



CITY COUNCIL AGENDA

Monday, June 06, 2022 at 6:00 PM

City Hall – Council Chambers, 200 North Fifth, Crockett, TX 75835

Dr. Ianthia Fisher, Mayor

Gene Caldwell, Council Member
Darrell Jones, Council Member
Ernest Jackson, Council Member
Marquita Beasley, Council Member
Mike Marsh, Mayor Pro Tem

John Angerstein, City Administrator
Mitzi Stefka, City Secretary
William Pemberton, City Attorney
Clayton Smith, Police Chief
Jason Frizzell, Fire Chief

Notice is hereby given of a meeting of the City Council of Crockett to be held on **MONDAY, JUNE 6, 2022 at 6:00 PM** at City Hall – Council Chambers, 200 North Fifth, Crockett, Texas, for the purpose of considering the following agenda items. All agenda items are subject to action.

OPEN MEETING WITH INVOCATION AND PLEDGE

RECOGNITION OF VISITORS

COMMENTS FROM AUDIENCE OR COUNCIL *(At this time, anyone will be allowed to speak on City related matters only; no personal matters or matters under litigation will be allowed. The length of time may not exceed three (3) minutes. NO Council discussion or action may take place on a matter until such matter has been placed on an agenda and posted in accordance with law.)*

APPROVAL OF MINUTES

1. REGULAR MEETING: MAY 16, 2022 AND SPECIAL MEETING: MAY 19, 2022

REPORTS

2. CITY ADMINISTRATOR'S REPORT

BUSINESS

3. CONSIDER AND APPROVE A RESOLUTION BY THE CITY OF CROCKETT ("CITY") SUSPENDING ONCOR ELECTRIC DELIVERY COMPANY LLC'S PROPOSED EFFECTIVE DATE OF JUNE 17, 2022, FOR NINETY DAYS IN CONNECTION WITH ONCOR'S STATEMENT OF INTENT TO INCREASE RATES FILED ON OR ABOUT MAY 13, 2022; REQUIRING THE REIMBURSEMENT OF MUNICIPAL RATE CASE EXPENSES; AUTHORIZING PARTICIPATION IN THE COALITION OF SIMILARLY SITUATED CITIES; AUTHORIZING INTERVENTION AND PARTICIPATION IN RELATED RATE PROCEEDINGS; AUTHORIZING THE RETENTION OF SPECIAL COUNSEL; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE
4. CONSIDER AND APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CROCKETT, SELECTING AN ENGINEERING/ARCHITECT FIRM IN CONJUNCTION WITH THE SUBMITTAL OF AN APPLICATION FOR FUNDING THROUGH THE TEXAS DEPARTMENT OF AGRICULTURE (TDA) FOR THE TEXAS COMMUNITY BLOCK GRANT PROGRAM – DOWNTOWN REVITALIZATION PROGRAM FUND (CDBG-DRP)
5. CONSIDER AND APPROVE SUBMITTED CHECK PROCESSING PROCEDURE FROM THE CROCKETT ECONOMIC AND INDUSTRIAL DEVELOPMENT CORPORATION
6. CONSIDER AND APPROVE APPOINTMENT OF BOARD MEMBER/S AND OR EX-OFFICIO MEMBER/S TO CROCKETT ECONOMIC & INDUSTRIAL DEVELOPMENT CORPORATION

ADJOURNMENT

In compliance with the Americans with Disabilities Act, the City of Crockett will provide for reasonable accommodations for persons attending City Council meetings. To better serve you, requests should be received 24 hours prior to the meetings. Please contact Mitzi Stefka, City Secretary, at 936-544-5156.

CERTIFICATION

I certify that a copy of the June 6, 2022 agenda of items to be considered by the Crockett City Council was posted for viewing at Crockett City Hall on June 2, 2022 at 4:00 PM.

Mitzi Stefka, City Secretary

I certify that the agenda items to be considered by the City Council was removed from the City Hall window on the ____ day of _____, 2022. _____ Title _____

MINUTES OF THE CROCKETT CITY COUNCIL MEETING HELD ON THE 16th DAY OF MAY 2022 IN THE CITY HALL COUNCIL CHAMBERS, LOCATED AT 200 NORTH FIFTH IN THE CITY OF CROCKETT, HOUSTON COUNTY TEXAS AT 6:00 P.M.

