



**CITY COUNCIL  
AGENDA MEMO**

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Prepared By: John Cabrales Jr, City Administrator

August 15, 2022

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**Budget Workshop**

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**DESCRIPTION:**

Receive a report and hold a discussion regarding the proposed Fiscal Year (FY) 2022-23 budget.

**BACKGROUND INFORMATION:**

The item is to discuss the trends for Fiscal Year 2021-22 and the projections for Fiscal Year 2022-23 as staff works on preparing the next annual budget. Below is the revised proposed calendar of dates that staff is planning for Council's holding required budget workshops, public hearings to determine a budget and a tax rate, and adoption of the budget and tax rate.

August 15	Budget Workshop (Regular Meeting)
August 22	Must Send Notice to Newspaper for Notice of Budget and Tax Rate Hearing
August 24	Date the Notices will appear in the Paper
August 29	Budget Workshop (Special Meeting)
September 6	Public Hearing on Tax Rate (Regular Meeting)
September 6	Public Hearing on Budget (Regular Meeting Meeting)
September 12	Adoption of Tax Rate and Budget (Special Meeting)
September 29	Last Possible Day to adopt tax rate- Only if Needed (Special Meeting)

**FINANCIAL CONSIDERATION:**

None, discussion only.

**RECOMMENDED MOTIONS:**

None, discussion only.

**ATTACHMENT(S):**

1. Presentation



## CITY COUNCIL AGENDA MEMO

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Prepared By: John Cabrales Jr, City Administrator

August 15, 2022

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### Septic System Requirements

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#### **DESCRIPTION:**

Receive and consider possible amendment to Ordinance 2010-04-152 governing on-site sewage facilities.

#### **BACKGROUND INFORMATION:**

An On-Site Sewage Facility (OSSF), also known as a private septic tank system, stores, treats, and disposes of wastewater generated on the site where the OSSF is located.

The state of Texas regulates OSSFs by setting minimum standards, and local authorities must have equivalent or more stringent rules that are approved by the Texas Commission on Environmental Quality (TCEQ). State-level regulations on OSSFs can be found in the Texas Administrative Code, Title 30, Chapter 285.

The current City of New Fairview order to regulate OSSF's was approved by Ordinance (2010-04-152) on May 18, 2010. The City adopted more stringent Rules for OSSF by requiring a permit for all OSSF installations in the city limits. Also, requiring a maintenance contract for all aerobic and advanced treatment OSSF's.

#### Maintenance

Proper OSSF maintenance usually involves septic tank pumping every three to five years and inspections at least every three years by a septic service professional. However, depending on the type of OSSF, maintenance contracts and regular, more frequent inspections may be required. For example, all aerobic OSSF systems require a maintenance contract and must be inspected by a maintenance provider three times per year.

Maintenance also includes monitoring what goes down your drains. Using water efficiently and reducing the amount of fats, oils, and grease that go into your septic tank can improve the operation of your system and reduce the risk of failure. You can learn more about OSSF

maintenance by visiting <https://www.epa.gov/septic/how-care-your-septic-system> or <https://www.tceq.texas.gov/permitting/ossf/ossfmaintenance.html>

Regular maintenance of OSSFs keeps them in working order and reduces the probability of system malfunction. Septic system failure could result in the discharge of effluent into the storm sewer system and local waterways. Such pollution can impair water quality, having harmful effects on the environment and human health.

This item was requested by council.

**FINANCIAL CONSIDERATION:**

Staff cannot determine any financial considerations to the City until we have more information on what is amended.

**RECOMMENDED MOTIONS:**

NONE; not an action item. Council may give direction to staff to bring back an ordinance for action at a future meeting, if desired.

**ATTACHMENT(S):**

1. Ordinance 2010-04-152
2. Denton County OSSF
3. Wise County OSSF
4. Texas Administrative Code, Title 30, Chapter 285, [https://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac\\_view=4&ti=30&pt=1&ch=285](https://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=4&ti=30&pt=1&ch=285)

**ORDINANCE ADOPTING RULES OF THE CITY OF NEW FAIRVIEW, TEXAS  
FOR ON-SITE SEWAGE FACILITIES  
PREAMBLE**

**WHEREAS, the Texas Commission on Environmental Quality (TCEQ) has established Rules for on-site sewage facilities to provide the citizens of this State with adequate public health protection and a minimum of environmental pollution; and**

**WHEREAS, the Legislature has enacted legislation, codified as Texas Health and Safety Code (THSC), Chapter 366, which authorizes a local government to regulate the use of on-site sewage facilities in its jurisdiction in order to abate or prevent pollution or injury to public health arising out of the use of on-site sewage facilities; and**

**WHEREAS, due notice was given of a public meeting to determine whether the City Council of the City of New Fairview, Texas should enact an ordinance controlling or prohibiting the installation or use of on-site sewage facilities in the City of New Fairview, Texas; and**

**WHEREAS, the City Council of the City of New Fairview, Texas finds that the use of on-site sewage facilities in the City of New Fairview, Texas is causing or may cause pollution, and is injuring or may injure the public health; and**

**WHEREAS, the City Council of the City of New Fairview, Texas has considered the matter and deems it appropriate to enact an Ordinance adopting Rules regulating on-site sewage facilities to abate or prevent pollution, or injury to public health in the City of New Fairview, Texas.**

**NOW, THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF NEW FAIRVIEW, TEXAS:**

**SECTION 1. THAT the matters and facts recited in the preamble hereof are hereby found and determined to be true and correct;**

**SECTION 2. THAT the use of on-site sewage facilities in the City of New Fairview, Texas is causing or may cause pollution or is injuring or may injure the public health;**

**SECTION 3. THAT an Ordinance for the City of New Fairview, Texas be adopted entitled "On-Site Sewage Facilities", which shall read as follows:**

## AN ORDINANCE ENTITLED ON-SITE SEWAGE FACILITIES

### SECTION 4. CONFLICTS.

This Ordinance repeals and replaces any other On-site Sewage Facility (OSSF) Ordinance for the City of New Fairview, Texas.

### SECTION 5. CHAPTER 366.

The City of New Fairview, Texas clearly understands that there are technical criteria, legal requirements, and administrative procedures and duties associated with regulating on-site sewage facilities, and will fully enforce Chapter 366 of the THSC and Chapters 7 and 37 of the Texas Water Code (TWC), and associated rules referenced in Section 8 of this Ordinance.

### SECTION 6. AREA OF JURISDICTION.

The Rules shall apply to all the area lying within the incorporated limits of the City of New Fairview, Texas.

### SECTION 7. ON-SITE SEWAGE FACILITY RULES.

Any permit issued for an on-site sewage facility within the jurisdictional area of the City of New Fairview, Texas must comply with the Rules adopted in Section 8 of this Ordinance.

### SECTION 8. ON-SITE SEWAGE FACILITY RULES ADOPTED.

The Rules, Title 30 Texas Administrative Code (TAC) Chapter 30, Subchapters A and G, and Chapter 285, promulgated by the TCEQ for on-site sewage facilities are hereby adopted, and all officials and employees of the City of New Fairview, Texas having duties under said Rules are authorized to perform such duties as are required of them under said Rules.

### SECTION 9. INCORPORATION BY REFERENCE.

The Rules, 30 TAC Chapter 30, Subchapters A and G, and Chapter 285 and all future amendments and revisions thereto are incorporated by reference and are thus made a part of these Rules.

## **SECTION 10. AMENDMENTS.**

The City of New Fairview, Texas wishing to adopt more stringent Rules for its OSSF Ordinance understands that the more stringent local Rule shall take precedence over the corresponding TCEQ requirement. Listed below are the more stringent Rules adopted by the City of New Fairview, Texas:

(A) **Permit Requirements:** All on-site sewage facilities installed in New Fairview, Texas must be permitted.

(B) **Maintenance Requirements:** Any on-site sewage disposal system using aerobic treatment and advanced treatment shall have a maintenance contract on that system. All contracted maintenance of an on-site sewage facility using aerobic treatment and advanced treatment shall be conducted by a TCEQ registered maintenance provider. There shall be no homeowner/property owner maintenance of an on-site sewage disposal system using aerobic treatment and advanced treatment unless the property owner/homeowner is certified by the manufacturer of that system or is an OSSF licensed maintenance provider who has been certified by the manufacturer for their system. Testing and reporting requirements specified in Title 30, TAC, Section 285.7 shall be in effect.

## **SECTION 11. DUTIES AND POWERS.**

The OSSF Designated Representative (DR) (30 TAC § 285.2(17)) of the City of New Fairview, Texas, must be certified by the TCEQ before assuming the duties and responsibilities.

## **SECTION 12. COLLECTION OF FEES.**

All fees collected for permits and/or inspections shall be made payable to the City of New Fairview, Texas. A fee of \$10 will also be collected for each on-site sewage facility permit to be paid to the On-Site Wastewater Treatment Research Council as required by the THSC, Chapter 367.

## **SECTION 13. APPEALS.**

Persons aggrieved by an action or decision of the designated representative may appeal such action or decision to the City Council of the City of New Fairview, Texas.

## **SECTION 14. ENFORCEMENT PLAN**

The City of New Fairview, Texas clearly understands that, at a minimum, it must follow the requirements in 30 TAC § 285.71 Authorized Agent Enforcement of OSSFs.

This Ordinance adopts and incorporates all applicable provisions related to on-site sewage facilities, which includes, but is not limited to, those found in Chapters 341 and 366 of the THSC, Chapters 7, 26, and 37 of the TWC and 30 TAC Chapter 30, Subchapters A and G, and Chapter 285.

**SECTION 15. SEVERABILITY**

It is hereby declared to be the intention of the City Council of the City of New Fairview, Texas, that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance should be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance, since the

same would have been enacted by the City Council without incorporation in this Ordinance of such unconstitutional phrases, clauses, sentences, paragraphs, or sections.

**SECTION 16. RELINQUISHMENT OF ORDINANCE**

If the City Council of the City of **New Fairview**, Texas decides that it no longer wishes to regulate on-site sewage facilities in its area of jurisdiction, the City Council, as the authorized agent, and the TCEQ shall follow the procedures outlined in 30 TAC § 285.10 (d) (1) through (4).

After relinquishing its OSSF authority, the authorized agent understands that it may be subject to charge-back fees in accordance with 30 TAC § 285.10 (d) (5) and §285.14 after the date that delegation has been relinquished.

**SECTION 17. EFFECTIVE DATE.**

This Ordinance shall be in full force and effect from and after its date of approval as required by law and upon the approval of the TCEQ.

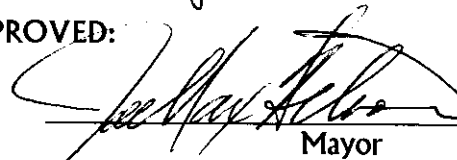
AND IT IS SO ORDERED:

PASSED AND APPROVED THIS 18<sup>th</sup> DAY OF May, 2010.

(SEAL)



APPROVED:

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk





CITY OF NEW FAIRVIEW §  
STATE OF TEXAS §

AFFIDAVIT

Before me, the undersigned authority, personally appeared who, being by me duly sworn, deposed as follows:

My name is Hope Bays, I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

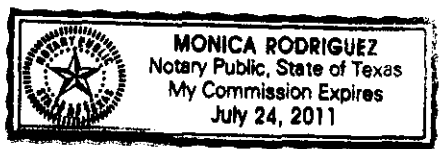
I am the custodian of the records of the City Clerk's Office for the City of New Fairview, Texas. Attached hereto are four(4) pages of records known as the Septic Ordinance. The records are kept by me as City Clerk, City of New Fairview, in the regular course of business with knowledge of the act, event, condition, opinion, or diagnosis, recorded to make the record or to transmit information thereof to be included in such record; and the record was made at or near the time or reasonably soon thereafter. The record attached hereto is the original or exact duplicate of the official record.

Hope Bays

BEFORE ME, the undersigned authority, a Notary Public in and for said City, Texas, on this day personally appeared Hope Bays, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he/she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 18<sup>th</sup> day of May, 2010.

(SEAL)



Monica Rodriguez  
Notary Public, State of Texas  
My commission expires:



# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF THE APPLICATION  
OF THE COUNTY OF DENTON  
FOR A TEXAS HEALTH AND SAFETY  
CODE §366.031 ORDER

§ BEFORE THE EXECUTIVE  
§ DIRECTOR OF THE TEXAS  
§ COMMISSION ON  
§ ENVIRONMENTAL  
QUALITY

On DEC 28 2007 the Executive Director of the Texas Commission on Environmental Quality ("Commission" or "TCEQ"), considered the application of the County of Denton, ("Applicant" or "Denton"), for an Order pursuant to §366.031, Texas Health and Safety Code ("Code"), and 30 Texas Administrative Code (TAC) §285.10 of the rules of the Commission.

No person has requested a public hearing on the application, therefore the Executive Director, on behalf of the Commission, is satisfied that the Applicant has satisfied the requirements of §366.031 of the Code and, therefore, the Commission finds that the Denton County Order should be approved.

## FINDINGS OF FACT

1. The County of Denton drafted a proposed amendment to its order which regulates on-site sewage facilities.
2. On October 11, 2007 the County of Denton caused notice to be published, in a newspaper regularly published and of general circulation, in the Applicant's area of jurisdiction, of a public meeting to be held on Tuesday, October 16, 2007.
3. The County of Denton held a public meeting to discuss the proposed amendment to its order on October 16, 2007.
4. Denton County's Order regulating on-site sewage facilities was adopted on October 16, 2007.
5. A certified copy of the minutes was submitted to the Texas Commission on Environmental Quality.
6. A certified copy of the Denton County Order was submitted to the Texas Commission on Environmental Quality.
7. The order is at least equivalent to the standards of the Texas Commission on Environmental Quality.

CONCLUSIONS OF LAW

1. The above facts are conditions sufficient to issue this order pursuant to §366.031 of the Code.
2. Section 5.102 of the Texas Water Code authorizes the Commission to issue orders and make determinations necessary to effectuate the purposes of Chapter 366 of the Health and Safety Code and / or within the Commission's jurisdiction and who provides no comment on other statutory authority.
3. Issuance of this order will effectuate the purposes of Chapter 366 of the Code.

NOW, THEREFORE, BE IT ORDERED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY THAT:

1. The County of Denton is hereby authorized to implement its Order which regulates on-site sewage facilities.
2. Any amendments to the Denton County Order must be approved by the Texas Commission on Environmental Quality.
3. The Chief Clerk of the Commission is directed to forward a copy of this Order and the Applicant's adopted order, ordinance, or resolution, marked as Exhibit "A", to the Applicant and all other parties and to issue the Order and cause it to be recorded in the files of the Commission.

Issued this date: **DEC 28 2007**



Executive Director  
Texas Commission on Environmental Quality

# **EXHIBIT "A"**

COUNTY OF DENTON

§

STATE OF TEXAS

§

AFFIDAVIT

Before me, the undersigned authority personally appeared, who, being by me duly sworn, deposed as follows:

My name is Kathleen Bransford, I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

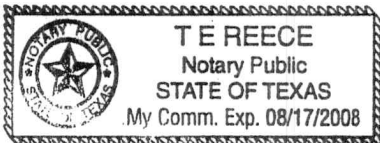
I am the custodian of the records of the County Clerks Office for the County of Denton, Texas. Attached hereto are six (6) pages of records known as (Order) 07-0649. The records are kept by me as County Clerk, County of Denton, in the regular course of business with knowledge of the act, event, condition, opinion, or diagnosis, recorded to make the record or to transmit information thereof to be included in such record; and the record was made at or near the time or reasonably soon thereafter. The record attached hereto is the original or exact duplicate of the official record.

