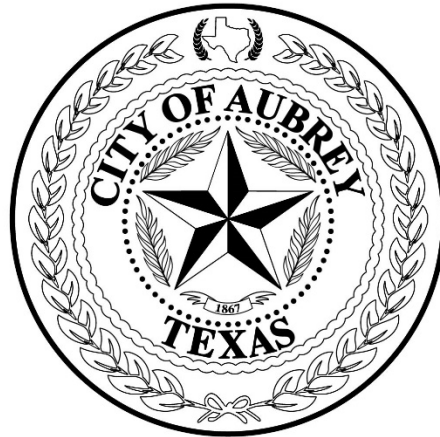


CITY COUNCIL MEETING

Aubrey City Hall
107 S. Main St
Aubrey, TX 76227
October 24, 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 Remote Participation of Council

Pursuant to Section 551.127, Texas Government Code, one or more Councilmembers 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 utilizing the Public Participation link identified below.

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/82373932693?pwd=qhBS7R3BQr1kbfYbbAfvamFKLbOXL.1>

Meeting ID:823 7393 2693

Password: 10242023

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.

- Donation of Police Bicycle
- Aubrey Proud Award
- Tree Lighting Event, December 6 at 6:00 pm

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, 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 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. September 28, 2023 ([Document](#))
2. Staff Reports ([Document](#))
3. Monthly Financial Report ([Document](#))
4. Quarterly Investment Report ([Document](#))
5. An Interlocal Cooperation Agreement with Denton County for use of the Denton County Radio Communications System for the City's Fire Department and Police Department ([Document](#))
6. An Interlocal Cooperation Agreement with Denton ISD for School Resource Officer Services ([Document](#))
7. An Interlocal Cooperation Agreement with Providence Village for Code Enforcement Services ([Document](#))
8. An Interlocal Cooperation Agreement with the City of Denton for cooperative purchasing participation ([Document](#))
9. Designate Point Bank as the City's depository from December 1, 2023 through October 1, 2028 and authorize the City Manager to negotiate and execute all necessary documents. ([Document](#))
10. A Resolution approving an Advanced Funding Agreement with the Texas Department of Transportation for the Main Street Beautification Project. ([Document](#))
11. A Resolution amending the Human Resources Policy and Procedure Manual related to retention pay. ([Document](#))
12. The ratification of a Development Agreement with DTC Ventures for an approximate 3.79 acre tract of land generally located north of Redfearn Road and east of Highmeadow Drive (Maylar) ([Document](#))

Old Business: These are unresolved items carried over from previous meetings.

13. Hold a public hearing, consider and act on an Ordinance zoning approximately 1.12 acres of land legally described as Lot 2, Block A of the Union Street Addition | from "SF-10" (Single-Family Residential minimum 10,000-square-foot lots) District to "SF-75" (Single-Family Residential minimum 7,500-square-foot lots) District generally located at the northern terminus of D'Lynne Street, north of Spring Street.
Property Owner: Lubna Bilal

Public Hearing held open from September 28, 2023 meeting.

Reopen Public Hearing: _____ **Close Public Hearing:** _____

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

14. Receive Presentation on a Plan of Finance, and consider and act on a Resolution for Notice of Intent to issue Certificates of Obligation for the Plan of Finance to include a new fire station | [\(Document\)](#) *Jim Sabonis, Hilltop Securities*

15. Hold a public hearing, consider and act on an Ordinance annexing approximately 3.79 acres of land, generally located on the north side of Redfearn Road and east of Highmeadow Drive, | situated in the F. Trevino Survey, Abstract No. 1243A, Denton Central Appraisal District ID No 51650, into the City of Aubrey, Denton County, Texas and the adjacent right-of-way and extending the boundary limits of the City to include the above described property. (Maylar) [\(Document\)](#) *Heather Shankle*
Open Public Hearing: _____ **Close Public Hearing:** _____

16. Hold a public hearing, consider and act on an Ordinance zoning the Maylar development, an approximately 3.79 acre tract of land situated in the F. Trevino Survey, Abstract No. 1243A, generally located on the north side of Redfearn Road and east of Highmeadow Drive, | as “PD” (Planned Development) District for General Retail District (GR), Shopping Center (SC), Commercial (C) and Industrial District (IND) uses and to delineate development standards. *Property Owner: DTC Ventures, Inc.* [\(Document\)](#) *Heather Shankle*
Open Public Hearing: _____ **Close Public Hearing:** _____

17. Consider and take appropriate action regarding an Ordinance renaming Trouble Way. [\(Document\)](#) *Charles Kreidler*

18. Consider and take appropriate action regarding an Easement Agreement with H&NJ-V, Inc. for the Sod Farm Lift Station. [\(Document\)](#) *Leanne Wilson*

19. Receive a report, consider and take appropriate action regarding final acceptance of the 2021 CDBG CDV21-0063 Wastewater Improvements. [\(Document\)](#) *Leanne Wilson*

Department Updates and Council Discussion: |

Administration & Finance:

- None

Library:

- None

Fire Department:

- None

Police Department:

- Update on Monthly Report

Public Works:

- Main Street Projects

Human Resources:

- None

Municipal Development:

- None

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:

- Interlocal Agreements with the Denton County Fresh Water Supply Districts
- Duck Point Development
- Industrial District
- Property acquisition for Redfearn Rd
- Maylar Development
- Conduct of Meetings
- Deannexation Petitions
- Senate Bill 2038
- Mixed Use Development – Alpha Project
- Commercial Development – FM 2931
- Springhill Mixed Use Development
- Project 53

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 – Project 38
- Land Acquisition – Project WRAP

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.

20. Consider and take appropriate action on Senate Bill 2038 petition for release from the Extraterritorial Jurisdiction (ETJ) received from Aubrey Aggregates, LLC on September 1, 2023 for property located in Industrial District Number 1.

21. Consider and take appropriate action regarding Redfearn Road condemnation and property acquisitions and possible eminent domain, including right-of-way, easements, and other property interests up to and including acquisition in fee simple, on an approximately 2.4 acre tract of land located south of the north intersection of FM 428 and FM 1385 but north of the south intersection of FM 428 and FM 1385 and West of FM 1385, Aubrey, Texas (Property Tax ID 52161).

-ADJOURN-

I, Jenny Hicks, 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 accommodation 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.