THE COUNCIL MET IN REGULAR SESSION WITH THE FOLLOWING MEMBERS PRESENT: MARQUITA BEASLEY & MIKE MARSH. CITY OFFICIALS PRESENT: CITY ADMINISTRATOR JOHN ANGERSTEIN, CITY SECRETARY MITZI STEFKA, POLICE CHIEF CLAYTON SMITH AND FIRE CHIEF JASON FRIZZELL. IANTHIA FISHER, GENE CALDWELL, ERNEST JACKSON AND DARRELL JONES NOT PRESENT.

OPEN MEETING WITH INVOCATION AND PLEDGE

Mayor Pro Tem Marsh called the session open and announced that due to no quorum they would only canvass the election returns. Mr. Angerstein gave the invocation and all joined in the pledge.

RECOGNITION OF VISITORS

COMMENTS FROM AUDIENCE OR COUNCIL *(At this time, anyone will be allowed to speak on City related matters only; no personnel matters or matters under litigation will be allowed. The length of time may not exceed three minutes. NO Council discussion or action may take place on a matter until such matter has been placed on an agenda and posted in accordance with law.)*

1. APPROVAL OF MINUTES: REGULAR MEETING: MAY 2, 2022
2. CANVASS ELECTION RETURNS

Mayor Pro Tem Marsh and Council member Beasley canvassed the election returns from Early Voting and the May 7, 2022 General Election. After review, a motion was made by Mayor Pro Tem Marsh to approve the canvass of the votes as follows:

	<u>EARLY VOTES</u>	<u>MAIL BALLOTS</u>	<u>ELECTION DAY</u>	<u>TOTAL</u>
FOR PRECINCT THREE - CITY COUNCIL				
Ernest Jackson	UNOPPOSED			
FOR PRECINCT FOUR - CITY COUNCIL				
Marquita Beasley	UNOPPOSED			
FOR PRECINCT FIVE – CITY COUNCIL				
Mike Marsh	46	6	39	91
Lynda Warfield	27	5	54	86

Council member Beasley seconded the motion. Motion passes 2-0.

3. ADMINISTER OATH OF OFFICE TO COUNCIL MEMBERS

City Administrator Angerstein administered the Oath of Office to Marquita Beasley and Mike Marsh.

4. PRESENTATION AND DISCUSSION OF DEPARTMENTAL CAPITAL REQUESTS FOR FISCAL YEAR 2023 BUDGET
5. CONSIDER AND APPROVE A RESOLUTION OF THE CITY OF CROCKETT, TEXAS, AUTHORIZING THE SUBMISSION OF A HAZARD MITIGATION GRANT PROGRAM (HMGP) APPLICATION THROUGH THE TEXAS DIVISION OF EMERGENCY MANAGEMENT AND AUTHORIZING THE MAYOR AND CITY MANAGER TO ACT AS THE CITY'S EXECUTIVE OFFICERS AND AUTHORIZED REPRESENTATIVES IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE DR-4485 HAZARD MITIGATION GRANT PROGRAM
6. CONSIDER AND APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CROCKETT SELECTING A GRANT WRITER/ADMINISTRATOR TO ASSIST THE CITY IN ITS APPLICATION AND ADMINISTRATION OF A CONTRACT, IF AWARDED, FROM THE TEXAS DEPARTMENT OF AGRICULTURE (TDA) FIRE, AMBULANCE AND SERVICES TRUCK FUND (FAST) FOR EMERGENCY RESPONSE AND SPECIAL SERVICES TO RURAL AREAS
7. CONSIDER AND APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CROCKETT SELECTING A GRANT WRITER/ADMINISTRATOR TO ASSIST THE CITY IN ITS APPLICATION AND ADMINISTRATION OF A CONTRACT, IF AWARDED, FROM THE TEXAS DEPARTMENT OF AGRICULTURE (TDA) COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG) FOR DOWNTOWN REVITALIZATION AND MAIN STREET PROGRAMS
8. POLICE DEPARTMENT MANPOWER & CRIMINAL INCIDENT REPORT FOR APRIL 2022
9. FIRE DEPARTMENT MONTHLY ACTIVITY & STATUS REPORT FOR APRIL 2022
10. REPORT ON TEXAS COMMISSION ON ENVIRONMENTAL QUALITY VIOLATIONS AND PUBLIC NOTICES

ADJOURNMENT

Due to no quorum, meeting was adjourned at 6:10 P.M.

