



**City of New Fairview
City Council
Special Called Meeting
999 Illinois Lane
Monday, February 5, 2024, at 7:00 pm**

WORK SESSION

1. Call to Order and Determination of Quorum
2. Receive a report and hold a discussion regarding an update from New Fairview Fire Rescue on equipment, vehicles, and operational changes.
3. Adjournment

REGULAR SESSION

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

A. Approve the City Council Meeting minutes for Jan. 15, 2024.

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

A. Receive, consider, and act on a Resolution approving a regional effort to look for solutions to our water and wastewater needs.

B. Discuss, consider, and act on a Resolution calling a general election for the office of City Members Place 1, Place 3 and Place 5 to be held May 4, 2024; authorizing execution of a joint election agreement with the Wise County Elections Administration and Denton County Administration to conduct the election; and provide procedures to conduct the election as well as resolving other matters incident and related thereto.

8. Executive Session: Recess to Executive Session to discuss matters relating to real property pursuant to §551.072, Texas Government Code; deliberation of economic development negotiations pursuant to §551.087, Texas Government Code; discuss personnel matters pursuant to §551.074, Texas Government Code; discuss IT network or critical infrastructure security pursuant to §551.089, Texas Government Code; and to consult with the City Attorney pursuant to §551.071, Texas Government Code. The Council may go into closed session at any time when permitted by Chapter 551, Texas Government Code or Chapter 418, Texas Tax Code. Before going into closed session, a quorum of the Council must be present, the meeting must be convened as an open meeting pursuant to proper notice, the presiding officer must announce that a closed session will be held and must identify the sections of Chapter 551 or 418, Texas Government Code authorizing the closed session.

A. § 551.071(2): Consultation with the City Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act regarding:

2. Possible property acquisition that is east of South County Line, West of FM 407 and North of Dove Hollow Lane

B. Section 551.072: to deliberate the purchase, exchange, lease, or value of real property.

1. Possible property acquisition that is east of South County Line, West of FM 407 and North of Dove Hollow Lane.

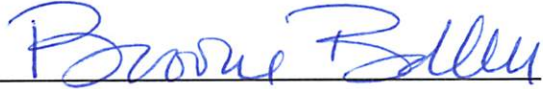
9. Return to Open Session: Discuss and take appropriate action, if any, resulting from the discussions conducted in Executive Session.

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

11. Adjournment

I, the undersigned authority, do hereby certify the above notice of the meeting of the City Council of New Fairview, is a true and correct copy of the said notice that I posted on the official posting place at New Fairview City Hall, FM 407, New Fairview, Texas, a place of convenience and readily accessible to the general

public at all times, and on its website, said notice being posted this 2nd day of February, 2024 at 5:00 PM at least 72 hours proceeding the meeting time.



Brooke Boller, City Secretary

SEAL:



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



CITY COUNCIL AGENDA MEMO

Prepared By: John Cabrales Jr, City Administrator

February 5, 2024

New Fairview Fire Rescue Fire Vehicle Purchases and Heliport

DESCRIPTION:

Receive a report and hold a discussion regarding an update from New Fairview Fire Rescue on equipment, vehicles, and operational changes.

BACKGROUND INFORMATION:

New Fairview Fire Rescue (NFFR) Chief, Arne Wissann, will give an update on the new equipment recently purchased. He is also looking into new fleet vehicles to replace old fleet vehicles, and new radios as a result of the Wise County upgrade to their emergency communications system. He also wants to discuss an offer made by some council members for the City to pay for the new NFFR logos to be placed on their fleet vehicles.

FINANCIAL CONSIDERATION:

None.

RECOMMENDED MOTIONS:

None, discussion only.

