

City Council Special Meeting & Workshop

Aubrey City Hall
107 S. Main St
Aubrey, TX 76227
June 29, 2024
8:00 AM



**(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.)*

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/84138802566?pwd=7dDIEcO1bAGYdkexMI0osrRucY108a.1>

Meeting ID: 841 3880 2566 Password: 835796

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.

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.

New Business: New items requested for consideration.

1. 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 portion of FM 428, beginning at the intersection of FM 1385 and FM 428, continuing west to the intersection of FM 428 and FM 2931, and to include any additional adjacent right-of-way, Denton County, Texas.
2. 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 portion of FM 1385, beginning at the city limits just south of the intersection of FM 1385 and Winn Ridge Blvd, continuing north to the intersection of FM 1385 and FM 428, and to include any additional adjacent right-of-way, Denton County, Texas.
3. Consideration and action on a Resolution granting a petition requesting annexation into the extraterritorial jurisdiction and corporate limits of the City of Aubrey by Dosti Partners LLC, owners of approximately 1.33 acres of land, generally located west of FM 1385, south of FM 428 and east of Coffey road out of the Frederick H. Pollard Survey, Abstract No 995, Denton County, Texas, setting a Public Hearing for the annexation; authorizing staff to negotiate and enter into a written services agreement with Owner. (Pickens Lake)

Workshop Items:

1. Discuss City finances, tax rate, budget, initiatives, operations, projects, and strategic plans not limited to, but including:
 - a. Direction regarding tax rate
 - b. Employee compensation and benefits
 - c. FY 24-25 projects
 - d. City departments and services - revenues and expenditures
 - e. Water and Wastewater rates
 - f. Capital Improvement Plan

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.

-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.



**City Council Special Meeting & Workshop
Staff Report
June 29, 2024**

Agenda Item

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 portion of FM 428, beginning at the intersection of FM 1385 and FM 428, continuing west to the intersection of FM 428 and FM 2931, and to include any additional adjacent right-of-way, Denton County, Texas.

Staff Contact

Charles Kreidler, City Manager
kreidler@aubreytx.gov
940-440-9343

Summary

This annexation, in conjunction with the annexation of the Duck Point Development, will be for the roadway and adjacent ROW for FM 1385 from Winn Ridge subdivision to the intersection of FM 1385 and FM 428. In accordance with the boundary agreement with the City of Celina, the annexation will only cover the western half of the roadway as depicted in the attached map.