Dr. Ianthia Fisher, Mayor

ATTEST:

Mitzi Stefka, City Secretary

MINUTES OF THE CROCKETT CITY COUNCIL MEETING HELD ON THE 19th DAY OF MAY 2022 IN THE CITY HALL COUNCIL CHAMBERS, LOCATED AT 200 NORTH FIFTH IN THE CITY OF CROCKETT, HOUSTON COUNTY TEXAS AT 6:30 P.M.

THE COUNCIL MET IN SPECIAL SESSION WITH THE FOLLOWING MEMBERS PRESENT: IANTHIA FISHER, GENE CALDWELL, ERNEST JACKSON, MARQUITA BEASLEY & MIKE MARSH. CITY OFFICIALS PRESENT: CITY ADMINISTRATOR JOHN ANGERSTEIN, CITY SECRETARY MITZI STEFKA, POLICE CHIEF CLAYTON SMITH AND FIRE CHIEF JASON FRIZZELL. DARRELL JONES NOT PRESENT.

OPEN MEETING WITH INVOCATION AND PLEDGE

Mayor Fisher called the formal session open. Council member Jackson gave the invocation and all joined in the pledge.

RECOGNITION OF VISITORS

Mayor Fisher recognized all visitors present.

COMMENTS FROM AUDIENCE OR COUNCIL *(At this time, anyone will be allowed to speak on City related matters only; no personnel matters or matters under litigation will be allowed. The length of time may not exceed three minutes. NO Council discussion or action may take place on a matter until such matter has been placed on an agenda and posted in accordance with law.)*

1. APPROVAL OF MINUTES: REGULAR MEETING: MAY 2, 2022

Council member Beasley made a motion to approve the minutes of the May 2, 2022 Regular Meeting. Council member Jackson seconded the motion. Motion passes 4-0.

2. POLICE DEPARTMENT MANPOWER & CRIMINAL INCIDENT REPORT FOR APRIL 2022

Chief Smith reported for the month of April 2022; 13 total manpower, 2606 total manpower hours, 564 total calls and 15 total accidents. A breakdown of the criminal reports is included in the packets.

3. FIRE DEPARTMENT MONTHLY ACTIVITY & STATUS REPORT FOR APRIL 2022

Fire Chief Frizzell reported for the month of April 2022 the following: 52 total calls. A breakdown is included in the packets.

4. REPORT ON TEXAS COMMISSION ON ENVIRONMENTAL QUALITY VIOLATIONS AND PUBLIC NOTICES

Mr. Angerstein briefly went over the notices sent out to residents regarding TCEQ violations. He explained that all violations were for procedural issues and not

contaminate problems or issues of water quality. There have been procedures put in place to ensure compliance in the future. He stated that the drinking water is always safe and of good quality.

5. PRESENTATION AND DISCUSSION OF DEPARTMENTAL CAPITAL REQUESTS FOR FISCAL YEAR 2023 BUDGET

The following Capital Requests were presented to council by Mr. Angerstein. No action taken:

- Fire Department - addition of two full time firefighters (\$110,360)
- Police Department – three new patrol units (\$162,293)
- Salary Survey – (\$30,000)
- Street Department – Double Drum Asphalt Compactor (\$48,354)
- Street Department – Used International Dump Truck (\$65,000)
- Wastewater – Vacuum trailer (\$23,900)
- Wastewater – Digester Aerator (\$71,000)
- Wastewater – Deragger Stations/Controllers (\$33,500)
- Water/Wastewater – Chlorinator pumps/boosters, influent pump service crane & belt conveyor (\$33,047)