ATTACHMENT(S):

None



**City of New Fairview
City Council
Special Called Meeting Minutes
999 Illinois Lane
Monday, January 15, 2024, at 7:00 pm**

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

**City Staff
John Cabrales Jr, City Administrator
Brooke Boller, City Secretary
Jerry Drake, City Attorney – Virtual**

**Absent
Place 3 Councilwoman Sarah Adams**

REGULAR SESSION

1. Call to Order and Determination of Quorum (**Regular Session called to order by Mayor John Taylor at 7:00 pm; Roll Call with the above-mentioned names.**)
 - 1.
2. Pledge to the Flags.
 - A. United States of America
 - B. Texas Flag Honor the Texas Flag, I pledge allegiance to thee, Texas, one state under God, one and indivisible.
3. Announcements & Special Recognitions: The agenda shall provide a time when proclamations, recognitions, general reports, and updates may be presented by the City Council.
4. City Administrator's Report: The City Administrator's Report may provide information on status of current city projects and other projects affecting the City, meetings and actions of the city's boards and commissions, upcoming local community events, including but not limited to departmental operations and capital improvement project status. No action will be taken with respect to this report.
5. Public Comment: The City Council invites persons with comments or observations related to city issues, projects, or policies to briefly address the City Council. Anyone wishing to speak should sign in with the City Secretary before the beginning of the City Council Meeting. In order to expedite the flow of business and to provide all citizens with the opportunity to speak, there is a three-minute limit on any

person addressing the City Council. State law prohibits the City Council from discussing or taking action on any item not listed on the posted agenda.

6. Consent Agenda: All matters as Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. An item can be removed from the consent agenda by the City Administrator, Mayor, or any member of the City Council and will be considered after approval of the consent agenda.
 - A. Approve the City Council Meeting minutes for Jan. 8, 2024.
 - B. Approve the September 2023 Financial Reports. – **Removed by John Cabrales Jr.**
Motion: Councilman Harvey Lynn Burger
Second: Councilman Peter Kozlowski
Vote: All in Favor
Result: Council approved the City Council Meeting minutes for January 8, 2024.
7. New Business: All matters listed in New Business will be discussed and considered separately.
 - A. Receive, consider, and act on an Ordinance granting a franchise agreement with Atmos Energy Corporation.
Motion: Councilman Peter Kozlowski
Second: Mayor Pro Tem Steven King
Vote: All in Favor
Result: Council approved an ordinance granting a franchise agreement with Atmos Energy Corporation.
 - B. Receive, consider, and act on a Resolution approving the First Amendment to the Schaumburg & Polk, Inc Professional Services Agreement to complete and submit an application for a Certificate of Convenience and Necessity for water and wastewater services.
Motion: Councilman Richard Greene
Second: Councilman Peter Kozlowski
Vote: All in Favor
Result: Council approved a Resolution approving the First Amendment to the Schaumburg & Polk, Inc Professional Services Agreement to complete and submit an application for a Certificate of Convenience and Necessity for water and wastewater services.
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.
Council left for closed session at 7:37pm

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

-- Tabled

- B. §551.074: (a) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: City Secretary.
- C. Section 551.072: to deliberate the purchase, exchange, lease, or value of real property.
1. Possible property acquisition that is east of South County Line, West of FM 407 and North of Dove Hollow Lane.

-- Tabled

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

Council returned to open session at 9:43pm; no action was taken on item B. Council requested to table the item until the employee handbook is updated and approved.

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

Motion: Councilman Richard Greene

Second: Councilman Peter Kozlowski

Vote: All in Favor

Result: Regular session was adjourned at 9:46pm.

MINUTES APPROVED ON THIS, THE 5TH DAY OF FEBRUARY 2024

John Taylor, Mayor

Brooke Boller, City Secretary



CITY COUNCIL AGENDA MEMO

Prepared By: John Cabrales Jr, City Administrator

February 5, 2024

Regional Planning for Water and Wastewater

DESCRIPTION:

Receive, consider, and act on a Resolution approving a regional effort to look for solutions to our water and wastewater needs.

BACKGROUND INFORMATION:

Several Mayors from the southern portion of Wise County have been meeting on a regular basis for over a year to look at ways for their respective communities to work collaboratively on various issues. This has resulted in a few interlocal agreements among various cities for police services and municipal court services. This Wise County Mayors Coalition has been discussing the impacts of growth in their respective communities and are concerned about the lack of available and reliable water and wastewater services to meet increasing demands.

