



TOWN OF FAIRVIEW, TEXAS

Agenda

Town Council Special Meeting

August 26, 2024

5:00 PM

Town Hall Council Chambers
372 Town Place
Fairview, Texas

WATCH THE BROADCAST LIVE

This meeting will be broadcast live. Members of the public who wish to watch this meeting may watch the live broadcast at:

<https://ringcentr.al/4djjkBM>

1. Call to Order

2. Pledge of Allegiance: U.S. and Texas Flags

3. Citizen's Comment (for Non-Public Hearing Items)

At this time, any person may address the Council regarding an item on this meeting agenda or on matters not on this meeting agenda. Each person will have up to five (5) minutes. The Mayor may reduce the speaker time limit uniformly to accommodate the number of speakers or improve meeting efficiency.

Pursuant to Section 551.007 of the Texas Government Code, any person wishing to address the Town Council for items listed as Public Hearings will be recognized when the Public Hearing is opened.

No discussion or action may be taken at this meeting on items not listed on this agenda, other than to make statements of specific factual information in response to a citizen's inquiry or to recite existing policy in response to the inquiry.

4. Action/Discussion Items

- a. Consider, discuss, and take any necessary action on an ordinance regarding the proposed 2024-25 ad valorem tax rate
- b. Consider, discuss, and take any necessary action on an ordinance approving the proposed 2024-25 fiscal year budget
- c. Consider, discuss, and take any necessary action on an ordinance ratifying the

2024-25 property tax revenue increase

- d. Consider, discuss, and take any necessary action on an ordinance amending the 2023-24 fiscal year budget
- e. Consider, discuss, and take any necessary action on an ordinance approving a rate increase related to solid waste services
- f. Consider, discuss, and take any necessary action on the 2024 Water Conservation Plan

5. **Council and Staff Comments**

Council and Staff Comments relating to items of public interest: Announcements regarding local or regional civic and charitable events, staff recognition, commendation of citizens, traffic issues, upcoming meetings, informational updates on Town projects, awards, acknowledgement of meeting attendees, birthdays, requests of the Town Manager for items to be placed on upcoming agendas, and condolences.

6. **Closed Session**

In accordance with Texas Government Code:

- a. **A. Section 551.071 – to consult with legal counsel** regarding pending or contemplated litigation and/or on matters 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 Chapter 551 of the Government Code including CPDD development improvements, ordinances, agreements and financing; contracts for services; town property and infrastructure; administrative matters; drainage matters; town regulations; religious land use; transportation matters; state law review and compliance.

B. Section 551.072 - discuss or deliberate the purchase, exchange, sale, lease, or value of real property, acquisition of right-of-way, easements, or land.

Under Texas Government Code Chapter 551, the Town Council may enter closed session to discuss any items listed or referenced on a posted agenda notice for this meeting as necessary under the listed exceptions to the Open Meetings Act.

The council further reserves the right to enter into executive session at any time throughout any duly noticed meeting under any applicable exception to the Open Meetings Act.

7. **Adjourn**

I, Joshua Stevenson, Town Secretary, hereby certify that this notice was posted in

accordance with Texas Government Code, Chapter 551, on or before the 23rd day of August 2024 at 5:00 p.m.

Joshua Stevenson, Town Secretary

NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS:

The Town of Fairview Council Chambers is wheelchair accessible. Access to the building and special parking is available at the primary southwest and northwest entrance into the Town Hall parking lot. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the Town Secretary's office at least 48-hours prior to the meeting. Please e-mail your request to townsecretary@fairviewtexas.org or call at 972-886-4234. BRAILLE IS NOT AVAILABLE.



Memorandum

August 26, 2024

FROM: Finance

SUBJECT: Consider, discuss, and take any necessary action on on an ordinance regarding the proposed 2024-25 ad valorem tax rate

BACKGROUND: A record vote on the proposed tax rate was taken at the August 1st Town Council special meeting. The Town then published the required proposed property tax rate notice in the Allen American on August 11th, 2024, and has provided access to the notice via the Town's website since August 9th, 2024. The proposed fiscal year 2024-25 ad valorem tax rate exceeds the No-New Revenue Tax Rate and the Voter Approval Tax Rate; therefore, a public hearing on the tax rate was required and held on Tuesday August 20th, 2024.

