



**City of New Fairview
City Council
Regular Meeting
999 Illinois Lane
Monday, May 15, 2023, at 7:00 pm**

CANVASSING ELECTION

- 1. Call to Order and Determination of Quorum (per Texas Election Code Sec. 67.004)**
- 2. Consider and act on a Resolution canvassing and declaring the results of the General Election held on May 6, 2023, for the purpose of electing persons to serve as Mayor and City Council Members Place 2 and Place 4 for a term of two (2) years, as well as a special election for City Council Members Place 3 and Place 5, each to fill the unexpired term for one (1) year, to the New Fairview City Council.**
- 3. Proclamation for outgoing council members.**
- 4. Formal swearing-in and seating of Mayor and Council Member Places 2, 3, 4 and 5.**
- 5. Discuss, consider, and act on the appointment of the Mayor Pro Tem**
- 6. Adjournment**

WORK SESSION

- 1. Call to Order and Determination of Quorum**
- 2. Receive a report and hold a discussion regarding options for street reconstruction project funding.**
- 3. Receive a report and hold a discussion regarding entering into an interlocal agreement with the Texas Department of Motor Vehicles for Scofflaw Services contract making Texas Motor Vehicle Registration Records and authorizing MVBA/Alicia Worth as a third-party to our Scofflaw Account.**
- 4. Adjournment**

REGULAR SESSION

- 1. Call to Order and Determination of Quorum**
- 2. Pledge to the Flags.**
 - A. United States of America**
 - B. Texas Flag Honor the Texas Flag, I pledge allegiance to thee, Texas, one state under God, one and indivisible.**

- 3. Announcements & Special Recognitions:** The agenda shall provide a time when proclamations, recognitions, general reports, and updates may be presented by the City Council.

A. Proclamation for National Public Works Week

- 4. City Administrator's Report:** The City Administrator's Report may provide information on status of current city projects and other projects affecting the City, meetings and actions of the city's boards and commissions, upcoming local community events, including but not limited to departmental operations and capital improvement project status. No action will be taken with respect to this report.
- 5. Public Comment:** The City Council invites persons with comments or observations related to city issues, projects, or policies to briefly address the City Council. Anyone wishing to speak should sign-in with the City Secretary before the beginning of the City Council Meeting. In order to expedite the flow of business and to provide all citizens 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.
- 6. Consent Agenda:** All matters as Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. An item can be removed from the consent agenda by the City Administrator, Mayor, or any member of the City Council and will be considered after approval of the consent agenda.

A. Approve the City Council Meeting minutes for May 1, 2023.

B. Approve April 2023 Financial Reports.

- 7. New Business:** All matters listed in New Business will be discussed and considered separately.
- 8. Executive Session:** Recess to Executive Session to discuss matters relating to real property pursuant to §551.072, Texas Government Code; deliberation of economic development negotiations pursuant to §551.087, Texas Government Code; discuss personnel matters pursuant to §551.074, Texas Government Code; discuss IT network or critical infrastructure security pursuant to §551.089, Texas Government Code; and to consult with the City Attorney pursuant to §551.071, Texas Government Code. The Council may go into closed session at any time when permitted by Chapter 551, Texas Government Code or Chapter 418, Texas Tax Code. Before going into closed session, a quorum of the Council must be present, the meeting must be convened as an open meeting pursuant to proper notice, the presiding officer must announce that a closed session will be held and must identify the sections of Chapter 551 or 418, Texas Government Code authorizing the closed session.
- 9. Return to Open Session:** Discuss and take appropriate action, if any, resulting from the discussions conducted in Executive Session.
- 10. Mayor & Council Member Announcements:** The City Council may hear or make reports of community interest provided no action is taken or discussed. Community interest items may include information regarding upcoming schedules of events, honorary recognitions, and announcements involving imminent public health and safety threats to the city. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.

11. Adjournment

I, the undersigned authority, do hereby certify the above notice of the meeting of the City Council of New Fairview, is a true and correct copy of the said notice that I posted on the official posting place at New Fairview City Hall, FM 407, New Fairview, Texas, a place of convenience and readily accessible to the general public at all times, and on its website, said notice being posted this 12th day of May, 2023 at 5:00 PM at least 72 hours proceeding the meeting time.


Brooke Boller, City Secretary

SEAL:



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



CITY COUNCIL AGENDA MEMO

Prepared By: Brooke Boller, City Secretary

May 6, 2023

Canvass the Results of the May 6 General/Special Election

DESCRIPTION:

Receive, consider, and act on a Resolution canvassing and declaring the results of the General/Special Election held on May 6, 2023, for the purpose of electing the Mayor and Councilmembers for Places 2,3, 4, and 5.

BACKGROUND INFORMATION:

The Denton County and Wise County Elections Administrators have provided the official results of the General/Special Election for electing the Mayor and Councilmembers for Places 2,3, 4, and 5.

The following is a resolution canvassing the certified May 6, 2023 General/Special Election results for the election held by Wise and Denton Counties, for the City of New Fairview. Canvassing of the election results is a formality, required by Chapter 62, Texas Election Code. The results are presented as official by both Wise and Denton County Election Administrators to the City of New Fairview City Secretary; therefore, the resolution effectively outlines those results for approval. Adoption of this Resolution will formally canvass the official election returns of the General/Special Election held on May 6, 2023, for the purpose of electing the Mayor and Councilmembers for Places 2,3, 4, and 5.

The certified results for Wise County and Denton County are attached to the Resolution. These results show that each of the candidates in said election received the following votes:

COUNCIL BY PLACE:

VOTES CAST:

	<u>Early/Abs.</u>	<u>Election</u>	<u>Total</u>
FOR MAYOR			
John Taylor	38	14	52
FOR COUNCIL, PLACE 2			
Peter Kozlowski	36	14	50
FOR COUNCIL, PLACE 3			
Sarah Adams	28	12	40
Walter Clements	14	7	21

	<u>Early/Abs.</u>	<u>Election</u>	<u>Total</u>
FOR COUNCIL, PLACE 4 Steven King	36	14	50
FOR COUNCIL, PLACE 5 Richard Greene	35	15	50

The results become final once adopted by the City Council.

FINANCIAL CONSIDERATION:

None

RECOMMENDED MOTION:

I move to **Approve** a Resolution canvassing and declaring the certified results of the General/Special Election held on May 6, 2023, for the purpose of electing the Mayor and Councilmembers for Places 2,3, 4, and 5.

ATTACHMENT(S):

1. Wise County Results
2. Denton County Results
3. Resolution 202305-03-129

Cumulative Results Report

WISE COUNTY, TEXAS

Official Results

Official

May 6, 2023 GENERAL AND SPECIAL ELECTION

Registered Voters

7043 of 0 = 0.00%

Precincts Reporting

65 of 65 = 100.00%

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Run Date 05/10/2023

5/6/2023
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MAYOR NEW FAIRVIEW - Vote for None or One

Precincts			Voters		
Counted	Total	Percent	Ballots	Registered	Percent
3	3	100.00%	68	0	0.00%

Choice	Party	Absentee Voting	Early Voting	Election Day Voting	Total
JOHN R. TAYLOR		0 0.00%	<u>37</u> 100.00%	<u>14</u> 100.00%	51 100.00%
Cast Votes:		0 0.00%	<u>37</u> 100.00%	<u>14</u> 100.00%	51 100.00%

CITY COUNCIL PLACE 2 (AT LARGE - 2 YEAR TERM) - Vote for None or One

Precincts			Voters		
Counted	Total	Percent	Ballots	Registered	Percent
3	3	100.00%	68	0	0.00%

Choice	Party	Absentee Voting	Early Voting	Election Day Voting	Total
PETER KOZLOWSKI		0 0.00%	<u>35</u> 100.00%	<u>14</u> 100.00%	49 100.00%
Cast Votes:		0 0.00%	<u>35</u> 100.00%	<u>14</u> 100.00%	49 100.00%

CITY COUNCIL PLACE 3 (AT LARGE - 1 YEAR TERM UNEXPIRED TERM) - Vote for None or One

Precincts			Voters		
Counted	Total	Percent	Ballots	Registered	Percent
3	3	100.00%	68	0	0.00%

Choice	Party	Absentee Voting	Earl Voting	Election Day Voting	Total
SARAH ADAMS		0 0.00%	27 65.85%	12 63.16%	39 65.00%
WALTER CLEMENTS		0 0.00%	14 34.15%	7 36.84%	21 35.00%
Cast Votes:		0 0.00%	41 100.00%	19 100.00%	60 100.00%

CITY COUNCIL PLACE 4 (AT LARGE - 2 YEAR TERM) - Vote for None or One

Precincts			Voters		
Counted	Total	Percent	Ballots	Registered	Percent
3	3	100.00%	68	0	0.00%

Choice	Party	Absentee Voting	Early Voting	Election Day Voting	Total
STEVEN KING		0 0.00%	<u>35</u> 100.00%	<u>14</u> 100.00%	49 100.00%
Cast Votes:		0 0.00%	<u>35</u> 100.00%	<u>14</u> 100.00%	49 100.00%

CITY COUNCIL PLACE 5 (AT LARGE - 1 YEAR TERM UNEXPIRED TERM) - Vote for None or One

Precincts			Voters		
Counted	Total	Percent	Ballots	Registered	Percent
3	3	100.00%	68	0	0.00%

Choice	Party	Absentee Voting	Early Voting	Election Day Voting	Total
RICHARD GREENE		0 0.00%	<u>34</u> 100.00%	<u>15</u> 100.00%	49 100.00%
Cast Votes:		0 0.00%	<u>34</u> 100.00%	<u>15</u> 100.00%	49 100.00%

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5/6/2023

Run Date 05/09/2023

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City of New Fairview City Council Mayor

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
John R. Taylor		0	0.00%	1	100.00%	0	0.00%	1	100.00%
	Cast Votes:	0	0.00%	1	100.00%	0	0.00%	1	100.00%
	Undervotes:	0		0		0		0	
	Overvotes:	0		0		0		0	

City of New Fairview City Council Place Two

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Peter Kozlowski		0	0.00%	1	100.00%	0	0.00%	1	100.00%
	Cast Votes:	0	0.00%	1	100.00%	0	0.00%	1	100.00%
	Undervotes:	0		0		0		0	
	Overvotes:	0		0		0		0	

City of New Fairview City Council Place Four

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Steven King		0	0.00%	1	100.00%	0	0.00%	1	100.00%
	Cast Votes:	0	0.00%	1	100.00%	0	0.00%	1	100.00%
	Undervotes:	0		0		0		0	
	Overvotes:	0		0		0		0	

City of New Fairview City Council Place Three (Unexpired Term)

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Sarah Adams		0	0.00%	1	100.00%	0	0.00%	1	100.00%
Walter Clements		0	0.00%	0	0.00%	0	0.00%	0	0.00%
	Cast Votes:	0	0.00%	1	100.00%	0	0.00%	1	100.00%
	Undervotes:	0		0		0		0	
	Overvotes:	0		0		0		0	

City of New Fairview City Council Place Five (Unexpired Term)

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Richard Greene		0	0.00%	1	100.00%	0	0.00%	1	100.00%
	Cast Votes:	0	0.00%	1	100.00%	0	0.00%	1	100.00%
	Undervotes:	0		0		0		0	
	Overvotes:	0		0		0		0	

RESOLUTION NO. 202305-03-129

A RESOLUTION CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE MAY 6, 2023, GENERAL/SPECIAL ELECTION OF THE CITY OF NEW FAIRVIEW, TEXAS

Whereas, pursuant to the Texas Election Code, the City Council of the City of The City of New Fairview, Texas, convened on this the 15th day of May 2023, at 7:00 P.M. for the purpose of canvassing the vote in the general/special election held on May 6, 2023;

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

Section One. Canvass of Vote – General/Special Election.

