

City Council Meeting

Aubrey City Council Chambers
226 Countryside Dr.
Aubrey, TX 76227
November 20, 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.)*

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.

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.

1. Announcements:

- Christmas Tree Lighting: December 4th from 5:30 -8:30 PM at Veterans Park

Presentations:

- Fire Department New Hire and Swear-in
- Former board member recognitions

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 can hear comments and see presentations. 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:

2. Approve minutes of the October 23, 2024 meeting.
3. Approve Monthly Staff Reports
4. Approve Monthly Financial Report.
5. Approve the absence of council members for the regular meetings identified in the staff report
6. Approve the Second Amendment to the Sandbrock Development Agreement.
7. Approve a request for an extension of the expiration date of the Sandbrock Ranch Phase 13 Preliminary Plat.
8. Acceptance of Public Improvements to Highpointe Ranch, Phase IA.
9. Approve an Assignment and Assumption of the Palomino Development Agreement from Lennar Homes of Texas Land and Construction, Ltd., and Jen Holdco 24 LLC.
10. Approve adjustments to the Vehicle/Equipment Replacement Program

New Business: New items requested for consideration.

11. Hold a Public Hearing, consider and act on a Resolution creating the Palomino Public Improvement District, an approximate 39.993 acres of land situated in the J. Bridges Jr. Survey, Abstract No. 38, Denton County, Texas, and as more particularly described by a metes and bounds description available at Aubrey City Hall, within the City of Aubrey, Texas.
12. Hold a public hearing, consider, and act on a Specific Use Permit request for a wine and malt beverage retailer's on-premise permit in conjunction with a restaurant use for the property located at 200 S. Main, Aubrey, Denton County, Texas. (Upper Park Café)

13. Consideration and action on a Preliminary Plat for Duck Point containing 448 residential lots, eight (8) non-residential lots, one (1) city park lot, and two (2) city lots in approximately 159.939 acres of land out of the Frederick H. Pollard Survey, Abstract No. 995, City of Aubrey, Denton County, Texas (*MM Aubrey 160, LLC*)
14. Consideration and action on a Site Plan Application for a pole sign for Prator Addition, Block A, Lot 3, City of Aubrey, Denton County, Texas. (*Mr. Green's Car Wash*)
15. Consideration and action on the Final Plat of Sandbrock Ranch, Phase 13, containing 282 residential lots, 9 common area lots, and 1 amenity center within 82.756 acres out of the Frederick Pollard Survey, Abstract No. 995 and William Lumpkin Survey, Abstract No. 730 within the City of Aubrey ETJ, Denton County, Texas and authorize staff to file the plat. (*Horizon / Deer Creek Development Corp. and The Denton County Municipal Utility District No. 6*)
16. Receive a presentation from Teague Nall and Perkins on Municipal Separate Storm Sewer System (MS4) Permitting; discussion of same.
17. Consideration and action on a Professional Services Agreement with Teague Nall and Perkins for Stormwater Management Program Development and Year One Annual Reporting for an amount not to exceed \$30,000; and authorizing Mayor or designee to execute necessary documents.
18. Consideration and action on awarding a bid for the Highmeadow Park Construction Project in an amount not to exceed \$395,240.90 and authorize the mayor or his designee to sign the agreement.
19. Consideration and action on a Resolution casting votes for candidates in the election of the Denton Central Appraisal District Board of Directors.
20. Consideration and action on removing and/or appointing member(s) to the Capital Improvement Projects/Impact Fee Committee.

Department Updates and Discussion:

21. Administration & Finance:
 - City Hall Renovations
 - Denco Area 911 Board Appointment
22. Library:
23. Fire Department:
 - Construction Update
24. Police Department:

25. Public Works:
-Leslie Park Update

26. Human Resources:

27. Municipal Development:

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:

28. **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:
- High Pointe Ranch Development
 - Highpoint Commercial Collector Infrastructure
 - Silverado Development Agreement
 - West Sherman Development
 - Project 38 / South Magnolia and Blackjack Road Property Acquisition
 - Denton County ILA for Fire Protection and EMS Services
 - Elm Ridge Fire Services Agreement
 - Knuckles Road Development
 - Providence Village Fire and EMS Interlocal Agreement
 - Municipal Ordinances Update
29. **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.
- Property acquisition for municipal purposes

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.

30. Consideration and action on an Interlocal Cooperation Agreement for Fire and Emergency Medical Services with the Town of Providence Village.
31. Consideration and Action on a First Amendment to the First Revised Development Agreement for Silverado Development between the City, D.R. Horton- Texas,

Ltd. and The Lakes Fresh Water Supply District of Denton County; and authorizing the Mayor or designee to execute any necessary documents.

-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.