The Cities of Aurora, Boyd, and Rhome have received notice from their special water utility district provider that water service will be capped or terminated in the near future. The City of Fort Worth is updating their Northside Water Master Plan, and the City of New Fairview was recently informed that Fort Worth will not be able provide wholesale water to New Fairview in the foreseeable future. Fort Worth is struggling just to keep up with water demands in their city due to current and projected growth.

On November 29, 2023, Mayor Taylor hosted the Wise County Mayors Coalition meeting. At this meeting, the Mayors received information from Doug Shaw, Upper Trinity Groundwater Conservation District (UTGCD) General Manager, on their recent study on regional water supply and facilities planning. This study concluded that the growth our region is experiencing has created an unsustainable demand on the groundwater that is available to Wise County. They also heard from Snapper Carr, Focused Advocacy General Consul, regarding the steps needed to draft legislative bill and work it through the legislative process if we wish to have successful passage of a bill. The Mayors are considering creating a Regional Water District to help address bringing in water to southeast Wise County instead of continuing to deplete the groundwater in Wise County.

On January 25, the Wise County Mayors Coalition held another meeting to discuss short-term and long-term solutions to water and wastewater issues. They received a presentation from Simone Kiel with (Teague, Nall, and Perkins), who is under contract with the Texas Water Development Board for conducting the Region C Water Plan Update. (Wise County falls within Region C). Also, it was discussed that due to the ease of decertification and current requirements for municipal annexation, water suppliers are more reluctant to expand their existing infrastructure without some level of assurance that there will be an ability to recoup costs. The Wise County Mayors Coalition decided they will continue to work on some short-term solutions that some cities are currently exploring, but that it is necessary to seek regional options that can provide reliable long-term solutions for the water and wastewater needs of these communities.

The Mayors of Aurora, Boyd, New Fairview, and Rhome recognize the need for regional collaboration on water and wastewater issues, and believe a new, independent district with fresh ideas could provide the services needed by a growing region. They appointed a Steering Committee, and the Mayors of these four cities are bringing forward a Joint Resolution for their respective City Council's consideration to work collaboratively on these issues. They also agreed to recommend a \$10,000 contribution per city towards this effort to pay for the professional services that will be needed to move forward with exploring these regional solutions. The Wise County Judge, J.D. Clark, was present at the meeting and stated he would support the County contributing financially towards this effort as well.

Staff recommend approval of the Resolution.

FINANCIAL CONSIDERATION:

The Cities of Aurora, Boyd, New Fairview, and Rhome agree to work collaboratively to seek regional solutions for water and wastewater issues. Understanding that there will be some costs associated with this, therefore they have agreed to recommend that their cities contribute at least \$10,000 per city to assist with any expenses related thereto. The Wise County Judge has also expressed an interest in contributing financially towards this effort.

RECOMMENDED MOTIONS:

I move to **Approve/Deny** a Resolution approving a regional effort to look for solutions to our water and wastewater needs and authorize the City Administrator to spend at least \$10,000 to assist with any expenses related thereto.

ATTACHMENT(S):

1. Resolution 202402-01-113



**CITY OF NEW FAIRVIEW, TEXAS
RESOLUTION 202402-01-113**

A RESOLUTION OF THE CITY OF NEW FAIRVIEW, TEXAS, RESOLVING TO WORK IN A COLLABORATIVE PLANNING EFFORT TO ADDRESS THE REGIONAL LACK OF WATER AND SANITARY SEWER AVAILABILITY AND CONCERNS OVER THE POTENTIAL IMPACT THAT LACK OF WATER AND SANITARY SEWER AVAILABILITY MAY HAVE TO THE HEALTH, SAFETY, AND QUALITY OF LIFE FOR CURRENT RESIDENTS AND FUTURE PROPOSED DEVELOPMENTS.

WHEREAS, the City of New Fairview, Texas is a Type A General Law Municipality located in Wise and 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 City Council has determined that it is necessary and proper to seek regional options that can provide reliable long-term solutions for the water and wastewater needs of the community and region; and

WHEREAS, the City Council wishes to work with the cities of Aurora, Boyd, and Rhome collaboratively to seek regional solutions to water and wastewater issues, and believe a new, independent district with fresh ideas could provide the services needed by a growing region.

