



**City of New Fairview
City Council
Special Called Meeting
999 Illinois Lane
Monday, April 1, 2024, at 7:00 pm**

WORK SESSION

1. **Call to Order and Determination of Quorum**
2. **Receive a report and hold a discussion regarding revisions to the Personnel Policy and Procedure Manual.**
3. **Adjournment**

REGULAR SESSION

1. **Call to Order and Determination of Quorum**
2. **Pledge to the Flags.**
 - A. **United States of America**
 - B. **Texas Flag Honor the Texas Flag, I pledge allegiance to thee, Texas, one state under God, one and indivisible.**
3. **Announcements & Special Recognitions:** The agenda shall provide a time when proclamations, recognitions, general reports, and updates may be presented by the City Council.
4. **City Administrator's Report:** The City Administrator's Report may provide information on status of current city projects and other projects affecting the City, meetings and actions of the city's boards and commissions, upcoming local community events, including but not limited to departmental operations and capital improvement project status. No action will be taken with respect to this report.
5. **Public Comment:** The City Council invites persons with comments or observations related to city issues, projects, or policies to briefly address the City Council. Anyone wishing to speak should sign in with the City Secretary before the beginning of the City Council Meeting. In order to expedite the flow of business and to provide all citizens with the opportunity to speak, there is a three-minute limit on any person addressing the City Council. State law prohibits the City Council from discussing or taking action on any item not listed on the posted agenda.
6. **Consent Agenda:** All matters as Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. An item can be removed from the consent agenda by the City Administrator, Mayor, or any member of the City Council and will be considered after approval of the consent agenda.

- A. **Approve the City Council Meeting minutes for March 18, 2024.**
 - B. **Approve the September 2023 Financial Report.**
7. **New Business:** All matters listed in New Business will be discussed and considered separately.
- A. **Receive, consider, and act on the approval of a final plat for Lots 260A and 260B, Hills of Oliver Creek Phase Two, 2.0 acres in M.E.O & P.R.R. Co. Survey, Abstract No. 633 generally located in the 200 block of Private Road No. 4440.**
 - B. **Consider adoption of an ordinance approving a negotiated settlement between the Atmos Cities Steering Committee (“ACSC”) and Atmos Energy Corp., Mid-Tex Division regarding the company’s 2024 Rate Review Mechanism filing; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest; approving an attachment establishing a benchmark for pensions and retiree medical benefits; requiring the company to reimburse ACSC’s reasonable ratemaking expenses; determining that this ordinance was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of this ordinance to the company and the ACSC’s legal counsel.**
 - C. **Receive, consider, and act on a Resolution for the First Amended and Restated Pre-Development and Professional Services Agreement with Bloomfield Homes, L.P. and Royal Crest Properties, LLC for the sharing of costs related to engineering services for an alignment study for a connection point with the City of Justin and providing a water model for sizing of infrastructure for this connection.**
 - D. **Receive, consider, and act on a Resolution for the First Amended and Restated Pre-Development and Professional Services Agreement with Rockhill Capital & Investments, LLC for the sharing of costs related to engineering services for an alignment study for a connection point with the City of Justin and providing a water model for sizing of infrastructure for this connection.**
 - E. **Receive, consider, and act on a Resolution awarding the roadway reconstruction project for Sky Way and Skyview Court, to Peachtree Construction, LTD for a total of \$48,713.50, and pursuant to Tex. Loc. Gov’t. Code §271.060(d) and authorize the City Administrator a not-to-exceed project contingency of \$5,286.50, for a budget total of \$54,000.**
8. **Executive Session:** Recess to Executive Session to discuss matters relating to real property pursuant to §551.072, Texas Government Code; deliberation of economic development negotiations pursuant to §551.087, Texas Government Code; discuss personnel matters pursuant to §551.074, Texas Government Code; discuss IT network or critical infrastructure security pursuant to §551.089, Texas Government Code; and to consult with the City Attorney pursuant to §551.071, Texas Government Code. The Council may go into closed session at any time when permitted by Chapter 551, Texas Government Code or Chapter 418, Texas Tax Code. Before going into closed session, a quorum of the Council must be present, the meeting must be convened as an open meeting pursuant to proper notice, the presiding officer must announce that a closed session will be held and must identify the sections of Chapter 551 or 418, Texas Government Code authorizing the closed session.

- A. § 551.071(2): Consultation with the City Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act regarding:
 - 1. Employment Agreement for John Cabrales, Jr.
 - 2. Possible property acquisition that is east of South County Line, West of FM 407 and North of Dove Hollow Lane.

- B. §551.074: (a) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee:
 - 1. Employment Agreement for John Cabrales, Jr.

- C. Section 551.072: to deliberate the purchase, exchange, lease, or value of real property.
 - 1. Possible property acquisition that is east of South County Line, West of FM 407 and North of Dove Hollow Lane.

9. **Return to Open Session:** Discuss and take appropriate action, if any, resulting from the discussions conducted in Executive Session.

10. **Mayor & Council Member Announcements:** The City Council may hear or make reports of community interest provided no action is taken or discussed. Community interest items may include information regarding upcoming schedules of events, honorary recognitions, and announcements involving imminent public health and safety threats to the city. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.

11. Adjournment

I, the undersigned authority, do hereby certify the above notice of the meeting of the City Council of New Fairview, is a true and correct copy of the said notice that I posted on the official posting place at New Fairview City Hall, FM 407, New Fairview, Texas, a place of convenience and readily accessible to the general public at all times, and on its website, said notice being posted this 28th day of March, 2024 at 5:00 PM at least 72 hours proceeding the meeting time.



Brooke Boller, City Secretary

SEAL:



This facility is wheelchair accessible; parking spaces are available. Requests for accommodation or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary at City Hall 817-638-5366 or fax 817-638-5369 or by email at citysecretary@newfairview.org for further information.