6. CONSIDER AND APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CROCKETT SELECTING A GRANT WRITER/ADMINISTRATOR TO ASSIST THE CITY IN ITS APPLICATION AND ADMINISTRATION OF A CONTRACT, IF AWARDED, FROM THE TEXAS DEPARTMENT OF AGRICULTURE (TDA) COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG) FOR DOWNTOWN REVITALIZATION AND MAIN STREET PROGRAMS

Mr. Angerstein noted the maximum dollar amount for this grant is \$500,000 with a 15% match. Mayor Pro Tem Marsh made a motion to approve a resolution of the City Council of the City of Crockett selecting a grant writer/administrator to assist the city in its application and administration of a contract, if awarded, from the Texas Department of Agriculture (TDA) Community Development Block Grant and Main Street Programs as Gary Traylor & Associates. Council member Beasley seconded the motion. Motion passes 4-0.

7. CONSIDER AND APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CROCKETT SELECTING A GRANT WRITER/ADMINISTRATOR TO ASSIST THE CITY IN ITS APPLICATION AND ADMINISTRATION OF A CONTRACT, IF AWARDED, FROM THE TEXAS DEPARTMENT OF AGRICULTURE (TDA) FIRE, AMBULANCE AND SERVICES TRUCK FUND (FAST) FOR EMERGENCY RESPONSE AND SPECIAL SERVICES TO RURAL AREAS

Mr. Angerstein noted the maximum dollar amount for this grant is \$750,000 with a \$45,000 match, this grant will be for the purchase of a new fire truck. Mayor Pro Tem

Marsh made a motion to approve a resolution of the City Council of the City of Crockett selecting a grant writer/administrator to assist the city in its application and administration of a contract, if awarded, from the Texas Department of Agriculture (TDA) fire, ambulance and services truck fund (FAST) for emergency response and special services to rural areas as Gary Traylor & Associates. Council member Beasley seconded the motion. Motion passes 3-0. Council member Jackson left the meeting.

8. CONSIDER AND APPROVE A RESOLUTION OF THE CITY OF CROCKETT, TEXAS, AUTHORIZING THE SUBMISSION OF A HAZARD MITIGATION GRANT PROGRAM (HMGP) APPLICATION THROUGH THE TEXAS DIVISION OF EMERGENCY MANAGEMENT AND AUTHORIZING THE MAYOR AND CITY MANAGER TO ACT AS THE CITY'S EXECUTIVE OFFICERS AND AUTHORIZED REPRESENTATIVES IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE DR-4485 HAZARD MITIGATION GRANT PROGRAM

Council member Jackson came back in to the meeting.

Mr. Angerstein noted this grant will be for Early Warning Systems across the city and also repairs to the storm creeks on both sides of East Houston and tie into West Houston. The total amount of grant is \$839,250 with a match of \$93,250. Council member Beasley made a motion to approve a resolution of the City of Crockett, Texas, authorizing the submission of a Hazard Mitigation Grant Program (HMGP) application through the Texas Division of Emergency Management and authorizing the Mayor and City Manager to act as the city's executive officers and authorized representatives in all matters pertaining to the city's participation in the DR-4485 Hazard Mitigation Grant Program. Council member Jackson seconded the motion. Motion passes 4-0.

9. CONSIDER AND APPROVE APPOINTMENT OF BOARD MEMBER/S AND EX-OFFICIO MEMBER/S TO CROCKETT ECONOMIC & INDUSTRIAL DEVELOPMENT CORPORATION

Mr. Gentry explained that he had been in contact with two people but had not finalized or confirmed with them. Mayor Fisher recommends Keisha Thomas as a board member. No Motion. No action.

ADJOURNMENT

Without objection, Mayor Fisher adjourned the meeting at 7:51 P.M.