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

SECTION 1. The recitals set forth above are true and correct and are incorporated herein by reference as part of this Resolution.

SECTION 2. The City Council approves the Joint Resolution (Exhibit A) with the Cities of Aurora, Boyd, New Fairview, and Rhome to work collaboratively to seek regional solutions for water and wastewater issues and direct city staff to take all necessary actions.

SECTION 3. The City Council understands that there will be some costs associated with exploring possible solutions and therefore agree to contribute at least \$10,000 to assist with any expenses related thereto.

SECTION 4. This Resolution shall take effect immediately upon its passage, as provided by law.

PRESENTED AND PASSED on this 5th day of February 2024, at a regular meeting of the New Fairview City Council.

JOHN TAYLOR, Mayor

ATTEST:

BROOKE BOLLER, City Secretary

EXHIBIT A

JOINT RESOLUTION

A JOINT RESOLUTION OF THE CITY OF AURORA CITY COUNCIL, THE CITY OF BOYD CITY COUNCIL, THE CITY OF NEW FAIRVIEW CITY COUNCIL, AND THE CITY OF RHOME CITY COUNCIL RESOLVING TO WORK IN A COLLABORATIVE REGIONAL PLANNING EFFORT TO ADDRESS THE REGIONAL LACK OF WATER AND SANITARY SEWER AVAILABILITY AND CONCERNS OVER THE POTENTIAL IMPACT THAT LACK OF WATER AND SANITARY SEWER AVAILABILITY MAY HAVE TO THE HEALTH, SAFETY, AND QUALITY OF LIFE FOR CURRENT RESIDENTS AND FUTURE PROPOSED DEVELOPMENTS

WHEREAS, the Cities of Aurora, Boyd, New Fairview, and Rhome (“Cities”) are governmental entities engaged in the protection and preservation of their community and its citizenry, which is a recognized governmental function; and

WHEREAS, the City of Aurora, Texas is a Type A, General Law municipality acting under and pursuant to Chapter 22 of the Texas Local Government Code; and

WHEREAS, the City of Boyd, Texas is a Type A, General Law municipality acting under and pursuant to Chapter 22 of the Texas Local Government Code; and

WHEREAS, the City of New Fairview, Texas is a Type A, General Law municipality acting under and pursuant to Chapter 22 of the Texas Local Government Code; and

WHEREAS, the City of Rhome, Texas is a Type A, General Law municipality acting under and pursuant to Chapter 22 of the Texas Local Government Code; and

WHEREAS, these Cities are experiencing unprecedented growth and are concerned about the lack of available and reliable water and wastewater services to meet increasing demands; and

WHEREAS, the Cities of Aurora, Boyd, and Rhome have received notice by their special water utility district provider that water service will be capped or terminated in the near future; and

WHEREAS, in March 2023, the Upper Trinity Groundwater Conservation District (UTGCD) completed a regional water supply and facilities planning study that concluded that the growth our region is experiencing has created an unsustainable demand on the groundwater that is available to Wise County; and

WHEREAS, the UTGCD study also concluded that there are limited alternate water supplies currently accessible to our region to shift from groundwater, and all possible solutions are very costly, often exceeding any individual city’s ability to fund the projects; and

WHEREAS, due to the ease of decertification and current requirements for municipal annexation, water suppliers are more reluctant to expand their existing infrastructure without some level of assurance that there will be an ability to recoup costs; and

WHEREAS, the Cities have determined that it is necessary and proper to seek regional options that can provide reliable long-term solutions for the water and wastewater needs of these communities; and

WHEREAS, the Cities of Aurora, Boyd, New Fairview, and Rhome recognize the need for regional collaboration on water and wastewater issues, and believe a new, independent district with fresh ideas could provide the services needed by a growing region; and

WHEREAS, the City Councils of Aurora, Boyd, New Fairview, and Rhome have determined that it is in the best interest of the health, safety, and welfare of the public to adopt this Resolution.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCILS OF THE CITIES OF AURORA, BOYD, NEW FAIRVIEW, AND RHOME TEXAS, THAT:

SECTION 1. The recitals set forth above are true and correct and are incorporated herein by reference as part of this Resolution.