(a) There came to be considered the returns of the General/Special election held on the 6th day of May, 2023, for the purpose of electing Mayor and Councilmembers for Places 2, 4, and 5, and appearing from said returns, duly and legally made; that each of the candidates in said election received the following votes:

COUNCIL BY PLACE:

VOTES CAST:

	<u>Early/Abs.</u>	<u>Election</u>	<u>Total</u>
MAYOR			
John Taylor	38	14	52
FOR COUNCIL, PLACE 2			
Peter Kozlowski	36	14	50
FOR COUNCIL, PLACE 3			
Sarah Adams	28	12	40
Walter Clements	14	7	21
FOR COUNCIL, PLACE 4			
Steven King	36	14	50
FOR COUNCIL, PLACE 5			
Richard Greene	35	15	50

(b) Therefore, John Taylor is hereby declared as elected as City Council Mayor, respectively. He is to serve immediately after qualifying for the two-year term expiring May 2026.

Peter Kozlowski and Steven King are hereby each declared as elected as City Council Members for Place 2 and for Place 4, respectively. Each is to serve immediately after qualifying for the two-year term expiring May 2026.

Sarah Adams and Richard Greene are hereby each declared as elected as City Council Members, for Place 3 and for Place 5, respectively. Each is to serve immediately after qualifying for the one-year remaining term expiring May 2025.

Section Three. Open Meetings. It is further found and determined that in accordance with this Resolution of this governing body that the City Secretary posted written notice of the date, place, and subject of this meeting in the kiosk located at City Hall, a place convenient to the public, and said notice having been so posted continuously for at least 72 hours preceding the date of this meeting. A copy of the return of said posting shall be attached to the minutes of the meeting and shall be made apart thereof for all intents and purposes.

PASSED AND APPROVED this the 15th day of May 2023.

ATTEST:

NEW FAIRVIEW, TEXAS

Brooke Boller, City Secretary

John Taylor, Mayor



CITY COUNCIL AGENDA MEMO

Prepared By: John Cabrales Jr, City Administrator

May 15, 2023

Mayor Pro Tempore

DESCRIPTION:

Discuss, consider, and act on the appointment of the Mayor Pro Tempore.

BACKGROUND INFORMATION:

The Texas Local Government Code, CHAPTER 22 (ALDERMANIC FORM OF GOVERNMENT IN TYPE A GENERAL-LAW MUNICIPALITY), SUBCHAPTER A, (GENERAL PROVISIONS), Sec. 22.037 (b) (MAYOR AS PRESIDING OFFICER; PRESIDENT PRO TEMPORE) states, "At each new governing body's first meeting or as soon as practicable, the governing body shall elect one alderman to serve as president pro tempore for a term of one year." We refer to this position as Mayor Pro Tempore (Mayor Pro Tem) and is referenced in the City Council Procedures & Decorum Policy. This Policy was adopted by the City Council on June 1, 2020, (2020-17-107), updated on May 17, 2021, and November 21, 2022, and the Mayor Pro Tem is referenced in the sections below.

Sec. 1-100 – Authority

Pursuant to the provisions of the Ordinances of the City of New Fairview, Texas, the City Council shall enact rules of procedure for all meetings of the City Council of the City of New Fairview, Texas, which shall be in effect upon their adoption by the City Council and until such times as they are amended or new rules adopted. These rules of procedures shall serve as general guidelines for Council conduct and meeting protocols.

Additionally, these general rules and guidelines shall govern the procedures and decorum of all Council appointed boards, commissions, committees, or other advisory bodies. References specific to the Council, Mayor, Mayor Pro Tem, or Council member duties and responsibilities shall apply to the advisory body, Chair, Vice Chair, and members respectively

Sec. 1-150 – General Procedures

(b) Chair of Meeting: The Mayor shall preside over all meetings of the City Council as the Tempore Chair and enforce these rules and procedures during a meeting. In the absence of the Mayor, the Pro Tempore shall assume the Chair’s responsibility at the meeting. In the absence of the Pro Tempore, the Council will choose a Chair for the meeting.

Sec. 1-160 – Decorum

(b) Mayoral Responsibilities:

The Mayor is the official spokesperson for the Council on all matters unless absent, at which time the Mayor Pro Tempore or appropriate designee will assume the role. The views presented by the Mayor, or the Mayor Pro Tempore in his/her absence, should provide an equitable representation of all Council Members.

This agenda item is for the City Council to consider the appointment of the Mayor Pro Tem for the next year. The current Mayor Pro Tem is Steven King.

FINANCIAL CONSIDERATION:

None

RECOMMENDED MOTIONS:

I move to **Approve** the appointment of _____ as Mayor Pro Tem for the next year.

ATTACHMENT(S):

None



**CITY COUNCIL
AGENDA MEMO**

Prepared By: John Cabrales Jr, City Administrator

May 15, 2023

Road Reconstruction Funding Options

DESCRIPTION:

Receive a report and hold a discussion regarding the options for funding the needed reconstruction and drainage improvement of several city roads.

BACKGROUND INFORMATION:

On February 6, 2023, staff had a workshop discussion with the City Council regarding the completion of several road and drainage projects. Staff also sought input from the Council on the desire for any further road reconstruction projects and associated funding for those projects. Staff were directed to bring back a plan for the reconstruction of city roads and funding options.

In December 2020, the City issued \$2,930,000 in Certificates of Obligations for the use to reconstruct roads in the Chisholm Hills subdivision. The City worked with our engineering firm, Pacheco Koch, and bid out the road project and the City awarded the contract to Jagoe-Public Company for \$3,369,210. The contract was later amended to accommodate \$259,600 in change orders for a new total of \$3,628,810. The project was scaled back due to funding issues and the total cost for the project was \$2,867,415, not including engineering and design (\$294,903) and land acquisition costs. As of December 2022, this project has been completed and all payments have been made to the contractor. Several roads in the Chisholm Hills subdivision are still in need of drainage improvements and road reconstruction.

On April 19, 2021, the Council approved a Chapter 380 Economic Development Agreement with Sunrise, LLC. Municipalities use these economic development incentives to assist with the construction of public infrastructure for the benefit of the community. As part of the Agreement, Sunrise was to pay for the concrete construction of the first 815 linear feet of Graham Road, including improvements to drainage. When the project is completed, the City agreed to share sales tax revenue with Sunrise, LLC at a 50/50 split for three (3) years to help offset their cost for this public improvement. That project was completed in January 2023. The City needs to decide what improvements, if any, it wants to make to the remaining portion of Graham Road, which is currently a gravel road in need of repair.

On September 6, 2022, the Council awarded a contract to JR West Texas Construction for drainage improvements to Wilson Court and Creasser Lane in the Chisolm Hills subdivision. The City received a

Texas Department of Agriculture (TDA), Texas Community Development Block Grant (TxCDBG) in the amount of \$350,000, with a local match of \$83,784 for the reconstruction of Wilson Court and Creasser Lane. This drainage work must be done before the roads can be reconstructed by Wise County. JR West Texas Construction has informed us that they will begin the project on January 30 and will be done before the 120 days allotted in the agreement.

On January 16, 2023, the Council approved a Project Agreement (#1015) that consists of the spreading of gravel on the unimproved section of Graham Road, approximately 1,332 linear feet long and 18 - 20 feet wide. The City will be supplying the gravel and the County will spread the gravel. This is needed to repair some erosion and other damage to the road until a permanent solution is decided for this section of the road. The Agreement also includes the grinding of the old asphalt, applying base material, and laying asphalt to Wilson Court, Creasser Lane, a portion of Stewart Street by the new City Park, and the parking lot of the new park. The drainage improvements have been completed so that the road reconstruction by the County will begin soon.

At the end of 2022, the Mayor and staff met with the Fairview Meadows developer to discuss the construction plans for Pioneer Road. As part of the Development Agreement for Fairview Meadows, the developer is responsible for the reconstruction cost of Pioneer Road along the eastern boundary of the property for phase one (1) through five (5). This project is currently estimated to be \$4.32 million, with the City's portion at around \$2.08 million. The developer informed the City that they plan to move forward with the construction of drainage and road improvements to their section of Pioneer Road when they begin the road and drainage work for phase five (5) of their development. Staff recently received preliminary plans for phase five and are in the process of reviewing them. It is possible that the developer could begin the reconstruction of Pioneer Road by the end of 2023. The City currently has not identified any funds for our portion of the reconstruction cost of Pioneer Road.

On September 13, 2021, the Council approved a Transportation Impact Fee and accompanying Capital Improvement Plan (CIP) for the use of these fees. In an effort to have growth pay for growth, specifically its impact on city roads, this fee is to be used for improvements and expansion of roads on the CIP. Both Graham Road and Pioneer Road are found on the CIP and therefore these fees can be used on them. To date there is approximately \$195,000 in the Transportation Impact Fee Fund.

In November 2022, Denton County residents voted in favor of the Transportation Road Improvement Program that consists of \$650 million in bonds to be issued as needed for road projects over the next decade. The City unfortunately did not have an approved project on this bond proposal, but there are approximately \$17 million in undedicated funds that the City can apply for as part of an Interlocal Agreement with Denton County. One project that staff is looking at is the drainage and road reconstruction of South County Line Road, north of FM 407 to B Judge Lane, and B Judge Lane eastwards to the city limits. Staff is doing research to prepare for discussions with Denton County officials on this request.

Staff has also made updates to the Pavement Management Plan and have attached the latest version. This program reviews the condition of the roughly 32 lane miles of roads in the city. The information on this plan is used by staff to make recommendations to the council on the next round of roads that need to be reconstructed or repaired to prevent further deterioration. The current approved Budget contains \$135,000 for street maintenance, including the \$85,000 committed to leverage the \$350,000

in Community Development Block Grant (CDBG) funds for the drainage and road improvements to Wilson Court and Creasser Lane. There was also \$192,000 budgeted for the purchase of a new public works truck, a crack sealing trailer, and a hotbox trailer, and a public works truck.

