company, Entergy Texas, Southwestern Electric Power Company, Southwestern Public Service Company, and Texas-New Mexico Power Company.



Under the report, the frequency of outages is benchmarked through a “System Average Interruption Frequency Index,” or “SAIFI.” The report likewise employs the “System Average Interruption Duration Index” or “SAIDI,” to rank Texas distribution utilities by average interruption time on a per-customer basis. All else equal, a lower SAIDI represents better reliability.

Both SAIDI and SAIFI calculations in the report do not account for momentary service interruptions. Further, the report specifically does not mention Winter Storm Uri, although presumably the devastating February 2021 storm contributed to the exponential increases in SAIFI and SAIDI observed from 2020 to 2021.

Report highlights pertaining to Oncor include:

- From 2012 to 2021, Oncor’s distribution gross capital additions per customer nearly tripled, from about \$120 per customer to \$300 per customer.
- Oncor’s major event SAIFI value increased from .5 interruptions per customer in 2020 to 1.20 interruptions per customer in 2021. Major event interruptions from 2012 to 2021 ranged from about .5 interruptions to 1.20 interruptions depending on the year.
- Oncor’s major events SAIDI value increased from ninety interruptions per customer in 2020 to about five hundred interruptions per customer in 2021. Prior to this peak, there was one other peak (though not nearly as high) in 2019 due to Hurricane Harvey.

The report can be found on the PUC website, under Docket No. 46735.

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## Oncor Financial Results

Oncor Electric has reported net income of \$318 million during the three months ending September 30, as compared to net income of \$258 million for the same period in 2021, according to the most recent financial report the Texas electric utility released to investors.

The company attributed the \$60 million quarter-over-quarter increase to higher weather-related consumption, increases in customer growth, increases to transmission and distribution rates, and performance bonus revenue from its energy efficiency efforts. Those gains were partially offset by increases in operation and maintenance expenses and taxes.

The quarterly financial information was released Nov. 3 and coincided with a call with financial analysts by California-based Sempra Energy, Oncor’s majority owner. Oncor is based in Dallas and operates the state’s largest electric transmission and distribution utility.

Oncor also reported an increase of 9.2 percent in distribution base revenues for the recent quarter (or 2.3 percent on a weather normalized basis), as compared to the same quarter in 2021. Contributing to this increase was a 12.6 percent increase in distribution base revenues from residential customers.

The company noted that its service territory continues growing at one of the nation’s fastest rates, and that this dramatic growth has allowed it to increase revenues while simultaneously developing new infrastructure projects. Indicative of that growth is the

approximately 14,000 new premises Oncor connected to the ERCOT grid during the third quarter of 2022, an increase of about 7.7 percent as compared to the third quarter of 2021.

Oncor likewise reported 565 active transmission point-of-interconnection requests in queue as of Sept. 30, which is a 52 percent increase from Sept. 30, 2021. Of those active requests, approximately 52 percent are for solar generators, 35 percent for energy storage, 10 percent for wind generators and three percent for gas, according to the company.

In addition, Oncor reported the construction or upgrade of approximately three hundred miles of power lines and the completion of two major substations during the third quarter of 2022. It also placed \$80 million of transmission projects into service.

In total, the company reported capital expenditures totaling \$2.2 billion during the nine months ending Sept. 30, and it reports that it remains on track to meet its \$3 billion capital plan for 2022. However, financial uncertainties associated with high inflation and a pending rate case prompted the board to put off adoption of its 2023 capital expenditure budget until a later board meeting. It likewise delayed any announcement pertaining to a new five-year capital plan, and instead said it will reveal those details at the end of the first quarter of 2023.



# Lawmakers File Energy-Related Bills in Preparation for 88th Regular Session

During the most recent Regular Session of the Texas Legislature — the 87th in 2021 — lawmakers filed approximately four hundred energy-related bills, which is far more than the typical number of such bills. This aggressive filing of energy-related bills largely can be attributed to public outcry over the 2021 winter storm power outages. Given that Texas so far has not suffered a repeat grid crisis, do not expect the number of such bills filed during the 88th session to match those of the 87th session. However, both ERCOT and the Public Utility Commission will be subject to the Sunset Review process during the upcoming session and so legislative interest in both organizations will be keen. The 88th session convenes on Jan. 10.