Kathleen Bransford

BEFORE ME, the undersigned authority, a Notary Public in and for said County, Texas, on this day personally appeared Kathleen Bransford, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 15<sup>th</sup> day of Nov, 2007.

(SEAL)



T E Reece  
Notary Public, State of Texas  
My commission expires:

ORDER ADOPTING RULES OF DENTON COUNTY, TEXAS  
FOR ON-SITE SEWAGE FACILITIES  
PREAMBLE

WHEREAS, the Texas Commission on Environmental Quality has established Rules for on-site sewage facilities to provide the citizens of this State with adequate public health protection and a minimum of environmental pollution; and

WHEREAS, the Legislature has enacted legislation, codified as Texas Health and Safety Code, Chapter 366, which authorizes a local government to regulate the use of on-site sewage facilities in its jurisdiction in order to abate or prevent pollution or injury to public health arising out of the use of on-site sewage facilities; and

WHEREAS, due notice was given of a public meeting to determine whether the Commissioners Court of Denton County, Texas should enact an order controlling or prohibiting the installation or use of on-site sewage facilities in the County of Denton, Texas; and

WHEREAS, the Commissioners Court of Denton County, Texas finds that the use of on-site sewage facilities in Denton County, Texas is causing or may cause pollution, and is injuring or may injure the public health; and

WHEREAS, the Commissioners Court of Denton County, Texas has considered the matter and deems it appropriate to enact an Order adopting Rules regulating on-site sewage facilities to abate or prevent pollution, or injury to public health in Denton County, Texas.

NOW, THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT OF DENTON COUNTY, TEXAS:

SECTION 1. THAT the matters and facts recited in the preamble hereof are hereby found and determined to be true and correct;

SECTION 2. THAT the use of on-site sewage facilities in Denton County, Texas is causing or may cause pollution or is injuring or may injure the public health;

SECTION 3. THAT an Order for Denton County, Texas be adopted entitled "On-Site Sewage Facilities", which shall read as follows:

## AN ORDER ENTITLED ON-SITE SEWAGE FACILITIES

### SECTION 4. CONFLICTS.

This Order repeals and replaces any other On-site Sewage Facility order for Denton County.

### SECTION 5. CHAPTER 366.

The County of Denton, Texas clearly understands that there are technical criteria, legal requirements, and administrative procedures and duties associated with regulating on-site sewage facilities, and will fully enforce Chapter 366 of the Texas Health and Safety Code (H&SC) and Chapters 7 and 37 of the Texas Water Code (TWC), and associated rules referenced in Section 8 of this Order.

### SECTION 6. AREA OF JURISDICTION.

(A) The Rules shall apply to all the area lying in Denton County, Texas, except for the area regulated under an existing Rule and the areas within incorporated cities.

(B) These Rules shall apply to those incorporated cities or towns that have executed intergovernmental contracts with Denton County, Texas.

### SECTION 7. ON-SITE SEWAGE FACILITY RULES.

Any permit issued for an on-site sewage facility within the jurisdictional area of Denton County, Texas must comply with the Rules adopted in Section 8 of this Order.

### SECTION 8. ON-SITE SEWAGE FACILITY RULES ADOPTED.

The Rules, Title 30 Texas Administrative Code (TAC) Chapter 285 and Chapter 30, attached hereto, promulgated by the Texas Commission on Environmental Quality for on-site sewage facilities are hereby adopted, and all officials and employees of Denton County, Texas having duties under said Rules are authorized to perform such duties as are required of them under said Rules.

### SECTION 9. INCORPORATION BY REFERENCE.

The Rules, 30 TAC Chapters 30 and 285 and all future amendments and revisions thereto are incorporated by reference and are thus made a part of these Rules. A copy of the current Rules is attached to these Rules as Appendix I.



## SECTION 10. AMENDMENTS.

The County of Denton, Texas wishing to adopt more stringent Rules for its On-Site Sewage Facility Order understands that the more stringent conflicting local Rule shall take precedence over the corresponding Texas Commission on Environmental Quality requirement. Listed below are the more stringent Rules adopted by Denton County, Texas:

- (A) All single family dwellings located on a land tract regardless of acreage size, requires a permit to construct, alter, or repair an on-site sewage facility.
- (B) All new lots for single family dwellings shall be one acre minimum when serviced by a public water supply. Environmental protection must be demonstrated in flood hazard areas.
- (C) All new lots for single family dwellings shall be two acre minimum when serviced by a private water well. Environmental protection must be demonstrated in flood hazard areas.
- (D) Only a registered professional engineer or registered professional sanitarian with a site evaluator certification will perform site evaluations.
- (E) Permit applications will be made in person by the property owner, the installer, or a mutually agreeable third party.
- (F) All maintenance of an on-site-sewage disposal system using aerobic treatment shall be conducted by a TCEQ registered maintenance company unless:
  - (1) The homeowner/property owner is a TCEQ registered maintenance provider for their aerobic treatment unit; or
  - (2) Prior to September 1, 2007, the effective date of HB 2482 [80(R)], the homeowner/property owner received specific on-site maintenance training for their aerobic treatment unit from either their installer or the manufacturer of their unit pursuant to TAC Chapter 285, effective August 3, 2006; or
  - (3) On or after September 1, 2007, the effective date of HB 2482 [80(R)], the homeowner/property owner received specific on-site maintenance training for their aerobic treatment unit from either their installer or the manufacturer of their unit pursuant to TAC Chapter 285, effective August 3, 2006 or successfully completed the basic maintenance provider course provided by a TCEQ approved training provider; or
  - (4) The homeowner/property owner obtains a valid wastewater Class D or higher license.
- (G) The required maintenance inspection and test report, conducted by the above described qualified homeowner/property owner or the TCEQ registered maintenance company, which must be submitted three times a year to the permitting authority, shall:
  - (1) Meet all inspection requirements as set by TCEQ Rules, Denton County Policy and Procedural Requirements, as well as, the inspection requirements outlined by the manufacturer for the brand being inspected; and
  - (2) Address all testing requirements as set by the TCEQ Rules, Denton County Policy and Procedural Requirements, as well as, the testing requirements outlined by the manufacturer for the brand being inspected; and
  - (3) Report the sludge levels in the pump tank, and the condition of the spray area.

#### SECTION 11. DUTIES AND POWERS.

The Denton County Health Department of Denton County, Texas is herewith declared the designated representative for the administration and enforcement of these Rules within its jurisdictional area. The appointed individual(s) must be certified by the Texas Commission on Environmental Quality before assuming the duties and responsibilities as Designated Representatives of Denton County, Texas.

#### SECTION 12. COLLECTION OF FEES.

All fees collected for processing fees, late fees, penalty fees, permit renewal fees, permits, inspections, and/or re-inspections shall be made payable to Denton County, Texas.

#### SECTION 13. APPEALS.

Persons aggrieved by an action or decision of the designated representative may appeal such action or decision to the Commissioners Court of Denton County, Texas.

#### SECTION 14. PENALTIES.

This Order adopts and incorporates all applicable penalty provisions related to on-site sewage facilities, which includes, but is not limited to, those found in Chapters 341 and 366 of the Texas Health and Safety Code, Chapters 7, 26, and 37 of the Texas Water Code and 30 TAC Chapters 30 and 285.

#### SECTION 15. SEVERABILITY

It is hereby declared to be the intention of the Commissioners Court of Denton County, Texas, that the phrases, clauses, sentences, paragraphs, and sections of this Order are severable, and if any phrase, clause, sentence, paragraph, or section of this Order should be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Order, since the same would have been enacted by the Commissioners Court without incorporation in this Order of such unconstitutional phrases, clause, sentence, paragraph, or section.

#### SECTION 16. EFFECTIVE DATE.

This Order shall be in full force and effect from and after its date of approval as required by law and upon the approval of the Texas Commission on Environmental Quality.

AND IT IS SO ORDERED:

PASSED AND APPROVED THIS 16<sup>th</sup> DATE OF October, 2007.

(SEAL)



APPROVED:

[Handwritten Signature]  
County Judge

ATTEST:

[Handwritten Signature]  
County Clerk

## **Section 6.09 Public and Private Sewer Systems**

### **1. General**

All subdivisions developed subsequent to this Court Order shall be provided with an approved sewage disposal system conforming to the current criteria, the current Wise County On-Site Sewage Facility Order and the current requirements of Texas Commission on Environmental Quality (TCEQ).

### **2. On-site Sewage Facilities**

An Authorization to Construct is required prior to any on-site sewage facility construction. A site evaluation, performed by a certified OSSF Site Evaluator, Professional Sanitarian, or Professional Engineer, any required Planning Materials, and application are required in accordance with the rules and regulations of Wise County and TCEQ and shall be submitted, along with the appropriate application fee, to the Wise County Department of Public Works. Submittal of Application, Planning Materials and installation for all On-Site Sewage Facilities shall be in accordance with TCEQ Title 30 TAC Chapter 285 as well as any more stringent rules adopted by the County. Wise County has adopted by Court Order the following more stringent rules:

1. Platted or unplatted subdivisions served by a public water supply shall have individual lots with surface areas of at least one (1) acre.
2. Platted or unplatted subdivisions served by individual water systems shall have individual lots with surface areas of at least two (2) acres.
3. A vicinity map should be submitted with planning materials.
4. All on-site sewage facilities are required to obtain a permit including land tracts that are ten (10) acres or larger.

<https://www.co.wise.tx.us/DocumentCenter/View/3367/Development-Rules-and-Regulations-4-25-2022?bidId=>

**City of New Fairview  
Joint City Council and Planning and Zoning Commission Meeting  
999 Illinois Lane  
Monday, July 18, 2022, at 6:00 pm**

**STATE OF TEXAS  
COUNTY OF WISE  
CITY OF NEW FAIRVIEW**

**THE CITY COUNCIL CONVENED INTO A CITY COUNCIL MEETING THE SAME BEING OPEN TO THE PUBLIC, THE 18th DAY OF JULY IN THE NEW FAIRVIEW CITY HALL AND NOTICE OF SAID MEETING GIVING THE TIME PLACE AND SUBJECT THEREFORE HAVING BEEN POSTED AS PRESCRIBED BY ARTICLE 5 OF THE TEXAS GOVERNMENT CODE WITH THE FOLLOWING MEMBERS**

**PRESENT:**

**CITY COUNCIL:**

**Mayor John Taylor  
Mayor Pro Tem Steven King  
Place 1 Councilman Harvey Lynn Burger Jr  
Place 2 Councilman John Fisette  
Place 3 Councilman Walter Clements  
Place 5 Jimmy Royston**

**PLANNING & ZONING COMMISSIONERS**

**Rebecca McPherson  
Julie Burger  
David Randolph  
Marissa Randolph  
Denis Sandsoucie**

**CITY STAFF**

**John Cabrales Jr, City Administrator  
Roberta (Robin) Cross, City Attorney  
Patty Akers, City Land Use Attorney (Virtual)  
Brooke Boller, City Secretary  
Susan Greenwood, Court Administrator/Assistant City Secretary**

- 1. Call to Order and Determination of Quorum (Meeting called to order by Commissioner Rebecca McPherson at 6:00 pm; Roll Call with the above-mentioned names.) (Meeting called to order by Mayor John Taylor at 6:01 pm; Roll Call with the above-mentioned names.)**
- 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. **Public Comment:** The City Council and the Planning and Zoning Commission invites persons with comments or observations related to city issues, projects, or policies to briefly address the City Council and the Planning and Zoning Commission. Anyone wishing to speak should sign-in with the City Secretary before the beginning of the Meeting. In order to expedite the flow of business and to provide all citizens the opportunity to speak, there is a three-minute limitation on any person addressing the City Council and Planning and Zoning Commission. State law prohibits the City Council and Planning and Zoning Commission from discussing or taking action on any item not listed on the posted agenda.

4. **New Business:** All matters listed in New Business will be discussed and considered separately.

A. Discuss and consider a Resolution approving a Development Agreement with Dove Hollow Development LLC for Paloma Ranch Estates Phases 3 & 4 containing 177.779 acres in the James C. Jack Survey, Abstract No.679, Denton County, Texas generally located east of S. County Line Road and south of Dove Hollow Lane.

**Motion: Councilman Harvey Lynn Burger Jr**

**Second: No Second**

**Vote:**

**Result: Motion to deny the annexation of Paloma Ranch Ph 3&4 Failed**

**Motion: Councilman Steven King**

**Second: Councilman Walter Clements**

**Vote: For: Councilman Steven King & Councilman Walter Clements**

**Against: Councilman Jimmy Royston, Councilman John Fissette & Councilman Harvey Lynn Burger Jr.**

**Result: Motion to approve the annexation of Paloma Ranch PH 3&4 Failed**

**Motion: Councilman Walter Clements**

**Second: Councilman John Fissette**

**Vote: For Councilman Jimmy Royston, Councilman Walter Clements, Councilman John Fissette & Councilman Steven King**

**Against: Councilman Harvey Lynn Burger Jr**

**Result: Motion passed to Table the item until City Staff can renegotiate the lot sizes and safety concerns.**

B. Discuss and consider an amendment to the Development Agreement with Dove Hollow Development LLC Paloma Ranch Phases 1 and 2, dated May 28, 2020, as to 15.563 acres to authorize one-half acre lots.

**Motion: Councilman Jimmy Royston**

**Second: Councilman Walter Clements**

**Vote: All in Favor**  
**Result: Tabled**

- C. Discuss and consider action approving an annexation services agreement between the City of New Fairview and Dove Hollow Development LLC for 179.779 acres in the James C. Jack Survey, Abstract No.679, Denton County, Texas generally located east of S. County Line Road and south of Dove Hollow Lane.

**Motion: Councilman Walter Clements**  
**Second: Councilman Jimmy Royston**  
**Vote: All in Favor**  
**Result: Tabled**

- D. Hold a public hearing and consider an Ordinance for the Annexation of 179.779 acres in the James C. Jack Survey, Abstract No.679, Denton County, Texas generally located east of S. County Line Road and south of Dove Hollow Lane.

**Motion: Councilman Jimmy Royston**  
**Second: Councilman Walter Clements**  
**Vote: All in Favor**  
**Result: Tabled**

- E. Hold a public hearing and consider an Ordinance for the zoning of 179.779 acres in the James C. Jack Survey, Abstract No.679, Denton County, Texas and rezoning of 15.563 acres currently zoned (PD) Planned Development generally located east of S. County Line Road and south of Dove Hollow Lane to (PD) Planned Development for single family residential on one half (1/2) acre lots.

**Motion: Commissioner Denis Sansoucie**  
**Second: Commissioner David Randolph**  
**Vote: All in Favor**  
**Result: Tabled**

**Motion: Councilman John Fissette**  
**Second: Councilman Jimmy Royston**  
**Vote: All in Favor**  
**Result: Tabled**

F. Consider the approval of a preliminary plat of Paloma Ranch Estates Phases 3 & 4 containing 195.342 acres in the James C. Jack Survey, Abstract No.679, Denton County, Texas generally located east of S. County Line Road and south of Dove Hollow Lane.