Staff is making this presentation to give Council a priority listing of road reconstruction projects and associated costs. Also, the options of debt issuance through Certificate of Obligation Bonds and estimated issuance costs and debt service payments for the bonds. Staff is seeking direction from the City Council on how to proceed with any road reconstruction projects.

FINANCIAL CONSIDERATION:

Will depend on the City Council approved amount of debt issuance and the annual taxable assessed valuation to determine the I&S tax rate for the debt service payment over the 20-year bond.

RECOMMENDED MOTIONS:

None, discussion only.

ATTACHMENT(S):

1. Priority List of Street Reconstruction Projects
2. Tax Rate Analysis Options
3. Estimated Issuance Cost

NEW FAIRVIEW BOND PROGRAM RESIDENTIAL STREET PRIORITY

	STREET NAME	PCI	LENGTH	PAVING	DRAINAGE	SURVEY	ENGINEERING	TOTAL
PRIORITY 1	CHISHOLM HILLS DRIVE (PHASE 1)	48	2,700	\$ 345,000	\$ -	\$ -	\$ 13,500	\$ 358,500
	CHISHOLM HILLS COURT	44	850	\$ 109,250	\$ -	\$ -	\$ 4,250	\$ 113,500
	AYDELOTTE COURT	43	550	\$ 115,000	\$ 28,750	\$ -	\$ 4,400	\$ 148,150
	MISCELLANEOUS PVMT MAINTENANCE		10,000	\$ 75,000	\$ -	\$ -	\$ -	\$ 75,000
	PRIORITY 1 TOTAL							\$ 695,150
PRIORITY 2	LANGE WAY	47 & 60	1,400	\$ 264,500	\$ 115,000	\$ 7,000	\$ 25,200	\$ 411,700
	HILLTOP TRAIL	50 & 53	3,100	\$ 592,250	\$ 258,750	\$ 15,500	\$ 62,000	\$ 928,500
	PRIORITY 2 TOTAL							\$ 1,340,200
PRIORITY 3	CHISHOLM HILLS DRIVE (PHASE 2)	64	1,000	\$ 195,500	\$ 80,500	\$ 5,000	\$ 18,000	\$ 299,000
	PRIORITY 3 TOTAL							\$ 299,000
TOTAL								\$ 2,334,350

NEW FAIRVIEW BOND PROGRAM - PIONEER AND GRAHAM						
STREET NAME	PCI	LENGTH	PAVING	DRAINAGE	ENGINEERING	TOTAL
PIONEER ROAD (NORTH)	59	4,260.00	\$ 1,175,000	\$ 125,000	\$ 25,600	\$ 1,325,600
PIONEER ROAD (SOUTH)	70	1,800.00	\$ 565,000	\$ 335,000	\$ 10,800	\$ 910,800
GRAHAM ROAD	66 & 68	1,600.00	\$ 670,000	\$ 50,000	\$ 9,600	\$ 729,600
*PRIORITY 1 TOTAL						\$ 2,966,000

* The Transportation Impact Fees Can be used to pay for the debt service for these two roads because they are included in the Roadway Capital Improvement Plan. Currently, there is approximately \$177,000 in the Transportatin Impact Fee account.

City of New Fairview, Texas
Existing and Pro-forma Debt Service
Tax Rate Analysis - Potential 2023 Certificate of Obligation

<i>A</i>	<i>B</i>	<i>C</i>	<i>D</i>			<i>E</i>	<i>F</i>	<i>G</i>	<i>H</i>			<i>I</i>	<i>J</i>	<i>K</i>	<i>L</i>		<i>M</i>
Fiscal Year Ended 9/30	Taxable Assessed Valuation ⁽¹⁾	Actual/ Assumed Growth Rates	Existing Debt Service Information				Existing Debt Estimated I&S Tax Rate ⁽²⁾	Tax Rate Analysis - Funds \$6,000,000				Combined Totals					
			Existing Outstanding Debt (2021 CO)			\$		\$6,000,000 Series 2023 - 8/1/2023 - 4.75% ⁽³⁾		Less: Transportation Impact Fees ⁽⁴⁾	Total Debt Service Paid from Property Taxes	Total Estimated I&S Tax Rate ⁽²⁾					
			Principal	Interest	Total			Principal	Interest				Total				
2023	301,032,171	58.28%	95,000	57,075	152,075	0.0493									152,075	0.0493	
2024	313,919,750	4.28%	115,000	54,225	169,225	0.0550	\$ 180,000	\$ 299,784	\$ 479,784	\$ (75,000)	\$ 574,009	0.1866					
2025	327,261,339	4.25%	125,000	50,775	175,775	0.0548	200,000	280,013	480,013	(75,000)	580,788	0.1811					
2026	341,169,946	4.25%	130,000	47,025	177,025	0.0529	205,000	270,513	475,513	(75,000)	577,538	0.1727					
2027	355,669,669	4.25%	135,000	43,125	178,125	0.0511	215,000	260,775	475,775	(75,000)	578,900	0.1661					
2028	370,785,630	4.25%	140,000	39,075	179,075	0.0493	225,000	250,563	475,563	(75,000)	579,638	0.1595					
2029	386,544,019	4.25%	145,000	34,875	179,875	0.0475	240,000	239,875	479,875	(75,000)	584,750	0.1544					
2030	386,544,019		150,000	30,525	180,525	0.0477	250,000	228,475	478,475	(75,000)	584,000	0.1542					
2031	386,544,019		155,000	26,025	181,025	0.0478	265,000	216,600	481,600	(75,000)	587,625	0.1551					
2032	386,544,019		155,000	22,925	177,925	0.0470	275,000	204,013	479,013	(75,000)	581,938	0.1536					
2033	386,544,019		160,000	19,825	179,825	0.0475	285,000	190,950	475,950	(75,000)	580,775	0.1533					
2034	386,544,019		165,000	17,905	182,905	0.0483	305,000	177,413	482,413	(75,000)	590,318	0.1558					
2035	386,544,019		170,000	15,925	185,925	0.0491	315,000	162,925	477,925	(75,000)	588,850	0.1554					
2036	386,544,019		170,000	13,545	183,545	0.0485	330,000	147,963	477,963	(75,000)	586,508	0.1548					
2037	386,544,019		175,000	11,165	186,165	0.0491	345,000	132,288	477,288	(75,000)	588,453	0.1553					
2038	386,544,019		180,000	8,540	188,540	0.0498	365,000	115,900	480,900	(75,000)	594,440	0.1569					
2039	386,544,019		180,000	5,840	185,840	0.0491	375,000	98,563	473,563	(75,000)	584,403	0.1543					
2040	386,544,019		185,000	2,960	187,960	0.0496	395,000	80,750	475,750	(75,000)	588,710	0.1554					
2041	386,544,019						415,000	61,988	476,988	(75,000)	401,988	0.1061					
2042	386,544,019						435,000	42,275	477,275	(75,000)	402,275	0.1062					
2043	386,544,019						455,000	21,613	476,613	(75,000)	401,613	0.1060					
2044	386,544,019										-	-					
2045	386,544,019										-	-					
2046	386,544,019										-	-					
			\$ 2,730,000	\$ 501,355	\$ 3,231,355		\$ 6,075,000	\$ 3,483,234	\$ 9,558,234	\$ (1,500,000)	\$ 11,289,589						

- (1) 2022-2023 TAV as provided by Wise and Denton County Appraisal Districts; FYE 2024 value represents preliminary 2024 value as of April 2023; growth projections estimated thereafter.
- (2) Based on an assumed collection rate of 98%. Tax Rate for 2023 is actual.
- (3) Estimated interest rates as of 5/11/2023 + 0.50%
- (4) Assumed to be paid on the debt service attributable to funding \$2.966 million; assumed to apply \$75,000 per year towards the debt service payments.

City of New Fairview, Texas
Existing and Pro-forma Debt Service
Tax Rate Analysis - Potential 2023 Certificate of Obligation

<i>A</i>	<i>B</i>	<i>C</i>	<i>D</i>			<i>E</i>	<i>F</i>	<i>G</i>	<i>H</i>			<i>I</i>	<i>J</i>	<i>K</i>	<i>L</i>		<i>M</i>
Fiscal Year Ended 9/30	Taxable Assessed Valuation ⁽¹⁾	Actual/ Assumed Growth Rates	Existing Debt Service Information				Tax Rate Analysis - Funds \$6,000,000				Combined Totals						
			Existing Outstanding Debt (2021 CO)			Existing Debt Estimated I&S Tax Rate ⁽²⁾	\$6,000,000 Series 2023 - 8/1/2023 - 4.75% ⁽³⁾			Less: Transportation Impact Fees ⁽⁴⁾	Total Debt Service Paid from Property Taxes	Total Estimated I&S Tax Rate ⁽²⁾					
			Principal	Interest	Total		Principal	Interest	Total								
2023	301,032,171	58.28%	95,000	57,075	152,075	0.0493									152,075	0.0493	
2024	313,919,750	4.28%	115,000	54,225	169,225	0.0550	\$ 180,000	\$ 299,784	\$ 479,784	\$ (75,000)				574,009	0.1866		
2025	327,261,339	4.25%	125,000	50,775	175,775	0.0548	200,000	280,013	480,013	(75,000)				580,788	0.1811		
2026	341,169,946	4.25%	130,000	47,025	177,025	0.0529	205,000	270,513	475,513	(75,000)				577,538	0.1727		
2027	355,669,669	4.25%	135,000	43,125	178,125	0.0511	215,000	260,775	475,775					653,900	0.1876		
2028	370,785,630	4.25%	140,000	39,075	179,075	0.0493	225,000	250,563	475,563					654,638	0.1802		
2029	386,544,019	4.25%	145,000	34,875	179,875	0.0475	240,000	239,875	479,875					659,750	0.1742		
2030	386,544,019		150,000	30,525	180,525	0.0477	250,000	228,475	478,475					659,000	0.1740		
2031	386,544,019		155,000	26,025	181,025	0.0478	265,000	216,600	481,600					662,625	0.1749		
2032	386,544,019		155,000	22,925	177,925	0.0470	275,000	204,013	479,013					656,938	0.1734		
2033	386,544,019		160,000	19,825	179,825	0.0475	285,000	190,950	475,950					655,775	0.1731		
2034	386,544,019		165,000	17,905	182,905	0.0483	305,000	177,413	482,413					665,318	0.1756		
2035	386,544,019		170,000	15,925	185,925	0.0491	315,000	162,925	477,925					663,850	0.1752		
2036	386,544,019		170,000	13,545	183,545	0.0485	330,000	147,963	477,963					661,508	0.1746		
2037	386,544,019		175,000	11,165	186,165	0.0491	345,000	132,288	477,288					663,453	0.1751		
2038	386,544,019		180,000	8,540	188,540	0.0498	365,000	115,900	480,900					669,440	0.1767		
2039	386,544,019		180,000	5,840	185,840	0.0491	375,000	98,563	473,563					659,403	0.1741		
2040	386,544,019		185,000	2,960	187,960	0.0496	395,000	80,750	475,750					663,710	0.1752		
2041	386,544,019						415,000	61,988	476,988					476,988	0.1259		
2042	386,544,019						435,000	42,275	477,275					477,275	0.1260		
2043	386,544,019						455,000	21,613	476,613					476,613	0.1258		
2044	386,544,019													-	-		
2045	386,544,019													-	-		
2046	386,544,019													-	-		
			\$ 2,730,000	\$ 501,355	\$ 3,231,355		\$ 6,075,000	\$ 3,483,234	\$ 9,558,234	\$ (225,000)				\$ 12,564,589			