## Bills of interest

This year's bill filing deadline is on March 10. Some of the energy-related bills we have seen so far relate to wind and solar power, electric vehicles, energy efficiency and the use of natural gas appliances. Here is a sample:

- House Bill 564, by Rep. Ron Reynolds, would require the Texas Facilities Commission, in collaboration with the Department of Information Resources, to conduct a study on the potential use by state agencies of energy efficient and energy-saving information technology.
- House Bill 763, by Rep. Christina Morales, requires the PUC to study the impact of additional interconnections between the ERCOT grid, Mexico and other jurisdictions. This is refiled legislation from 2021.
- House Bill 795, by Rep. Ed Thompson, would require nursing homes to maintain an emergency generator or comparable power source that can operate for at least 72 hours during a power outage.
- House Bill 820, by Rep. Ken King, would impose an additional registration fee of \$200 for electric vehicles and \$100 for hybrid vehicles. Most proceeds would go to State Highway Fund, but 10 percent would go to an "electric battery disposal account" to reimburse costs incurred by the state or its political subdivisions for disposing of electric car batteries.
- Senate Bill 330, by Bob Hall, would create the Texas Electric Grid Security Commission that would be charged with evaluating the vulnerabilities to the grid and critical infrastructure and developing standards that will mitigate these threats.
- Senate Bill 114, by Jose Menendez, stipulates that electric customers are entitled to participate in demand response programs through their retail electric providers and must receive notice when ERCOT issues an emergency energy alert about low operating reserves to generators, planned outages, and the length of time the outages are expected to last.
- Senate Bill 258, by Sen. Sarah Eckhardt, would enhance energy efficiency goals for electric utilities.
- House Bill 697, by Rep. Justin Holland, would require home sellers to reveal the sort of gas piping installed at their residence and particularly whether black iron pipes, corrugated, copper or stainless steel. The disclosure holds importance for customer safety given that older black iron pipes have been associated with various fatal accidents.
- House Bill 743, by Rep. Jay Dean, prohibits cities and counties 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, who have seen a move away from the use of gas appliances nationwide for environmental reasons.

### 2023 OCSC Meetings

March 9 — in person and Zoom

June 8 — Zoom only

September 7 — in person and Zoom

December 7 — Zoom only

### OCSC Officers

Paige Mims — Chair

Don Knight — Vice Chair

Lupe Orozco — Secretary

David Johnson — Treasurer



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

**Thomas L. Brocato**  
Attorney

Direct : (512) 322-5857  
Email: [tbrocato@lglawfirm.com](mailto:tbrocato@lglawfirm.com)



**Agenda Commentary**  
**Meeting Date: January 26, 2023**

Department: Administration

Contact: Amanda DeGan, City Administrator

**Agenda Item: Approval/action adding Juneteenth to the City of Rhode's Observed Holiday Schedule**

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

**Summary:**

- Rhode has a personnel handbook that outlines the national holidays when city offices will be closed in observance of the day.
- Juneteenth was signed into law as a federal holiday in 2021 and is the 11<sup>th</sup> federal holiday in the United States.
- The day is set aside to commemorate the end of slavery in the US that was declared on June 19, 1865 in Galveston, TX.
- Juneteenth is the only day not listed in the approved federal holiday schedule for the City.

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: ☐

**Details / Recommendation:** Staff recommends approval as this will allow us to more closely align with the Federal/Bank Holiday schedule for the United States.



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Mailing Address: PO Box 228

Rhode, Texas 76078

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

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# AGENDA ITEM 1



**Agenda Commentary**  
**Meeting Date: January 26, 2023**

Department: Police

Contact: Chief Eric Debus

**Agenda Item: Compensating Reserve Officers**

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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 checked="" type="checkbox"/> Other

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**Summary:**

- Police Reserve Officers complete the same training as full-time paid officers.
- Reserve officers are expected to conduct their patrols, and general law enforcement duties, to the same high standards as full-time paid officers.
- Under our current general order, reserve officers are not compensated for their contribution to our city.
- Local Government Code 141.007 allows for reserve officer compensation.
- Compensation would be comparable to that provided to volunteer firefighters.
- Current overtime budget will fund this expenditure.