**Motion: Commissioner Denis Sansoucie**

**Second: Commissioner David Randolph**

**Vote: All in Favor**

**Result: Tabled**

**Motion: Councilman John Fissette**

**Second: Councilman Jimmy Royston**

**Vote: All in Favor**

**Result: Tabled**

5. **Executive Session: None**

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

7. **Adjournment:**

**Motion: Commissioner Julie Burger**

**Second: Commissioner Denis Sansoucie**

**Vote: All in Favor**

**Result: Planning and Zoning adjourned the meeting at 6:49pm.**

**Motion: Councilman John Fissette**

**Second: Councilman Harvey Lynn Burger Jr**

**Vote: All in Favor**

**Result: Council adjourned the meeting at 6:50pm.**

## **WORK SESSION**

1. Call to Order and Determination of Quorum (**Meeting called to order by Commissioner Rebecca McPherson at 6:50 pm; Roll Call with the above-mentioned names.**) (**Meeting called to order by Mayor John Taylor at 6:51 pm; Roll Call with the above-mentioned names.**)

2. Receive a report and hold a discussion regarding the City's Comprehensive Plan **Council Received a presentation from Rik Adamski a professor with UNT with an update on the City Comprehensive Plan. A student Zara with UNT also gave a presentation on the waste water and water study for our City.**



3. Adjournment

**Motion: Commissioner Julie Burger**

**Second: Commissioner Denis Sansoucie**

**Vote: All in Favor**

**Results: Planning and Zoning meeting adjourned at 7:21 pm.**

**Motion: Councilman John Fissette**

**Second: Councilman Jimmy Royston**

**Vote: All in Favor**

**Results: Council meeting adjourned at 7:21 pm.**

**MINUTES APPROVED ON THIS, THE 1st DAY OF AUGUST 2022**

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**John Taylor, Mayor**

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**Rebecca McPherson, Commissioner**

**ATTEST:**

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**Brooke Boller, City Secretary**



**City Council  
Regular Meeting Minutes  
999 Illinois Lane  
Monday, July 18, 2022**

**STATE OF TEXAS  
COUNTY OF WISE  
CITY OF NEW FAIRVIEW**

**THE CITY COUNCIL CONVENED INTO A CITY COUNCIL MEETING THE SAME BEING OPEN TO THE PUBLIC, THE 18th DAY OF JULY IN THE NEW FAIRVIEW CITY HALL AND NOTICE OF SAID MEETING GIVING THE TIME PLACE AND SUBJECT THEREFORE HAVING BEEN POSTED AS PRESCRIBED BY ARTICLE 5 OF THE TEXAS GOVERNMENT CODE WITH THE FOLLOWING MEMBERS**

**PRESENT:**

**CITY COUNCIL:**

**Mayor John Taylor  
Mayor Pro Tem Steven King  
Place 1 Councilman Harvey Lynn Burger Jr  
Place 2 Councilman John Fissette  
Place 3 Councilman Walter Clements  
Place 5 Jimmy Royston**

**City Staff**

**John Cabrales Jr, City Administrator  
Roberta (Robin) Cross, City Attorney  
Brooke Boller, City Secretary  
Susan Greenwood, Court Administrator/Assistant City Secretary**

**WORK SESSION**

- 1. Call to Order and Determination of Quorum (Meeting called to order by Mayor John Taylor at 7:35 pm; Roll Call with the above-mentioned names.)**
- 2. Receive a report and hold a discussion regarding possible inclusion in the creation of an Emergency Service District for Fire and EMS in Denton County.**

**Council Heard from Charles Williams, Ponder Fire Chief & Matthew Mitchell, Justin Fire Chief on creating an Emergency Services District with Ponder, Justin and New Fairview. They are hoping to have this on the ballot in May.**



3. Receive a report and hold a discussion on amending the City Council Procedures and Decorum Policy.

**City Administrator John Cabrales Jr informed Council of the difference between an excused vs an unexcused absences. The only excused absence is when a council member or family member is sick, and they cannot miss more than 3 consecutive meetings. Council is also allowed to view the meeting virtually, but as a private citizen, they will not have voting rights. John informed council that we would not be able to enforce a possible dress code for council during meeting and trainings. But that business casual would be recommended. Council wants to mirror the state law rules on excused and unexcused absences.**

4. Receive a report and hold a discussion regarding the Fiscal Year (FY) 2021-22 budget trends and the projections and priorities for FY 2022-23 annual budget.

**City Administrator John Cabrales Jr gave a presentation to council showing where we stood currently and where we are looking to be for the next fiscal year. Council was shown where they had approved a Safety Inspection Fee which was said to bring in \$240,000.00 this year but that \$0 had been collected; This was due to the gas well inspections not being done. He informed council we needed to adopt the budget before September 29<sup>th</sup>. John also informed council that next years budget would be based on a .30 or less property tax rate which would not include Falcon Ridge.**

5. Adjournment

**Motion: Councilman Walter Clements**

**Second: Councilman John Fissette**

**Vote: All in Favor**

**Result: Meeting was adjourned at 9:26 pm.**

### REGULAR SESSION

1. Call to Order and Determination of Quorum (Meeting called to order by Mayor John Taylor at 9:28 pm; Roll Call with the above-mentioned names.)
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. 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 the opportunity to speak, there is a three-minute limitation 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.
4. 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. Approval of the June 2022 Financial Report and third quarter Investment Report.
  - B. Approve the City Council Meeting minutes for June 20, 2022.  
**Motion: Councilman Walter Clements**  
**Second: Councilman Steven King**  
**Vote: All in Favor**  
**Result: Council approved the June 2022 financial/investment reports & the June 20, 2022 minutes.**
5. New Business: All matters listed in New Business will be discussed and considered separately.
- A. Receive and consider Mayor's Election Order for Dis-annexation of Falcon Ridge Estates from the City of New Fairview, Wise County, Texas.
    - 1. Receive, consider, and act upon a Resolution authorizing the City Administrator to execute election services agreements with Wise and Denton Counties, for the Dis-annexation of Falcon Ridge Estates from the City of New Fairview, upon receipt and staff's and legal counsel's determination that the terms of the agreement are substantially similar to previous year's form of elections agreement.  
**Motion: Councilman Steven King**



**Second: Councilman Jimmy Royston**

**Vote: For: Councilman Harvey Lynn Burger Jr, Councilman Steven King, Councilman Walter Clements & Councilman Jimmy Royston**

**Against: Councilman John Fissette**

**Result:** Council Approved a Resolution authorizing the City Administrator or Mayor to execute election services agreements with Wise and Denton Counties, for the Dis-annexation of Falcon Ridge Estates from the City of New Fairview, upon receipt and staff and legal counsel's determination that the terms of the agreement are substantially similar to previous year's forms of elections agreements.

B. Receive, consider, and act on a Resolution amending Resolution #202106-03-175 and authorizing an increase to the not to exceed cost for the improvement of County Road 4717.

**Motion: Councilman John Fissette**

**Second: Councilman Jimmy Royston**

**Vote: For: Councilman Harvey Lynn Burger Jr, Councilman John Fissette & Councilman Jimmy Royston**

**Against: Councilman Walter Clements**

**Abstained: Councilman Steven King**

**Result: Approved a Resolution amending Resolution 202106-03-175 by increasing the not-to-exceed amount from \$100,000 to \$123,000 for the improvement of County Road 4717.**

C. Receive, consider, and act on an Ordinance amending Chapter 12 "Utilities" of the Code of Ordinances.

**Motion: Councilman John Fissette**

**Second: Councilman Steven King**

**Vote: All in Favor**

**Result: Approved an Ordinance amending Chapter 12 "Utilities" of the Code of Ordinances.**

D. Receive, consider, and act on an Ordinance granting a franchise agreement with Atmos Energy Corporation.

**Motion: Councilman John Fissette**

**Second: Councilman Harvey Lynn Burger Jr**

**Vote: All in Favor**



**Result: Approved an ordinance granting a franchise agreement with Atmos Energy Corporation.**

E. Receive, consider, and act on a Resolution authorizing the city administrator to enter into a contract with Heartland Park & Recreation, LLC for the construction of a city park.

**Motion: Councilman Harvey Lynn Burger Jr**

**Second: Councilman Walter Clements**

**Vote: For: Councilman Harvey Lynn Burger Jr, Councilman Walter Clements & Councilman John Fissette**

**Against: Councilman Jimmy Royston & Councilman Steven King**

**Result: Approved a resolution authorizing the City Administrator to execute an agreement with Heartland Park, LLC, in final form as approved by the City Attorney**

6. 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. Section 551.071- Dis-annexation petition and annexed properties.

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

8. Adjournment

**Motion: Councilman Walter Clements**

**Second: Councilman Harvey Lynn Burger Jr**

**Vote: All in Favor**



**Result: Meeting was adjourned at 10:13pm.**

**MINUTES APPROVED ON THIS, THE 1st DAY OF AUGUST 2022**

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**John Taylor, Mayor**

**ATTEST:**

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**Brooke Boller, City Secretary**

Statement of Revenue and Expenditures

		Annual Budget Oct 2021 Sep 2022	Current Period Jul 2022 Actual	Year-To-Date Oct 2021 Jul 2022 Actual	Annual Budget Oct 2021 Sep 2022 Variance	Oct 2021 Sep 2022 Percent of Budget
<b>Revenue &amp; Expenditures</b>						
<b>Revenue</b>						
<b>Revenues</b>						
<b>Fines &amp; Fees</b>						
4501	Court Fines	20,000.00	3,834.68	13,717.08	(6,282.92)	68.59%
4601	Safety Inspection Fee	240,000.00	0.00		(240,000.00)	0.00%
	<b>Total Fines &amp; Fees</b>	<b>\$260,000.00</b>	<b>\$3,834.68</b>	<b>\$13,717.08</b>	<b>(\$246,282.92)</b>	
<b>Franchise Fees</b>						
4301	Franchise Fees	50,000.00	1,445.98	66,738.27	16,738.27	133.48%
	<b>Total Franchise Fees</b>	<b>\$50,000.00</b>	<b>\$1,445.98</b>	<b>\$66,738.27</b>	<b>\$16,738.27</b>	
<b>Other Revenue</b>						
4901	Other Revenue		1,653.94	8,806.31	8,806.31	0.00%
	<b>Total Other Revenue</b>		<b>\$1,653.94</b>	<b>\$8,806.31</b>	<b>\$8,806.31</b>	
<b>Permits</b>						
4404	Annexation Fee		0.00	1,000.00	1,000.00	0.00%
4401	Construction Permits	650,000.00	65,337.97	724,894.81	74,894.81	111.52%
4403	Contractor Registration		309.00	6,221.25	6,221.25	0.00%
4402	Septic Permits		1,242.30	17,754.20	17,754.20	0.00%
	<b>Total Permits</b>	<b>\$650,000.00</b>	<b>\$66,889.27</b>	<b>\$749,870.26</b>	<b>\$99,870.26</b>	
<b>Property Tax</b>						
4101	Current Property Tax	516,634.00	857.89	591,405.77	74,771.77	114.47%
4102	Delinquent Property Tax	10,576.00	0.00		(10,576.00)	0.00%
4103	Penalties	1,586.00	0.00		(1,586.00)	0.00%
	<b>Total Property Tax</b>	<b>\$528,796.00</b>	<b>\$857.89</b>	<b>\$591,405.77</b>	<b>\$62,609.77</b>	
<b>Sales Tax</b>						
4201	Sales/ Beverage Tax	300,000.00	40,807.15	329,596.15	29,596.15	109.87%
	<b>Total Sales Tax</b>	<b>\$300,000.00</b>	<b>\$40,807.15</b>	<b>\$329,596.15</b>	<b>\$29,596.15</b>	
	<b>Revenues Totals</b>	<b>\$1,788,796.00</b>	<b>\$115,488.91</b>	<b>\$1,760,133.84</b>	<b>(\$28,662.16)</b>	
	<b>Revenue</b>	<b>\$1,788,796.00</b>	<b>\$115,488.91</b>	<b>\$1,760,133.84</b>	<b>(\$28,662.16)</b>	
	<b>Gross Profit</b>	<b>\$1,788,796.00</b>	<b>\$115,488.91</b>	<b>\$1,760,133.84</b>		
<b>Expenses</b>						
<b>City Administration</b>						
<b>Contract Labor</b>						
5101	Contract Labor	3,000.00	160.00	17,560.64	(14,560.64)	585.35%
5111	Information Technology		605.36	6,053.60	(6,053.60)	0.00%
5108	Legal Expenses	50,000.00	0.00	40,195.73	9,804.27	80.39%



Statement of Revenue and Expenditures

		Annual Budget	Current Period	Year-To-Date	Annual Budget	Oct 2021
		Oct 2021	Jul 2022	Oct 2021	Oct 2021	Sep 2022
		Sep 2022	Actual	Actual	Sep 2022	Percent of Budget
					Variance	
5102	Public Infrastructure	2,500.00	0.00		2,500.00	0.00%
	<b>Total Contract Labor</b>	<b>\$55,500.00</b>	<b>\$765.36</b>	<b>\$63,809.97</b>	<b>(\$8,309.97)</b>	
	<b>Other Expense</b>					
5901	Miscellaneous Expense		11,206.00	88,829.20	(88,829.20)	0.00%
5985	Penalties Expense		1,082.95	27,817.00	(27,817.00)	0.00%
	<b>Total Other Expense</b>		<b>\$12,288.95</b>	<b>\$116,646.20</b>	<b>(\$116,646.20)</b>	
	<b>Salaries &amp; Payroll</b>					
5011	Deferred Compensation	10,000.00	0.00		10,000.00	0.00%
5007	FICA - Payroll Taxes	7,635.00	0.00		7,635.00	0.00%
5006	Health Insurance	8,880.00	30.32	8,795.72	84.28	99.05%
5004	Longevity Pay	200.00	0.00	136.00	64.00	68.00%
5012	LTD, STD and Life	1,056.00	0.00		1,056.00	0.00%
5009	Mileage	3,600.00	0.00		3,600.00	0.00%
5001	Salaries	110,760.00	12,716.46	92,675.97	18,084.03	83.67%
5005	TMRS	12,082.00	2,517.08	19,643.76	(7,561.76)	162.59%
5010	Unemployment	270.00	0.00		270.00	0.00%
5008	Worker's Comp	300.00	2.87	41.17	258.83	13.72%
	<b>Total Salaries &amp; Payroll</b>	<b>\$154,783.00</b>	<b>\$15,266.73</b>	<b>\$121,292.62</b>	<b>\$33,490.38</b>	
	<b>Services</b>					
5361	Credit Card Fees		8,118.60	14,536.34	(14,536.34)	0.00%
5320	Equipment Rental		0.00	412.95	(412.95)	0.00%
5350	Professional Services	21,500.00	0.00		21,500.00	0.00%
5360	Prop Tax Collection Fees		0.00	9,614.27	(9,614.27)	0.00%
5310	Software	2,500.00	480.89	24,588.05	(22,088.05)	983.52%
5380	TML Insurance		2,260.00	9,767.66	(9,767.66)	0.00%
5322	Training/ Dues/ Memberships	5,500.00	265.00	1,791.21	3,708.79	32.57%
	<b>Total Services</b>	<b>\$29,500.00</b>	<b>\$11,124.49</b>	<b>\$60,710.48</b>	<b>(\$31,210.48)</b>	
	<b>Supplies</b>					
5202	Equipment	1,000.00	0.00	162.50	837.50	16.25%
5299	Miscellaneous Supplies	500.00	0.00		500.00	0.00%
5201	Office Supplies	2,500.00	1,140.97	2,807.47	(307.47)	112.30%
5207	Postage	200.00	0.00		200.00	0.00%
5222	Signs		0.00	444.11	(444.11)	0.00%
	<b>Total Supplies</b>	<b>\$4,200.00</b>	<b>\$1,140.97</b>	<b>\$3,414.08</b>	<b>\$785.92</b>	
	<b>Utilities Expense</b>					
5501	Electric / Trash		152.19	1,278.54	(1,278.54)	0.00%
5502	Internet/Telephone		109.46	12,922.80	(12,922.80)	0.00%