STATUS OF ISSUE: Now that the Town has met all requirements; taking a record vote, posting notices, and holding a public hearing, the Town council can formally adopt the ad valorem tax rate for fiscal year 2024-25. This Ordinance sets the ad valorem tax rate for fiscal year 2024-25 at \$0.310281 per \$100 of assessed valuation, to be distributed as follows: \$0.232798 for Maintenance & Operations (M&O) and \$0.077483 for Interest & Sinking (I&S) related to general obligation debt. The following statement is required by law when adopting the tax rate by ordinance. It compares the taxes raised on a \$100,000 home, by percentage and dollar amount, using the current year's M&O rate and the proposed M&O rate. It does not impact anything that Council has addressed during the budget process.

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR.

THE TAX RATE WILL EFFECTIVELY BE RAISED BY 7.59 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY

APPROXIMATELY \$-1.40.

BUDGET: Due to the new improvements placed on the tax roll and increased assessments, approximately 11.40% in additional ad valorem taxes will be collected in fiscal year 2024-25 for maintenance and operations as compared to what was collected in fiscal year 2023-24.

RECOMMENDATION: Adopt the attached ordinance approving the 2024-2025 ad valorem tax rate of \$0.310281 on each one hundred dollars (\$100.00) of assessed value of taxable property.

Attachments:

1. Ordinance - Adopting 2024-25 Ad Valorem Tax Rate



Memorandum

August 26, 2024

FROM: Finance

SUBJECT: Consider, discuss, and take any necessary action on an ordinance approving the proposed 2024-25 fiscal year budget

BACKGROUND: Town Council has had the opportunity to review the draft budget at the July 25th work session, the August 1st special meeting, and the August 20th public hearing. A record vote on the proposed tax rate of \$0.310281 was taken at the August 1st special meeting. The required public hearings on the budget and tax rate were held on August 20th.

Budget Focus

This year's goal is to continue to deliver outstanding town services at the greatest possible value. This budget includes small enhancements to current services, expense increases in response to inflation, and other price increases. Continued implementation of the 10-year capital plan, the Town's articulated strategic goals and maintaining our ability to recruit and retain employees remain integral components of the budget.

The Town continues to provide one of the lowest tax rates of any full-service city in Collin County that provides both full time fire and police services as well as other town services.

The annual budget is a policy document that sets the financial course for the Town and defines the service priorities for the community. Adopting the budget is a key role of the Town Council. The budget process allows the Town Council the opportunity to balance the needs of the Town against available resources. The development of the budget requires a significant amount of time from staff and the Council. The departments submit their proposed budgets, those budgets are reviewed and prioritized in a manner that utilizes available resources with fiscal constraints to achieve the Town's goals. The staff, from the department managers to the management team, have scrutinized and

reduced expenditures where possible, and only proposed expenditures that are deemed necessary to ensure that services are maintained.

STATUS OF ISSUE: Adoption of the Budget

Based on the record vote it is assumed that the Council wishes to move forward with the proposed tax rate. The budget, as attached, was prepared with the tax rate of \$0.310281.

The budget as prepared includes no rate increases for water, or sewer, and a 3.5% increase in solid waste rates. (Pass through from solid waste provider)

Should the budget be approved as proposed, the following language, along with the record vote and tax rate information must be included on the cover page of the budget.

THIS BUDGET WILL RAISE MORE REVENUE FROM PROPERTY TAXES THAN LAST YEAR'S BUDGET BY AN AMOUNT OF \$966,912, WHICH IS A 11.40% INCREASE FROM LAST YEAR'S BUDGET. THE PROPERTY TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR IS \$290,439.

BUDGET: The FY 2024-25 tax rate and budget have been developed based upon the attached budget.

RECOMMENDATION: Staff recommends Town Council approve the FY 2024-2025 Budget Ordinance for the Town of Fairview, Texas as submitted. **The vote must be a record vote** and recording of the vote will appear on the Town's final "Budget Cover Page".

Attachments:

1. Ordinance - FY25 Budget Adoption
2. Appendix A - FY25 Budgets



Memorandum

August 26, 2024

FROM: Finance

SUBJECT: Consider, discuss, and take any necessary action on an ordinance ratifying the 2024-25 property tax revenue increase

BACKGROUND: The State of Texas Truth-in-Taxation procedures states that when a municipalities property tax levy will raise more revenue from property taxes than in the preceding year, then the governing body must hold a separate vote to ratify the property tax increase reflected in the budget. This vote must be in addition to and separate from the vote to adopt the budget or the vote to set the tax rate. Cities that maintain a website, must post the proposed budget, along with final adopted budget.