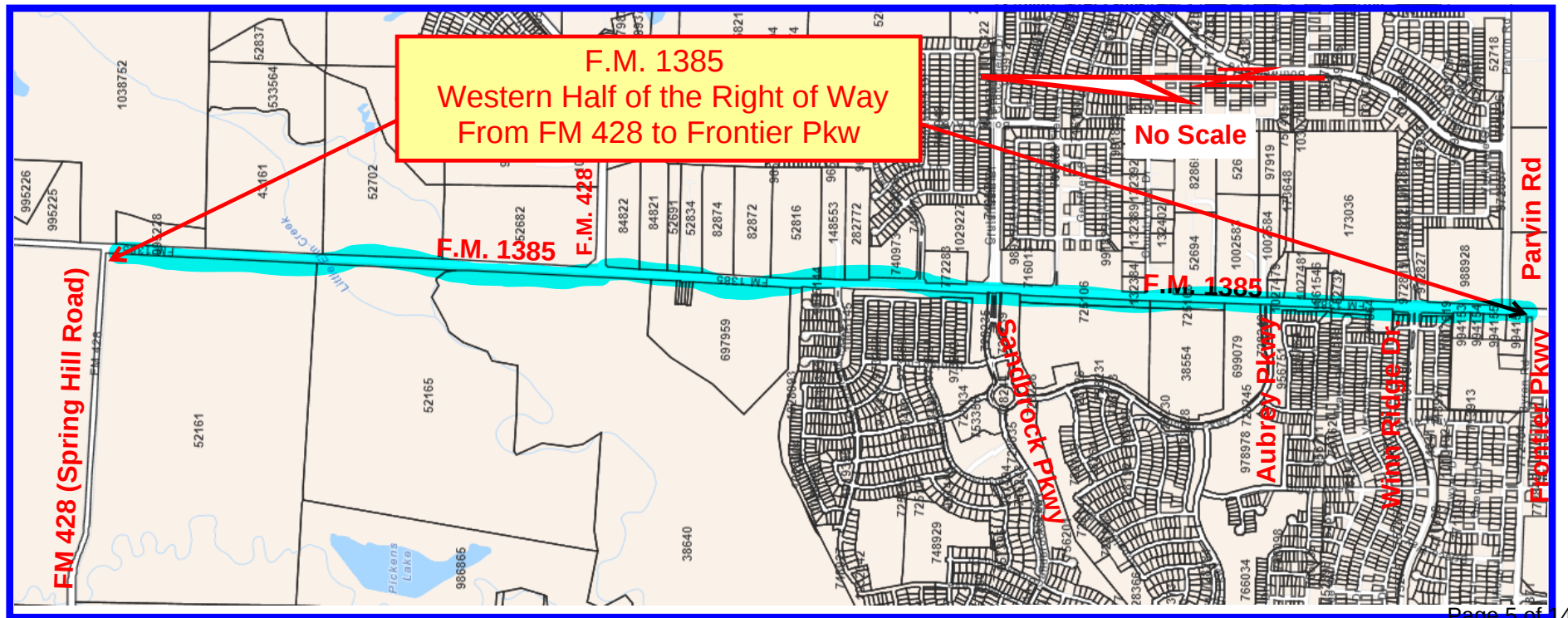
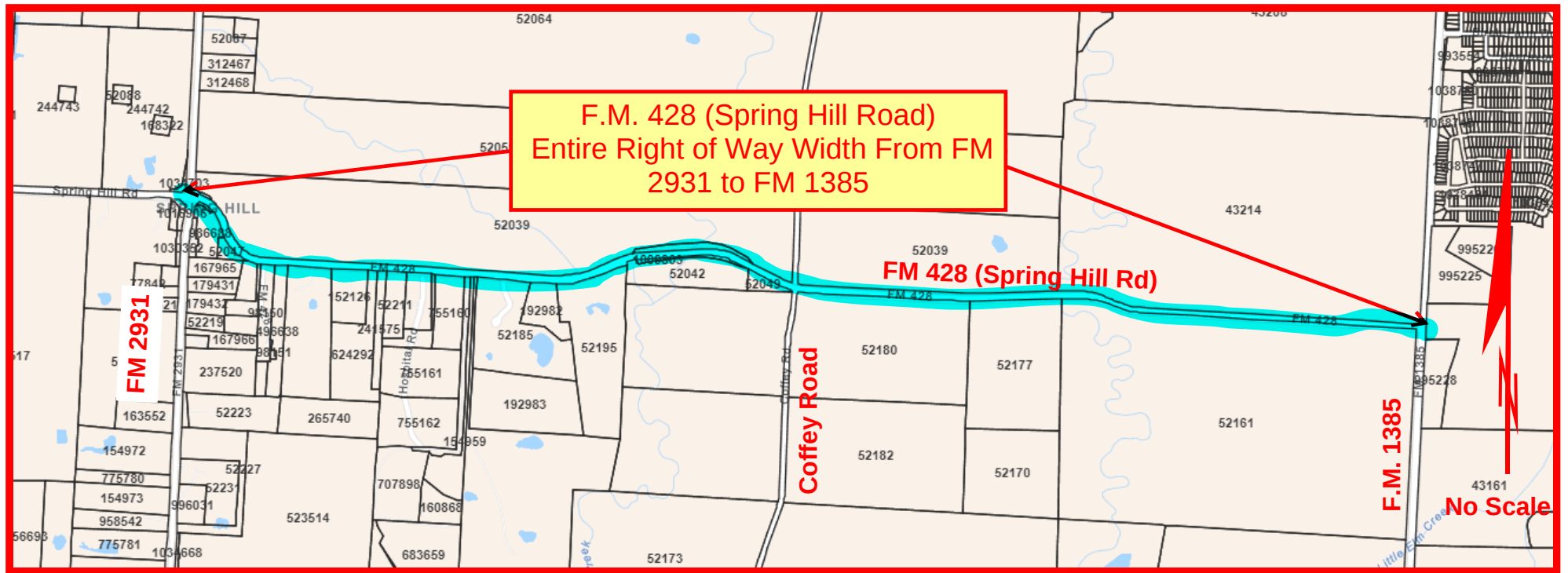
Financial Summary

Staff Recommended Motion

Approve

Conditions

N/A





City Council Special Meeting & Workshop
Staff Report
June 29, 2024

Agenda Item

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 portion of FM 1385, beginning at the city limits just south of the intersection of FM 1385 and Winn Ridge Blvd, continuing north to the intersection of FM 1385 and FM 428, and to include any additional adjacent right-of-way, Denton County, Texas.