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Funding Expected:	<input type="checkbox"/> Revenue	<input checked="" type="checkbox"/> Expenditure	<input type="checkbox"/> N/A
Budgeted Item:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
GL Account:	Amount: <input type="checkbox"/> N/A		
Legal Review Required:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Date Completed: <u>01/11/2023</u>
Engineering Review:	<input type="checkbox"/> FD Review:	<input type="checkbox"/> PD Review:	<input type="checkbox"/> PW Review:

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**Details / Recommendation:** Chief Debus is asking the council to approve a new General Order that allows for modest compensation for our reserve officers. Currently, the option does not exist within our organization for the police reserve staff members to receive a stipend when the work on behalf of the community. Approving this option, would provide for consistency between our police and fire volunteers and Staff does not anticipate any budget adjustments, as the funds would be used from the current overtime budget for the department.

The proposed compensation would be based on two-hour increments and capped at a total of 12 consecutive hours:

Two Hours - \$25.00      Four Hours - \$50.00      Six Hours - \$75.00

Eight Hours - \$100.00      Ten Hours - \$125.00      Twelve Hours - \$150.00

*Attachment(s): Rhome Police Department General Order 4.8*

	<b>RHOME POLICE DEPARTMENT</b>	
	<b>Policy 4.8 Reserve Officer Program</b>	
	<b>Effective Date: 02/01/2023</b>	<b>Replaces: All previous versions</b>
	<b>Chief of Police Eric Debus</b>	
	<b>Reference: TBP 3.07 and 7.27</b>	

## I. POLICY

It is the policy of the Rhome Police Department to maintain the highest standards of professional law enforcement services. Volunteers for Reserve Police Officers must meet the same standards as other members of the organization. Reserve Police Officers should fulfill two primary functions. First, Reserve Officers serve as auxiliary manpower in situations as needed and second, they provide an additional interactive link between the community and the Police Department. Reserve Officers are subject to all the applicable Rules & Regulations that govern regular sworn personnel.

## II. PURPOSE

The purpose of this Order is to establish the Police Reserve Unit, and outline its objectives, responsibilities, and operation.

## III. RESERVE PROGRAM (TBP: 7.27)

### A. Requirements and Certification

1. Requirements for age, education, and experience are the same as that for regular sworn personnel.
2. Applicants must meet all minimum requirements set forth by the Texas Commission on Law Enforcement (TCOLE).
3. The selection process for Reserve Officer applicants are the same as regular officers outlined in Policy 4.1 and 4.2.

### B. Certification and Reserve Officer Levels

1. Probationary Reserve Officer - applies to Active Reserve Police Officers who have obtained required Basic Peace Officer License but has not completed field training.

2. Reserve Officer - applies to Active Reserve Officers who have successfully completed Basic Peace Officer Certification, completed field training, and hold a Basic Peace Office license.
  - a. Reserve Officers will be assigned their duties on the Reserve schedule by the Patrol Sergeant.
  - b. Reserve Officers shall report to the supervisor or ranking officer for assignment duties and/or training.
  - c. The on-duty Patrol Supervisor may, at his/her discretion, reassign the officer when personnel are required to assist in other areas.
3. Inactive Reserve Status - applies to Reserve Police Officers who are no longer able to serve at the minimum required level. Inactive status may be temporary or permanent at the discretion of the Chief of Police.

#### C. Training and Performance Standards

1. Reserve Police Officers serve at the discretion of the Chief of Police and may be called into service at any time the Chief of Police or his designate considers it necessary to have additional officers.
2. Reserve Police Officers shall be considered in an "on duty" capacity when:
  - a. Performing "assigned duty",
  - b. Representing or identifying himself/herself as a Peace Officer for the purpose of taking enforcement action or discharging legal duties.
3. All Reserve Police Officers must serve a minimum of 16 hours of duty per calendar month. Officers who are unable to meet this requirement must submit a written request through the chain of command to the Chief of Police for an approved leave of absence.
4. Depending on the level of training and experience, Reserve Officers may perform the same duties as other full-time sworn personnel or be assigned to work with a regular officer.
5. All Reserve Police Officers are subject to the same rules, regulations, and orders as regular sworn personnel.
6. All Reserve Police Officers must successfully complete the Basic Peace Officer Course required by TCOLE and obtain their license as a Peace Officer.
7. All active Reserve Police Officers must successfully complete the Police Training Officer Program under the supervision and evaluation of a departmentally approved Field Training Officer. Upon the successful

completion of training, Reserve Officers will assume duties as designated by the Patrol Sergeant.