SECTION 2. The Cities of Aurora, Boyd, New Fairview, and Rhome agree to work collaboratively to seek regional solutions for water and wastewater issues and direct their respective city staff to take all necessary actions.

SECTION 3. The Cities understand that there will be some costs associated with exploring possible solutions and therefore agree to contribute at least \$10,000 per city to assist with any expenses related thereto.

SECTION 4. That this Resolution shall become effective from and after its date of passage in accordance with law.

DULY PASSED by the City Council of the City of Aurora, Texas, on the ____ day of _____, 2024.

DULY PASSED by the City Council of the City of Boyd, Texas, on the ____ day of _____, 2024.

DULY PASSED by the City Council of the City of New Fairview, Texas, on the ____ day of _____, 2024.

DULY PASSED by the City Council of the City of Rhome, Texas, on the ____ day of _____, 2024.

FOR THE CITY OF AURORA

ATTEST:

Bryan Dolan, Mayor

Lisa Letbetter, City Secretary

FOR THE CITY OF BOYD

ATTEST:

Rodney Holmes, Mayor

Daniel Bourgeois, City Secretary

FOR THE CITY OF NEW FAIRVIEW

ATTEST:

John R. Taylor, Mayor

Brooke Boller, City Secretary

FOR THE CITY OF RHOME

ATTEST:

Patricia Mitchell, Mayor

Shaina Odom, City Secretary

APPROVED AS TO FORM:

Carvan E. Adkins, City Attorney



CITY COUNCIL AGENDA MEMO

Prepared By: Brooke Boller, City Secretary

February 5, 2024

Ordering of the General Election

DESCRIPTION:

Discuss, consider, and act on a Resolution calling a general election for the office of City Members Place 1, Place 3 and Place 5 to be held May 4, 2024; authorizing execution of a joint election agreement with the Wise County Elections Administration and Denton County Administration to conduct the election; and provide procedures to conduct the election as well as resolving other matters incident and related thereto.

BACKGROUND INFORMATION:

The City of New Fairview is expecting to receive applications from residents to run for the open City Council places, necessitating the City to call a general election and prepare a ballot for May 4, 2024. Staff has worked with the Wise and Denton County Elections Offices to determine cost and locations. Residents who are qualified voters will be electing Council Member for the following places:

- Councilmember Place 1
- Councilmember Place 3
- Councilmember Place 5

Each place will be elected to serve a 2-year term ending in May, 2026. The first day to file will begin on January 17 and the last day to file is February 16. Should we not have to hold an election an order to cancel the election will be placed on the February 19 City Council meeting.

FINANCIAL CONSIDERATION:

Estimated cost for Election Day is \$1,700 - \$2,500.

RECOMMENDED MOTIONS:

I move to **Approve/Deny** a Resolution calling a general election for the City Members Place 1, Place 3 and Place 5 to be held May 4, 2024; authorizing execution of a joint election agreement with the Wise County Elections Administration and Denton County Administration to conduct the election; and provide procedures to conduct the election as well as resolving other matters incident and related thereto.

ATTACHMENT(S):