Staff Contact

Charles Kreidler, City Manager
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Summary

This annexation, in conjunction with the annexation of the Duck Point Development, will be for the roadway and adjacent ROW for FM 1385 from Winn Ridge subdivision to the intersection of FM 1385 and FM 428. In accordance with the boundary agreement with the City of Celina, the annexation will only cover the western half of the roadway as depicted in the attached map.

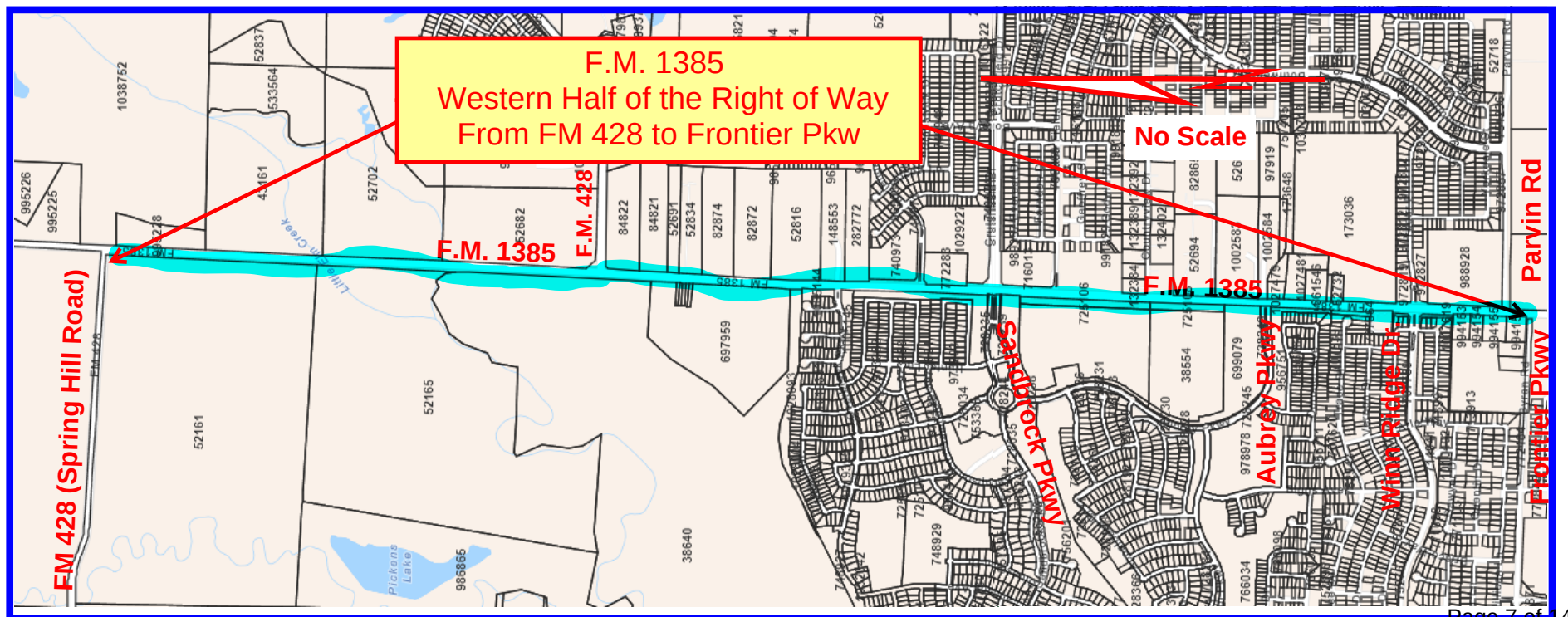
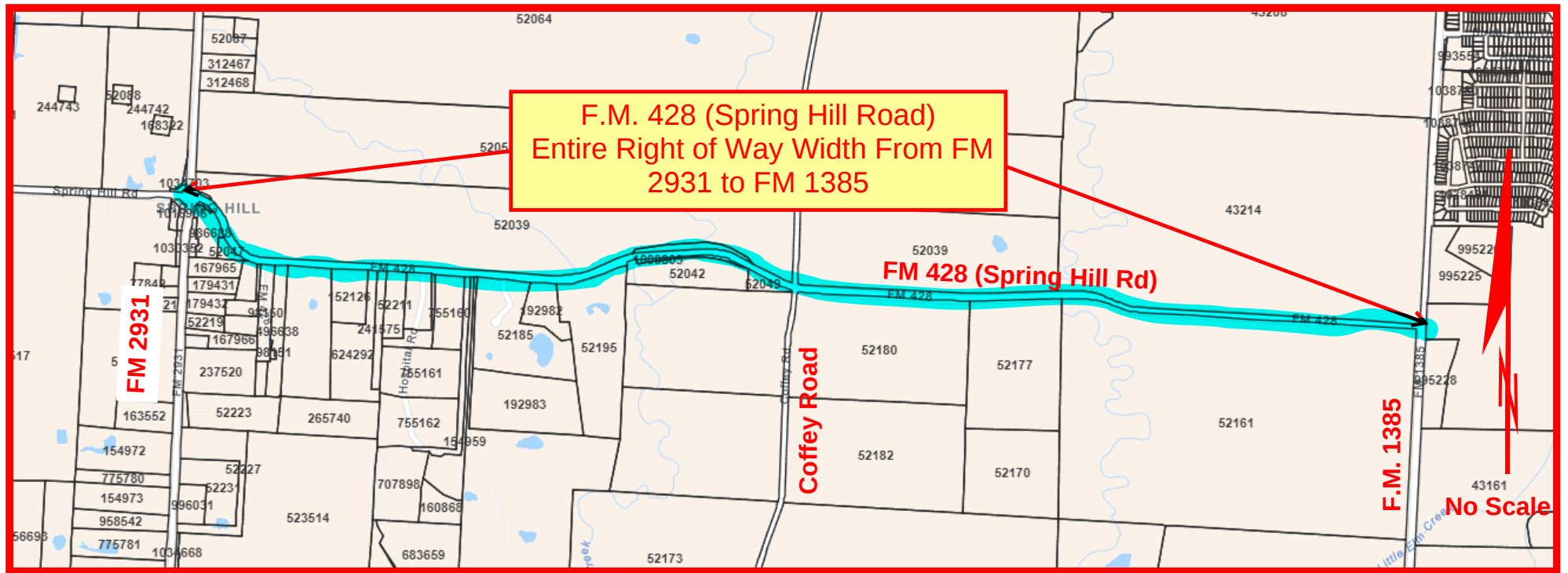
Financial Summary