8. For training and evaluation purposes, all Active Reserve Officers will work one tour of duty with a Field Training Officer within the first six months of each calendar year.
9. All Reserve Officers will be required to attend periodic department In-Service training to complete:
  - a. The same training as required of regular sworn officers including courses mandated by TCOLE for certification requirements; and (TBP: 3.07)
  - b. Departmentally required qualifications on firearms and baton and any other equipment deemed necessary.
10. Reserve Officers are not authorized to work off duty outside the city limits of Rhome.

#### D. Chain-of-Command and Operations

1. The Reserve Unit functions as a unit of Patrol and reports to the Sergeant. The Patrol Sergeant may designate a Patrol Officer to serve as a Reserve liaison to monitor Reserve activities.

#### E. Organizational Function

1. The primary function of Reserve Police Officers will be to supplement Patrol Operations personnel.
2. Additionally, Reserve Officers will be on call for assistance in emergency situations such as disasters, riots, etc. and to provide additional manpower for special enforcement assignments.
3. All Reserve Police Officer assignments will be coordinated through the office of the Sergeant.
4. Reserve Officers may, at the discretion of the Chief of Police, be assigned to other functions within the department depending on the skills and experience of the individual.

#### F. Compensation

1. State of Texas Local Government Code 141.007  
*Police Reserve Force. The governing body of a municipality may provide for the uniform compensation of members of the municipal police reserve*

*force. If a member of the reserve force is compensated, the compensation must be based only on the time served by the member in training for, or in the performance of, official duties. Members of the reserve force may serve without compensation.*

2. Reserve Officers will be compensated for their service when working patrol, special events, or when attending department approved training.
3. Compensation will be based on two-hour increments:

Two Hours - \$25.00  
Four Hours - \$50.00  
Six Hours - \$75.00  
Eight Hours - \$100.00  
Ten Hours - \$125.00  
Twelve Hours - \$150.00

A maximum of twelve consecutive hours will be worked by a reserve officer.





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## AGENDA ITEM 2



**Agenda Commentary**  
**Meeting Date: January 26, 2023**

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Department: Administration

Contact: Amanda DeGan, City Administrator

**Agenda Item: Discussion and any Necessary Action Concerning Short Term Rentals in the City**

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

---

**Summary:**

- Short term rentals have been an area of concern for cities in recent years.
- Staff are asking for Council direction on pursuing a ban on short term rentals within the city limits
- The DRAFT ordinance is for discussion purposes only and not for passage at this meeting.

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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: ☐

---

**Details / Recommendation:**

This topic is being brought forward for discussion purposes only to determine if the governing board would like to pursue any regulation on short term rentals within the city limits. Discussion will ensue and direction given to Staff on the issue.

**Attachments:**

DRAFT - Ordinance

ORDINANCE NO. 2023-XXX

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RHOME, TEXAS ADOPTING A NEW ARTICLE VI TO CHAPTER 14 OF THE CODE OF ORDINANCES REGARDING SINGLE-FAMILY DWELLING TRANSIENT RENTALS; REPEALING CONFLICTING ORDINANCES; PROVIDING A PENALTY; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Rhome is authorized to adopt and enforce ordinances necessary to protect health, life, and property to preserve good government and the security of its inhabitants; and,

**WHEREAS**, the City of Rhome has adopted a comprehensive Zoning Ordinance to regulate the location and use of buildings and land in full accordance with Chapter 211 of the Local Government Code; and,

**WHEREAS**, single-family dwelling transient rentals are not currently listed as a permitted use in any Zoning District within the City; and,

**WHEREAS**, there has been a proliferation of single-family dwelling transient rentals within residential areas of the City; and,