1. Resolution 202402-01-105

**CITY OF NEW FAIRVIEW
ORDINANCE 202402-01-105**

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF NEW FAIRVIEW, TEXAS, ORDERING A GENERAL ELECTION BY THE QUALIFIED VOTERS OF SAID CITY ON THE 4th DAY OF MAY, 2024, FOR THE PURPOSE OF ELECTING THREE (3) COUNCIL MEMBERS AT LARGE FOR A TWO (2) YEAR TERM; PROVIDING FOR ELECTION OFFICERS; DESIGNATING THE POLLING PLACES, DATE AND TIME OF SAID ELECTION AND VOTING PERIODS; PROVIDING FOR BALLOT APPLICATION PROCEDURES; DESIGNATING FILING DEADLINES; PROVIDING INFORMATION FOR EARLY VOTING; PROVIDING THAT SUCH ELECTION SHALL BE ADMINISTERED BY THE DENTON AND WISE COUNTY ELECTIONS ADMINISTRATORS, PURSUANT TO CONTRACTS WITH THE CITY, THE TEXAS ELECTION CODE, AND THE TEXAS CONSTITUTION; PROVIDING INFORMATION FOR CANVASSING; PROVIDING A SAVINGS/REPEALING CLAUSE AND SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE; ORDERING NOTICES OF ELECTION TO BE POSTED AND PUBLISHED AS PRESCRIBED BY LAW IN CONNECTION WITH SUCH ELECTION; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Texas Election Code establishes May 4, 2024 as the uniform election date for the City of New Fairview General/Special Election; and

WHEREAS, it is the City Council’s intent that the election be administered by the Wise and Denton County Elections Offices (the “Elections Offices”) in accordance with the provisions of the Texas Election Code (“the Code”) and the Texas Constitution, by contracts with the City; and

WHEREAS, the meeting at which this Ordinance is considered is open to the public as required by law, and public notice of the time, place and purpose of said meeting was given as required by Section 551.043 of the Texas Government Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW FAIRVIEW, TEXAS.

Section 1. Election Order, Election Date and Purpose of Election

That a General Election shall be held throughout the City of New Fairview, Texas, on Saturday, May 4, 2024 for the purpose of electing three (3) Council Members at Large for a two (2) year term. The election time and date shall be displayed in **EXHIBIT “A**, a copy of which is attached and incorporated for all purposes and which shall be updated and reposted and publicized from time to time, as information is received from the Elections Offices .

Section 2. Candidate Filing Deadline

Candidates for the City Council may file with the City Secretary of the City of New Fairview, Texas for one of the three (3) at large council seats beginning on January 17, 2024 and until 5:00 p.m. on February 16, 2024. Last Day for a write-in candidate shall be on February 20, 2024.

Section 3. Voting System - Direct Recording System.

In accordance with Section 123.001 of the Texas Election Code, the Direct Recording Electronic Voting Systems approved by the Secretary of State are hereby adopted for the election on May 4, 2024.

Section 4. Accessible Voting System.

Section 61.012 of the Code requires that the City must provide at least one accessible voting system in each polling place used in a Texas election on or after January 1, 2006. The City shall use, in Early Voting and Election Day voting, as applicable, a voter assist terminal as approved by the Secretary of State, and shall contract with the Wise County Elections Administrations, respectfully, for the use of said voter assist equipment that Wise County uses for their elections

Section 5. Election Precincts; Polling Place

The City of New Fairview shall designate a polling place location for the voters of the City of New Fairview and election officials on the day of election, for Wise County,as contained in **EXHIBIT “A.”**

Section 6. Early Voting; Early Voting Polling Places

Early voting by personal appearance will be conducted on April 22, 2024 and shall close on April 30, 2024, as contained in the attached and incorporated **EXHIBIT “A”** for Wise and Denton Counties.

Section 7. Mail Ballots

Applications for ballot by mail may also be requested the appropriate Early Voting Clerks at:

Wise County: Sabra Srader, Early Voting Election Administrator, Wise County Elections, 200 S. Trinity or P.O. Box 1597, Decatur, Texas 76234, elections@co.wise.tx.us, Phone: 940-626-4453.

Denton County: Frank Phillips, Early Voting Election Administrator, Denton County Elections Administrator,701 Kimberly Dr., Denton, TX 76208 Denton County Elections Administration, elections@dentoncounty.gov, Phone: (940) 349-3200

Applications for Early Voting ballot by mail must be received no later than April 23, 2024 at the foregoing appropriate address.

Section 8. Election Compliance.

The Election shall be conducted in accordance with the Code and the Texas Constitution under the jurisdiction of the Elections Administrators pursuant to one or more election services contracts between the City and Wise and Denton Counties, and other participating entities, if any, as described therein (the “Contracts”), copies of which shall be incorporated herein upon their final approval and execution by the City.