- (1) 2022-2023 TAV as provided by Wise and Denton County Appraisal Districts; FYE 2024 value represents preliminary 2024 value as of April 2023; growth projections estimated thereafter.
- (2) Based on an assumed collection rate of 98%. Tax Rate for 2023 is actual.
- (3) Estimated interest rates as of 5/11/2023 + 0.50%
- (4) Assumed to be paid on the debt service attributable to funding \$2.966 million

City of New Fairview, Texas
Existing and Pro-forma Debt Service
Tax Rate Analysis - Potential 2023 Certificate of Obligation

<i>A</i>	<i>B</i>	<i>C</i>	<i>D</i>			<i>E</i>	<i>F</i>	<i>G</i>	<i>H</i>			<i>I</i>	<i>J</i>	<i>K</i>	<i>L</i>		<i>M</i>
Fiscal Year Ended 9/30	Taxable Assessed Valuation ⁽¹⁾	Actual/ Assumed Growth Rates	Existing Debt Service Information				Existing Debt Estimated I&S Tax Rate ⁽²⁾	Tax Rate Analysis - Funds \$5,000,000				Combined Totals					
			Existing Outstanding Debt (2021 CO)			Principal		Interest	Total	\$5,000,000 Series 2023 - 8/1/2023 - 4.75% ⁽³⁾			Less: Transportation Impact Fees ⁽⁴⁾	Total Debt Service Paid from Property Taxes	Total Estimated I&S Tax Rate ⁽²⁾		
			Principal	Interest	Total					Principal	Interest	Total					
2023	301,032,171	58.28%	95,000	57,075	152,075	0.0493									152,075	0.0493	
2024	313,919,750	4.28%	115,000	54,225	169,225	0.0550	\$ 150,000	\$ 250,437	\$ 400,437	\$ (75,000)				494,662	0.1608		
2025	327,261,339	4.25%	125,000	50,775	175,775	0.0548	165,000	233,938	398,938	(75,000)				499,713	0.1558		
2026	341,169,946	4.25%	130,000	47,025	177,025	0.0529	175,000	226,100	401,100	(75,000)				503,125	0.1505		
2027	355,669,669	4.25%	135,000	43,125	178,125	0.0511	180,000	217,788	397,788	(75,000)				500,913	0.1437		
2028	370,785,630	4.25%	140,000	39,075	179,075	0.0493	185,000	209,238	394,238	(75,000)				498,313	0.1371		
2029	386,544,019	4.25%	145,000	34,875	179,875	0.0475	200,000	200,450	400,450	(75,000)				505,325	0.1334		
2030	386,544,019		150,000	30,525	180,525	0.0477	210,000	190,950	400,950	(75,000)				506,475	0.1337		
2031	386,544,019		155,000	26,025	181,025	0.0478	220,000	180,975	400,975	(75,000)				507,000	0.1338		
2032	386,544,019		155,000	22,925	177,925	0.0470	230,000	170,525	400,525	(75,000)				503,450	0.1329		
2033	386,544,019		160,000	19,825	179,825	0.0475	240,000	159,600	399,600	(75,000)				504,425	0.1332		
2034	386,544,019		165,000	17,905	182,905	0.0483	250,000	148,200	398,200	(75,000)				506,105	0.1336		
2035	386,544,019		170,000	15,925	185,925	0.0491	260,000	136,325	396,325	(75,000)				507,250	0.1339		
2036	386,544,019		170,000	13,545	183,545	0.0485	275,000	123,975	398,975	(75,000)				507,520	0.1340		
2037	386,544,019		175,000	11,165	186,165	0.0491	290,000	110,913	400,913	(75,000)				512,078	0.1352		
2038	386,544,019		180,000	8,540	188,540	0.0498	305,000	97,138	402,138	(75,000)				515,678	0.1361		
2039	386,544,019		180,000	5,840	185,840	0.0491	320,000	82,650	402,650	(75,000)				513,490	0.1356		
2040	386,544,019		185,000	2,960	187,960	0.0496	330,000	67,450	397,450	(75,000)				510,410	0.1347		
2041	386,544,019						345,000	51,775	396,775	(75,000)				321,775	0.0849		
2042	386,544,019						365,000	35,388	400,388	(75,000)				325,388	0.0859		
2043	386,544,019						380,000	18,050	398,050	(75,000)				323,050	0.0853		
2044	386,544,019													-	-		
2045	386,544,019													-	-		
2046	386,544,019													-	-		
			\$ 2,730,000	\$ 501,355	\$ 3,231,355		\$ 5,075,000	\$ 2,911,862	\$ 7,986,862	\$ (1,500,000)				\$ 9,718,217			

- (1) 2022-2023 TAV as provided by Wise and Denton County Appraisal Districts; FYE 2024 value represents preliminary 2024 value as of April 2023; growth projections estimated thereafter.
- (2) Based on an assumed collection rate of 98%. Tax Rate for 2023 is actual.
- (3) Estimated interest rates as of 5/11/2023 + 0.50%
- (4) Assumed to be paid on the debt service attributable to funding \$2.966 million; assumed to apply \$75,000 per year towards the debt service payments.

City of New Fairview, Texas
Existing and Pro-forma Debt Service
Tax Rate Analysis - Potential 2023 Certificate of Obligation

A	B	C	D	E	F	G	H	I	J	K	L	M
Fiscal Year Ended 9/30	Taxable Assessed Valuation ⁽¹⁾	Actual/ Assumed Growth Rates	Existing Debt Service Information				Tax Rate Analysis - Funds \$5,000,000				Combined Totals	
			Existing Outstanding Debt (2021 CO)			Existing Debt Estimated I&S Tax Rate ⁽²⁾	\$5,000,000 Series 2023 - 8/1/2023 - 4.75% ⁽³⁾			Less: Transportation Impact Fees ⁽⁴⁾	Total Debt Service Paid from Property Taxes	Total Estimated I&S Tax Rate ⁽²⁾
			Principal	Interest	Total		Principal	Interest	Total			
2023	301,032,171	58.28%	95,000	57,075	152,075	0.0493					152,075	0.0493
2024	313,919,750	4.28%	115,000	54,225	169,225	0.0550	\$ 150,000	\$ 250,437	\$ 400,437	\$ (75,000)	494,662	0.1608
2025	327,261,339	4.25%	125,000	50,775	175,775	0.0548	165,000	233,938	398,938	(75,000)	499,713	0.1558
2026	341,169,946	4.25%	130,000	47,025	177,025	0.0529	175,000	226,100	401,100	(75,000)	503,125	0.1505
2027	355,669,669	4.25%	135,000	43,125	178,125	0.0511	180,000	217,788	397,788		575,913	0.1652
2028	370,785,630	4.25%	140,000	39,075	179,075	0.0493	185,000	209,238	394,238		573,313	0.1578
2029	386,544,019	4.25%	145,000	34,875	179,875	0.0475	200,000	200,450	400,450		580,325	0.1532
2030	386,544,019		150,000	30,525	180,525	0.0477	210,000	190,950	400,950		581,475	0.1535
2031	386,544,019		155,000	26,025	181,025	0.0478	220,000	180,975	400,975		582,000	0.1536
2032	386,544,019		155,000	22,925	177,925	0.0470	230,000	170,525	400,525		578,450	0.1527
2033	386,544,019		160,000	19,825	179,825	0.0475	240,000	159,600	399,600		579,425	0.1530
2034	386,544,019		165,000	17,905	182,905	0.0483	250,000	148,200	398,200		581,105	0.1534
2035	386,544,019		170,000	15,925	185,925	0.0491	260,000	136,325	396,325		582,250	0.1537
2036	386,544,019		170,000	13,545	183,545	0.0485	275,000	123,975	398,975		582,520	0.1538
2037	386,544,019		175,000	11,165	186,165	0.0491	290,000	110,913	400,913		587,078	0.1550
2038	386,544,019		180,000	8,540	188,540	0.0498	305,000	97,138	402,138		590,678	0.1559
2039	386,544,019		180,000	5,840	185,840	0.0491	320,000	82,650	402,650		588,490	0.1554
2040	386,544,019		185,000	2,960	187,960	0.0496	330,000	67,450	397,450		585,410	0.1545
2041	386,544,019						345,000	51,775	396,775		396,775	0.1047
2042	386,544,019						365,000	35,388	400,388		400,388	0.1057
2043	386,544,019						380,000	18,050	398,050		398,050	0.1051
2044	386,544,019										-	-
2045	386,544,019										-	-
2046	386,544,019										-	-
			\$ 2,730,000	\$ 501,355	\$ 3,231,355		\$ 5,075,000	\$ 2,911,862	\$ 7,986,862	\$ (225,000)	\$ 10,993,217	

- (1) 2022-2023 TAV as provided by Wise and Denton County Appraisal Districts; FYE 2024 value represents preliminary 2024 value as of April 2023; growth projections estimated thereafter.
- (2) Based on an assumed collection rate of 98%. Tax Rate for 2023 is actual.
- (3) Estimated interest rates as of 5/11/2023 + 0.50%
- (4) Assumed to be paid on the debt service attributable to funding \$2.966 million

City of New Fairview, Texas
Existing and Pro-forma Debt Service
Tax Rate Analysis - Potential 2023 Certificate of Obligation