Dr. Ianthia Fisher, Mayor

ATTEST:

Mitzi Stefka, City Secretary

RESOLUTION NO. R-06-22

RESOLUTION BY THE CITY OF CROCKETT (“CITY”) SUSPENDING ONCOR ELECTRIC DELIVERY COMPANY LLC’S PROPOSED EFFECTIVE DATE OF JUNE 17, 2022, FOR NINETY DAYS IN CONNECTION WITH ONCOR’S STATEMENT OF INTENT TO INCREASE RATES FILED ON OR ABOUT MAY 13, 2022; REQUIRING THE REIMBURSEMENT OF MUNICIPAL RATE CASE EXPENSES; AUTHORIZING PARTICIPATION IN THE COALITION OF SIMILARLY SITUATED CITIES; AUTHORIZING INTERVENTION AND PARTICIPATION IN RELATED RATE PROCEEDINGS; AUTHORIZING THE RETENTION OF SPECIAL COUNSEL; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE

WHEREAS, Oncor Electric Delivery Company LLC (“Oncor” or “Company”) filed a Statement of Intent with the City on or about May 13, 2022, to increase its revenues; and

WHEREAS, Oncor proposes to implement its proposed increase in rates on or about June 17, 2022, and

WHEREAS, Oncor’s proposed increase in rates would result in an increase of approximately \$251 million in its annual revenue, which equates to an overall increase in revenue of approximately 4.5%; and

WHEREAS, Oncor asserts that the need for its increase in rates is driven in part by its investments of approximately \$10.2 billion since December 31, 2016, the end of the test year in its most recent rate case; and

WHEREAS, an evaluation of Oncor’s cost to provide electric service presents a complex series of regulatory issues; and

WHEREAS, for the Residential customer class, Oncor’s proposed increase in rates if approved would result in an increase of approximately 11% to that class; and a decrease of about 8% to small commercial ratepayers; and

WHEREAS, the Company seeks a Return on Equity (ROE) of 10.30%; and

WHEREAS, Oncor's rate request consists of a voluminous amount of information including Oncor's rate-filing package, exhibits, schedules, and workpapers; and

WHEREAS, it is not possible for the City to complete its review of Oncor's filing by June 17, 2022; and

WHEREAS, the City will need an adequate amount of time to investigate and determine whether Oncor has properly invoked the City's rate-setting jurisdiction, and if so, ultimately to review and evaluate Oncor's rate application to enable the City to adopt a final decision as a local regulatory authority with regard to Oncor's requested rate increase; and

WHEREAS, the City will require the assistance of specialized legal counsel and rate experts to review the merits of Oncor's application to increase rates; and

WHEREAS, to the extent Oncor seeks review at the Public Utility Commission of Texas of the City's final decision regarding Oncor's statement of intent to change rates, and because Oncor has submitted a statement of intent to the Public Utility Commission of Texas to increase rates in the environs of the City on the same date it submitted its request to the City, the decision of the Public Utility Commission of Texas could have an impact on the rates paid by the City and its citizens, and in order for the City's participation to be meaningful it is important that the City promptly intervene in such proceeding at the Public Utility Commission of Texas.

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

Section 1. The findings set out in the preamble are in all things approved and incorporated herein as if fully set forth.

Section 2. Oncor's proposed effective date for its proposed increase in rates is hereby **SUSPENDED** for ninety days beyond Oncor's proposed effective date or as may be amended by agreement or otherwise.

Section 3. The statutory suspension period may be further extended or its Statement of Intent dismissed if Oncor does not provide adequate data from which the City may make a reasonable determination of the Company's rate base, expenses, investment, and rate of

return in the City, or if Oncor does not provide timely, meaningful, and proper public notice of its request to increase rates and revenue, or if its rate-filing package is otherwise materially deficient.

Section 4. The City authorizes intervention in proceedings related to Oncor's Statement of Intent before the Public Utility Commission of Texas and related proceedings in courts of law and participation in the coalition of cities known as the Alliance of Oncor Cities.

Section 5. The City hereby orders Oncor to reimburse the Alliance of Oncor Cities' rate case expenses as provided in the Public Utility Regulatory Act and that Oncor shall do so on a monthly basis and within 30 days after submission of such invoices for reasonable costs associated with activities related to this rate review or related to proceedings involving Oncor before the City, the Public Utility Commission of Texas, or any court of law.

