

**CITY OF NEW DEAL
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**MINUTES OF A SPECIAL MEETING
OF THE CITY COUNCIL OF NEW DEAL, TEXAS
Tuesday, May 26, 2020—7:00 PM – City Hall**

ALL MEMBERS PRESENT

VISITORS: per list

Mayor Regina Hobson called the special meeting to order at 7:00pm.

1. Council entered executive session per Gov Code 551.074 Personnel matters, deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, water/wastewater department at 7:01pm.
2. Council returned to open session per Gov Code 551.074. Motion was made by Council Member Gina Stockman to call Billy and Michael, second by Lisa Welborn, motion passed 5-0.
3. City Attorney Donna Clarke had questions regarding infrastructure, streets, etc. She will get with the planner in her office to discuss the proposed annexation and zoning from Austin and Ferrell Martin. BJ Prichard with eHT believes there is enough water supply for the Martin's Phase 1 of 59 residential homes. Perry Evans, eHT engineer is working on a proposal to make sure water flow is better for the entire city as well as extra water storage. eHT has developed plans for the Martins and believe it would be a conflict of interest to review their own plans since they are also the city's engineers. Perry advised the council to have an outside firm review their plans to make sure flow falls within the sewer permit as well. It was stated that the landowner usually bears the cost. With concerns of more than doubling the current population, City Attorney Donna Clarke questioned the cost to the city. Austin Martin stated, "We pay for the cost, not the city." Donna mentioned concerns of no green space or parks on the proposed plat. Austin informed everyone that the North phase is residential, but the South farm could possibly have a pond or park. Perry Evans stated he can commit to the water supply and does not feel it is a conflict of interest. City Attorney Donna Clarke informed the Martins that we need written costs. Council Member Scott Miller asked that the city attorney move as quickly as possible. Donna stated that she would have something ready by the next meeting and would like to request executive session for consultation with attorney. Motion was made by Mayor Pro Tem Marcos

Blanco to move forward with the annexation process, second by Lisa Welborn, motion passed 5-0

4. The minutes from November 2017 were reviewed and City Attorney Donna Clarke commented that was prior to her being hired by the City of New Deal. Curb and gutter was tabled at the November 2017 meeting, the removal was voted on and passed in the December meeting but not changed in the ordinance. Donna stated the ordinance needs to be re-worked to include needs engineered drainage which will save the streets. She also informed the Martins they could request variance for curb and gutter. Austin Martin said he would like to use eHT but Donna wants to discuss this with council at a future meeting. Motion was made by Council Member Lisa Welborn to table the subdivision ordinance, second by Mayor Pro Tem Marcos Blanco, motion passed 5-0.
5. City Attorney Donna Clarke had an update from Oncor. She informed everyone that Oncor received 2 consent forms in October or November signed by City Secretary Sharon Trumble giving them access to the property in October and December. With council permission Donna will contact Mr. Lee with Oncor informing them that Sharon did not have authority to sign the form. Only the Mayor can sign that consent without it going before the council. Perry Evans with eHT provided copies of Google Earth to council and showed there are not wells on the easement. Donna commented that because of COVID-19 she cannot get in the Lubbock courthouse to check titles and easements but if she had known about it in October/November it could have been done. Council commented they were confident they did not know about the Oncor easement survey until April. City Engineer Perry Evans stated it looks like Oncor will split our well #5 and #6 and he is not sure if they are allowing a safe distance both vertical and horizontal. City water consultant Michael Lowe wants the city to get someone out to look because the other tank can not be used due to lead paint. Donna said we have until Monday to accept Oncor's offer of \$41k for the easement. In the meantime, she will try to get a higher offer for the hardship on the city and let them know any agreement they have was without the knowledge of the city council. Motion was made by Mayor Pro Tem Marcos Blanco authorizing Mayor Regina Hobson or himself as Mayor Pro Tem to sign the agreement for \$41k if that is the final offer, second by Council Member Scott Miller, motion passed 5-0.
6. Mayor Regina Hobson requested executive session to consult with attorney per Gov Code 551.071 at 8:52pm.
7. Council returned to open session per Gov Code 551.071 at 9:12 with no action.
8. Motion made by Council Member Gina Stockman to adjourn, second by Council Member Lisa Welborn, motion carried 5-0.

_____, Brittney Moore, City Secretary