<i>A</i>	<i>B</i>	<i>C</i>	<i>D</i>			<i>E</i>	<i>F</i>	<i>G</i>	<i>H</i>			<i>I</i>	<i>J</i>	<i>K</i>	<i>L</i>		<i>M</i>
Fiscal Year Ended 9/30	Taxable Assessed Valuation ⁽¹⁾	Actual/ Assumed Growth Rates	Existing Debt Service Information				Existing Debt Estimated I&S Tax Rate ⁽²⁾	Tax Rate Analysis - Funds \$4,000,000				Combined Totals					
			Existing Outstanding Debt (2021 CO)			Principal		Interest	Total	\$4,000,000 Series 2023 - 8/1/2023 - 4.75% ⁽³⁾			Less: Transportation Impact Fees ⁽⁴⁾	Total Debt Service Paid from Property Taxes	Total Estimated I&S Tax Rate ⁽²⁾		
			Principal	Interest	Total					Principal	Interest	Total					
2023	301,032,171	58.28%	95,000	57,075	152,075	0.0493									152,075	0.0493	
2024	313,919,750	4.28%	115,000	54,225	169,225	0.0550	\$ 120,000	\$ 200,596	\$ 320,596	\$ (75,000)					414,821	0.1348	
2025	327,261,339	4.25%	125,000	50,775	175,775	0.0548	135,000	187,388	322,388	(75,000)					423,163	0.1319	
2026	341,169,946	4.25%	130,000	47,025	177,025	0.0529	140,000	180,975	320,975	(75,000)					423,000	0.1265	
2027	355,669,669	4.25%	135,000	43,125	178,125	0.0511	145,000	174,325	319,325	(75,000)					422,450	0.1212	
2028	370,785,630	4.25%	140,000	39,075	179,075	0.0493	150,000	167,438	317,438	(75,000)					421,513	0.1160	
2029	386,544,019	4.25%	145,000	34,875	179,875	0.0475	160,000	160,313	320,313	(75,000)					425,188	0.1122	
2030	386,544,019		150,000	30,525	180,525	0.0477	170,000	152,713	322,713	(75,000)					428,238	0.1130	
2031	386,544,019		155,000	26,025	181,025	0.0478	175,000	144,638	319,638	(75,000)					425,663	0.1124	
2032	386,544,019		155,000	22,925	177,925	0.0470	185,000	136,325	321,325	(75,000)					424,250	0.1120	
2033	386,544,019		160,000	19,825	179,825	0.0475	190,000	127,538	317,538	(75,000)					422,363	0.1115	
2034	386,544,019		165,000	17,905	182,905	0.0483	200,000	118,513	318,513	(75,000)					426,418	0.1126	
2035	386,544,019		170,000	15,925	185,925	0.0491	210,000	109,013	319,013	(75,000)					429,938	0.1135	
2036	386,544,019		170,000	13,545	183,545	0.0485	220,000	99,038	319,038	(75,000)					427,583	0.1129	
2037	386,544,019		175,000	11,165	186,165	0.0491	230,000	88,588	318,588	(75,000)					429,753	0.1134	
2038	386,544,019		180,000	8,540	188,540	0.0498	245,000	77,663	322,663	(75,000)					436,203	0.1151	
2039	386,544,019		180,000	5,840	185,840	0.0491	255,000	66,025	321,025	(75,000)					431,865	0.1140	
2040	386,544,019		185,000	2,960	187,960	0.0496	265,000	53,913	318,913	(75,000)					431,873	0.1140	
2041	386,544,019						275,000	41,325	316,325	(75,000)					241,325	0.0637	
2042	386,544,019						290,000	28,263	318,263	(75,000)					243,263	0.0642	
2043	386,544,019						305,000	14,488	319,488	(75,000)					244,488	0.0645	
2044	386,544,019														-	-	
2045	386,544,019														-	-	
2046	386,544,019														-	-	
			\$ 2,730,000	\$ 501,355	\$ 3,231,355		\$ 4,065,000	\$ 2,329,071	\$ 6,394,071	\$ (1,500,000)				\$ 8,125,426			

- (1) 2022-2023 TAV as provided by Wise and Denton County Appraisal Districts; FYE 2024 value represents preliminary 2024 value as of April 2023; growth projections estimated thereafter.
- (2) Based on an assumed collection rate of 98%. Tax Rate for 2023 is actual.
- (3) Estimated interest rates as of 5/11/2023 + 0.50%
- (4) Assumed to be paid on the debt service attributable to funding \$2.966 million; assumed to apply \$75,000 per year towards the debt service payments.

City of New Fairview, Texas
Existing and Pro-forma Debt Service
Tax Rate Analysis - Potential 2023 Certificate of Obligation

<i>A</i>	<i>B</i>	<i>C</i>	<i>D</i>			<i>E</i>	<i>F</i>	<i>G</i>	<i>H</i>			<i>I</i>	<i>J</i>	<i>K</i>	<i>L</i>		<i>M</i>
Fiscal Year Ended 9/30	Taxable Assessed Valuation ⁽¹⁾	Actual/ Assumed Growth Rates	Existing Debt Service Information				Existing Debt Estimated I&S Tax Rate ⁽²⁾	Tax Rate Analysis - Funds \$4,000,000				Combined Totals					
			Existing Outstanding Debt (2021 CO)			Principal		Interest	Total	\$4,000,000 Series 2023 - 8/1/2023 - 4.75% ⁽³⁾			Less: Transportation Impact Fees ⁽⁴⁾	Total Debt Service Paid from Property Taxes	Total Estimated I&S Tax Rate ⁽²⁾		
			Principal	Interest	Total					Principal	Interest	Total					
2023	301,032,171	58.28%	95,000	57,075	152,075	0.0493									152,075	0.0493	
2024	313,919,750	4.28%	115,000	54,225	169,225	0.0550	\$ 120,000	\$ 200,596	\$ 320,596	\$ (75,000)					414,821	0.1348	
2025	327,261,339	4.25%	125,000	50,775	175,775	0.0548	135,000	187,388	322,388	(75,000)					423,163	0.1319	
2026	341,169,946	4.25%	130,000	47,025	177,025	0.0529	140,000	180,975	320,975	(75,000)					423,000	0.1265	
2027	355,669,669	4.25%	135,000	43,125	178,125	0.0511	145,000	174,325	319,325						497,450	0.1427	
2028	370,785,630	4.25%	140,000	39,075	179,075	0.0493	150,000	167,438	317,438						496,513	0.1366	
2029	386,544,019	4.25%	145,000	34,875	179,875	0.0475	160,000	160,313	320,313						500,188	0.1320	
2030	386,544,019		150,000	30,525	180,525	0.0477	170,000	152,713	322,713						503,238	0.1328	
2031	386,544,019		155,000	26,025	181,025	0.0478	175,000	144,638	319,638						500,663	0.1322	
2032	386,544,019		155,000	22,925	177,925	0.0470	185,000	136,325	321,325						499,250	0.1318	
2033	386,544,019		160,000	19,825	179,825	0.0475	190,000	127,538	317,538						497,363	0.1313	
2034	386,544,019		165,000	17,905	182,905	0.0483	200,000	118,513	318,513						501,418	0.1324	
2035	386,544,019		170,000	15,925	185,925	0.0491	210,000	109,013	319,013						504,938	0.1333	
2036	386,544,019		170,000	13,545	183,545	0.0485	220,000	99,038	319,038						502,583	0.1327	
2037	386,544,019		175,000	11,165	186,165	0.0491	230,000	88,588	318,588						504,753	0.1332	
2038	386,544,019		180,000	8,540	188,540	0.0498	245,000	77,663	322,663						511,203	0.1349	
2039	386,544,019		180,000	5,840	185,840	0.0491	255,000	66,025	321,025						506,865	0.1338	
2040	386,544,019		185,000	2,960	187,960	0.0496	265,000	53,913	318,913						506,873	0.1338	
2041	386,544,019						275,000	41,325	316,325						316,325	0.0835	
2042	386,544,019						290,000	28,263	318,263						318,263	0.0840	
2043	386,544,019						305,000	14,488	319,488						319,488	0.0843	
2044	386,544,019														-	-	
2045	386,544,019														-	-	
2046	386,544,019														-	-	
			\$ 2,730,000	\$ 501,355	\$ 3,231,355		\$ 4,065,000	\$ 2,329,071	\$ 6,394,071	\$ (225,000)				\$ 9,400,426			

- (1) 2022-2023 TAV as provided by Wise and Denton County Appraisal Districts; FYE 2024 value represents preliminary 2024 value as of April 2023; growth projections estimated thereafter.
- (2) Based on an assumed collection rate of 98%. Tax Rate for 2023 is actual.
- (3) Estimated interest rates as of 5/11/2023 + 0.50%
- (4) Assumed to be paid on the debt service attributable to funding \$2.966 million

City of New Fairview, Texas
Existing and Pro-forma Debt Service
Tax Rate Analysis - Potential 2023 Certificate of Obligation

<i>A</i>	<i>B</i>	<i>C</i>	<i>D</i>			<i>E</i>	<i>F</i>	<i>G</i>	<i>H</i>			<i>I</i>	<i>J</i>	<i>K</i>	<i>L</i>		<i>M</i>
Fiscal Year Ended 9/30	Taxable Assessed Valuation ⁽¹⁾	Actual/ Assumed Growth Rates	Existing Debt Service Information				Existing Debt Estimated I&S Tax Rate ⁽²⁾	Tax Rate Analysis - Funds \$3,000,000				Combined Totals					
			Existing Outstanding Debt (2021 CO)			Principal		Interest	Total	\$3,000,000 Series 2023 - 8/1/2023 - 4.75% ⁽³⁾			Less: Transportation Impact Fees ⁽⁴⁾	Total Debt Service Paid from Property Taxes	Total Estimated I&S Tax Rate ⁽²⁾		
			Principal	Interest	Total					Principal	Interest	Total					
2023	301,032,171	58.28%	95,000	57,075	152,075	0.0493									152,075	0.0493	
2024	313,919,750	4.28%	115,000	54,225	169,225	0.0550	\$ 90,000	\$ 151,003	\$ 241,003	\$ (75,000)					335,228	0.1090	
2025	327,261,339	4.25%	125,000	50,775	175,775	0.0548	100,000	141,075	241,075	(75,000)					341,850	0.1066	
2026	341,169,946	4.25%	130,000	47,025	177,025	0.0529	105,000	136,325	241,325	(75,000)					343,350	0.1027	
2027	355,669,669	4.25%	135,000	43,125	178,125	0.0511	110,000	131,338	241,338	(75,000)					344,463	0.0988	
2028	370,785,630	4.25%	140,000	39,075	179,075	0.0493	115,000	126,113	241,113	(75,000)					345,188	0.0950	
2029	386,544,019	4.25%	145,000	34,875	179,875	0.0475	120,000	120,650	240,650	(75,000)					345,525	0.0912	
2030	386,544,019		150,000	30,525	180,525	0.0477	125,000	114,950	239,950	(75,000)					345,475	0.0912	
2031	386,544,019		155,000	26,025	181,025	0.0478	130,000	109,013	239,013	(75,000)					345,038	0.0911	
2032	386,544,019		155,000	22,925	177,925	0.0470	135,000	102,838	237,838	(75,000)					340,763	0.0900	
2033	386,544,019		160,000	19,825	179,825	0.0475	145,000	96,425	241,425	(75,000)					346,250	0.0914	
2034	386,544,019		165,000	17,905	182,905	0.0483	150,000	89,538	239,538	(75,000)					347,443	0.0917	
2035	386,544,019		170,000	15,925	185,925	0.0491	155,000	82,413	237,413	(75,000)					348,338	0.0920	
2036	386,544,019		170,000	13,545	183,545	0.0485	165,000	75,050	240,050	(75,000)					348,595	0.0920	
2037	386,544,019		175,000	11,165	186,165	0.0491	175,000	67,213	242,213	(75,000)					353,378	0.0933	
2038	386,544,019		180,000	8,540	188,540	0.0498	185,000	58,900	243,900	(75,000)					357,440	0.0944	
2039	386,544,019		180,000	5,840	185,840	0.0491	195,000	50,113	245,113	(75,000)					355,953	0.0940	
2040	386,544,019		185,000	2,960	187,960	0.0496	200,000	40,850	240,850	(75,000)					353,810	0.0934	
2041	386,544,019						210,000	31,350	241,350	(75,000)					166,350	0.0439	
2042	386,544,019						220,000	21,375	241,375	(75,000)					166,375	0.0439	
2043	386,544,019						230,000	10,925	240,925	(75,000)					165,925	0.0438	
2044	386,544,019														-	-	
2045	386,544,019														-	-	
2046	386,544,019														-	-	
			\$ 2,730,000	\$ 501,355	\$ 3,231,355		\$ 3,060,000	\$ 1,757,453	\$ 4,817,453	\$ (1,500,000)				\$ 6,548,808			