Staff Recommended Motion

Approve

Conditions

N/A





**City Council Special Meeting & Workshop
Staff Report
June 29, 2024**

Agenda Item

Consideration and action on a Resolution granting a petition requesting annexation into the extraterritorial jurisdiction and corporate limits of the City of Aubrey by Dosti Partners LLC, owners of approximately 1.33 acres of land, generally located west of FM 1385, south of FM 428 and east of Coffey road out of the Frederick H. Pollard Survey, Abstract No 995, Denton County, Texas, setting a Public Hearing for the annexation; authorizing staff to negotiate and enter into a written services agreement with Owner. (Pickens Lake)

Staff Contact

Charles Kreidler, City Manager
kreidler@aubreytx.gov
940-440-9343

Summary

This annexation petition is for the dedication of right-of-way for Redfearn Rd and is part of the development agreement approved by the council in a previous meeting.

Financial Summary

Staff Recommended Motion

Approve

Conditions

N/A

RESOLUTION NO. 969-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBREY, TEXAS, GRANTING A PETITION REQUESTING ANNEXATION INTO THE EXTRATERRITORIAL JURISDICTION AND CORPORATE LIMITS OF THE CITY OF AUBREY BY LANDOWNER, DOSTI PARTNERS LLC, OF APPROXIMATELY 1.33 ACRES OF LAND, GENERALLY LOCATED WEST OF FM 1385, SOUTH OF FM 428 AND EAST OF COFFEY ROAD OUT OF THE FH POLLARD SURVEY, ABSTRACT NO. 995, TRACT 34A, DENTON COUNTY, TEXAS, AS DESCRIBED AND SHOWN IN MORE DETAIL IN THE ATTACHED EXHIBIT "A"; PROVIDING FOR THE INCORPORATION OF PREMISES; SETTING A PUBLIC HEARING FOR THE ANNEXATION; AUTHORIZING AND DIRECTING THE CITY SECRETARY TO HAVE NOTICES OF SUCH PUBLIC HEARING BE PROVIDED AS PRESCRIBED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on or about June 26, 2024, Dosti Partners LLC ("Owner"), owner of an area of land described hereinbelow (the "Property"), filed a written petition (the "Petition") with the City of Aubrey, Texas (the "City"), to have the Property annexed into the extraterritorial jurisdiction and corporate limits of the City; and

