

AUBREY, TEXAS

City Council Meeting

Aubrey City Hall
107 S. Main St
Aubrey, TX 76227
May 25, 2023
6:00 PM



**(Notice of Potential Quorum for Planning & Zoning Commission, Board of Adjustment, Library Board, Municipal Development District, Parks & Recreation Board, and Home Rule Charter Commission - even though a quorum of the member of these boards may or may not be present, no official action will be taken by their members.)*

Notice Regarding Public Participation

Individuals may attend the Aubrey City Council meeting in person at the above address, or access the meeting via videoconference, or telephone conference call.

Join the Zoom Meeting by clicking on the following link:

<https://us06web.zoom.us/j/87280555934?pwd=QjB1bXU3ZzV3TUJENTBJbmZzSS9xdz09>

Meeting ID: 872 8055 5934 Password: 05252023

To join the meeting by phone, dial 1 (346) 248-7799 and use the Meeting ID and password above.

Call to Order - Determine if a Quorum is Present:

Mayor - Chris Rich
Council Place 1 - Jeff Perry (Mayor Pro Tem)
Council Place 2 - Matt Jones
Council Place 3 - Erin Allen
Council Place 4 - Randy Jones
Council Place 5 - Chuck Fikes (Deputy Mayor Pro Tem)

Invocation & Pledge of Allegiance: *Pledge of Allegiance to the Texas Flag - "Honor the Texas flag; I pledge allegiance to thee, Texas, one state, under God, one, and indivisible."*

Community Announcements: Items of community interest may include recognizing Citizens and Staff for outstanding contributions to the community, a reminder about an upcoming event that is organized or sponsored by the governing body, and announcements of an imminent threat to public safety that has arisen after the posting of this agenda.

Public Works Week Proclamation

Citizen Input: Any person may address the City Council. If your comments are concerning an agenda item, you may wait until the discussion on that item if you prefer. Once recognized by the Mayor or Chairperson, please step forward to the speaker's podium, state your name and address and speak directly into the microphone so that people in the room and those attending remotely can hear comments and see presentations. To request to speak via videoconference, click on "Participants" at the bottom of the screen, and click "Raise Hand." The Mayor or Chairperson will acknowledge your request and allow you to speak. Citizen comments are limited to three (3) minutes per individual unless additional time is otherwise required by law. No discussion or action may be taken at this meeting on any item not listed on the agenda, other than to make statements of factual information or recite existing policy in response to a citizen's inquiry.

Consent Items: Items placed on the Consent Agenda are considered routine in nature and non-controversial. The Consent Agenda can be acted upon in one motion. Items may be removed from the Consent Agenda by the request of Council Members or staff. Consideration and action on the following:

1. Minutes of the following City Council Meeting(s):
 - a. April 27, 2023 ([Document](#))
 - b. May 10, 2023 ([Document](#))
2. Staff Reports ([Document](#))
3. Monthly Financial Report ([Document](#))
4. Approve the conveyance of approximately .005 acres of land located at Highway 377, being a portion of a called 0.21 acre tract of land described in a warranty deed to Volunteer Enterprises III, LLC, as recorded in Instrument Number 2006-11582 of the Official Public Records of Denton County, Texas and also being part of Lot 2 of Pointbank Addition, according to the plat recorded in Cabinet V, Page 221 of the Plat Records of Denton County, Texas to TxDOT for use as right of way and authorize the Mayor to execute appropriate documents to complete the conveyance. ([Document](#))

New Business: New items previously requested by Council Members, City Staff, or Citizens for consideration by the City Council.