- (1) 2022-2023 TAV as provided by Wise and Denton County Appraisal Districts; FYE 2024 value represents preliminary 2024 value as of April 2023; growth projections estimated thereafter.
- (2) Based on an assumed collection rate of 98%. Tax Rate for 2023 is actual.
- (3) Estimated interest rates as of 5/11/2023 + 0.50%
- (4) Assumed to be paid on the debt service attributable to funding \$2.966 million; assumed to apply \$75,000 per year towards the debt service payments.

City of New Fairview, Texas
Existing and Pro-forma Debt Service
Tax Rate Analysis - Potential 2023 Certificate of Obligation

<i>A</i>	<i>B</i>	<i>C</i>	<i>D</i>			<i>E</i>	<i>F</i>	<i>G</i>	<i>H</i>			<i>I</i>	<i>J</i>	<i>K</i>	<i>L</i>		<i>M</i>
Fiscal Year Ended 9/30	Taxable Assessed Valuation ⁽¹⁾	Actual/ Assumed Growth Rates	Existing Debt Service Information			Existing Debt Estimated I&S Tax Rate ⁽²⁾	Tax Rate Analysis - Funds \$3,000,000						Combined Totals				
			Existing Outstanding Debt (2021 CO)				Series 2023 - 8/1/2023 - 4.75% ⁽³⁾			Less: Transportation Impact Fees ⁽⁴⁾		Total Debt Service Paid from Property Taxes	Total Estimated I&S Tax Rate ⁽²⁾				
			Principal	Interest	Total		Principal	Interest	Total								
2023	301,032,171	58.28%	95,000	57,075	152,075	0.0493								152,075		0.0493	
2024	313,919,750	4.28%	115,000	54,225	169,225	0.0550	\$ 90,000	\$ 151,003	\$ 241,003		\$ (75,000)			335,228		0.1090	
2025	327,261,339	4.25%	125,000	50,775	175,775	0.0548	100,000	141,075	241,075		(75,000)			341,850		0.1066	
2026	341,169,946	4.25%	130,000	47,025	177,025	0.0529	105,000	136,325	241,325		(75,000)			343,350		0.1027	
2027	355,669,669	4.25%	135,000	43,125	178,125	0.0511	110,000	131,338	241,338					419,463		0.1203	
2028	370,785,630	4.25%	140,000	39,075	179,075	0.0493	115,000	126,113	241,113					420,188		0.1156	
2029	386,544,019	4.25%	145,000	34,875	179,875	0.0475	120,000	120,650	240,650					420,525		0.1110	
2030	386,544,019		150,000	30,525	180,525	0.0477	125,000	114,950	239,950					420,475		0.1110	
2031	386,544,019		155,000	26,025	181,025	0.0478	130,000	109,013	239,013					420,038		0.1109	
2032	386,544,019		155,000	22,925	177,925	0.0470	135,000	102,838	237,838					415,763		0.1098	
2033	386,544,019		160,000	19,825	179,825	0.0475	145,000	96,425	241,425					421,250		0.1112	
2034	386,544,019		165,000	17,905	182,905	0.0483	150,000	89,538	239,538					422,443		0.1115	
2035	386,544,019		170,000	15,925	185,925	0.0491	155,000	82,413	237,413					423,338		0.1118	
2036	386,544,019		170,000	13,545	183,545	0.0485	165,000	75,050	240,050					423,595		0.1118	
2037	386,544,019		175,000	11,165	186,165	0.0491	175,000	67,213	242,213					428,378		0.1131	
2038	386,544,019		180,000	8,540	188,540	0.0498	185,000	58,900	243,900					432,440		0.1142	
2039	386,544,019		180,000	5,840	185,840	0.0491	195,000	50,113	245,113					430,953		0.1138	
2040	386,544,019		185,000	2,960	187,960	0.0496	200,000	40,850	240,850					428,810		0.1132	
2041	386,544,019						210,000	31,350	241,350					241,350		0.0637	
2042	386,544,019						220,000	21,375	241,375					241,375		0.0637	
2043	386,544,019						230,000	10,925	240,925					240,925		0.0636	
2044	386,544,019													-		-	
2045	386,544,019													-		-	
2046	386,544,019													-		-	
			\$ 2,730,000	\$ 501,355	\$ 3,231,355		\$ 3,060,000	\$ 1,757,453	\$ 4,817,453		\$ (225,000)			\$ 7,823,808			

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- (4) Assumed to be paid on the debt service attributable to funding \$2.966 million

City of New Fairview
 Estimated Costs of Issuance
 2023 Certificates of Obligation

<u>ISSUE SIZE:</u>	<u>\$ 3,000,000</u>	<u>\$ 4,000,000</u>	<u>\$ 5,000,000</u>	<u>\$ 6,000,000</u>
Financial Advisor	\$ 21,250	\$ 25,500	\$ 29,750	\$ 32,750
Bond Counsel	14,000	15,000	16,000	17,000
Rating Agency	14,250	15,000	18,000	18,000
Paying Agent	750	750	750	750
Attorney General	3,000	4,000	5,000	6,000
Printing Offering Docs	3,500	3,500	3,500	3,500
Contingency	1,000	1,000	1,000	1,000
Total	<u>\$ 57,750</u>	<u>\$ 64,750</u>	<u>\$ 74,000</u>	<u>\$ 79,000</u>



CITY COUNCIL AGENDA MEMO

Prepared By: Susan Greenwood, Municipal Court Administrator

May 15, 2023

Scofflaw Program

DESCRIPTION:

Receive a report and hold a discussion regarding entering into an inter-local agreement with the Texas Department of Motor Vehicles for Scofflaw Services contract making Texas Motor Vehicle Registration Records and authorizing MVBA as a third-party to our Scofflaw Account.

BACKGROUND INFORMATION:

Currently the Senate Bill 1281 (Hughes) would repeal Chapter 706, Code of Criminal Procedure, also known as the Failure to Appear program. It was heard earlier in committee, but it did not get sufficient votes to pass out of committee. The bill is likely to be going up for another vote very soon. The "Failure to Appear/ Pay Program," also referred to as the "Omni Base Program," prevents or suspends the renewal of a person's driver's license until all of a person's outstanding court fines and fees are paid in full. S.B. 1281 would repeal the Failure to Appear/ Pay Program. As proposed, S.B. 1281 amends current law relating to prohibiting the denial of a driver's license renewal for failure to appear in court, failure to pay a fine or cost, or failure to satisfy a judgment.

With the current Senate Bill 1281 possible taking away the Failure to Appear Program, the Scofflaw Program can serve as a collection and enforcement tool by blocking vehicle registration by restricting the violator's ability to renew their driver's license for outstanding violations. As you recall, the City Council approved a resolution back on August 1, 2022, to enter into an Interlocal Agreement with the Texas Department of Public Safety for the implementation of the Failure to Appear Program.

In accordance with Texas Transportation Code 702.003, a county assessor-collector or the department may refuse to register a motor vehicle if the assessor-collector or the department receives under a contract information from a municipality that the owner of the vehicle has an outstanding warrant from that municipality for failure to appear or failure to pay a fine on a complaint that involves the violation of a traffic law.

The Scofflaw Program is fairly simple. First, the City contracts with the county or the Texas Department of Motor Vehicles to implement the program. Once the program is established, the city submits inquiries that match vehicle registrations to defendants who have outstanding warrants after failing to appear or failing to pay a fine on a charge that involves the violation of a traffic law. When a match between a defendant and a vehicle is found, the city can submit a “flag”. A flagged record then displays a scofflaw remark, and a defendant cannot renew his or her registration until the court case is resolved. The next registration renewal will contain the Scofflaw notice, or he or she will be notified upon attempt to renew their registration at the tax office. Once the defendant takes care of the court case at the court, then the defendant returns to the tax office to register the vehicle.

With the Failure to Appear Program, you usually renew your driver’s license every 8 years, but with the Scofflaw Program vehicle registrations must be done every year.

FINANCIAL CONSIDERATION:

None, discussion only.

RECOMMENDED MOTIONS:

None, discussion only.

ATTACHMENT(S):

1. Scofflaw Overview Presentation
2. Scofflaw DMV Contract
3. Scofflaw Third-Party Letter
4. Sample Resolution from the Town of Hickory Creek

SCOFFLAW OVERVIEW

DEFINITION

TEXAS TRANSPORTATION CODE

- Scofflaw Definition: a vehicle owner who has an outstanding warrant for failure to appear or failure to pay a fine on a complaint that involves the violation of a traffic law.
- County Scofflaw Law: Texas Transportation Code Section 502.185
- Municipal Scofflaw Law: Texas Transportation Code Section 702.003
 - These statutes allow a county Tax Assessor-Collector to refuse to register the motor vehicles of “scofflaws”

SET UP WITH DMV

PARTNERING WITH YOUR COLLECTION AGENCY

1. City to fill out a contract with DMV. In addition to the contract, the city will submit a letter allowing collection agency to report to DMV on their behalf.
2. City to sign MOU from collection agency.
3. Once submitted and approved, collection agency will submit an escrow check for your account.
4. DMV will provide collection agency with username and password information for the sftp site.

SUBMISSION PROCESS

- **Probe file:** Submit a file to match vehicles registration to defendants. Name & vehicle information on the ticket must match name and vehicle registration.
- Probe file is received back with defendants that matched and those that didn't with a reason.
- **Flag file:** Submit a file with all defendants that matched to receive a “flag”.
- A flagged record then displays a scofflaw remark and a defendant cannot renew his or her vehicle registration until the court case is resolved.
- **Clear file:** Submit a file that clears all defendants who have paid or case has been resolved. Removes flag/remark through DMV.