WHEREAS, the City Council of the City ("City Council") directs publication, mailing and distribution of notice(s) for a public hearing, as required by Chapter 43 of the Texas Local Government Code, to consider the annexation of the Property; and

WHEREAS, the City Council has investigated into, has determined and officially finds that no part of the Property is within the extraterritorial jurisdiction of any other incorporated city or town; and

WHEREAS, the City Council has found and determined that the Petition is appropriate and that it is in the best interest of the City to grant the Petition.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUBREY, TEXAS, THAT:

SECTION 1. The recitals and findings set forth above are true and correct and are incorporated into the body of this Resolution as if fully set forth herein.

SECTION 2. A true and correct copy of the Petition is attached hereto as **Exhibit "A"** and incorporated as if set forth fully herein.

SECTION 3. The City Council hereby grants the Petition requesting the annexation into the extraterritorial jurisdiction and corporate limits of the City of Aubrey by the Owner of the Property, more particularly described and depicted in Exhibit A of the Petition, attached hereto and incorporated as if set forth fully herein.

SECTION 4. On **July 25, 2024, at 6:00 p.m.** at the Aubrey City Hall, located at 107 S. Main Street, Aubrey, Texas 76227, the City Council will hold a public hearing giving all interested persons the right to appear and be heard on the proposed annexation by the City of the Property.

SECTION 5. The City Secretary of the City is hereby authorized and directed to cause notice of such public hearing called by Section 4 to be published once in a newspaper having general circulation in the City and in the above-described territory and shall be posted on the City's website on or after the twentieth (20th) day but before the tenth (10th) day before the date of such public hearing, in accordance with Chapter 43 of the Texas Local Government Code. In addition, such notice shall be mailed to any school district or public entity providing services to the Property on or after the twentieth (20th) day but before the tenth (10th) day before the date of the public hearing.

SECTION 6. The City Council hereby finds, determines and declares that the meeting, at which this Resolution is passed, approved and adopted, was open to the public, and that the public notice of time, place and subject matter to be considered was posted as required by law.

SECTION 7. This Resolution shall be effective from and after its passage as provided by law.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF AUBREY, TEXAS, this 29th day of June 2024.

Chris Rich, Mayor

ATTEST:

Jenny Hicks, City Secretary

Exhibit "A" – Petition for Annexation

Voluntary Annexation Petition (C-3)

TO: THE MAYOR AND CITY COUNCIL OF THE CITY OF AUBREY, TEXAS:

Dosti Partners LLC, a Texas limited liability company, the undersigned landowner ("Owner") of the hereinafter described tract(s) or parcel(s) of land ("Property"), hereby voluntarily petitions the City Council of the City of Aubrey, Texas, to annex the Property by extending the extraterritorial jurisdiction and present city limits so as to include as part of the City of Aubrey Texas, the Property, containing approximately 1.33 acres of land, described as follows:

Being a portion of Denton CAD ID 986865, generally located west of FM 1385, south of FM 428 and east of Coffey Road; and being an approximate 1.33 acre tract of land situated in the F.H. Pollard Survey, Abstract Number 995, Tract 34A, Denton County, Texas, and being part of that same tract of land described by deed to Dosti Partners LLC, recorded under County Clerk's File Number 2021-180838, Real Property Records, Denton County, Texas, and being more particularly described and depicted in Exhibit A, attached hereto and made a part hereof.

The Owner desires to enter into a written agreement for municipal services with the City of Aubrey pursuant to Section 43.0672 of the Local Government Code. If any portion of the Property is appraised for ad valorem tax purposes as agricultural, wildlife management use or timber land under Chapter 23 of the Tax Code, the Owner certifies that it was offered a development agreement pursuant to Section 43.016 of the Local Government Code and still requested annexation.

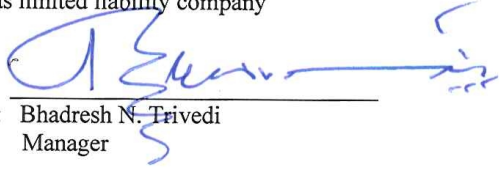
I certify and attest that I have the authority to petition for annexation for the Property and have been provided such authority by others that have ownership interest in the Property subject to this request/petition. I further certify that the above-described Property is vacant and without residents or on which less than three qualified voters reside, is contiguous and adjacent to the City of Aubrey, Texas, and that this petition is signed and duly acknowledged by each and every person, corporation, or entity having an ownership interest in said Property.