Statement of Revenue and Expenditures

	Annual Budget Oct 2021 Sep 2022	Current Period Jul 2022 Jul 2022 Actual	Year-To-Date Oct 2021 Jul 2022 Actual	Annual Budget Oct 2021 Sep 2022 Variance	Oct 2021 Sep 2022 Percent of Budget
<b>Total Utilities Expense</b>		<b>\$261.65</b>	<b>\$14,201.34</b>	<b>(\$14,201.34)</b>	
<b>City Administration Totals</b>	<b>\$243,983.00</b>	<b>\$40,848.15</b>	<b>\$380,074.69</b>	<b>(\$136,091.69)</b>	
<b>City Council</b>					
<b>Contract Labor</b>					
5109 City Engineer	2,500.00	0.00		2,500.00	0.00%
5110 City Planner	2,500.00	0.00		2,500.00	0.00%
5108 Legal Expenses	15,000.00	0.00	15,409.41	(409.41)	102.73%
<b>Total Contract Labor</b>	<b>\$20,000.00</b>	<b>\$0.00</b>	<b>\$15,409.41</b>	<b>\$4,590.59</b>	
<b>Services</b>					
5370 Election Expense	3,000.00	0.00	1,406.56	1,593.44	46.89%
5310 Software		0.00	261.02	(261.02)	0.00%
5322 Training/ Dues/ Memberships	15,000.00	0.00	1,537.19	13,462.81	10.25%
<b>Total Services</b>	<b>\$18,000.00</b>	<b>\$0.00</b>	<b>\$3,204.77</b>	<b>\$14,795.23</b>	
<b>Supplies</b>					
5213 Council Supplies	1,500.00	217.21	217.21	1,282.79	14.48%
5202 Equipment	5,000.00	0.00		5,000.00	0.00%
5299 Miscellaneous Supplies	1,500.00	0.00		1,500.00	0.00%
5201 Office Supplies		0.00	677.95	(677.95)	0.00%
<b>Total Supplies</b>	<b>\$8,000.00</b>	<b>\$217.21</b>	<b>\$895.16</b>	<b>\$7,104.84</b>	
<b>City Council Totals</b>	<b>\$46,000.00</b>	<b>\$217.21</b>	<b>\$19,509.34</b>	<b>\$26,490.66</b>	
<b>City Secretary</b>					
<b>Contract Labor</b>					
5108 Legal Expenses	2,500.00	0.00	7,765.50	(5,265.50)	310.62%
<b>Total Contract Labor</b>	<b>\$2,500.00</b>	<b>\$0.00</b>	<b>\$7,765.50</b>	<b>(\$5,265.50)</b>	
<b>Other Expense</b>					
5901 Miscellaneous Expense		0.00	9.98	(9.98)	0.00%
<b>Total Other Expense</b>		<b>\$0.00</b>	<b>\$9.98</b>	<b>(\$9.98)</b>	
<b>Salaries &amp; Payroll</b>					
5007 FICA - Payroll Taxes	2,378.00	398.50	2,394.90	(16.90)	100.71%
5006 Health Insurance	4,440.00	0.00	5,061.89	(621.89)	114.01%
5004 Longevity Pay	450.00	0.00		450.00	0.00%
5012 LTD, STD and Life	528.00	0.00		528.00	0.00%
5009 Mileage	250.00	0.00		250.00	0.00%
5001 Salaries	31,560.00	5,288.45	31,654.86	(94.86)	100.30%
5005 TMRS	3,619.00	640.45	3,701.00	(82.00)	102.27%
5010 Unemployment	135.00	0.00		135.00	0.00%
5008 Worker's Comp	100.00	2.86	34.94	65.06	34.94%

Statement of Revenue and Expenditures

		Annual Budget	Current Period	Year-To-Date	Annual Budget	Oct 2021
		Oct 2021	Jul 2022	Oct 2021	Oct 2021	Sep 2022
		Sep 2022	Actual	Actual	Sep 2022	Percent of Budget
					Variance	
<b>Total Salaries &amp; Payroll</b>		<b>\$43,460.00</b>	<b>\$6,330.26</b>	<b>\$42,847.59</b>	<b>\$612.41</b>	
<b>Services</b>						
5330	Ads - Marketing	1,000.00	0.00		1,000.00	0.00%
5305	Legal Notices	1,800.00	0.00	710.75	1,089.25	39.49%
5306	Recording	2,000.00	0.00		2,000.00	0.00%
5310	Software	2,250.00	16.23	162.45	2,087.55	7.22%
5322	Training/ Dues/ Memberships	4,000.00	514.00	3,735.61	264.39	93.39%
<b>Total Services</b>		<b>\$11,050.00</b>	<b>\$530.23</b>	<b>\$4,608.81</b>	<b>\$6,441.19</b>	
<b>Supplies</b>						
5202	Equipment	500.00	0.00	681.59	(181.59)	136.32%
5299	Miscellaneous Supplies	500.00	0.00		500.00	0.00%
5201	Office Supplies	2,000.00	108.85	111.84	1,888.16	5.59%
5207	Postage	400.00	116.00	117.36	282.64	29.34%
5222	Signs		0.00	363.99	(363.99)	0.00%
<b>Total Supplies</b>		<b>\$3,400.00</b>	<b>\$224.85</b>	<b>\$1,274.78</b>	<b>\$2,125.22</b>	
<b>Utilities Expense</b>						
5501	Electric / Trash		152.19	1,278.48	(1,278.48)	0.00%
5502	Internet/Telephone		67.17	671.70	(671.70)	0.00%
<b>Total Utilities Expense</b>			<b>\$219.36</b>	<b>\$1,950.18</b>	<b>(\$1,950.18)</b>	
<b>City Secretary Totals</b>		<b>\$60,410.00</b>	<b>\$7,304.70</b>	<b>\$58,456.84</b>	<b>\$1,953.16</b>	
<b>Communication &amp; PR</b>						
<b>Contract Labor</b>						
5101	Contract Labor	6,500.00	0.00		6,500.00	0.00%
<b>Total Contract Labor</b>		<b>\$6,500.00</b>	<b>\$0.00</b>		<b>\$6,500.00</b>	
<b>Supplies</b>						
5207	Postage	6,500.00	0.00		6,500.00	0.00%
<b>Total Supplies</b>		<b>\$6,500.00</b>	<b>\$0.00</b>		<b>\$6,500.00</b>	
<b>Communication &amp; PR Totals</b>		<b>\$13,000.00</b>	<b>\$0.00</b>		<b>\$13,000.00</b>	
<b>Court</b>						
<b>Contract Labor</b>						
5108	Legal Expenses	5,000.00	0.00	6,219.98	(1,219.98)	124.40%
5106	Municipal Judge	2,000.00	750.00	1,950.00	50.00	97.50%
<b>Total Contract Labor</b>		<b>\$7,000.00</b>	<b>\$750.00</b>	<b>\$8,169.98</b>	<b>(\$1,169.98)</b>	
<b>Salaries &amp; Payroll</b>						
5007	FICA - Payroll Taxes	176.00	0.00	1,436.38	(1,260.38)	816.13%
5006	Health Insurance	2,220.00	0.00	5,664.03	(3,444.03)	255.14%
5004	Longevity Pay	50.00	0.00	172.00	(122.00)	344.00%

GENERAL FUND

Statement of Revenue and Expenditures

		Annual Budget Oct 2021 Sep 2022	Current Period Jul 2022 Actual	Year-To-Date Oct 2021 Jul 2022 Actual	Annual Budget Oct 2021 Sep 2022 Variance	Oct 2021 Sep 2022 Percent of Budget
5012	LTD, STD and Life	264.00	0.00		264.00	0.00%
5009	Mileage	125.00	0.00		125.00	0.00%
5003	Overtime	375.00	0.00	1,360.79	(985.79)	362.88%
5001	Salaries	9,036.00	439.48	17,766.53	(8,730.53)	196.62%
5005	TMRS	1,071.00	42.99	2,357.71	(1,286.71)	220.14%
5010	Unemployment	68.00	0.00		68.00	0.00%
5008	Worker's Comp	38.00	2.87	41.17	(3.17)	108.34%
	<b>Total Salaries &amp; Payroll</b>	<b>\$13,423.00</b>	<b>\$485.34</b>	<b>\$28,798.61</b>	<b>(\$15,375.61)</b>	
<b>Services</b>						
5325	Municipal Judge Training	250.00	0.00		250.00	0.00%
5350	Professional Services		0.00	23.95	(23.95)	0.00%
5310	Software	5,000.00	0.00	5,199.00	(199.00)	103.98%
5322	Training/ Dues/ Memberships	1,500.00	55.00	9,398.80	(7,898.80)	626.59%
	<b>Total Services</b>	<b>\$6,750.00</b>	<b>\$55.00</b>	<b>\$14,621.75</b>	<b>(\$7,871.75)</b>	
<b>Supplies</b>						
5202	Equipment	1,190.00	184.99	347.49	842.51	29.20%
5299	Miscellaneous Supplies	500.00	0.00		500.00	0.00%
5201	Office Supplies	1,500.00	89.18	89.18	1,410.82	5.95%
5207	Postage	300.00	0.00		300.00	0.00%
5222	Signs		0.00	363.99	(363.99)	0.00%
	<b>Total Supplies</b>	<b>\$3,490.00</b>	<b>\$274.17</b>	<b>\$800.66</b>	<b>\$2,689.34</b>	
<b>Utilities Expense</b>						
5501	Electric / Trash		152.18	1,278.44	(1,278.44)	0.00%
5502	Internet/Telephone		67.16	671.60	(671.60)	0.00%
	<b>Total Utilities Expense</b>		<b>\$219.34</b>	<b>\$1,950.04</b>	<b>(\$1,950.04)</b>	
	<b>Court Totals</b>	<b>\$30,663.00</b>	<b>\$1,783.85</b>	<b>\$54,341.04</b>	<b>(\$23,678.04)</b>	
<b>Economic Development</b>						
<b>Services</b>						
5350	Professional Services	10,000.00	0.00		10,000.00	0.00%
5310	Software	1,500.00	0.00	1,500.00		100.00%
	<b>Total Services</b>	<b>\$11,500.00</b>	<b>\$0.00</b>	<b>\$1,500.00</b>	<b>\$10,000.00</b>	
	<b>Economic Development Totals</b>	<b>\$11,500.00</b>	<b>\$0.00</b>	<b>\$1,500.00</b>	<b>\$10,000.00</b>	
<b>Finance</b>						
<b>Salaries &amp; Payroll</b>						
5007	FICA - Payroll Taxes	3,082.00	0.00		3,082.00	0.00%
5006	Health Insurance	6,660.00	0.00		6,660.00	0.00%
5004	Longevity Pay	500.00	0.00		500.00	0.00%

Statement of Revenue and Expenditures

		Annual Budget	Current Period	Year-To-Date	Annual Budget	Oct 2021
		Oct 2021	Jul 2022	Oct 2021	Oct 2021	Percent of
		Sep 2022	Actual	Jul 2022	Sep 2022	Budget
				Actual	Variance	
5012	LTD, STD and Life	792.00	0.00		792.00	0.00%
5009	Mileage	375.00	0.00		375.00	0.00%
5003	Overtime	375.00	0.00		375.00	0.00%
5001	Salaries	40,596.00	0.00		40,596.00	0.00%
5005	TMRS	4,690.00	0.00		4,690.00	0.00%
5010	Unemployment	203.00	0.00		203.00	0.00%
5008	Worker's Comp	138.00	0.00		138.00	0.00%
	<b>Total Salaries &amp; Payroll</b>	<b>\$57,411.00</b>	<b>\$0.00</b>		<b>\$57,411.00</b>	
<b>Services</b>						
5340	Auditor	5,000.00	0.00		5,000.00	0.00%
5350	Professional Services	10,000.00	0.00		10,000.00	0.00%
5310	Software	7,250.00	0.00		7,250.00	0.00%
	<b>Total Services</b>	<b>\$22,250.00</b>	<b>\$0.00</b>		<b>\$22,250.00</b>	
	<b>Finance Totals</b>	<b>\$79,661.00</b>	<b>\$0.00</b>		<b>\$79,661.00</b>	
<b>Health</b>						
<b>Contract Labor</b>						
5112	Abatement	25,000.00	0.00		25,000.00	0.00%
5104	Animal Control	7,500.00	0.00	1,025.00	6,475.00	13.67%
5102	Public Infrastructure	10,000.00	0.00		10,000.00	0.00%
5103	Septic Inspector	3,500.00	0.00	2,392.50	1,107.50	68.36%
	<b>Total Contract Labor</b>	<b>\$46,000.00</b>	<b>\$0.00</b>	<b>\$3,417.50</b>	<b>\$42,582.50</b>	
<b>Salaries &amp; Payroll</b>						
5007	FICA - Payroll Taxes	1,111.00	0.00		1,111.00	0.00%
5006	Health Insurance	4,440.00	0.00		4,440.00	0.00%
5004	Longevity Pay	50.00	0.00		50.00	0.00%
5012	LTD, STD and Life	528.00	0.00		528.00	0.00%
5009	Mileage	250.00	0.00		250.00	0.00%
5003	Overtime	1,400.00	0.00		1,400.00	0.00%
5001	Salaries	27,583.00	0.00		27,583.00	0.00%
5005	TMRS	2,877.00	0.00		2,877.00	0.00%
5010	Unemployment	135.00	0.00		135.00	0.00%
5008	Worker's Comp	325.00	0.00		325.00	0.00%
	<b>Total Salaries &amp; Payroll</b>	<b>\$38,699.00</b>	<b>\$0.00</b>		<b>\$38,699.00</b>	
<b>Supplies</b>						
5299	Miscellaneous Supplies	500.00	0.00		500.00	0.00%
5207	Postage	250.00	0.00		250.00	0.00%
5222	Signs	500.00	0.00		500.00	0.00%

