

City Council Meeting

Aubrey City Hall
107 S. Main St
Aubrey, TX 76227
April 25, 2024
6:00 PM



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

Notice Regarding Remote Participation of Council Members

Pursuant to Section 551.127, Texas Government Code, one or more Council Members may attend this meeting remotely using videoconferencing technology. A quorum of the board 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 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/84174692322?pwd=6KYvTlaFhiv1e0CpLC5adrkePOml7E.1>

Meeting ID: 841 7469 2322 Password: 419105

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:

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. Mental Health Month Awareness Proclamation (United Way of Denton County)

- Mental Health Month Awareness 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, 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, board members or staff. Consideration and action on the following:

1. Approve minutes of the following meetings:
 - March 28, 2024
 - April 3, 2024
 - April 18, 2024
2. Accept Monthly Staff Reports
3. Accept Monthly Financial Report.
4. Approve Quarterly Investment Report
5. Approve Ordinance # 838-24 amending Chapter 3 “Building Regulations”, Article 3.04.003 (b) “Appointment of code official”, amending Article 3.04.007 (f) “Hearings”, and 3.04.010 “Appeals”.
6. Approve changes to the number of Authorized Positions in the Police Department

7. Approve an Interlocal Agreement with City of Richardson, TX for cooperative purchasing of medical supplies from Boundtree Medical.
8. Acceptance of the 2023 CIP Project S4 - 24" Sanitary Sewer Line and authorize final payment to Wilco Underground, LLC in the amount of \$116,620.00; and authorize the Mayor to execute necessary documents.
9. Approve a Professional Services Agreement with Birkhoff, Hendricks and Carter for an update to the Aubrey Water and Sewer Master Plans and authorize the City Manager to execute necessary documents.
10. Authorize the city manager to execute necessary documents for the council approved purchase of real property located at 916 US 377 and Highmeadow Drive for the Aubrey Municipal Development District.

New Business: New items previously requested for consideration.

1. Consideration and action on a Final Plat of Highpointe Ranch Phase 1C being 32.472 acres in the Francisco Trevino Survey, Abstract No. 1243, City of Aubrey, Denton County, Texas located immediately east of US 377 between Spring Hill Road (FM 428) on the south and East Blackjack Rd on the north within the city limits of Aubrey. (*Aubrey Blackjack Partners, LLC.*)
2. Consideration and action on a Preliminary Plat for the Trivedi Addition for 2 lots in 25.159 acres of land out of the F. Trevino, Abstract No. 1243, within the City of Aubrey, Denton County, Texas. (*Pretium Capital, LLC*)
3. Consideration and action on a Final Plat for Ribbonwood Phase 1 for 213 residential lots, 4 open space lots in 43.864 acres of land out of the F.H. Pollard Survey, Abstract No. 995, within the Extraterritorial Jurisdiction of the City of Aubrey, Denton County, Texas. (*Clayton Lee Boyd, Investment Trustee under the Boyd 2021 Investment Trust*)
4. Conduct the second public hearing in accordance with Texas Local Government Code Section 43.063(a) and other applicable law, to consider testimony and provide members of the public an opportunity to be heard on the proposed annexation of a certain ± 1.078 acre tract of land being a part of the existing 60-foot wide right-of-way of Redfearn Road and the new variable width right-of-way on the east side of US Highway 377, south of Redfearn Road, situated in the F. Trevino Survey, Abstract No. 1243, Denton, County Texas and the associated right-of-way.

Open Public Hearing: ____ p.m. Close Public Hearing: ____ p.m.

5. Consideration and action on Resolution 957-24, a resolution of the City Council of the City of Aubrey, Texas, setting a Public Hearing under Sec. 372.009 of the Texas Local Government Code for the creation of the Duck Point Public Improvement District within the extraterritorial jurisdiction of the City of Aubrey, Texas, on an approximate 160 acres of land situated in the Frederick H. Pollard Survey, Abstract

No. 995, Denton County, Texas and as more particularly described by a metes and bounds description available at Aubrey City Hall; setting a date for and authorizing the issuance of notice by the City Secretary of Aubrey, Texas regarding the Public Hearing. (Duck Point Development)

6. Consideration and action on Ordinances Numbers 840-24 to 849-24 amending and adopting new Divisions within Article 3.03, "Technical and Construction Codes and Standards" of Chapter 3, "Building Regulations" of the Code of Ordinances to adopt the 2023 National Electric Code with Local Amendments, and to adopt the 2021 Editions of and Local Amendments to the following International Codes:
 - a. International Building Code
 - b. International Existing Building Code
 - c. International Energy Conservation Code
 - d. International Fuel Gas Code
 - e. International Mechanical Code
 - f. International Plumbing Code
 - g. International Fire Code
 - h. International Residential Code
 - i. International Swimming Pool and Spa Code
7. Consideration and action on awarding a bid and entering into a contract with ALCC, LLC for Park Improvements at Leslie Park Field for an amount not to exceed \$669,263.71 and authorizing the City Manager to execute necessary documents.
8. Consideration and action on a Resolution nominating a candidate for the DENCO Area 9-1-1 District Board of Managers.
9. Consideration and action on an Ordinance amending Ordinance No. 801-23 adopting the Fiscal Year 2023-2024 Budget to balance revenue surplus, expense surplus and shortfall; and providing an effective date.
10. Consideration and action on Ordinance # 837-24 amending Chapter 12 "Traffic and Vehicles", Article 12.04 "Parking" and adding Article 12.07 Golf Carts and Off-Highway Vehicles".
11. Consideration and action on removing and/or appointing member(s) to the Aubrey Parks and Recreation Board. (Susan McCormack Resignation)

Department Updates and Discussion:

1. Administration & Finance:
 - None
2. Library:
 - Annual Report
 - Programs and Services

- Presentation on Public School and Home-School based programs
- 3. Fire Department:
 - Station Updates
 - New Fire Vehicle
- 4. Police Department:
 - Library/Community Center Renovation Updates
- 5. Public Works:
 - Update on Water Wells
 - Park Projects
- 6. Human Resources:
 - None
- 7. Municipal Development:
 - None

Future Agenda Requests: Council or Board 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:

1. **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:
 - Hidden Lake Development
 - Duck Point Development
 - Project 38
 - Sod Farm Easement
 - Fire Station No 2 Construction Bid
 - CCN Acquisition
 - Options for Traffic Control at the Pine Ridge and Highway 377 Intersection
 - *City of Aubrey, Texas and Town of Providence Village, Texas v. Denton County Fresh Water Supply District 8-A, et al*, Cause No. 24-1985-431, Denton County, Texas
2. **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.
 - Project 38
 - Sod Farm Easement

Motion to Recess into Executive Session.

Reconvene into Open Session: 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.

1. Consideration and action on awarding a bid for the construction of Fire Station Number 2 and authorize the City Manager to negotiate the final contract and execute same.
2. Consideration and action on options for traffic control at the intersection of Pine Ridge and Highway 377.

-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 _____, 2024.

(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.