The Mayor, the City Administrator, or a designee, is authorized to amend or supplement any and all contracts for the administration of the Election, including without limitation, the Contracts, to the extent required for the Election to be conducted in an efficient and legal manner as determined by the Elections Administrator(s) and in accordance with the Code. In the event that no election is necessary, the City Secretary shall notify the County and shall present the City Council a resolution or ordinance canceling the Election.

Section 9. Voting Qualification: Voting Materials.

All registered, qualified voters of the City shall be permitted to vote at the election. In addition, the election materials enumerated in the Texas Election Code, as amended shall be printed in both English and Spanish for use at the polling place and for early voting for said election.

Section 10. Notices.

The City Secretary is hereby authorized to provide and furnish all necessary election notices and preparation of ballot wording to the Wise and Denton County Election Offices. The City Secretary

will give notice of the election in the manner and time as required by the Code, to include by
a) Publishing notice of the election at least once, not more than thirty (30) days not less than ten (10)
days before the election in the official newspaper of the City and b). Posting a copy of the notice on
the bulletin board used for posting notices of the meetings of the City Council and on the City's
website, at least twenty-one (21) days before the election.

Section 11. Canvass the Election.

Pursuant to Section 67.003 of the Code, the City Council will canvass the election no earlier than May 8, 2024
but no later than May 15, 2024. Notice of the time and place for canvass shall be posted on the official bulletin
board and website of the City in the same manner as required by the Open Meetings Act for City Council
meetings, in accordance with Chapter 551 of the Texas Local Government Code.

PASSED AND APPROVED THIS THE 5th day of February 2024

APPROVED:

Mayor, John Taylor

City Secretary, Brooke Boller

EXHIBIT “A”

MAY 4, 2024 GENERAL ELECTION

MAYO 4, 2024 ELECCIÓN GENERAL

EARLY VOTING LOCATIONS
UBICACIONES DE VOTACIÓN ANTICIPADA

VOTERS MAY VOTE AT ANY POLLING SITE WITHIN THEIR COUNTY DURING EARLY VOTING

LOS VOTANTES PUEDEN VOTAR EN CUALQUIER CENTRO ELECTORAL DURANTE LA VOTACIÓN TEMPRANA

MAIN EARLY VOTING – DECATUR
Wise County Fairgrounds (Woman’s Building)
3101 S FM 51
Decatur, TX 76234

Denton County Elections Administration
701 Kimberly Dr
Room: A100
Denton, TX 76208

EARLY VOTING DAYS AND HOURS

Monday, April 22, 2024
Tuesday, April 23, 2024
Wednesday, April 24, 2024
Thursday, April 25, 2024
Friday, April 26, 2024
Saturday, April 27, 2024
Sunday, April 28, 2024
Monday, April 29, 2024
Tuesday, April 30, 2024

VOTACIÓN ANTICIPADA

Lunes, Abril 22, 2024
Martes, Abril 23, 2024
Miercoles, Abril 24, 2024
Jueves, Abril 25, 2024
Viernes, Abril 26, 2024
Sabado, Abril 27, 2024
Domingo, Abril 28, 2024
Lunes, Abril 29, 2024
Martes, Abril o 30, 2024

***Hours will be added once available.**

***Las horas se agregarán una vez que estén disponibles**

DIAS Y HORAS DE

ELECTION DAY BY PERSONAL APPEARANCE LOCATIONS – GENERAL & SPECIAL ELECTIONS

(LUGARES DE VOTACIÓN EN EL DÍA DE ELECCIÓN POR APARICIÓN PERSONAL DEL ELECCIONES GENERALES Y ESPECIALES)

MAY 4, 2024 7:00 AM – 7:00 PM
(4 de mayo de 2024 -- 7:00 am - 7:00 pm)

New Fairview City Hall (Precinct 5,6)
999 Illinois St
New Fairview, TX 76078

Justin Municipal Complex (Precinct 4194)
City Council Meeting Chambers
415 N College Ave
Just, TX 76247