**WHEREAS**, single-family dwelling transient rentals do not fit in or fall under the definition of single-family attached dwelling or single-family detached dwelling under the Zoning Ordinance; and,

**WHEREAS**, single-family dwelling transient rentals are not consistent with the character or nature of single-family residential uses under the Zoning Ordinance; and,

**WHEREAS**, single-family dwelling transient rentals are not suitable in residential neighborhoods, are not compatible with residential uses, and the neighborhood adjacency of single-family dwelling transient rentals in residential neighborhoods is harmful; and,

**WHEREAS**, in the absence of being listed as a permitted use in any Zoning District, single-family dwelling transient rentals are prohibited under the City's Zoning Ordinance; and,

**WHEREAS**, single-family dwelling transient rentals in the City of Rhome, with their attendant traffic, parking, noise, litter, and the influx of non-residents into residential areas is incompatible with the intent of residential districts in the City and the desires and expectations of the City's residents and is contrary to the long-standing character of the community; and,

**WHEREAS**, single-family dwelling transient rentals in residential areas of the City pose a risk of increased public nuisances, disruption of neighborhoods, and additional enforcement related issues; and,

**WHEREAS**, the City of Rhome City Council has determined that it is a necessity to regulate activities as provided for herein to safeguard the public; and,

**WHEREAS**, the City of Rhome is authorized by law to adopt the provisions contained herein; and

**WHEREAS**, the City Council of the City of Rhome deems the passage of this ordinance as necessary to protect the public, health, safety, and welfare; and

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

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

**Section 2.** That a new Article VI to Chapter 14 is hereby adopted and added to the Code of Ordinances as follows:

**ARTICLE VI. SINGLE-FAMILY DWELLING TRANSIENT RENTALS**

**14-150 - Definitions**

*Single-family dwelling transient rental* - The rental or offer for rental of any dwelling or any portion of a dwelling for a period of less than 30 days.

*Rental* - The renting, bartering, trading, letting or otherwise allowing the use of a dwelling or room or rooms within a dwelling for compensation. This shall not restrict, limit or interfere with any homeowner from participating in a leaseback upon the sale of a dwelling.

*Leaseback* - An arrangement where the seller of a home leases the home back from the purchaser. In a leaseback arrangement, the specifics of the arrangements are typically made prior or immediately after the sale of the home.

**14-151 - Single-family Dwelling Transient Rentals Prohibited**

All single-family dwelling transient rentals are hereby prohibited and unlawful within the City of Rhome.

**Section 3.** That City staff is hereby directed to proceed with a notice and enforcement initiative as to single-family dwelling transient rentals.

**Section 4.** That all ordinances or any parts thereof in conflict with the terms of this ordinance shall be and hereby are deemed repealed and of no force or effect; provided, however, that the ordinance or ordinances under which the cases currently filed and pending in the Municipal Court of the City of Rhome, Texas shall be deemed repealed only when all such cases filed and pending under such ordinance or ordinances have been disposed of by a final conviction or a finding of not guilty, nolo contendere, or dismissal.

**Section 5.** Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed two thousand dollars (\$2,000.00) and a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

**Section 6.** If any section, article, paragraph, sentence, clause, phrase or word in this ordinance, or application thereto any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance; and the City Council hereby declares it would have passed such remaining portions of the ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

**Section 7.** The fact that the present ordinances and regulations of the City of Rhome, Texas are inadequate to properly safeguard the health, safety, morals, peace and general welfare of the public creates an emergency which requires that this ordinance become effective from and after the date of its passage, and it is accordingly so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF RHOME, TEXAS on this the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**NEED TO ADD CLOSING SIGNATURE PAGE.**



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## AGENDA ITEM 3



**Agenda Commentary**  
**Meeting Date: January 26, 2023**

Department: Administration

Contact: Amanda DeGan, City Administrator

**Agenda Item: Discussion/Action relative to temporary paid time off for severe illness (i.e., COVID, or flu) through December 31, 2023**

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

**Summary:**

- Severe illness has continued to spread and be passed from person to person during the past several months, including COVID-19, flu, and RSV.
- Currently, Staff receive a single bank of paid time off for use during each fiscal year, which is to be used for both vacation and sick leave.
- The Governor has just extended his COVID proclamation for Texas stating that “the novel coronavirus (COVID-19) poses an imminent threat of disaster for all counties in Texas”.