GENERAL FUND

Statement of Revenue and Expenditures

	Annual Budget Oct 2021 Sep 2022	Current Period Jul 2022 Jul 2022 Actual	Year-To-Date Oct 2021 Jul 2022 Actual	Annual Budget Oct 2021 Sep 2022 Variance	Oct 2021 Sep 2022 Percent of Budget
<b>Total Supplies</b>	<b>\$1,250.00</b>	<b>\$0.00</b>		<b>\$1,250.00</b>	
<b>Health Totals</b>	<b>\$85,949.00</b>	<b>\$0.00</b>	<b>\$3,417.50</b>	<b>\$82,531.50</b>	
<b>Human Resources &amp; Risk</b>					
<b>Salaries &amp; Payroll</b>					
5005 TMRS		0.00	(1,572.61)	1,572.61	0.00%
<b>Total Salaries &amp; Payroll</b>		<b>\$0.00</b>	<b>(\$1,572.61)</b>	<b>\$1,572.61</b>	
<b>Services</b>					
5350 Professional Services	2,500.00	0.00	3,200.00	(700.00)	128.00%
5310 Software	3,500.00	0.00		3,500.00	0.00%
5380 TML Insurance	15,000.00	0.00		15,000.00	0.00%
<b>Total Services</b>	<b>\$21,000.00</b>	<b>\$0.00</b>	<b>\$3,200.00</b>	<b>\$17,800.00</b>	
<b>Human Resources &amp; Risk Totals</b>	<b>\$21,000.00</b>	<b>\$0.00</b>	<b>\$1,627.39</b>	<b>\$19,372.61</b>	
<b>Information Technology</b>					
<b>Contract Labor</b>					
5111 Information Technology	6,500.00	0.00	5,000.00	1,500.00	76.92%
<b>Total Contract Labor</b>	<b>\$6,500.00</b>	<b>\$0.00</b>	<b>\$5,000.00</b>	<b>\$1,500.00</b>	
<b>Services</b>					
5320 Equipment Rental	5,000.00	0.00		5,000.00	0.00%
5350 Professional Services	15,000.00	0.00		15,000.00	0.00%
5310 Software	25,500.00	0.00		25,500.00	0.00%
<b>Total Services</b>	<b>\$45,500.00</b>	<b>\$0.00</b>		<b>\$45,500.00</b>	
<b>Utilities Expense</b>					
5502 Internet/Telephone	13,500.00	0.00		13,500.00	0.00%
<b>Total Utilities Expense</b>	<b>\$13,500.00</b>	<b>\$0.00</b>		<b>\$13,500.00</b>	
<b>Information Technology Totals</b>	<b>\$65,500.00</b>	<b>\$0.00</b>	<b>\$5,000.00</b>	<b>\$60,500.00</b>	
<b>Non- Departmental</b>					
<b>Other Expense</b>					
5901 Miscellaneous Expense		0.00	548.90	(548.90)	0.00%
<b>Total Other Expense</b>		<b>\$0.00</b>	<b>\$548.90</b>	<b>(\$548.90)</b>	
<b>Supplies</b>					
5202 Equipment	5,000.00	0.00	3,634.08	1,365.92	72.68%
5299 Miscellaneous Supplies		0.00	60.00	(60.00)	0.00%
<b>Total Supplies</b>	<b>\$5,000.00</b>	<b>\$0.00</b>	<b>\$3,694.08</b>	<b>\$1,305.92</b>	
<b>Utilities Expense</b>					
5501 Electric / Trash	8,200.00	0.00		8,200.00	0.00%
<b>Total Utilities Expense</b>	<b>\$8,200.00</b>	<b>\$0.00</b>		<b>\$8,200.00</b>	
<b>Non- Departmental Totals</b>	<b>\$13,200.00</b>	<b>\$0.00</b>	<b>\$4,242.98</b>	<b>\$8,957.02</b>	

Statement of Revenue and Expenditures

	Annual Budget Oct 2021 Sep 2022	Current Period Jul 2022 Jul 2022 Actual	Year-To-Date Oct 2021 Jul 2022 Actual	Annual Budget Oct 2021 Sep 2022 Variance	Oct 2021 Sep 2022 Percent of Budget
<b>Parks &amp; Recreation</b>					
<b>Repair / Maintenance Expense</b>					
5401 Building Repairs	3,500.00	0.00		3,500.00	0.00%
<b>Total Repair / Maintenance Expense</b>	<b>\$3,500.00</b>	<b>\$0.00</b>		<b>\$3,500.00</b>	
<b>Parks &amp; Recreation Totals</b>	<b>\$3,500.00</b>	<b>\$0.00</b>		<b>\$3,500.00</b>	
<b>Planning &amp; Development</b>					
<b>Contract Labor</b>					
5105 Building Inspector	50,000.00	3,281.25	41,165.00	8,835.00	82.33%
5109 City Engineer	25,000.00	3,297.39	6,976.22	18,023.78	27.90%
5110 City Planner	25,000.00	6,025.13	33,772.10	(8,772.10)	135.09%
5108 Legal Expenses	10,000.00	0.00		10,000.00	0.00%
<b>Total Contract Labor</b>	<b>\$110,000.00</b>	<b>\$12,603.77</b>	<b>\$81,913.32</b>	<b>\$28,086.68</b>	
<b>Salaries &amp; Payroll</b>					
5007 FICA - Payroll Taxes	695.00	0.00		695.00	0.00%
5006 Health Insurance	4,440.00	0.00		4,440.00	0.00%
5004 Longevity Pay	100.00	0.00		100.00	0.00%
5012 LTD, STD and Life	528.00	0.00		528.00	0.00%
5009 Mileage	250.00	0.00		250.00	0.00%
5003 Overtime	526.00	0.00		526.00	0.00%
5001 Salaries	17,545.00	0.00		17,545.00	0.00%
5005 TMRS	2,115.00	0.00		2,115.00	0.00%
5010 Unemployment	135.00	0.00		135.00	0.00%
5008 Worker's Comp	75.00	0.00		75.00	0.00%
<b>Total Salaries &amp; Payroll</b>	<b>\$26,409.00</b>	<b>\$0.00</b>		<b>\$26,409.00</b>	
<b>Services</b>					
5350 Professional Services	45,000.00	0.00	13,500.00	31,500.00	30.00%
5310 Software		585.00	585.00	(585.00)	0.00%
<b>Total Services</b>	<b>\$45,000.00</b>	<b>\$585.00</b>	<b>\$14,085.00</b>	<b>\$30,915.00</b>	
<b>Planning &amp; Development Totals</b>	<b>\$181,409.00</b>	<b>\$13,188.77</b>	<b>\$95,998.32</b>	<b>\$85,410.68</b>	
<b>Public Safety</b>					
<b>Capital Outlay</b>					
6030 Buildings - Capital	75,000.00	0.00		75,000.00	0.00%
<b>Total Capital Outlay</b>	<b>\$75,000.00</b>	<b>\$0.00</b>		<b>\$75,000.00</b>	
<b>City Projects</b>					
5645 EMS Buildout		0.00	42,027.22	(42,027.22)	0.00%
<b>Total City Projects</b>		<b>\$0.00</b>	<b>\$42,027.22</b>	<b>(\$42,027.22)</b>	

Statement of Revenue and Expenditures

		Annual Budget Oct 2021 Sep 2022	Current Period Jul 2022 Actual	Year-To-Date Oct 2021 Jul 2022 Actual	Annual Budget Oct 2021 Sep 2022 Variance	Oct 2021 Sep 2022 Percent of Budget
<b>Contract Labor</b>						
5107	Contract Deputies	30,000.00	195.00	17,655.89	12,344.11	58.85%
5101	Contract Labor	35,000.00	2,000.00	2,000.00	33,000.00	5.71%
5108	Legal Expenses	5,000.00	0.00		5,000.00	0.00%
	<b>Total Contract Labor</b>	<b>\$70,000.00</b>	<b>\$2,195.00</b>	<b>\$19,655.89</b>	<b>\$50,344.11</b>	
<b>Other Expense</b>						
5901	Miscellaneous Expense		0.00	940.38	(940.38)	0.00%
	<b>Total Other Expense</b>		<b>\$0.00</b>	<b>\$940.38</b>	<b>(\$940.38)</b>	
<b>Services</b>						
5322	Training/ Dues/ Memberships	35,000.00	0.00		35,000.00	0.00%
	<b>Total Services</b>	<b>\$35,000.00</b>	<b>\$0.00</b>		<b>\$35,000.00</b>	
<b>Supplies</b>						
5202	Equipment	110,000.00	780.99	780.99	109,219.01	0.71%
	<b>Total Supplies</b>	<b>\$110,000.00</b>	<b>\$780.99</b>	<b>\$780.99</b>	<b>\$109,219.01</b>	
	<b>Public Safety Totals</b>	<b>\$290,000.00</b>	<b>\$2,975.99</b>	<b>\$63,404.48</b>	<b>\$226,595.52</b>	
<b>Public Works</b>						
<b>Capital Outlay</b>						
6020	Equipment - Capital	108,000.00	5,229.87	30,147.57	77,852.43	27.91%
	<b>Total Capital Outlay</b>	<b>\$108,000.00</b>	<b>\$5,229.87</b>	<b>\$30,147.57</b>	<b>\$77,852.43</b>	
<b>City Projects</b>						
5635	CR 4717		0.00	68,286.58	(68,286.58)	0.00%
5650	LED Lights		2,127.66	2,127.66	(2,127.66)	0.00%
5630	TDLR		0.00	5,266.37	(5,266.37)	0.00%
	<b>Total City Projects</b>		<b>\$2,127.66</b>	<b>\$75,680.61</b>	<b>(\$75,680.61)</b>	
<b>Contract Labor</b>						
5105	Building Inspector		0.00	750.00	(750.00)	0.00%
5109	City Engineer	20,000.00	0.00		20,000.00	0.00%
5110	City Planner	5,000.00	0.00		5,000.00	0.00%
5101	Contract Labor	60,000.00	0.00	1,336.75	58,663.25	2.23%
5102	Public Infrastructure		350.00	7,243.98	(7,243.98)	0.00%
	<b>Total Contract Labor</b>	<b>\$85,000.00</b>	<b>\$350.00</b>	<b>\$9,330.73</b>	<b>\$75,669.27</b>	
<b>Other Expense</b>						
5901	Miscellaneous Expense		28.99	1,318.65	(1,318.65)	0.00%
5921	Tolls		0.00	25.78	(25.78)	0.00%
	<b>Total Other Expense</b>		<b>\$28.99</b>	<b>\$1,344.43</b>	<b>(\$1,344.43)</b>	
<b>Repair / Maintenance Expense</b>						
5401	Building Repairs	12,000.00	1,305.50	9,998.56	2,001.44	83.32%



Statement of Revenue and Expenditures

	Annual Budget Oct 2021 Sep 2022	Current Period Jul 2022 Jul 2022 Actual	Year-To-Date Oct 2021 Jul 2022 Actual	Annual Budget Oct 2021 Sep 2022 Variance	Oct 2021 Sep 2022 Percent of Budget
5410 Road Maintenance	75,000.00	150.00	5,530.14	69,469.86	7.37%
5420 Tractor / Truck Diesel	5,000.00	49.99	3,388.73	1,611.27	67.77%
5430 Tractor/ Truck Repairs	5,000.00	1,631.71	7,207.95	(2,207.95)	144.16%
<b>Total Repair / Maintenance Expense</b>	<b>\$97,000.00</b>	<b>\$3,137.20</b>	<b>\$26,125.38</b>	<b>\$70,874.62</b>	
<b>Salaries &amp; Payroll</b>					
5007 FICA - Payroll Taxes	1,111.00	0.00		1,111.00	0.00%
5006 Health Insurance	4,440.00	0.00	4,691.81	(251.81)	105.67%
5004 Longevity Pay	50.00	0.00	100.00	(50.00)	200.00%
5012 LTD, STD and Life	528.00	0.00		528.00	0.00%
5009 Mileage	250.00	0.00		250.00	0.00%
5003 Overtime	1,400.00	1,015.50	5,927.55	(4,527.55)	423.40%
5001 Salaries	27,583.00	10,227.13	60,891.36	(33,308.36)	220.76%
5005 TMRS	2,877.00	857.47	6,913.67	(4,036.67)	240.31%
5010 Unemployment	135.00	0.00		135.00	0.00%
5008 Worker's Comp	325.00	2.86	41.17	283.83	12.67%
<b>Total Salaries &amp; Payroll</b>	<b>\$38,699.00</b>	<b>\$12,102.96</b>	<b>\$78,565.56</b>	<b>(\$39,866.56)</b>	
<b>Services</b>					
5320 Equipment Rental	2,500.00	0.00	1,761.30	738.70	70.45%
5310 Software		0.00	112.63	(112.63)	0.00%
5322 Training/ Dues/ Memberships	1,000.00	140.00	2,447.00	(1,447.00)	244.70%
<b>Total Services</b>	<b>\$3,500.00</b>	<b>\$140.00</b>	<b>\$4,320.93</b>	<b>(\$820.93)</b>	
<b>Supplies</b>					
5202 Equipment	10,000.00	654.36	1,788.38	8,211.62	17.88%
5299 Miscellaneous Supplies	3,000.00	0.00	504.87	2,495.13	16.83%
5201 Office Supplies	250.00	33.89	3,181.53	(2,931.53)	1,272.61%
5207 Postage		0.00	175.44	(175.44)	0.00%
5222 Signs	5,000.00	0.00	2,774.01	2,225.99	55.48%
<b>Total Supplies</b>	<b>\$18,250.00</b>	<b>\$688.25</b>	<b>\$8,424.23</b>	<b>\$9,825.77</b>	
<b>Utilities Expense</b>					
5501 Electric / Trash		810.51	3,858.93	(3,858.93)	0.00%
5505 Street Lights	5,500.00	337.06	3,314.88	2,185.12	60.27%
<b>Total Utilities Expense</b>	<b>\$5,500.00</b>	<b>\$1,147.57</b>	<b>\$7,173.81</b>	<b>(\$1,673.81)</b>	
<b>Public Works Totals</b>	<b>\$355,949.00</b>	<b>\$24,952.50</b>	<b>\$241,113.25</b>	<b>\$114,835.75</b>	
<b>Revenues</b>					
<b>Other Expense</b>					
5901 Miscellaneous Expense		0.00	(448.70)	448.70	0.00%
<b>Total Other Expense</b>		<b>\$0.00</b>	<b>(\$448.70)</b>	<b>\$448.70</b>	

