

AUBREY, TEXAS

City Council Meeting

Aubrey City Hall
107 S. Main St
Aubrey, TX 76227
July 26, 2022
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/82761731287?pwd=d2NDMXBVaVZsd0lNWFDicUJNMFo2UT09>

Meeting ID: 827 6173 1287, Password: 07262022

To request to speak via videoconference, click on "Participants" at the bottom of the screen, and click "Raise Hand." The meeting moderator will acknowledge your request and allow you to speak. If in person, a request to speak shall be indicated by a raised hand. The meeting moderator will acknowledge your request and allow you to speak. When addressing the Council, please state your name and address before beginning your comments. Please limit your comments to three minutes.

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 (Deputy Mayor Pro Tem)

Council Place 3 - Erin Allen

Council Place 4 - Dewayne Brawner

Council Place 5 - Chuck Fikes

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.

Citizen Input: Any person may address the City Council. If your concern is an agenda item on this agenda, you may wait until the discussion on that item if you wish. Please state your name and address, and you will have three minutes to speak. 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. June 28, 2022 ([Document](#))
 - b. July 11, 2022 ([Document](#))
2. Staff reports ([Document](#))
3. Monthly financial report ([Document](#))
4. Quarterly investment report ([Document](#))
5. A Resolution to decommission and return a 2016 police vehicle, VIN #1FM5K8AR1GGD17200 to the Town of Providence Village. ([Document](#))
6. A Professional Services Agreement Amendment with Kimley Horn for engineering services for the Wilson Lift Station. ([Document](#))

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

7. Presentation of proposed Home Rule Charter. *HRCC Chair Jesse Auer* ([Charter](#)) ([FAQ's](#))
8. Consideration and action on an Ordinance ordering an election on the question of adopting the proposed Home Rule Charter. *Charles Kreidler* ([Document](#))
9. Consideration and action on a Resolution approving a Joint Administrative Agreement with Denton County for participation in Denton County's Community Development Block Grant program. *Charles Kreidler/Rina Maloney* ([Agreement](#)) ([Presentation](#))
10. Consideration and action on recommendations from the Planning and Zoning Commission for the following:
 - a. Hold Public Hearing, consider and act on a recommendation regarding a request to approve an ordinance effectuating a zoning change from Agricultural Residential District to a Planned Development Overlay District with base zoning of Single Family Residential 75, for the Aubrey Heights development, being approximately 39 acres out of the John Fisher Survey, Abstract 432, generally located west of Highway 377, south of W. Blackjack Rd. and east of Blackjack Oaks Rd. located in the Aubrey city limits. *Clint Bissett, Pacheco Koch* ([Document](#))
Open Public Hearing: _____ p.m. **Close Public Hearing:** _____ p.m.
 - b. Consideration and action on a recommendation to City Council regarding a Preliminary Plat for Ribbonwood MUD #1, being approximately 90 acres out of the F.H. Pollard Survey, Abstract 995, Denton County Texas, located East of FM 2931, South of Springhill Rd, and East of Coffey Road, in the Aubrey Extraterritorial Jurisdiction. *Cate Ball, Plummer* ([Document](#))
11. Hold a Public Hearing, consider and act on an Ordinance annexing approximately 55.3 acres of land generally located in the Pecan Creek Addition, Phase 1, Lots 1, 2, and 3, Block A of the James Bridges Survey, Abstract No. 36, Denton County, Texas, into the City of Aubrey, Denton County, Texas, and extending the boundary limits of the City to include the above-described property; approving a written services agreement; and providing for amendment to the official City map *Charles Kreidler* ([Document](#))
Open Public Hearing: _____ p.m. **Close Public Hearing:** _____ p.m.
12. Hold a Public Hearing, consider and act on an Ordinance levying assessments on property located within Phase #3B of the Jackson Ridge Public Improvement District; and providing the Phase #3B Assessment Roll. *Mike English/Abdi Yassin* ([Ordinance](#)) ([Agreement](#))

Open Public Hearing: _____ **p.m.** **Close Public Hearing:** _____ **p.m.**

13. Consideration and action on an ordinance approving an exclusive Solid Waste Franchise Agreement with Rhino Removal; providing a penalty; and providing an effective date. *Leanne Wilson* ([Document](#))
14. Consideration and action on a Resolution amending subsection 106.2 of Section 106 of the City's Human Resources Manual to provide updates to the City's vacation time regulations; and providing an effective date. *A.J. Rodriguez* ([Document](#))
15. Discussion regarding the Enterprise Fund budget. *Leanne Wilson/Mike English*
16. Consideration and action on a Resolution changing the regular City Council meeting date; and providing an effective date. *Mayor Rich* ([Document](#))

Department Updates and Council Discussion:

Administration:

- Traffic Flow Study (Main St @ Rockhill, Winn Ridge)

Fire Department:

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Library:

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Police Department:

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Public Works:

- Water and Rate Study Update

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:
 - *Indus Aubrey, LLC v. City of Aubrey, et al.*, Cause No. 22-0178-393, pending in the 393rd District Court of Denton County, Texas.
 - High Pointe Development
 - Aubrey Heights Development
 - Whispering Oaks Development (Girl Scout Camp)
 - Waters Edge RV Park Development
 - Solid Waste Request for Proposal (Information Request)
 - Aubrey Area Ambulance
 - Police and Fire Services for The Lakes and Sandbrock

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-

17. Consideration and action on acquiring real property described as an approximate 7.093 acres located on the north side of Highmeadow Drive, 200 feet west of US 377 in Aubrey, Denton County, Texas.

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 _____, 2022.

(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.