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: ☐

**Details / Recommendation:**

In recent conversations with the local city manager/administrators for Wise County, the topic has been brought up relative to severe illness time off for staff who have a confirmed doctor diagnosis of COVID, flu, pneumonia, or RSV. Currently, Staff in Rhome have a combined bank of vacation/sick leave for all paid time off and have used their allocated time for as much as 80 hours when hospitalized or become ill.

Staff would like to discuss the option to allow for up to five (5) paid days off each six (6) months for severe illness through December 31, 2023. This plan would be monitored by the City Administrator and Council could be updated on the use of the time each quarter. With the continued viral spread of illnesses this year, it is our belief that this temporary option would help us minimize illness among the City staff members by allowing them to remain at home when a serious illness occurs. This bank of time would not be eligible for use as vacation leave nor would it carry over into the next calendar year.







GOVERNOR GREG ABBOTT

January 15, 2023

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
2pm O'CLOCK

JAN 15 2023

The Honorable Jane Nelson  
Secretary of State  
State Capitol Room 1E.8  
Austin, Texas 78701

  
Secretary of State

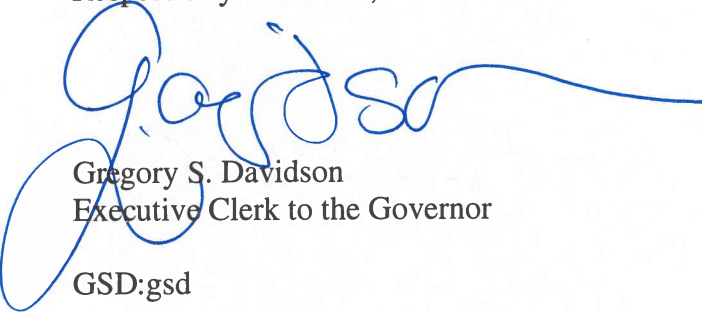
Dear Secretary Nelson:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

A proclamation renewing the declaration stating that the novel coronavirus (COVID-19) poses an imminent threat of disaster for all counties in Texas.

The original proclamation is attached to this letter of transmittal.

Respectfully submitted,

  
Gregory S. Davidson  
Executive Clerk to the Governor  
GSD:gsd

Attachment

# PROCLAMATION

BY THE

## Governor of the State of Texas

---

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on March 13, 2020, certifying under Section 418.014 of the Texas Government Code that COVID-19 poses an imminent threat of disaster for all counties in the State of Texas; and

WHEREAS, in each subsequent month effective through today, I have issued proclamations renewing the disaster declaration for all Texas counties; and

WHEREAS, pursuant to the Texas Disaster Act of 1975, I have issued a series of executive orders and suspensions of Texas laws aimed at protecting the health and safety of Texans, ensuring uniformity throughout the State, and achieving the least restrictive means of combatting the evolving threat posed by COVID-19; and

WHEREAS, Executive Orders GA-13, GA-37, GA-38, GA-39, and GA-40 remain in effect with “the force and effect of law” under Section 418.012 of the Texas Government Code; and

WHEREAS, ending the disaster declaration would terminate the executive orders that protect Texans’ freedom by suspending the power of local governments to require masks, compel vaccinations, and close businesses; and

WHEREAS, I intend to keep these executive orders and suspensions in place until the Legislature can enact laws this session to prohibit local governments from imposing restrictions like mask mandates and vaccine mandates; and

WHEREAS, renewing the disaster declaration in no way infringes on the rights or liberties of any law-abiding Texans; and

WHEREAS, under the Texas Disaster Act of 1975, a state of disaster continues to exist in all counties during Texas’ successful economic recovery from COVID-19;

NOW, THEREFORE, in accordance with the authority vested in me by Section 418.014 of the Texas Government Code, I do hereby renew the disaster proclamation for all counties in Texas.