STATUS OF ISSUE: The Town has posted the proposed budget on the Town's website and

THIS BUDGET WILL RAISE MORE REVENUE FROM PROPERTY TAXES THAN LAST YEAR'S BUDGET BY AN AMOUNT OF 966,912, WHICH IS A 11.40% INCREASE FROM LAST YEAR'S BUDGET. THE PROPERTY TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR IS \$290,439.

BUDGET: Due to the new improvements placed on the tax roll and increased assessments, approximately 11.40% in additional ad valorem taxes will be collected in fiscal year 2024-2025 for maintenance and operations as compared to what was collected in fiscal year 2023-2024.

RECOMMENDATION: Adopt the attached ordinance ratifying the property tax revenue increase in the fiscal year 2024-2025 budget as the result of the Town receiving more revenues than in the previous fiscal year.

Attachments:

1. Ordinance - Ratifying Tax Revenue Increase 2024-25



Memorandum

August 26, 2024

TO: Mayor and Councilmembers

FROM: Julie Couch, Town Manager
Steven Ventura, Chief Financial Officer

SUBJECT: **APPROVAL OF BUDGET AMENDMENT, AMENDING THE FY 2023-24 ANNUAL BUDGET**

BACKGROUND: The Council held a budget work session on July 25, 2024, and during that work session the elements included in the budget were discussed in some detail. In addition, the Town discussed the budget at the August 1st Town Council special meeting and held a public hearing on the budget on August 20, 2024. These meetings included reviewing the end-of-year estimates for FY2023-2024 budget; therefore, the Town's FY 2023-24 Budget Ordinance needs to be amended to reflect changes that have occurred since the adoption of the original FY 2023-2024 Budget on August 28, 2023.

STATUS OF ISSUE: The majority of the decreases from the adopted budget to the amended fiscal year 2023-24 budget of \$8,463,163 occurred in the Street Construction Fund, Vehicle & Capital replacement Fund and Utility Fund. The \$11,444,800 decrease in the Street Construction Fund was due to actual expenditures on road projects to date as opposed to total cost. The \$132,210 decrease in the Vehicle & Capital Replacement Fund expenditures was due to actual vehicle and equipment costs being lower than budgeted. The decrease of \$86,155 in the Utility fund was due to lower expenditures throughout the fund.

The table on the next page compares the Town's adopted FY 2023-24 Budget with the FY 2023-24 Amended Budget:

Fund	FY 2023-24	FY 2023-24	Change (\$)	Change (%)
	Adopted Budget	Amended Budget		
General Fund	\$11,268,075	12,359,568	\$1,091,493	9.70 %
Water & Wastewater Fund	9,692,246	9,606,091	(86,155)	(0.89) %
Solid Waste Fund	953,450	961,600	8,150	0.85 %
Debt Service Fund	2,465,364	2,479,991	14,627	0.59 %
Capital Projects Fund	240,000	738,557	498,557	>100 %
Utility Construction Fund	-	226,403	226,403	>100 %
Roadway Impact Fee Fund	-	-	-	n/a
Street Construction Fund	15,044,800	3,600,000	(11,444,800)	(76.10) %
Park Construction Fund	447,500	386,900	(60,600)	(13.54) %
Utility Impact Fee Fund	-	-	-	n/a
Vehicle/Capital Replacement	595,275	463,065	(132,210)	(22.21) %
Storm Water Fund	368,631	1,440,353	1,071,722	>100 %
EDC Fund	936,300	921,750	(14,550)	(1.55) %
CDC Fund	892,200	891,200	(1,000)	(0.11) %
Court Fund	27,500	28,100	600	2.18 %
Technology Fund	190,600	176,800	(13,800)	(7.24) %
Fire Donation Fund	24,200	17,300	(6,900)	(28.51) %
Hotel / Motel	118,700	110,000	(8,700)	(7.33) %
Fairview TIF	75,000	75,000	-	n/a
Relief Fund	6,000	400,000	394,000	>100 %
Town-wide Totals	43,345,841	\$34,882,678	\$(8,463,163)	(19.52) %

BUDGET: The FY 2023-24 budgeted expenditures will decrease by \$8,463,163 or 19.52%.

RECOMMENDATION: Staff recommends Town Council approve the FY 2023-2024 Budget Amendment Ordinance for the Town of Fairview; Texas as submitted.



Memorandum

August 26, 2024

FROM: Finance

SUBJECT: Consider, discuss, and take any necessary action on an ordinance approving a rate increase related to solid waste services

BACKGROUND: Residential trash collection services have been provided by Republic Services throughout the Town since 2006. In June of 2021 the Town negotiated a 5-year extension through a consultant-Solid Waste Specialists (SWS).