WHAT HAPPENS TO THE VEHICLE OWNER

- The next registration renewal will contain the scofflaw notice or the defendant will be notified upon attempt to renew at the tax office.
- The notice will refer the violator to the appropriate court.
- Once the violator takes care of the case at the court or collection agency the defendant can return to register the vehicle.

BENEFITS OF SCOFFLAW

- Vehicle registration must be done every year.
- With Omnibase, you usually only have to renew your drivers license every 6 years.
- Partnering with collection agency reduces cost of program.
- Clearance of outstanding warrants and violations.
- Increased revenues.

COSTS

NO COST TO THE CLIENTS OF MVBA

- \$23 per submission file (probe, flag, clear)
- PLUS 12¢ per record probed, flagged or cleared

Example:

Flag file with 100 records = \$35.00

Probe file with 65 records = \$30.80

Clear file with 10 records = \$24.20

MISCELLANEOUS INFORMATION

- The law does not require the Tax-Assessor-Collector to deny the registration of a vehicle, it only allows them to do a “soft stop”.
- Only allows one flag. If flagged in another city/county another flag won’t be added.
- Requires a warrant

	SCOFFLAW	OMNIBASE
Who Runs it?	DMV	OmniBase
Cost?	\$23 + 12¢ per robe/flag/clear	Free
How does it work?	Soft stop, permissive	Hard stop, required
How often?	Every year	Every 6 years
Warrant Issued required?	Yes	No

MVBA'S SUBMISSION SCHEDULE

SENT WEEKLY

- Tuesday mornings, MVBA submits a probe file.
- Tuesday evening, MVBA receives the probe file back with matches
- Wednesday morning, MVBA submits a flag file.
- Wednesday evening, MVBA submits the clear file.

STATE OF TEXAS §

COUNTY OF TRAVIS §

INTERLOCAL AGREEMENT

THIS CONTRACT is entered into by the Contracting Parties under Government Code, Chapter

791. I. CONTRACTING PARTIES:

The Texas Department of Motor Vehicles (**TxDMV**)

_____ (**Local Government**)

II. PURPOSE: Scofflaw Services contract for marking Texas Motor Vehicle Registration Records.

III. STATEMENT OF SERVICES TO BE PERFORMED: TxDMV will undertake and carry out services described in **Attachment A**, Scope of Services.

IV. CONTRACT PAYMENT: Contract payment must conform to the provisions of **Attachment B**, Budget. Each party paying for the performance of governmental functions or services must make those payments from current revenues available to the paying party.

V. TERM OF CONTRACT: This contract begins when fully executed by both parties and terminates five years from the date this contract is executed by **TxDMV**, or when otherwise terminated as provided in **Attachment C**, Article 5 of this contract.

VI. LEGAL AUTHORITY: THE PARTIES certify that the services provided under this contract are services that are properly within the legal authority of the Contracting Parties.

TxDMV further certifies that it has the authority to perform the services by authority granted in Section 702.003 of the Texas Transportation Code.

Each party certifies that its governing body authorized this contract.

This contract incorporates the provisions of **Attachment A**, Scope of Services, **Attachment B**, Budget, **Attachment C**, General Terms and Conditions, **Attachment D**, Contact Information for Technical Assistance, and **Attachment E**, Account Information.

_____(Name of Local Government)

By Date

Authorized Signature

Printed Name and Title

FOR TxDMV

By Date

Authorized Signature

Printed Name and Title

ATTACHMENT A

Scope of Services

TxDMV will:

1. On initial probes (inquiries) of data submissions received from the Local Government, generate an output file containing matching license plates. If no vehicle record is found, such factual information will be indicated on the output file together with the input data. Input and output files will be returned to the Local Government after completion of the computer run.
2. Place "flags" on vehicle records based on data submissions received from the Local Government containing "flag" request codes.
3. Remove "flags" from vehicle records based on data submissions received from the Local Government containing "clear" request codes.

Local Government must:

1. Provide data submissions to **TxDMV** in accordance with **TxDMV** specifications for computer run of initial probes (inquiry), flags (marking) of vehicle records, and clears (removal) of flags. Due to changing technology, these specifications will be distributed by **TxDMV** to the Local Governments on September 1st of every year.
2. Submit an application to establish the method of payment (see **Attachment E**), and establish an account prior to submitting inquiries.

ATTACHMENT B

Budget

Fees for file submission and transactions must be submitted to **TxDMV** in accordance with 43 Texas Administrative Code Sections 217.123 and 217.124.

Payments must be submitted to the following address:

Texas Department of Motor Vehicles
IT Services Division, Data Support Services
PO Box 5020
Austin, TX 78763-5020

A deposit of at least \$500.00 must be provided to TxDMV for placement in a non-interest-bearing-account.

This deposit is to cover estimated service use. Payment of the deposit must be made by check or warrant, payable to the "Texas Department of Motor Vehicles" and is due upon execution of this contract.

The deposit must be paid before the Local Government submits a probe (inquiry) or a request for placement or removal of a flag from motor vehicle records.

If the balance in the account falls below the \$350.00 minimum balance, **TxDMV** may suspend processing probes, or placing or removing "flags" from motor vehicle records for the Local Government until a deposit is made by the Local Government, in an amount sufficient to increase the balance in the account to the \$350.00 minimum balance.

- A. If the Local Government chooses to establish a “Pay on Request” account, the applicable payment of fees must be made each time a request to probe (search/inquiry) or to place or remove “flags” from motor vehicle records is submitted to **TxDMV**.
- B. As an alternative, if the Local Government chooses to establish an escrow “Prepaid Account”, **TxDMV** will establish an account in the name of the Local Government. Charges will be deducted from the escrow account until the balance of that account reaches the minimum required balance for the Local Government, as provided below.

The \$500.00 minimum balance may increase depending on established monthly usage by the Local Government. This additional funding is payable within fifteen (15) days from receipt of notification from **TxDMV**.

An escrow account balance statement will be provided by **TxDMV** each time a probe or a request to place or remove “flags” from motor vehicle records is submitted.

ATTACHMENT C

General Terms and Conditions

Article 1. Amendments

This contract may only be amended by written agreement executed by both parties before the contract is terminated.

Article 2. Conflicts Between Contracts

If the terms of this contract conflict with the terms of any other contract between the parties, the most recent contract will prevail.

Article 3. Disputes

TxDMV will resolve any contractual or administrative issues regarding this contract.

Article 4. Ownership of Equipment

Except to the extent that a specific provision of this contract states to the contrary, all equipment purchased by **TxDMV** under this contract will be owned by **TxDMV**.

Article 5. Termination

This contract may be terminated by mutual written agreement or 30 days after either party gives notice to the other party, whichever occurs first. Upon termination of this contract any remaining funds in either a “Pay on Request” account or a “Prepaid Account” as described in **Attachment B** will be refunded to the Local Government following settlement of any outstanding processing fees.

Article 6. Gratuities

Any person who is doing business with or who reasonably speaking may do business with **TxDMV** under this contract may not make any offer of benefits, gifts, or favors to employees of **TxDMV**.

Article 7. Responsibilities of the Parties

Each party acknowledges that it is not an agent, servant, or employee of the other party. Each party is responsible for its own acts and deeds and for those of its agents, servants, or employees.

Article 8. Compliance with Laws

The parties must comply with all applicable laws regarding the performance under this contract.

Article 9. Signatory Warranty

Each signatory warrants that the signatory has the necessary authority to execute this contract on behalf of the entity represented.

Article 10. Notices

The parties will email each other for any notice requirements under this contract. Either of the parties may change its email address or designated individual to receive notices by giving the other party written notice, specifying the new address or individual, and the date upon which the change will become effective.

If to TxDMV:

IT Services Division, Data Support Services
Email: VTR_SCOFFLAW@txdmv.gov

If to the Local Government:

_____ (Insert name of contact)

Email: _____ (Insert email address for contact)

ATTACHMENT D

Contact Information for Technical Assistance

Technical assistance regarding probes, placing and removing "flags" in motor vehicle records, and requests for information regarding payments for your account may be obtained by contacting the IT Services Division, Data Support Services at VTR_SCOFFLAW@txdmv.gov.

ATTACHMENT E

Account Information

IT SERVICES DIVISION 4000 JACKSON AVENUE, AUSTIN, TEXAS 78731-6007 PLEASE PRINT OR TYPE		Contract Number
Type of Account Requested: "Prepaid" Account_ "Pay on Request" Account		
DATE:	ATTN: (Name and Telephone Number of Person Responsible for Account)	
ACCOUNT NAME:		
BILLING ADDRESS:		
ATTENTION: (Name and Mailing Address of the Person Responsible for Sending and Receiving Files)		
MAILING ADDRESS:		
E-MAIL ADDRESS: (For Contact Purposes by E-mail)		
BUSINESS TELEPHONE NUMBER:	BUSINESS FAX NUMBER:	

**For Department Use
Only**

Escrow Amount

Date Contract Signed

Account Terminated/Canceled

Non-Payment User Request Account Number _____

May 15, 2023

Texas Department of Motor Vehicles

400 Jackson Ave.

Austin, TX 78731

Texas Department of Motor Vehicles.

The City of New Fairview is authorizing MVBA as a third-party to our scofflaw account. Here is the following information for our third-party:

MVBA/Alicia Worth

Billing and mailing address: PO BOX 1310 Round Rock, TX 78680

Business Number: 512-323-3200

Fax Number: 512-323-3210

Email Address: alicia.worth@mvalaw.com

Thank you,

Susan Greenwood

New Fairview Municipal Court

Susan Greenwood/Court Administrator

City of New Fairview Municipal Court

999 Illinois Lane

New Fairview, Texas 76078

**TOWN OF HICKORY CREEK, TEXAS
RESOLUTION NO. 2020-0127-__**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
HICKORY CREEK, TEXAS, HEREBY AUTHORIZING THE MAYOR OF
THE TOWN OF HICKORY CREEK, TEXAS, TO EXECUTE A
MEMORANDUM OF UNDERSTANDING BETWEEN THE TOWN OF
HICKORY CREEK, TEXAS AND MCCREARY, VASELKA, BRAGG AND
ALLEN, P.C.; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Town of Hickory Creek (the “Town”), Texas is a Type A General Law Municipality located in Denton County, Texas, created in accordance with the provisions of the Texas Local Government Code and operating pursuant to enabling legislation of the State of Texas; and

WHEREAS, the Town Council has been presented with a proposed Memorandum of Understanding by and between the Town of Hickory Creek, Texas and McCreary, Vaselka, Bragg and Allen, P.C. (hereinafter the "Agreement") for collection of fines and fees in connection with the Texas Scofflaw Program, a copy of which is attached hereto as Exhibit “A” and incorporated herein by reference; and

WHEREAS, upon full review and consideration of the Agreement, and all matters attendant and related thereto, the Town Council is of the opinion that the terms and conditions thereof should be approved, and that the Mayor shall be authorized to execute them on behalf of the Town of Hickory Creek.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Hickory Creek, Texas:

Section 1: That the Mayor of the Town of Hickory Creek, Texas, is hereby authorized to execute on behalf of the Town of Hickory Creek, Texas, the Agreement attached hereto as Exhibit A.