5. Consideration and action on recommendations from the Planning and Zoning Commission for the following:
Cate Ball
 - a. Consideration and action on a Revised Final Plat of Sandbrock Ranch Phase 11a, being 24.862 acres out of the William Lumpkin Survey, Abstract No. 730, Denton County, Texas located east of the City of Aubrey and Little Elm Creek, west of FM 1385, south of Spring Hill Rd (FM 428) and north of Frontier Parkway in the Aubrey Extraterritorial Jurisdiction. ([Document](#))
6. Receive a presentation from Raftilis regarding a Water and Wastewater Rate Study, consider and take any necessary action.
7. Presentation by the City's Financial Advisor, Hilltop Securities Inc., regarding an overview of the Keeneland Project's Developer's request to levy assessments and issued Special Revenue Assessment Revenue Bonds per the terms of the Development Agreement.
8. Consideration and action on the First Amendment to the Development Agreement between the City, Aubrey 54 South LP, Aubrey Plant LP, Aubrey64 North LP and 18 Blackjack LLC, for property located within the ETJ of the City and within the boundaries of the Clear Sky Municipal Utility District; providing the form of a Consent Resolution for City's consent to inclusion of an approximate 6.054 acres within the boundaries of the Clear Sky MUD; and authorizing the Mayor or his designee to execute necessary documents. ([Document](#))
9. Consideration and action on a Resolution consenting to the annexation of an approximate 6.054 acres into the boundaries of the Clear Sky Municipal Utility District, providing conditions to City's consent; and providing an effective date. ([Document](#))
10. Consideration and action on an Ordinance amending Ordinance No 760-22 adopting the Fiscal Year 2022-2023 Budget. ([Document](#))
11. Consideration and action on appointing a City Council member as the Parks and Recreation board liaison.

12. Consideration and action on a Resolution supporting funding for the City's application to TxDOT 2023 Transportation Alternatives Set-Aside (TA) Call for Projects. *Leanne Wilson* ([Document](#))

Department Updates and Council Discussion:

Administration & Finance:

- City Hall renovations
- Budget Update
- Legislative Update
- City Events

Library:

- None

Fire Department:

- None

Police Department:

- Winn Ridge Speed Limit

Public Works:

- None

Human Resources:

- Open positions

Future Agenda Requests: Council Members, City Staff, and Citizens may request items to be included on future agendas. Discussion is limited to what the request is for, and if and when the item can be put on a future agenda.

*****EXECUTIVE SESSION*****

In accordance with Texas Government Code, Section 551.001, et seq., the City Council will recess into Executive Session (closed meeting) to discuss the following:

- a) **Section 551.071(1) and (2) Consultation with Attorney.** For Council to seek the advice of its attorney about pending or contemplated litigation or a settlement offer and to consult 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:
 - Gifts/Donations
 - Jackson Ridge PID Refunding
 - Personal Property Foreclosures
 -
- b) **Section 551.072 Real Property.** deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.
 - Land acquisition

Motion to adjourn into Executive Session. Time: _____

Reconvene into Open Session: Time: _____ In accordance with Texas Government Code, Chapter 551, the City Council will reconvene into Regular Session to consider and take appropriate action, if any, regarding any items discussed in Executive Session.

-ADJOURN-

I, Jenny Huckabee, City Secretary, certify that this Notice of Meeting was posted, per the Open Meetings Act, on the official bulletin board at the City Hall of the City of Aubrey, Texas and on the City's website at www.aubreytx.gov in accordance with Chapter 551, Texas Government Code, and shall remain posted until the meeting is adjourned.

I certify that the attached notice and agenda of items to be considered by the City Council of the City of Aubrey, Texas was removed by me from the official bulletin board of the City of Aubrey, Texas, 107 South Main St, Aubrey, Texas on the _____ day of _____, 2023.

(The City Council reserves the right to adjourn into closed session at any time during the course of this meeting to consult with its attorney regarding any of the matters listed on this document, as authorized by Texas Government Code Section 551.071 Consultation with Attorney.)

This facility is wheelchair accessible and 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's office at (940) 440-9343 for further information.

*Pursuant to Section 551.127, Texas Government Code, one or more Councilmembers or employees may attend this meeting remotely using videoconferencing technology. A quorum of the City Council will be physically present at the location provided above. The video and audio feed of the videoconferencing equipment can be viewed and heard by the public by accessing Zoom as provided above.