Section 6. Subject to the right to terminate employment at any time, the City retains and authorizes the law firm of Herrera Law & Associates, PLLC to act as Special Counsel with regard to rate proceedings involving Oncor before the City, the Public Utility Commission of Texas, or any court of law, and to retain such experts as may be reasonably necessary for review of Oncor's rate application subject to approval by the City.

Section 7. The City, through its participation in the Alliance of Oncor Cities, shall review the invoices of the lawyers and rate experts for reasonableness before submitting the invoices to Oncor for reimbursement.

Section 8. A copy of this resolution shall be sent to Mr. Matt Henry, Vice President, General Counsel, Oncor, 1616 Woodall Rodgers Expressway, Dallas, Texas, 75202; and to Mr. Alfred R. Herrera, Herrera Law & Associates, PLLC, 4400 Medical Pkwy, Austin, Texas 78756.

Section 9. The meeting at which this resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 10. This resolution shall become effective from and after its passage.

PASSED AND APPROVED this 6th day of June, 2022.

Dr. Ianthia Fisher, Mayor

ATTEST:

Mitzi Stefka, City Secretary

**AGENDA INFORMATION SHEET
REGARDING RESOLUTION R-06-22**

**APPLICATION FOR AUTHORITY TO INCREASE RATES
SUBMITTED BY ONCOR ELECTRIC DELIVERY COMPANY LLC**

BACKGROUND

On or about May 13, 2022, Oncor Electric Delivery Company LLC (“Oncor” or “Company”) filed a Statement of Intent to increase its revenues by approximately \$251 million, which equates to a net increase of approximately 4.5% in Oncor’s overall revenue. Oncor proposes to implement its proposed increase in rates effective June 17, 2022.

The City must take action on Oncor’s application by no later than June 17, 2022. Failure to take action by June 17, 2022 will result in Oncor’s proposed rates being deemed approved by operation of law.

Table 1 below shows the impact Oncor’s proposed increase in revenue would have on a customer-class basis.

TABLE 1

<u>Rate Class</u>	<u>Present Revenues</u>	<u>Change</u>	<u>Proposed Revenues</u>	<u>Change Pct in Revenue</u>
	(a)	(b)	(c)	(d)
Residential	\$1,921,088,302	\$214,360,982	\$2,135,449,284	11.2%
Secondary <= 10 kW	\$95,557,181	-\$7,553,653	\$88,003,528	-7.9%
Secondary > 10 kW	\$1,486,593,538	-\$35,635,126	\$1,450,958,412	-2.4%
Primary DL <= 10 kW	\$1,232,285	\$386,576	\$1,618,861	31.4%
Primary > 10 kW Dist. Line	\$268,296,647	\$27,510,277	\$295,806,924	10.3%
Primary > 10 kW Substation	\$31,504,042	\$28,145,677	\$59,649,719	89.3%
Transmission	\$114,261,671	\$50,114,790	\$164,376,461	43.9%
Lighting	\$60,374,542	\$936,098	\$61,310,640	1.6%
Retail Revenue	\$3,978,908,208	\$278,265,621	\$4,257,173,829	7.0%
Wholesale Substation	\$608,356	\$965,098	\$1,573,454	158.6%
Wholesale DLS	\$2,160,192	\$4,607,541	\$6,767,733	213.3%

Other Revenue	\$53,729,847	\$3,327,781	\$57,057,628	6.2%
Grand Total	\$4,035,406,603	\$287,166,041	\$4,322,572,644	7.1%
Network Transmission Revenue	\$1,481,651,280	-\$36,474,927	\$1,445,176,353	-2.5%
Transmission Related Other Revenue	\$43,023,335	\$0	\$43,023,335	0.0%
Total Cost of Service	\$5,560,081,218	\$250,691,114	\$5,810,772,332	4.5%

REPRESENTATION AND PARTICIPATION IN ALLIANCE OF ONCOR CITIES (“AOC”):

The law firm of Herrera Law & Associates, PLLC has previously represented the City and its participation in the coalition of cities named the “Alliance of Oncor Cities” (“AOC”) in rate matters involving Oncor, including Oncor’s most recent rate case. The accompanying Resolution authorizes retention of Herrera Law & Associates as Special Counsel and continued participation in the AOC coalition.