Statement of Revenue and Expenditures

	Annual Budget Oct 2021 Sep 2022	Current Period Jul 2022 Actual	Year-To-Date Oct 2021 Jul 2022 Actual	Annual Budget Oct 2021 Sep 2022 Variance	Oct 2021 Sep 2022 Percent of Budget
<b>Services</b>					
5322 Training/ Dues/ Memberships		0.00	(718.25)	718.25	0.00%
<b>Total Services</b>		<b>\$0.00</b>	<b>(\$718.25)</b>	<b>\$718.25</b>	
<b>Revenues Totals</b>		<b>\$0.00</b>	<b>(\$1,166.95)</b>	<b>\$1,166.95</b>	
<b>Unallocated</b>					
<b>Salaries &amp; Payroll</b>					
5003 Overtime		443.33	443.33	(443.33)	0.00%
5001 Salaries		2,755.11	2,755.11	(2,755.11)	0.00%
5005 TMRS		297.28	297.28	(297.28)	0.00%
<b>Total Salaries &amp; Payroll</b>		<b>\$3,495.72</b>	<b>\$3,495.72</b>	<b>(\$3,495.72)</b>	
<b>Unallocated Totals</b>		<b>\$3,495.72</b>	<b>\$3,495.72</b>	<b>(\$3,495.72)</b>	
<b>Expenses</b>	<b>\$1,501,724.00</b>	<b>\$94,766.89</b>	<b>\$931,014.60</b>	<b>\$570,709.40</b>	
<b>Revenue Less Expenditures</b>	<b>\$287,072.00</b>	<b>\$20,722.02</b>	<b>\$829,119.24</b>		
<b>Transfers Out</b>					
<b>City Administration</b>					
<b>Transfer Expense</b>					
9100 Transfers Out		0.00	1,111,737.21	(1,111,737.21)	0.00%
<b>Total Transfer Expense</b>		<b>\$0.00</b>	<b>\$1,111,737.21</b>	<b>(\$1,111,737.21)</b>	
<b>City Administration Totals</b>		<b>\$0.00</b>	<b>\$1,111,737.21</b>	<b>(\$1,111,737.21)</b>	
<b>Court</b>					
<b>Transfer Expense</b>					
9100 Transfers Out		21,568.44	21,568.44	(21,568.44)	0.00%
<b>Total Transfer Expense</b>		<b>\$21,568.44</b>	<b>\$21,568.44</b>	<b>(\$21,568.44)</b>	
<b>Court Totals</b>		<b>\$21,568.44</b>	<b>\$21,568.44</b>	<b>(\$21,568.44)</b>	
<b>Public Works</b>					
<b>Transfer Expense</b>					
9100 Transfers Out	144,625.00	0.00		144,625.00	0.00%
<b>Total Transfer Expense</b>	<b>\$144,625.00</b>	<b>\$0.00</b>		<b>\$144,625.00</b>	
<b>Public Works Totals</b>	<b>\$144,625.00</b>	<b>\$0.00</b>		<b>\$144,625.00</b>	
<b>Transfers Out</b>	<b>\$144,625.00</b>	<b>\$21,568.44</b>	<b>\$1,133,305.65</b>	<b>(\$988,680.65)</b>	
<b>Net Change in Fund Balance</b>	<b>\$142,447.00</b>	<b>(\$846.42)</b>	<b>(\$304,186.41)</b>		
<b>Fund Balances</b>					
Beginning Fund Balance		990,417.96	1,293,757.95		0.00%
Net Change in Fund Balance	142,447.00	(846.42)	(304,186.41)		0.00%

**GENERAL FUND**

**Statement of Revenue and Expenditures**

	<b>Annual Budget</b>	<b>Current Period</b>	<b>Year-To-Date</b>	<b>Annual Budget</b>	<b>Oct 2021</b>
	<b>Oct 2021</b>	<b>Jul 2022</b>	<b>Oct 2021</b>	<b>Oct 2021</b>	<b>Sep 2022</b>
	<b>Sep 2022</b>	<b>Actual</b>	<b>Actual</b>	<b>Sep 2022</b>	<b>Percent of</b>
				<b>Variance</b>	<b>Budget</b>
Ending Fund Balance		989,571.54	989,571.54		0.00%

**TPWD- Small Parks Grant**  
**Statement of Revenue and Expenditures**

		Annual Budget	Current Period	Year-To-Date	Annual Budget	Oct 2021
		Oct 2021	Jul 2022	Oct 2021	Oct 2021	Sep 2022
		Sep 2022	Actual	Actual	Sep 2022	Percent of Budget
					Variance	
<b>Revenue &amp; Expenditures</b>						
<b>Expenses</b>						
<b>Parks &amp; Recreation</b>						
<b>Contract Labor</b>						
5109	City Engineer		0.00	23,200.00	(23,200.00)	0.00%
<b>Total Contract Labor</b>			<b>\$0.00</b>	<b>\$23,200.00</b>	<b>(\$23,200.00)</b>	
<b>Parks &amp; Recreation Totals</b>			<b>\$0.00</b>	<b>\$23,200.00</b>	<b>(\$23,200.00)</b>	
<b>Expenses</b>			<b>\$0.00</b>	<b>\$23,200.00</b>	<b>(\$23,200.00)</b>	
<b>Revenue Less Expenditures</b>			<b>\$0.00</b>	<b>(\$23,200.00)</b>		
<b>Net Change in Fund Balance</b>			<b>\$0.00</b>	<b>(\$23,200.00)</b>		
<b>Fund Balances</b>						
Beginning Fund Balance			(23,200.00)			0.00%
Net Change in Fund Balance			0.00	(23,200.00)		0.00%
Ending Fund Balance			(23,200.00)	(23,200.00)		0.00%

**Debt Service Fund**  
**Statement of Revenue and Expenditures**

		Annual Budget Oct 2021 Sep 2022	Current Period Jul 2022 Actual	Year-To-Date Oct 2021 Jul 2022 Actual	Annual Budget Oct 2021 Sep 2022 Variance	Oct 2021 Sep 2022 Percent of Budget
<b>Revenue &amp; Expenditures</b>						
<b>Expenses</b>						
<b>Public Works</b>						
<b>Debt Service Expense</b>						
7020	Interest Payment		114,987.50	144,957.14	(144,957.14)	0.00%
	<b>Total Debt Service Expense</b>		<b>\$114,987.50</b>	<b>\$144,957.14</b>	<b>(\$144,957.14)</b>	
	<b>Public Works Totals</b>		<b>\$114,987.50</b>	<b>\$144,957.14</b>	<b>(\$144,957.14)</b>	
	<b>Expenses</b>		<b>\$114,987.50</b>	<b>\$144,957.14</b>	<b>(\$144,957.14)</b>	
	<b>Revenue Less Expenditures</b>		<b>(\$114,987.50)</b>	<b>(\$144,957.14)</b>		
	<b>Net Change in Fund Balance</b>		<b>(\$114,987.50)</b>	<b>(\$144,957.14)</b>		
<b>Fund Balances</b>						
	Beginning Fund Balance		(173,353.39)	(143,383.75)		0.00%
	Net Change in Fund Balance		(114,987.50)	(144,957.14)		0.00%
	Ending Fund Balance		(288,340.89)	(288,340.89)		0.00%

**Capital Improvement Projects Fund  
Statement of Revenue and Expenditures**

	Annual Budget Oct 2021 Sep 2022	Current Period Jul 2022 Jul 2022 Actual	Year-To-Date Oct 2021 Jul 2022 Actual	Annual Budget Oct 2021 Sep 2022 Variance	Oct 2021 Sep 2022 Percent of Budget
<b>Revenue &amp; Expenditures</b>					
<b>Expenses</b>					
<b>Planning &amp; Development</b>					
<b>Capital Outlay</b>					
6040 Street - Capital		0.00	715.75	(715.75)	0.00%
<b>Total Capital Outlay</b>		<b>\$0.00</b>	<b>\$715.75</b>	<b>(\$715.75)</b>	
<b>Contract Labor</b>					
5109 City Engineer		0.00	8,106.66	(8,106.66)	0.00%
<b>Total Contract Labor</b>		<b>\$0.00</b>	<b>\$8,106.66</b>	<b>(\$8,106.66)</b>	
<b>Planning &amp; Development Totals</b>		<b>\$0.00</b>	<b>\$8,822.41</b>	<b>(\$8,822.41)</b>	
<b>Public Works</b>					
<b>Capital Outlay</b>					
6040 Street - Capital		0.00	2,311,159.06	(2,311,159.06)	0.00%
<b>Total Capital Outlay</b>		<b>\$0.00</b>	<b>\$2,311,159.06</b>	<b>(\$2,311,159.06)</b>	
<b>Public Works Totals</b>		<b>\$0.00</b>	<b>\$2,311,159.06</b>	<b>(\$2,311,159.06)</b>	
<b>Expenses</b>		<b>\$0.00</b>	<b>\$2,319,981.47</b>	<b>(\$2,319,981.47)</b>	
<b>Revenue Less Expenditures</b>		<b>\$0.00</b>	<b>(\$2,319,981.47)</b>		
<b>Net Change in Fund Balance</b>		<b>\$0.00</b>	<b>(\$2,319,981.47)</b>		
<b>Fund Balances</b>					
Beginning Fund Balance		156,393.30	2,476,374.77		0.00%
Net Change in Fund Balance		0.00	(2,319,981.47)		0.00%
Ending Fund Balance		156,393.30	156,393.30		0.00%

**Coronavirus Local Fiscal Recovery Funds  
Statement of Revenue and Expenditures**

	<b>Annual Budget Oct 2021 Sep 2022</b>	<b>Current Period Jul 2022 Jul 2022 Actual</b>	<b>Year-To-Date Oct 2021 Jul 2022 Actual</b>	<b>Annual Budget Oct 2021 Sep 2022 Variance</b>	<b>Oct 2021 Sep 2022 Percent of Budget</b>
<b>Fund Balances</b>					
Beginning Fund Balance		191,290.76	191,290.76		0.00%
Net Change in Fund Balance		0.00			0.00%
Ending Fund Balance		191,290.76	191,290.76		0.00%

**Covid-19 Cares Act Grant**  
**Statement of Revenue and Expenditures**

	Annual Budget Oct 2021 Sep 2022	Current Period Jul 2022 Actual	Year-To-Date Oct 2021 Jul 2022 Actual	Annual Budget Oct 2021 Sep 2022 Variance	Oct 2021 Sep 2022 Percent of Budget
<b>Revenue &amp; Expenditures</b>					
<b>Expenses</b>					
<b>Public Safety</b>					
<b>Supplies</b>					
5202 Equipment		0.00	10,928.83	(10,928.83)	0.00%
<b>Total Supplies</b>		<b>\$0.00</b>	<b>\$10,928.83</b>	<b>(\$10,928.83)</b>	
<b>Public Safety Totals</b>		<b>\$0.00</b>	<b>\$10,928.83</b>	<b>(\$10,928.83)</b>	
<b>Expenses</b>		<b>\$0.00</b>	<b>\$10,928.83</b>	<b>(\$10,928.83)</b>	
<b>Revenue Less Expenditures</b>		<b>\$0.00</b>	<b>(\$10,928.83)</b>		
<b>Net Change in Fund Balance</b>		<b>\$0.00</b>	<b>(\$10,928.83)</b>		
<b>Fund Balances</b>					
Beginning Fund Balance		(10,928.83)			0.00%
Net Change in Fund Balance		0.00	(10,928.83)		0.00%
Ending Fund Balance		(10,928.83)	(10,928.83)		0.00%





**CITY COUNCIL  
AGENDA MEMO**

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Prepared By: John Cabrales Jr., City Administrator

August 15, 2022

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**Special Called Meetings**

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**DESCRIPTION:**

Receive, consider, and act on a Resolution for the calling of a Special Meeting on August 29, and September 12, and rescheduling the September 5 Regular Meeting to September 6, 2022.

**BACKGROUND INFORMATION:**

As part of the annual budget adoption process, the State has timeline requirements as to when certain notice must appear in the local newspaper and when public hearings must take place for the tax rate and the budget. The revised calendar below has been presented to Council as the timeline for the City to comply with the state-imposed deadlines and also to be able to adopt a budget by September 15, 2022, per the City’s contract with Wise County Tax Office.

August 15	Budget Workshop (Regular Meeting)
August 22	Notice to Newspaper for Notice of Budget and Tax Rate Hearing
August 24	Date the Notices will appear in the Paper
<b>August 29</b>	<b>Budget Workshop (Special Meeting)</b>
<b>September 5</b>	<b>Public Hearing on Tax Rate (Regular Meeting)</b>
<b>September 5</b>	<b>Public Hearing on Budget (Regular Meeting Meeting)</b>
<b>September 12</b>	<b>Adoption of Tax Rate and Budget (Special Meeting)</b>
September 29	Last Possible Day to adopt tax rate - Only if Needed (Special Meeting)

You will note that we must hold two Special Meetings, on August 29 and September 12. We also need to reschedule the September 5 regular meeting because that date is Labor Day. Staff would like to reschedule this meeting to Tuesday, September 6.

According to the City Council Procedures and Decorum Policy, Sec. 1-120 “Types of Meetings”, the council can reschedule a meeting by motion, resolution, or ordinance. Staff is requesting the calling of the two special meetings and the rescheduling of the regular meeting mentioned above.

Sec. 1-120 – Types of Meetings

(a) Regular Meetings: The City of New Fairview regular City Council meetings are held on the first Monday of each month, at such time as may be set by the City Council, unless the meeting is rescheduled or canceled. All regular meetings of the City Council will be held in New Fairview Town Hall at 999 Illinois Lane, New Fairview, Texas, or at such other locations as the City Council may, by motion, resolution or ordinance, designate.

**FINANCIAL CONSIDERATION:**

None

**RECOMMENDED MOTION:**

I move to **Approve** a Resolution, calling of a Special Meeting on August 29, and September 12, and rescheduling the September 5 Regular Meeting to September 6, 2022, and authorizing the Mayor to execute the same.

**ATTACHMENT(S):**

Resolution 202208-07-306

**RESOLUTION NO. 202208-07-306**

**A RESOLUTION OF THE CITY OF NEW FAIRVIEW NEW FAIRVIEW, TEXAS, RESCHEDULING THE CITY COUNCIL MEETING OF MONDAY, SEPTEMBER 5, 2022 TO TUESDAY, SEPTEMBER 6, 2022; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of New Fairview, Texas (“City Council”) is regularly scheduled to meet on the first Monday of each month at 7:00 p.m.; and

**WHEREAS**, the City Council set one Council meeting for the first Monday of each month, which in September 2022 would be September 5th, 2022 at 7:00 p.m. unless otherwise canceled or modified; and

**WHEREAS**, the City Council finds that it would be in the public interest to reschedule the meeting for an alternative date that will accommodate the needs of the Council, staff and citizens; and.

**WHEREAS**, the City Council also needs to comply with the requirements of SB2 and Texas state law to adopt a budget, determine and adopt a tax rate and so therefore also needs to call a Special Meeting for on August 29, 2022 and again, on September 12, 2022.

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

**SECTION 1.** That the date of the first and only regular City Council meeting in the month of September is rescheduled from Monday, September 5, 2022 to Tuesday, September 6, 2022 at 7:00 p.m.

**SECTION 2.** That Council shall hold Special Meetings on August 29, 2022 and on September 12, 2022 for the purpose of this resolution shall take effect from and after its final date of passage.

The above and foregoing Resolution was passed and approved at a Regular Meeting of the City Council of the City of New Fairview, Texas, on this the 15<sup>th</sup> day of August 2022.

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JOHN TAYLOR, MAYOR

ATTEST:

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Brooke Boller, City Secretary



## City Council AGENDA MEMO

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Prepared By: John Cabrales Jr, City Administrator

August 15, 2022

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### Public Hearing on Amendment to TxCDBG Contract CDV21-0100

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#### **DESCRIPTION:**

Hold a public hearing regarding an amendment to the City's TxCDBG Contract CDV21-0100.

#### **BACKGROUND INFORMATION:**

The City is required to hold a public hearing regarding an amendment to the City's contract with the Texas Department of Agriculture for Texas Community Development Block Grant Program (TxCDBG) Contract CDV21-0100. The proposed changes to contract involve the location and beneficiaries of the project. Notice was given per TxCDBG guidelines for this meeting.

#### **FINANCIAL CONSIDERATION:**

The adoption of the amendment will allow the City to move forward in being able to use the awarded funds (\$350,000) for the street reconstruction project.