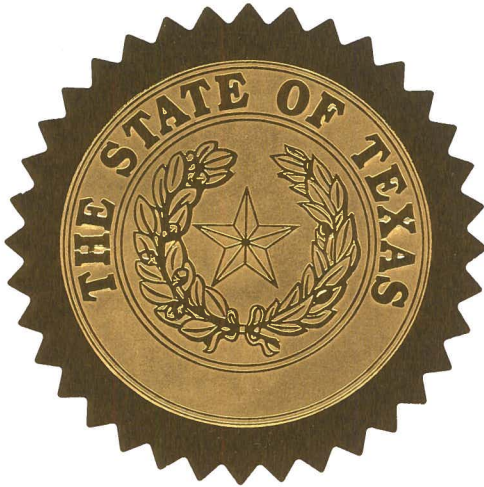
Pursuant to Section 418.017, I authorize the use of all available resources of state government and of political subdivisions that are reasonably necessary to cope with this disaster.

Under the terms of Executive Orders GA-38, GA-39, and GA-40, all of which remain in effect by virtue of this renewal, local governments are divested of any lawful authority to subject Texans to mask mandates, vaccine mandates, or business-closure mandates. As a matter of state law, COVID-19 cannot justify those local intrusions upon personal liberty.

Pursuant to Section 418.016, any regulatory statute prescribing the procedures for conduct of state business or any order or rule of a state agency that would in any way prevent, hinder, or delay necessary action in coping with this disaster shall be suspended upon written approval of the Office of the Governor. However, to the extent that the enforcement of any state statute or administrative rule regarding contracting or procurement would impede any state agency’s emergency response that is necessary to cope with this declared disaster, I hereby suspend such statutes and rules for the duration of this declared disaster for that limited purpose.

FILED - OFFICE OF THE  
SECRETARY OF STATE  
2 PM  
JAN 15 2023

In accordance with the statutory requirements, copies of this proclamation shall be filed with the applicable authorities.



IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 15th day of January, 2023.

A handwritten signature in black ink that reads "Greg Abbott".

---

GREG ABBOTT  
Governor

ATTESTED BY:

A handwritten signature in black ink that reads "Jane Nelson".

---

JANE NELSON  
Secretary of State

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
2 PM O'CLOCK

JAN 15 2023



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# AGENDA ITEM 4



**Agenda Commentary**  
**Meeting Date: January 26, 2023**

Department: Administration

Contact: Amanda DeGan, City Administrator

**Agenda Item: Community Engagement Options to Increase Information to Stakeholders**

---

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

---

**Summary:**

- Council asked Staff to gather further information on the costs associated with Constant Contact.
- The system would be used to publish electronic newsletters and other forms of media to communicate with our stakeholders.

---

Funding Expected: ☐ Revenue ☒ Expenditure ☐ N/A

Budgeted Item: ☐ Yes ☒ No ☐ N/A

GL Account: \_\_\_\_\_ Amount: To be determined

Legal Review Required: ☐ Yes ☐ No Date Completed: \_\_\_\_\_

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

---

**Details / Recommendation:**

At the previous Council Meeting, Staff was given direction to obtain a firm price for the use of Constant Contact to help us better communicate with our stakeholders. Constant Contact is used by a large number of municipalities in the State and is an effective tool to engage, inform, and share information. Staff will present the associated cost at the meeting.



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# AGENDA ITEM 5



**Agenda Commentary**  
**Meeting Date: January 26, 2023**

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Department: Administration

Contact: Amanda DeGan, City Administrator

**Agenda Item: Legislative Update Regarding the 88<sup>th</sup> Session of the State of Texas**

---

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

---

**Summary:**

- As we move into the next Legislative Session, Staff will bring periodic updates on items that may impact our community.
- Staff met with the surrounding City Manager's to discuss the session.

---

Funding Expected: ☐ Revenue ☐ Expenditure ☒ N/A

Budgeted Item: ☐ Yes ☐ No ☒ N/A

GL Account: \_\_\_\_\_ Amount: To be determined

Legal Review Required: ☐ Yes ☐ No Date Completed: \_\_\_\_\_

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

---

**Details / Recommendation:**

A verbal update will be provided during the Council meeting regarding the Wise County days in Austin and any items of interest to Rhome regarding this Legislative Session.



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# AGENDA ITEM 6