INTERVENTION AT THE PUBLIC UTILITY COMMISSION OF TEXAS

Oncor filed its Statement of Intent to raise rates with the City and with the Public Utility Commission of Texas (“PUCT”) on the same date, May 13, 2022. Oncor’s application poses complex regulatory issues that require time so as to evaluate the merits of Oncor’s proposed increase in rates. It is important to participate in these proceedings because the Commission’s decisions could impact rates within the City. Thus, the accompanying Resolution authorizes intervention in proceedings at the Commission as well as any appeals taken from the Commission’s decision.

RATE CASE EXPENSES

Cities, by statute, are entitled to recover their reasonable rate case expenses from the utility. Legal counsel and consultants approved by the City will submit monthly invoices to the City designated by AOC to serve as the “coordinating” city, who will then forward invoices to Oncor for reimbursement; that city historically has been Corsicana. No individual city’s budget is negatively affected. The accompanying Resolution directs Oncor to reimburse AOC’s rate case expenses on a monthly basis based on presentation of invoices from the cities.

SUSPENSION

Oncor’s rate-filing package is voluminous, containing over five thousand pages of data. To have time to review the rate-filing package, the Council is requested to suspend Oncor’s

proposed effective date for ninety (90) days. It is a virtual impossibility for the City to set just and reasonable rates without suspending the rate request for ninety days; suspension of Oncor's proposed effective date would permit its special regulatory counsel and experts an opportunity to perform a better review of Oncor's application and request additional information as necessary to fully evaluate the proposal and determine the most appropriate response. During the suspension period, the City will retain its right to dismiss Oncor's Statement of Intent if the City determines that Oncor failed to properly invoke the City's jurisdiction or if Oncor failed to provide adequate notice. The suspension period also allows time to attempt to resolve matters by agreement with Oncor, or to determine whether to deny Oncor's request and either adopt an increase different than that requested by Oncor, or deny it outright without adopting an alternative increase.

Note that action to suspend Oncor's proposed effective date by the statutorily allowed period of 90 days is not final action on Oncor's application to increase rates. The city will need to take final action on the merits of Oncor's request no later than September 15, 2022, which is the end of the suspension period.

RECOMMENDATION

It is recommended that the City suspend Oncor's proposed effective date for 90 days from May 13, 2022. Absent an extension agreed to by Oncor and the City, the suspension period runs through September 15, 2022.

It is also recommended that the City continue its participation in AOC, intervene in proceedings at the PUCT and any related proceedings and/or appeals, and to retain the law firm of Herrera Law & Associates, PLLC to represent the City's interest in matters related to Oncor's rate case and to advise the City with regard to Oncor's application, and to retain consultants subject to approval by the AOC executive committee to assist Special Counsel in its review of Oncor's application to increase rates.

The City must take action no later than June 17, 2022. If the City does not take action by June 17, 2022, Oncor's proposed rates will be deemed approved by operation of law, subject to the City's right to hold a hearing to address Oncor's rate application.

RESOLUTION NO. R-06B-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CROCKETT, SELECTING AN ENGINEERING/ARCHITECT FIRM IN CONJUNCTION WITH THE SUBMITTAL OF AN APPLICATION FOR FUNDING THROUGH THE TEXAS DEPARTMENT OF AGRICULTURE (TDA) FOR THE TEXAS COMMUNITY BLOCK GRANT PROGRAM – DOWNTOWN REVITALIZATION PROGRAM FUND (CDBG-DRP)

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

WHEREAS, it is necessary and in the best interest of the citizens of the City of Crockett to apply for funding under the Texas Department of Agriculture (TDA) Texas Community Development Block Grant – Downtown Revitalization Program Fund (CDBG-DRP); and

WHEREAS, the City of Crockett has sought proposals from engineering/architectural firms for Application Preparation and Project Implementation and,

WHEREAS, the City of Crockett performed these solicitations in compliance with guidance for subrecipients under 2 CFR Part 200.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CROCKETT,
TEXAS, AS FOLLOWS:

SECTION 1. The City Council has reviewed and hereby formally selects the firm of:

_____ as the engineering/architectural firm for application preparation and project implementation in conjunction with a Texas Department of Agriculture (TDA) Texas Community Development Block Grant – Downtown Revitalization Program Fund (CDBG-DRP).