#### **RECOMMENDED MOTIONS:**

None

#### **ATTACHMENT(S):**

1. TxCDBG Contract



## City Council AGENDA MEMO

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Prepared By: John Cabrales Jr, City Administrator

August 15, 2022

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### **TxCDBG Contract CDV21-0100 Section 3 Requirements**

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#### **DESCRIPTION:**

Receive and consider the Section 3 requirements as required for the City's TxCDBG contract CDV21-0100.

#### **BACKGROUND INFORMATION:**

The City recently received a Texas Department of Agriculture, Texas Community Development Block Grant (TxCDBG) No. CDV21-0100 in the amount of \$350,000. The funds are for the reconstruction of Wilson Ct. and Creasser Lane. As a condition of funding, the City must comply with Section 3 of the Housing and Urban Development Act of 1968. To the greatest extent feasible, Grant Recipients must direct economic opportunities generated by CDBG funds to low- and very low-income persons. In part, this means ensuring that:

- Section 3 Businesses have the information to submit a bid or proposal for the project; and
- Section 3 Workers have information about any available job opportunities related to the project.

A company may qualify as a Section 3 Business if:

- it is owned by low-income persons;
- it is owned by Section 8-Assisted housing residents; or
- 75% of all labor hours for the business in a 3 month period are performed by Section 3 Workers.

This project is expected to include the following contracting opportunities:

- Grant Administration services (previously selected)
- Engineering Services (previously selected)
- Prime Contractor for street reconstruction
- Subcontractors – pending

You may qualify as a Section 3 Worker if:

- Your annual income is below the county threshold for your family size:
- You are a current or recent Youthbuild participant

Section 3 Workers that reside near the project location may also qualify as Targeted Section 3 Workers.

The City will track all hours worked on the project based on the three categories of workers. This will require collection of certain income information.

No action is needed, we only need a council presentation on the Section 3 requirements.

**FINANCIAL CONSIDERATION:**

The compliance with the Section 3 requirements allows the City to move forward in being able to use the awarded funds (\$350,000) for the street reconstruction project

**RECOMMENDED MOTIONS:**

None

**ATTACHMENT(S):**

1. Section 3 PowerPoint

# Section 3 Presentation

## City of New Fairview



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The City recently received the following grant award:

- Grant Contract No. CDV21-0100
- Award Amount: \$350,000
- Project: Street reconstruction on Wilson Ct. and Creasser Lane
- Program: Community Development





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The grant is funded through the  
Community Development Block Grant, via:

- U.S. Department of Housing and Urban  
Development

and

- Texas Department of Agriculture



## Section 3 Concepts

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- As a condition of funding, the City must comply with Section 3 of the Housing and Urban Development Act of 1968.
- To the greatest extent feasible, Grant Recipients must direct economic opportunities generated by CDBG funds to low- and very low-income persons.



## Section 3 Concepts

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In part, this means ensuring that:

- Section 3 Businesses have the information to submit a bid or proposal for the project; and
- Section 3 Workers have information about any available job opportunities related to the project.

For precise definitions, see TxCDBG Policy Issuance 20-01



## Section 3 Business

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A company may qualify as a Section 3 Business if:

- it is owned by low-income persons;
- it is owned by Section 8-Assisted housing residents; or
- 75% of all labor hours for the business in a 3 month period are performed by Section 3 Workers

Register at:

- HUD's Section 3 website:  
<https://portalapps.hud.gov/Sec3BusReg/BRegistry/>



## Section 3 Business

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This project is expected to include the following contracting opportunities:

- Grant Administration services (previously selected)
- Engineering Services (previously selected)
- Prime Contractor for street reconstruction
- Subcontractors – pending



## Section 3 Worker

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You may qualify as a Section 3 Worker if:

- Your annual income is below the county threshold for your family size:
- You are a current or recent Youthbuild participant

Register your information and search for opportunities at:

- WorkInTexas.gov
- HUD's Section 3 Opportunity Portal  
<https://hudapps.hud.gov/OpportunityPortal/>

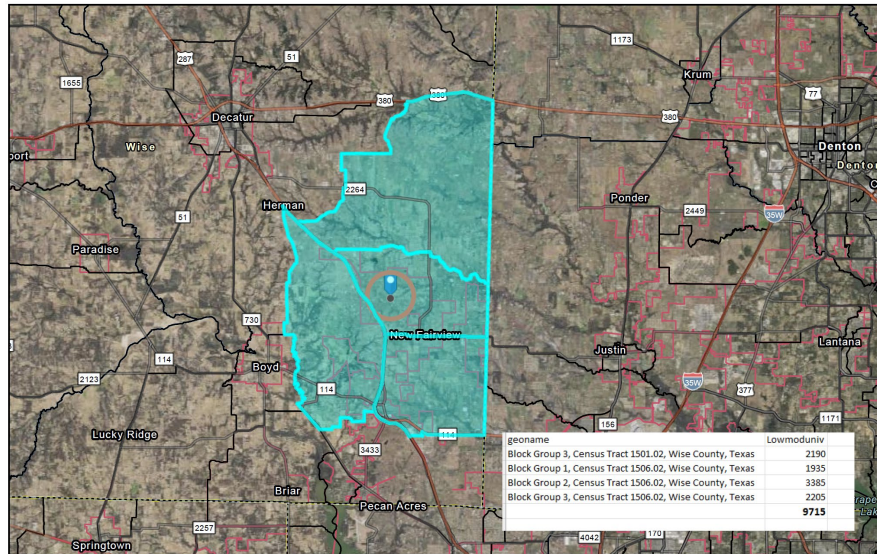


# Targeted Section 3 Worker

Section 3 Workers that reside near the project location may also qualify as Targeted Section 3 Workers.

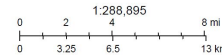
For this project, that service area is defined by this map:

City of New Fairview - Section 3 Map



4/18/2022, 4:59:35 PM

- LMISD by Block Group
- LMISD by Place & Consolidated City
- LMISD by County Subdivision
- LMISD by County



Source: Esri, USDA FSA, Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community  
 U.S. Department of Housing and Urban Development, Web-AppBuilder for

Source: Esri, Intellicart, GeoEye, AeroGRID, IGN, and the GIS User Community | Source: Esri, USDA FSA | Texas Parks & Wildlife, Esri | HERE, Garmin, SafeSearch, GeoIntelligence, Inc. | METANASA



## Recordkeeping

The City will track all hours worked on the project based on the three categories of workers.

This will require collection of certain income information.







## For More Information

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TxCDBG Policy Issuance 20-01

[REVISED Policy Issuance 20-01 Section 3 v1.pdf](#)  
[texasagriculture.gov](http://texasagriculture.gov)

24 CFR Part 75

[Electronic Code of Federal Regulations \(eCFR\)](#)

City of New Fairview



## City Council AGENDA MEMO

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Prepared By: John Cabrales Jr, City Administrator

August 15, 2022

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### Civil Rights Policy for the City's TxCDBG Program

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#### **DESCRIPTION:**

Receive, consider, and act to approve a Resolution regarding Civil Rights and related policies for the City's TxCDBG program.

#### **BACKGROUND INFORMATION:**

The City recently received a Texas Department of Agriculture, Texas Community Development Block Grant No. CDV21-0100 in the amount of \$350,000. The funds are for the reconstruction of Wilson Ct. and Creasser Lane. As a condition of funding, the City must comply with Section 109 of the Title I of the Housing and Community Development Act. (24 CFR 6); the Age Discrimination Act of 1975 (42 U.S.C. 6101-6107); and Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and for construction contracts greater than \$10,000, must take actions to ensure that no person or group is denied benefits such as employment, training, housing, and contracts generated by the CDBG activity, on the basis of race, color, religion, sex, national origin, age, or disability.

In consideration for the receipt and acceptance of federal funding, the City agrees to comply with all federal rules and regulations including those rules and regulations governing citizen participation and civil rights protections, in accordance with Section 3 of the Housing and Urban Development Act of 1968, as amended, and 24 CFR Part 135, is required, to the greatest extent feasible, to provide training and employment opportunities to lower income residents and contract opportunities to businesses in the TxCDBG project area.

The City agrees to comply with Section 104(1) of the Housing and Community Development Act, as amended, and State's certification requirements at 24 CFR 91.325(b)(6), and must adopt an excessive force policy that prohibits the use of excessive force against non-violent civil rights demonstrations; and with Section 504 of the Rehabilitation Act of 1973, to not discriminate on the basis of disability and agrees to ensure that qualified individuals with disabilities have access to programs and activities that receive federal funds. The City agrees to comply with Section 808(e)(5) of the Fair Housing Act (42 USC 3608(e)(5)) that requires HUD programs and activities be administered in a manner affirmatively to further the policies of the Fair Housing Act, agrees to conduct at least one activity during the contract period of the TxCDBG contract,

to affirmatively further fair housing; and agrees to maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts.

The City will adopt the following:

- A. Citizen Participation Plan and Grievance Procedures (Form A1013)
- B. Code of Conduct Policy (Form A1002-22)
- C. Excessive Force Policy (Form A1003)
- D. Fair Housing Policy (Form A1015)
- E. Limited English Proficiency Plan (Form 1010)
- F. Section 3 Policy (Form A1002)
- G. Section 504 Policy and Grievance Procedures (Form A1004).

**FINANCIAL CONSIDERATION:**

The adoption of the policies allows the City to move forward in being able to use the awarded funds (\$350,000) for the street reconstruction project.

**RECOMMENDED MOTIONS:**

I move to **Approve/Deny** a Resolution regarding Civil Rights and related policies for the City's TxCDBG program.

**ATTACHMENT(S):**

1. Resolution 202208-06-305 with Exhibits

**RESOLUTION 202208-06-305**  
**Regarding Civil Rights**  
**The City of New Fairview, Texas**

Whereas, the City of New Fairview, Texas, (hereinafter referred to as “City of New Fairview”) has been awarded TxCDBG funding through a TxCDBG grant from the Texas Department of Agriculture (hereinafter referred to as “TDA”);

Whereas, the City of New Fairview, in accordance with Section 109 of the Title I of the Housing and Community Development Act. (24 CFR 6); the Age Discrimination Act of 1975 (42 U.S.C. 6101-6107); and Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and for construction contracts greater than \$10,000, must take actions to ensure that no person or group is denied benefits such as employment, training, housing, and contracts generated by the CDBG activity, on the basis of race, color, religion, sex, national origin, age, or disability;

Whereas, the City of New Fairview, in consideration for the receipt and acceptance of federal funding, agrees to comply with all federal rules and regulations including those rules and regulations governing citizen participation and civil rights protections;

Whereas, the City of New Fairview, in accordance with Section 3 of the Housing and Urban Development Act of 1968, as amended, and 24 CFR Part 135, is required, to the greatest extent feasible, to provide training and employment opportunities to lower income residents and contract opportunities to businesses in the TxCDBG project area;

Whereas, the City of New Fairview, in accordance with Section 104(1) of the Housing and Community Development Act, as amended, and State’s certification requirements at 24 CFR 91.325(b)(6), must adopt an excessive force policy that prohibits the use of excessive force against non-violent civil rights demonstrations;

Whereas, the City of New Fairview, in accordance with Section 504 of the Rehabilitation Act of 1973, does not discriminate on the basis of disability and agrees to ensure that qualified individuals with disabilities have access to programs and activities that receive federal funds; and

Whereas, the City of New Fairview, in accordance with Section 808(e)(5) of the Fair Housing Act (42 USC 3608(e)(5)) that requires HUD programs and activities be administered in a manner affirmatively to further the policies of the Fair Housing Act, agrees to conduct at least one activity during the contract period of the TxCDBG contract, to affirmatively further fair housing;

Whereas, the City of New Fairview, agrees to maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL THE CITY OF NEW FAIRVIEW, TEXAS, that the CITY OF NEW FAIRVIEW ADOPTS/REAFFIRMS THE FOLLOWING:

- A. Citizen Participation Plan and Grievance Procedures (Form A1013);
- B. Code of Conduct Policy (Form A1002-22);
- C. Excessive Force Policy (Form A1003);
- D. Fair Housing Policy (Form A1015);
- E. Limited English Proficiency Plan (Form 1010);
- F. Section 3 Policy (Form A1002); and
- G. Section 504 Policy and Grievance Procedures (Form A1004).

**PASSED AND APPROVED this 15th day of August 2022.**

APPROVED:

By: \_\_\_\_\_  
John R. Taylor, Mayor

August 15, 2022  
Date

ATTEST:

By: \_\_\_\_\_  
Brooke Boller, City Secretary

**Exhibit “A****THE CITY OF NEW FAIRVIEW, TEXAS  
CITIZEN PARTICIPATION PLAN  
TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM****COMPLAINT PROCEDURES**

These complaint procedures comply with the requirements of the Texas Department of Agriculture’s Texas Community Development Block Grant (TxCDBG) Program and Local Government Requirements found in 24 CFR §570.486 (Code of Federal Regulations). Citizens can obtain a copy of these procedures at City of New Fairview, 999 Illinois Ave., New Fairview, Texas 76078, 817-638-5366, during regular business hours.

Below are the formal complaint and grievance procedures regarding the services provided under the TxCDBG project.

1. A person who has a complaint or grievance about any services or activities with respect to the TxCDBG project, whether it is a proposed, ongoing, or completed TxCDBG project, may during regular business hours submit such complaint or grievance, in writing to the City of New Fairview, Mayor at 999 Illinois Ave., New Fairview, Texas 76078 or you may call 817-638-5366.
2. A copy of the complaint or grievance shall be transmitted by the Mayor to the entity that is the subject of the complaint or grievance and to the City Attorney within five (5) working days after the date of the complaint or grievance was received.
3. The Mayor shall complete an investigation of the complaint or grievance, if practicable, and provide a timely written answer to person who made the complaint or grievance within ten (10) days.
4. If the investigation cannot be completed within ten (10) working days per 3 above, the person who made the grievance or complaint shall be notified, in writing, within fifteen (15) days where practicable after receipt of the original complaint or grievance and shall detail when the investigation should be completed.
5. If necessary, the grievance and a written copy of the subsequent investigation shall be forwarded to the TxCDBG for their further review and comment.
6. If appropriate, provide copies of grievance procedures and responses to grievances in both English and Spanish, or other appropriate language.

**TECHNICAL ASSISTANCE**

When requested, the City shall provide technical assistance to groups that are representative of persons of low- and moderate-income in developing proposals for the use of TxCDBG funds. The City, based upon the specific needs of the community’s residents at the time of the request, shall determine the level and type of assistance.

## PUBLIC HEARING PROVISIONS

For each public hearing scheduled and conducted by the City, the following public hearing provisions shall be observed:

1. Public notice of all hearings must be published or posted at least seventy-two (72) hours prior to the scheduled hearing. If published, the public notice must be published in a local newspaper. Each public notice must include the date, time, location, and topics to be considered at the public hearing. A published newspaper article can also be used to meet this requirement so long as it meets all content and timing requirements. Notices should also be prominently posted in public buildings and distributed to local Public Housing Authorities and other interested community groups.
2. When a significant number of non-English speaking residents are a part of the potential service area of the TxCDBG project, vital documents such as notices should be published in the predominant language of these non-English speaking citizens.
3. Each public hearing shall be held at a time and location convenient to potential or actual beneficiaries and will include accommodation for persons with disabilities. Persons with disabilities must be able to attend the hearings and the City must make arrangements for individuals who require auxiliary aids or services if contacted at least two days prior to the hearing.
4. A public hearing held prior to the submission of a TxCDBG application must be held after 5:00 PM on a weekday or at a convenient time on a Saturday or Sunday.
5. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, an interpreter should be present to accommodate the needs of the non-English speaking residents.