[SIGNATURE PAGE TO FOLLOW]

OWNER:

DOSTI PARTNERS LLC

a Texas limited liability company

By: 

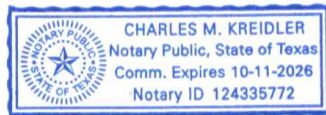
Name: Bhadresh N. Trivedi

Its: Manager

STATE OF TEXAS §

COUNTY OF DALLAS §

This instrument was acknowledged before me on the 26th day of JUNE, 2024 by Bhadresh N. Trivedi, Manager of Dosti Partners LLC, a Texas limited liability company on behalf of said company.



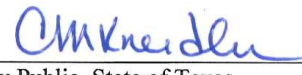

Notary Public, State of Texas

EXHIBIT A
Property Legal Description and Depiction/Map

Dosti Partners, LLC Annexation of 1.333 acres
6/26/2024

Denton County

**METES AND BOUNDS DESCRIPTION FOR
ANNEXATION OF 1.334 ACRES SITUATED IN THE
FREDERICK POLLARD SURVEY, ABSTRACT NO. 995, DENTON COUNTY, TEXAS
INTO AUBREY, TEXAS**

Being a 1.333 acre tract of land for annexation into the City Limits of Aubrey, Texas, said 1.333 acre tract being in the Frederick Pollard Survey, Abstract No. 995, Denton County, Texas, and being a portion of a called 80.6122 acre tract of land conveyed to Dosti Partners LLC by Instrument Number 2021-180838 of the Deed Records of Denton County, Texas, (D.R.D.C.T), said 1.333 acre tract of land for annexation being further described as follows:

BEGINNING at a 1/2 inch iron rod found for corner, said 1/2 inch iron rod found being on the northwest corner of said 80.6122 acre Dosti Partners tract, said 1/2 inch iron rod found also being on the northeast corner of a called 183.00 acre tract of land conveyed to 9882 Coffey Road LLC, by Instrument Number 2008-38977, D.R.D.C.T, said 1/2 inch iron rod found also being on the south line of a called 394.474 acre tract of land conveyed to A1719 LLC (Tract 2) by Instrument Number 2020-28892, D.R.D.C.T;

THENCE, S 87°33'58" E, along the common north line of said 80.612 acre Dosti Partners tract and the south line of said 394.474 acre A1719 LLC tract, a distance of 1,166.01 feet to a 1/2 inch iron rod found with cap "Bohler" for corner, on the northeast corner of said 80.6122 acre, Dosti tract, said 1/2 inch iron rod found also being on the northwest corner of a called 159.941 acre tract of land conveyed to MM Aubrey 160 LLC by deed recorded in Instrument Number 2021-180618, D.R.D.C.T;

THENCE, S 11°05'41" W, departing the south line of the said 394.474 acre A1719 LLC tract, and being along the common east line of said 80.612 acre Dosti tract and the west line of said 159.941 acre MM Aubrey 160 LLC tract, a distance of 50.58 feet to a point for corner;

THENCE, N 87°33'58" W, departing the common east line of said 80.612 acre Dosti Partners tract, and the west line of said 159.94 acre MM Aubrey 160 LLC tract, and being across said 80.612 acre Dosti tract, a distance of 1,156.87 feet to a point for corner on the common east line of said 183.00 acre Coffey Road LLC tract and the west line of said 80.612 acre Dosti Partners tract;

THENCE, N 01°00'05" E, along the common west line of said 80.612 acre Dosti Partners tract, and the east line of said 183.00 acre 9882 Coffey Road tract, a distance of 50.02 feet to THE POINT OF BEGINNING, said annexation tract containing 1.333 acres (58,072 square feet) of land, more or less;

NOTES:

1. This document was prepared under 22 TAC § 663.21 and does not reflect the results of an on the ground survey and is not to be used to convey or establish interests in real property except those right and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.
2. Basis of Bearings and Distance: Legal description for called 80.612 acre tract conveyed to Dosti Partners by Instrument Number 2021-180838 of the Deed Records of Denton County.
3. A metes and bounds description of even date herewith accompanies this exhibit.

Gary C. Hendricks, P.E., R.P.L.S.
Texas Registration No. 5073
Birkhoff, Hendricks & Carter, L.L.P.
TBPLS Firm No. 100318-00
11910 Greenville Ave., Suite 600
Dallas, Texas 75243
Phone: 214-361-7900