Currently, the Town provides residential and commercial waste collection and disposal services through Republic. Residential trash collection and recycling services are provided once per week with once per month bulk/brush collection. Currently, by ordinance brush collection is limited to 12 cubic yards (example – 7x7x7 or 6x6x9), while bulk collection is limited to items such as a couch, sofa, chair, dishwasher, dryer, or washer.

STATUS OF ISSUE: FY25 rates for services will increase by 3.5% as agreed upon in the contract.

A resident would pay **\$22.87** per month for trash collection services compared to the previous rate of **\$22.16**. The components of this rate are \$12.56 for trash collections, \$6.31 for recycling services, \$2.20 for once per month brush/bulk services, \$1.80 for the Town's administrative costs cover the direct and indirect costs of administering the Republic Services contract and monthly billing services. The senior resident would pay **\$21.32** per month for trash collection services compared to the previous rate of **\$20.66**.

The components of this rate are \$11.01 for trash collections, \$6.31 for recycling services, \$2.20 for once per month brush/bulk services, \$1.80 for the Town's administrative costs to cover the direct and indirect costs of administering the Republic Services contract and monthly billing services.

BUDGET: All additional costs related to the annual rate adjustments will be passed

along to the Town customers and those increases have been reflected in the fiscal year 2024-25 budget.

RECOMMENDATION: Approve the attached solid waste rate structure ordinance, effective October 1, 2024.

Attachments:

1. Ordinance - Solid Waste Increase FY25



Memorandum

August 26, 2024

FROM: Public Works

SUBJECT: Consider, discuss, and take any necessary action on the 2024 Water Conservation Plan

BACKGROUND: The TCEQ requires that all water systems implement and update a Water Conservation plan and a Water Resource and Emergency Management Plan every 5 years. NTMWD also requires the implementation of both plans. Minimum requirements for both plans are mandated by the TCEQ and a condition of the water supply contract we have with NTMWD.

The Town has had a Water Conservation Plan and a Drought Contingency Plan since at least 2009, as this has been a TCEQ requirement of cities for many years.

STATUS OF ISSUE: Both plans have been updated to meet the minimum requirements set forth by the TCEQ and NTMWD. Minimal changes have been made to meet these requirements.

Following is a brief overview of the Water Conservation Plan and an overview of the draft Water Resource and Emergency Plan:

Water Conservation Plan

The plan outlines overall conservation goals. We have adjusted our 5 and 10 year per capita goals to reflect our lower base line usage and historical average.

The Plan outlines the Town's processes for tracking water use and control of water loss; it outlines our methods of enforcement; and describes the Town's public education program for water conservation.

It describes the Town's water rate structure which is a conservation structure.

It outlines the watering times from April 1 to October 31 which are limited to 6:00 P.M. to 10:00 A.M (which reflects the current requirements) and limits watering to no more than two days per week (again reflects the current requirements), and limits watering from October 31 to April 1 to one day per week (this is a new requirement).

The Plan outlines irrigation system requirements which are governed by state law. There is a new provision that a regulated irrigation property obtain an evaluation of their irrigation system annually. A regulated irrigation property is a commercial property that uses more than 1,000,000 gallons of water annually for irrigation. The only property in town that meets that requirement is the Center.

The Plan outlines the provisions adopted to reduce water waste (these are generally reflective of current requirements with the addition of provisions that hotels must offer a linen reuse option to patrons and restaurants must provide drinking water if requested, not automatically).

Water Resource and Emergency Management Plan

This document outlines the various stages of drought and the actions that may be taken by the District or by the Town in response. This portion of the plan is written in draft form as we will be gathering input from the public prior to formally adopting it. The process for the review and adoption is included in the document.

The document provides a description of the process for initiating and terminating a drought stage and the process for granting variances to a water user (these are consistent with current requirements).

The Plan outlines three levels of drought stage and the triggers that would result in the initiation of a drought stage. This has been changed from our last ordinance due to the District reducing the number of stages from 4 to 3. This was done after the major drought the area experienced beginning in 2012. The goals for conservation for each stage is also included in this section.

The balance of the document includes appendices required by the state or by the District for inclusion in the Plan

BUDGET: N/A

RECOMMENDATION: Review and approve the updated Water Conservation Plan and Water Resource and Emergency Management Plan as required by State Law.

Attachments:

1. Ordinance
2. Water Conservation Plan 2024