The City shall comply with the following citizen participation requirements for the preparation and submission of an application for a TxCDBG project:

1. At a minimum, the City shall hold at least one (1) public hearing to prior to submitting the application to the Texas Department of Agriculture.
2. The City shall retain documentation of the hearing notice(s), a listing of persons attending the hearing(s), minutes of the hearing(s), and any other records concerning the proposed use of funds for three (3) years from closeout of the grant to the state. Such records shall be made available to the public in accordance with Chapter 552, Texas Government Code.
3. The public hearing shall include a discussion with citizens as outlined in the applicable TxCDBG application manual to include, but is not limited to, the development of housing and community development needs, the amount of funding available, all eligible activities under the TxCDBG program, and the use of past TxCDBG contract funds, if applicable. Citizens, with particular emphasis on persons of low- and moderate-income who are residents of slum and blight areas, shall be encouraged to submit their views and proposals regarding community development and housing needs. Citizens shall be made

aware of the location where they may submit their views and proposals should they be unable to attend the public hearing.

4. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, an interpreter should be present to accommodate the needs of the non-English speaking residents.

The City must comply with the following citizen participation requirements in the event that the City receives funds from the TxCDBG program:

1. The City shall also hold a public hearing concerning any substantial change, as determined by TxCDBG, proposed to be made in the use of TxCDBG funds from one eligible activity to another again using the preceding notice requirements.
2. Upon completion of the TxCDBG project, the City shall hold a public hearing and review its program performance including the actual use of the TxCDBG funds.
3. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, for either a public hearing concerning substantial change to the TxCDBG project or for the closeout of the TxCDBG project, publish notice in both English and Spanish, or other appropriate language and provide an interpreter at the hearing to accommodate the needs of the non-English speaking residents.
4. The City shall retain documentation of the TxCDBG project, including hearing notice(s), a listing of persons attending the hearing(s), minutes of the hearing(s), and any other records concerning the actual use of funds for a period of three (3) years from closeout of the grant to the state. Such records shall be made available to the public in accordance with Chapter 552, Texas Government Code.

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John R. Taylor, Mayor  
City of New Fairview, Texas

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August 15, 2022  
Date



**Exhibit "B"****CODE OF CONDUCT POLICY**

These procedures are intended to serve as guidelines for the procurement of supplies, equipment, construction services and professional services for the Texas Community Development Block Grant (TxCDBG) Program. The regulations related to conflict of interest and nepotism may be found at the Texas Government Code Chapter 573, Texas Local Government Code Chapter 171, Uniform Grant Management Standards by Texas Comptroller, 24 CFR 570.489(g) & (h), and 2 CFR 200.318.

**CODE OF CONDUCT**

As a Grant Recipient of a TxCDBG contract, the City of New Fairview, Texas shall avoid, neutralize or mitigate actual or potential conflicts of interest so as to prevent an unfair competitive advantage or the existence of conflicting roles that might impair the performance of the TxCDBG contract or impact the integrity of the procurement process.

For procurement of goods and services, no employee, officer, or agent of the City of New Fairview, Texas shall participate in the selection, award, or administration of a contract supported by TxCDBG funds if he or she has a real or apparent conflict of interest. Such a conflict could arise if the employee, officer or agent; any member of his/her immediate family; his/her partner; or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

No officer, employee, or agent of the City of New Fairview, Texas shall solicit or accept gratuities, favors or anything of monetary value from contractors or firms, potential contractors or firms, or parties to sub-agreements, except where the financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value.

Contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements.

For all other cases, no employee, agent, consultant, officer, or elected or appointed official of the state, or of a unit of general local government, or of any designated public agencies, or subrecipients which are receiving TxCDBG funds, that has any CDBG function/responsibility, or is in a position to participate in a decision-making process or gain inside information, may obtain a financial interest or benefit from the TxCDBG activity.

The conflict of interest restrictions and procurement requirements identified herein shall apply to a benefitting business, utility provider, or other third party entity that is receiving assistance, directly or indirectly, under a TxCDBG contract or award, or that is required to complete some or all work under the TxCDBG contract in order to meet the National Program Objective.

**A1002-22**

Any person or entity including any benefitting business, utility provider, or other third party entity that is receiving assistance, directly or indirectly, under a TxCDBG contract or award, or that is required to complete some or all work under the TxCDBG contract in order to meet a National Program Objective, that might potentially receive benefits from TxCDBG awards may not participate in the selection, award, or administration of a contract supported by CDBG funding.

Any alleged violations of these standards of conduct shall be referred to the City of New Fairview, Texas City Attorney. Where violations appear to have occurred, the offending employee, officer or agent shall be subject to disciplinary action, including but not limited to dismissal or transfer; where violations or infractions appear to be substantial in nature, the matter may be referred to the appropriate officials for criminal investigation and possible prosecution.

**PASSED AND APPROVED this 15th day of August, 2022.**

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John R. Taylor, Mayor  
City of New Fairview, Texas

**Exhibit "C"**  
**Excessive Force Policy**

In accordance with 24 CFR 91.325(b)(6), the City of New Fairview, Texas hereby adopts and will enforce the following policy with respect to the use of excessive force:

1. It is the policy of the City of New Fairview to prohibit the use of excessive force by the law enforcement agencies within its jurisdiction against any individual engaged in non-violent civil rights demonstrations;
2. It is also the policy of the City of New Fairview to enforce applicable State and local laws against physically barring entrance to or exit from a facility or location that is the subject of such non-violent civil rights demonstrations within its jurisdiction.
3. The City of New Fairview will introduce and pass a resolution adopting this policy.

As officers and representatives of the City of New Fairview, we the undersigned have read and fully agree to this plan and become a party to the full implementation of this program.

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John R. Taylor, Mayor  
City of New Fairview, Texas

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**August 15, 2022**  
Date

**A1015**

**Exhibit "D"**  
**Fair Housing Policy**

In accordance with Fair Housing Act, the City of New Fairview hereby adopts the following policy with respect to the Affirmatively Furthering Fair Housing:

1. The City of New Fairview agrees to affirmatively further fair housing choice for all seven protected classes (race, color, religion, sex, disability, familial status, and national origin).
2. The City of New Fairview agrees to plan at least one activity during the contract term to affirmatively further fair housing.
3. The City of New Fairview will introduce and pass a resolution adopting this policy.

As officers and representatives of the City of New Fairview, we the undersigned have read and fully agree to this plan and become a party to the full implementation of this program.

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John R. Taylor, Mayor  
City of New Fairview, Texas

**August 15, 2022**  
Date

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## Limited English Proficiency Plan

Name Grantee: City of New Fairview, Texas	City of New Fairview
Community Population:	1,401
LEP population:	150 (10.7%)
Languages spoken: 1) by more than 5% of the eligible population or beneficiaries and has more than 50 in number; or 2) By more than 1,000 individuals in the eligible population the market area or among current beneficiaries	1) Spanish

Program activities to be accessible to LEP persons:	
<input checked="" type="checkbox"/>	Public Notices and hearings regarding applications for grant funding, amendments to project activities, and completion of grant-funded project
<input checked="" type="checkbox"/>	Publications regarding TxCDBG application, grievance procedures, <i>complaint procedures, complaint procedures, answers to complaints, notices, notices of rights and disciplinary action</i> , and other vital hearings, documents, and program requirements
<input type="checkbox"/>	Other program documents: _____

Resources available to Grant Recipient:	
<input checked="" type="checkbox"/>	Translation services: <u>Available with at least 48 hour notice.</u>
<input checked="" type="checkbox"/>	Interpreter services: <u>Available with at least 48 hour notice.</u>
<input type="checkbox"/>	Other resources: _____

Language Assistance to be provided:	
<input type="checkbox"/>	Translation (oral and/or written) of advertised notices and vital documents for: _____
<input type="checkbox"/>	Referrals to community liaisons proficient in the language of LEP persons _____
<input type="checkbox"/>	Public meetings conducted in multiple languages: _____
<input type="checkbox"/>	Notices to recipients of the availability of LEP services: _____
<input checked="" type="checkbox"/>	Other services: <u>City will continue to monitor and provide services as needed.</u>

\_\_\_\_\_  
John R. Taylor, Mayor

August 15, 2022  
Date

## **Exhibit "F"** **Section 3 Policy**

In accordance with 12 U.S.C. 1701u, the City of New Fairview agrees to implement the following steps, which, to *the greatest extent feasible*, will provide job training, employment and contracting opportunities for Section 3 residents and Section 3 businesses of the areas in which the program/project is being carried out.

- A. Introduce and pass a resolution adopting this plan as a policy to strive to attain goals for compliance to Section 3 regulations by increasing opportunities for employment and contracting for Section 3 residents and businesses.
- B. Assign duties related to implementation of this plan to the designated Civil Rights Officer.
- C. Notify Section 3 residents and business concerns of potential new employment and contracting opportunities as they are triggered by TxCDBG grant awards through the use of: Public Hearings and related advertisements; public notices; bidding advertisements and bid documents; notification to local business organizations such as the Chamber(s) of Commerce or the Urban League; local advertising media including public signage; project area committees and citizen advisory boards; local HUD offices; regional planning agencies; and all other appropriate referral sources. Include Section 3 clauses in all covered solicitations and contracts.
- D. Maintain a list of those businesses that have identified themselves as Section 3 businesses for utilization in TxCDBG funded procurements, notify those businesses of pending contractual opportunities, and make this list available for general Grant Recipient procurement needs.
- E. Maintain a list of those persons who have identified themselves as Section 3 residents and contact those persons when hiring/training opportunities are available through either the Grant Recipient or contractors.
- F. Require that all Prime contractors and subcontractors with contracts over \$100,000 commit to this plan as part of their contract work. Monitor the contractors' performance with respect to meeting Section 3 requirements and require that they submit reports as may be required by HUD or TDA to the Grant Recipient.
- G. Submit reports as required by HUD or TDA regarding contracting with Section 3 businesses and/or employment as they occur; and submit reports within 20 days of the federal fiscal year end (by October 20) which identify and quantify Section 3 businesses and employees.
- H. Maintain records, including copies of correspondence, memoranda, etc., which document all actions taken to comply with Section 3 regulations.

As officers and representatives of the City of New Fairview, we the undersigned have read and fully agree to this plan and become a party to the full implementation of this program.

\_\_\_\_\_  
John R. Taylor, Mayor  
City of New Fairview, Texas

**August 15, 2022**

\_\_\_\_\_  
Date

**Exhibit "G"**  
**Section 504 Policy Against Discrimination based on Handicap  
and Grievance Procedures**

In accordance with 24 CFR Section 8, Nondiscrimination based on Handicap in federally assisted programs and activities of the Department of Housing and Urban Development, Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), and Section 109 of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5309), the City of New Fairview hereby adopts the following policy and grievance procedures.

1. Discrimination prohibited. No otherwise qualified individual with handicaps in the United States shall, solely by reason of his or her handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance from the Department of Housing and Urban Development (HUD).
2. The City of New Fairview does not discriminate on the basis of handicap in admission or access to, or treatment or employment in, its federally assisted programs and activities.
3. The City of New Fairview's recruitment materials or publications shall include a statement of this policy in 1. above.
4. The City of New Fairview shall take continuing steps to notify participants, beneficiaries, applicants and employees, including those with impaired vision or hearing, and unions or professional organizations holding collective bargaining or professional agreements with the recipients that it does not discriminate on the basis of handicap in violation of 24 CFR Part 8.
5. For hearing and visually impaired individuals eligible to be served or likely to be affected by the TxCDBG program, the City of New Fairview shall ensure that they are provided with the information necessary to understand and participate in the TxCDBG program.
6. Grievances and Complaints
  - a. Any person who believes she or he has been subjected to discrimination on the basis of disability may file a grievance under this procedure. It is against the law for the City of New Fairview to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.
  - b. Complaints should be addressed to: Mayor, 999 Illinois Ave., New Fairview, Texas 76078, 817-638-5366, who has been designated to coordinate Section 504 compliance efforts.

- c. A complaint should be filed in writing or verbally, contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations.
- d. A complaint should be filed within thirty (30) working days after the complainant becomes aware of the alleged violation.
- e. An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation will be conducted by the Mayor. Informal but thorough investigations will afford all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.
- f. A written determination as to the validity of the complaint and description of resolution, if any, shall be issued by the Mayor and a copy forwarded to the complainant with fifteen (15) working days after the filing of the complaint where practicable.
- g. The Section 504 Administrator shall maintain the files and records of the City of New Fairview relating to the complaint files.
- h. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the determination/resolution as described in f. above. The request for reconsideration should be made to the City of New Fairview within ten (10) working days after the receipt of the written determination/resolution.
- i. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of a Section 504 complaint with the U.S. Department of Housing and Urban Development. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies.
- j. These procedures shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards and assure that the City of New Fairview complies with Section 504 and HUD regulations.

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John R. Taylor, Mayor  
City of New Fairview, Texas

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August 18, 2022

Date





## City Council AGENDA MEMO

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Prepared By: John Cabrales Jr, City Administrator

August 15, 2022

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### Amendment to TxCDBG Contract CDV21-0100

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#### **DESCRIPTION:**

Receive, consider, and act to approve a Resolution approving an amendment to the City's TxCDBG Contract CDV21-0100.

#### **BACKGROUND INFORMATION:**

The City recently received a Texas Department of Agriculture (TDA), Texas Community Development Block Grant (TxCDBG) No. CDV21-0100 in the amount of \$350,000. The funds are for the reconstruction of Wilson Ct. and Creasser Lane. The City would like to change the contract to involve changing the location of the proposed improvements and changing the number of beneficiaries to be served by the project.

The City feels it is in the best interest of the City to request TDA approval of the amendment request. Therefore, the City Council of the City of New Fairview hereby requests that TDA approve this amendment.

#### **FINANCIAL CONSIDERATION:**

The adoption of the resolution allows the City to move forward in being able to use the awarded funds (\$350,000) for the street reconstruction project.

#### **RECOMMENDED MOTIONS:**

I move to **Approve/Deny** a Resolution approving an amendment to the City's TxCDBG Contract CDV21-0100.

#### **ATTACHMENT(S):**

1. Resolution 202208-05-304

# **CITY OF NEW FAIRVIEW**

## **RESOLUTION NO. 202208-05-304**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEW FAIRVIEW, TEXAS, APPROVING AN AMENDMENT TO ITS CONTRACT CDV21-0100 THROUGH THE TEXAS DEPARTMENT OF AGRICULTURE.**

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NEW FAIRVIEW, TEXAS, THAT:**

The City hereby approves an amendment to Contract CDV21-0100 with the Texas Department of Agriculture changing the location of the proposed improvements and changing the number of beneficiaries to be served by the project.

The City feels it is in the best interest of the City to request TDA approval of the amendment request.

Therefore, the City Council of the City of New Fairview hereby requests that TDA approve this amendment.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF NEW FAIRVIEW, TEXAS ON THIS 15th DAY AUGUST, 2022.**

**CITY OF NEW FAIRVIEW, TEXAS**

By: \_\_\_\_\_  
John R. Taylor, Mayor

ATTEST:

By: \_\_\_\_\_  
Brooke Boller, City Secretary