Section 2: This Resolution shall take effect immediately upon its passage.

PASSED AND APPROVED by the Town Council of the Town of Hickory Creek, Texas this 27th day of January, 2020.

Lynn C. Clark, Mayor
Town of Hickory Creek, Texas
RESOLUTION 2020-0127-__ PAGE 2

ATTEST:

Kristi Rogers, Town Secretary
Town of Hickory Creek, Texas

APPROVED AS TO FORM:

Dorwin L. Sargent, III, Town Attorney
Town of Hickory Creek, Texas

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE CITY OF NEW FAIRVIEW, TEXAS
AND
McCREARY, VESELKA, BRAGG AND ALLEN, P.C.**

I. PARTIES

THIS MEMORANDUM OF UNDERSTANDING is made and entered into by and between the **CITY OF NEW FAIRVIEW, TEXAS** acting herein by and through its governing body, hereinafter styled, “City” and **McCREARY, VESELKA, BRAGG AND ALLEN, P.C.**, hereinafter styled “MVBA”.

II. PURPOSE

To clearly identify the roles and responsibilities of each party required for MVBA to assist with the City’s participation in the Scofflaw Program or Vehicle Registration Denial Program, as outlined in the Texas Transportation Code Sec. 702.003 (commonly known as the Scofflaw Program).

III. SCOPE OF WORK

The City has contracted with MVBA for the collection of delinquent municipal court fines and fees. To further enhance their efforts, MVBA will assist the City with the implementation of the Scofflaw Program. This program allows a City to submit data to the Technology Support Branch (TSB) of the Texas Department of Motor Vehicles (DMV) relating to defendants who have outstanding warrants after failing to appear or failing to pay a fine on a traffic citation. Once the Scofflaw code is placed on the defendant’s vehicle registration by the DMV a renewal of registration will not be permitted until the case is resolved.

IT IS UNDERSTOOD AND AGREED THAT:

THE CITY AGREES TO enter into the necessary contract with the DMV. The City will timely provide delinquent cases to MVBA on which warrants have been issued and provide the necessary updates to MVBA to allow for the removal of the appropriate registration codes.

MVBA AGREES TO conduct the Scofflaw program on behalf of the City as part of the delinquent collection process. MVBA will provide the funds necessary to post the required bond with DMV and pay all costs associated with the file submissions required for inquiry, flagging and clearances. MVBA will timely submit the appropriate files to DMV to match the defendant and the appropriate vehicle, to code the appropriate registration record and to clear the appropriate records. MVBA will provide the City with the information concerning the successful submissions to DMV. This information will be available on the Court’s Web Access or in a list submitted to the City.

IV. TERM OF MEMORANDUM OF UNDERSTANDING

The term of this agreement begins on the date of execution by both parties below and will remain in force for the duration of the Contract for the Collection of Delinquent Municipal Court Fines and Fees executed the 15th day of April 2023.

V. SIGNATURES

The City has authorized by order heretofore passed and duly recorded in its minutes the chief executive officer to execute this Memorandum of Understanding.

This Memorandum of Understanding may be executed in any number of counterparts, and each counterpart shall be deemed an original for all purposes. Signed facsimiles shall be binding and enforceable.

WITNESS the signatures of all parties hereto this, the ____ day of _____, A.D. 2023.

CITY OF NEW FAIRVIEW, TEXAS

_____,
City Manager

McCREARY, VESELKA, BRAGG & ALLEN, P.C.

Harvey M. Allen
Attorney at Law



**City of New Fairview
City Council
Regular Meeting Minutes
Monday, May 1, 2023**

**CITY COUNCIL
Mayor John Taylor
Mayor Pro Tem Steven King
Place 1 Councilman Harvey Lynn Burger
Place 2 Councilman Peter Kozlowski
Place 3 Councilman Walter Clements
Place 5 Councilman Richard Greene**

**City Staff
John Cabrales Jr, City Administrator
Brooke Boller, City Secretary
Susan Greenwood, Assistant City Secretary
Roberta (Robin) Cross, City Attorney – Virtual**

WORK SESSION

1. Call to Order and Determination of Quorum (**Work Session called to order by Mayor John Taylor at 7:00 pm; Roll Call with the above-mentioned names.**)
2. Receive a report and hold a discussion regarding a Farmers Market.
Council heard from City Administrator John Cabrales on what would go into hosting a Farmers Market, the time of year in which it would run, time of day it would be open, staff needed to run the market, how often the market would be held as well as what a permit would look like and the cost of the permit. After some discussion Council requested that staff look into the hours of operation for the market as they would like for them to be longer as well as reaching out to residents to see how many people would actually participate in the market and the types of items that would be looking to sale.
3. Adjournment
**Motion: Councilman Walter Clements
Second: Councilman Richard Greene
Vote: All in Favor
Results: Work session was adjourned at 7:47pm.**

REGULAR SESSION

1. Call to Order and Determination of Quorum (**Regular Session called to order by Mayor John Taylor at 7:47 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. **Announcements & Special Recognitions:** The agenda shall provide a time when proclamations, recognitions, general reports, and updates may be presented by the City Council.
 - A. **Proclamation for Municipal Clerks Week**
4. **City Administrator's Report:** The City Administrator's Report may provide information on status of current city projects and other projects affecting the City, meetings and actions of the city's boards and commissions, upcoming local community events, including but not limited to departmental operations and capital improvement project status. No action will be taken with respect to this report.
5. **Public Comment:** The City Council invites persons with comments or observations related to city issues, projects, or policies to briefly address the City Council. Anyone wishing to speak should sign-in with the City Secretary before the beginning of the City Council Meeting. In order to expedite the flow of business and to provide all citizens 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. **Julie Burger spoke about the Famers Market, stated she already has multiple residents that would be interested in participating. She stated that she would recommend a longer time window for the market to be up and running as set-up time does take a few hours. She also asked Council to consider making it a Farmers Market/Trade Days similar to what is held in Justin as there are multiple New Fairview residents that participate in their event.**
6. **Consent Agenda:** All matters as Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. An item can be removed from the consent agenda by the City Administrator, Mayor, or any member of the City Council and will be considered after approval of the consent agenda.
 - A. Approve the City Council Meeting minutes for April 17, 2023.
Motion: Councilman Richard Greene
Second: Councilman Walter Greene
Vote: All in Favor
Results: City Council meeting minutes for April 17, 2023, were approved.
7. **New Business:** All matters listed in New Business will be discussed and considered separately.
 - A. Hold a public hearing and consider a recommendation for an Ordinance for Specific Use Permit of Recreational Vehicle Storage on 5.04 acres within Block 51 of the Smith County Land Survey, Abstract No. 744, Wise County, Texas. The property is currently zoned "M" Manufacturing and generally located west of Graham Road.
Motion: Councilman Harvey Lynn Burger
Second: Councilman Richard Greene
Vote: All in Favor
Results: Council approved an Ordinance for Specific Use Permit of Recreational Vehicle Storage on 5.04 acres within Block 51 of the Smith County Land Survey, Abstract No. 744, Wise County, Texas, generally located west of Graham Road.
 - B. Receive, consider, and act on a Resolution awarding the 2023 Vehicle Bid for a Public Works Department truck to Denton Chrysler, Dodge, Jeep, Ram, and authorize the City Administrator to execute the contracts.
Motion: Councilman Peter Kozlowski
Second: Councilman Harvey Lynn Burger
Vote: All in Favor
Results: Council approved a Resolution awarding the 2023 Vehicle Bid to Karl Klement Chrysler, Dodge, Jeep for \$56,184.00 for a Tradesman 4x4 Crew Cab eight (8) foot box truck for the Public Works Department and authorize the City Administrator to execute the contracts.
 - C. Receive, consider, and act on a Resolution authorizing participation with the Atmos Cities Steering Committee; and authorizing the payment of five cents per capita to the Atmos Cities Steering Committee to fund regulatory and related activities related to Atmos Corporation.

Motion: Mayor Pro Tem Steven King
Second: Councilman Harvey Lynn Burger
Vote: All in Favor

Results: Council approved a Resolution authorizing participation with the Atmos Cities Steering Committee; and authorizing the payment of five cents per capita to the Atmos Cities Steering Committee to fund regulatory and activities related to Atmos Corporation.

- D. Receive, consider, and act on appointing members to the Parks and Recreation Board and the Keep New Fairview Beautiful Committee.

Motion: Mayor Pro Tem Steven King
Second: Councilman Walter Clements
Vote: All in Favor

Results: Council approved the appointment of Julie Burger to the Parks and Recreation Board, and the Keep New Fairview Beautiful Committee, to Place 4.

8. Executive Session: Recess to Executive Session to discuss matters relating to real property pursuant to §551.072, Texas Government Code; deliberation of economic development negotiations pursuant to §551.087, Texas Government Code; discuss personnel matters pursuant to §551.074, Texas Government Code; discuss IT network or critical infrastructure security pursuant to §551.089, Texas Government Code; and to consult with the City Attorney pursuant to §551.071, Texas Government Code. The Council may go into closed session at any time when permitted by Chapter 551, Texas Government Code or Chapter 418, Texas Tax Code. Before going into closed session, a quorum of the Council must be present, the meeting must be convened as an open meeting pursuant to proper notice, the presiding officer must announce that a closed session will be held and must identify the sections of Chapter 551 or 418, Texas Government Code authorizing the closed session.
9. Return to Open Session: Discuss and take appropriate action, if any, resulting from the discussions conducted in Executive Session.
10. Mayor & Council Member Announcements: The City Council may hear or make reports of community interest provided no action is taken or discussed. Community interest items may include information regarding upcoming schedules of events, honorary recognitions, and announcements involving imminent public health and safety threats to the city. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.
Councilman Harvey Lynn Burger has requested a new clock for Council chambers.
Mayor Pro Tem Steven King wanted to give thanks to the public works department.
Mayor John Taylor reminded everyone of the City Semi-Centennial event was coming up May 20 and that he and Mayors from surrounded areas were meeting once a month to discuss how the cities can come together and help one another out.

11. Adjournment

Motion: Councilman Walter Clements
Second: Mayor Pro Tem Steven King
Vote: All in Favor

Results: City Council regular meeting was adjourned at 8:44pm.

MINUTES APPROVED ON THIS, THE 15TH DAY OF MAY 2023

John Taylor, Mayor

Brooke Boller, City Secretary