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CROCKETT, TEXAS, on this 6th day of June 2022.

ATTEST:

Mitzi Stefka, City Secretary

Dr. Ianthia Fisher, Mayor



June 1, 2022

Letter of Recommendation

Dear Mayor and Councilmembers:

Sealed qualification packets were received and opened for the Texas Department of Agriculture Texas Community Development Block Grant – Downtown Revitalization Program (CDBG-DRP) Fund on Tuesday, May 31, 2022, at 3:00 P.M. at Crockett City Hall. Two (2) sealed qualification packages were received.

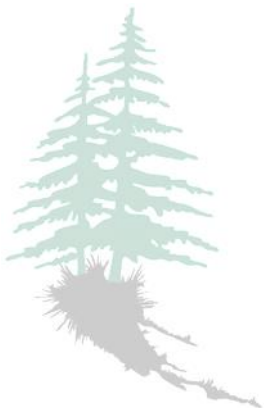
The notification and advertising process for this bid included solicitation by emailing firms directly and advertisement in the local newspaper.

On Wednesday, June 1, 2022 at 1:00PM, the evaluation team met to review the qualifications and issue a recommendation for award. From the review of the information provided in the sealed bids, KSA Engineers, Inc. is fully qualified and has excellent prior work performance with CDBG-DRP projects in the City of Crockett. Therefore, the evaluation team is recommending the city awards the contract to KSA Engineers, Inc.

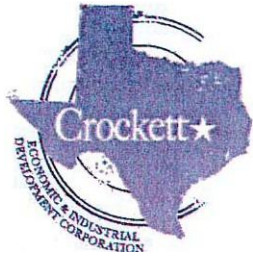
Sincerely,

John Angerstein,

City Administrator



Paradise in the Pines



Crockett Economic & Industrial Development Corporation

Item 5.

P.O. Box 817, Crockett, TX 75835 Office: 936-546-5636 Fax: 936-544-4355

March 25, 2022

To Whom It May Concern,

RE: Crockett Economic & Industrial Development Corporation
Check Processing Procedures

Check Signing Procedure

This procedure is to be used in conjunction with the equivalent CEIDC board approved Purchasing/tendering Policy. The signing of checks to pay for goods and services used by the non-profit is a key internal control.

The signing board members must:

- ✓ Determine if the expense has been approved by the board:

- “ Ongoing expenses such as phone, gas, plumbing repair etc. are approved as part of the operating budget and carefully monitored each month using the budget to actual reports

- “ An item or contract specifically approved by the board based on the purchasing policy

- ✓ Determine if the supplier and amount is correct based on the board approval

- “ Check any invoice that is unusual

- ✓ Determine if all backup is included. With every check there must be:

- “ An invoice that describes the goods or services

- “ Invoices should also be numbered, clearly indicate the name, address and phone number of the business, the business number of the company should be included.

- “ The invoice should be stamped with:

§ Received (initials of a staff or other person that received the goods or checked that the job is complete would initial here)

§ Checked (initials of a staff or other person that checked the invoice to confirm that the amount is correct both mathematically and based on quotes/bids/contracts)

§ Account(s) expense posted to

(If not using computer generated checks the above information should be included on the stamp)

- “ Charge card statements, petty cash, must have the individual receipts attached

- “ Possibly a purchase order if in use, packing slip or any other supporting documentation

If all documentation is attached and all questions answered, the check can be signed!

Note:

Some bills are not paid by check but by direct withdrawal or internet banking. The board member(s) must review these invoices and compare to a complete listing of all expenses for the month and the bank statement to ensure that all expenses have been reviewed and approved by the board.

Financial Statement Findings

Sincerely,

A handwritten signature in black ink, reading "James J. Gentry". The signature is fluid and cursive, with a long horizontal stroke extending from the end of the name.

James J. Gentry
Executive Director

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