

STATE OF TEXAS

COUNTY OF DENTON

CITY OF HACKBERRY

Be it remembered that on this 10th day of August, 2021, a City Council Regular Meeting was held, and the following members were present to wit:

Ronald Austin	Mayor	Jeff Dalton	Council Member
Bryant Green	Mayor Pro Tem	Brenda Lewallen	City Sec./Admin.
Beverly Hickerson	Council Member	Kim Vance	Assistant Admin.
Gerri Schultz	Council Member	Patricia Adams	Attorney

Council Member Debra Waring was absent due to illness.

Pledge of Allegiance to the United States of America Flag.

Mayor Ronald Austin led the Pledge of Allegiance.

Invocation. *(Time will be allowed for anyone wishing not to participate in the invocation to step outside and will be notified when the invocation is completed. Anyone wishing to give the invocation at future meetings is welcome to contact City Hall to make arrangements.)*

Mayor Pro Tem Bryant Green gave the invocation.

REGULAR MEETING AGENDA

1. Call to Order Regular Session.

Mayor Ronald Austin called the regular meeting to order at 7:02 p.m.

2. Public Comments:

A person may address the Council on items not on the printed agenda. Comments are limited to three (3) minutes. The Council may not comment or deliberate regarding such statements or comment during this period. Any discussion of the subject must be limited to a proposal to place the subject on the agenda for a future meeting. Persons wishing to speak on any posted agenda item may do so at this time or when the individual item is opened for consideration by the Council. Speakers will be limited to three (3) minutes unless a longer period is allowed by law for use of a translator. Persons wishing to speak must complete a speaker card identifying the agenda item that they wish to speak about and provide that card to the City Administrator so that they may be recognized by the mayor at the appropriate time.

There were no public comments.

3. Consent Agenda: All matters listed under the Consent Agenda are considered to be routine by the Hackberry Council and require little or no deliberation. There will not be a separate discussion of these items and the agenda will be enacted by one vote. If the Council expresses a desire to discuss a matter listed, that item will be removed from the consent agenda and considered separately.

Consider and act upon approving the Consent Agenda:

a. Minutes from the June 8, 2021 Regular Meeting.

- b. June and July 2021 Financials for General Fund and W/S Accounts.
- c. Interlocal Agreements Between Denton County and the City of Hackberry for the following:
 - 1. City of Hackberry
 - 2. Hackberry Hidden Cove PID No. 2
 - 3. Hackberry PID No. 3
 - 4. Rivendale By The Lake PID No. 1
 - 5. Rivendale By The Lake PID No. 2
 - 6. Rivendale By The Lake PID No. 3
 - 7. Rivendale Pointe

Council Member G. Schultz made a motion to approve the Consent Agenda. Council Member B. Hickerson seconded the motion. There being no further discussion, corrections, or additions, a rollcall vote was held and the motion passed with four voting yes.

4. Consider and take appropriate action on approving the Annual Service and Assessment Plan Update for the following Public Improvement Districts:

- 1. Hackberry Hidden Cove PID No. 2 – Utility Improvements
- 2. Hackberry Hidden Cove PID No. 2 – Road Improvements
- 3. Hackberry PID No. 3
- 4. Rivendale By The Lake PID No. 1
- 5. Rivendale By The Lake PID No. 2
- 6. Rivendale By The Lake PID No. 3
- 7. Rivendale Pointe PID

City Administrator, B. Lewallen, informed the Council Members that Mitch Mossesman, the PID Administrator, is available via phone if he is needed. City Attorney, Patricia Adams, explained that this is an annual process on each PID.

Council Member Schultz made a motion to approve the Annual Service and Assessment Plan Update for all listed Public Improvement Districts. Council Member Hickerson seconded the motion. There being no further discussion, a rollcall vote was held and the motion passed unanimously with four voting yes.

6. Consider and take appropriate action proceeding with a Site Lease Agreement between T-Mobile and City of Hackberry for usage of the elevated tank located at 200 King Road, Frisco, Texas, and authorizing the Mayor to sign necessary documents.

City Administrator, B. Lewallen, explained to the Council Members that she is still checking “Fair Pricing” between other cities. The City is currently in negotiation on some other things. City Attorney, Patricia Adams, stated that the contract T-Mobile has drawn up is a standard lease, meaning, it is an agreement for private not public entity.

Council Member J. Dalton made a motion to continue with a 30-day negotiation on a Site Lease Agreement between T-Mobile and The City of Hackberry for usage of the elevated tank located at 200 King Road, Frisco, Texas. Council Member Hickerson seconded the motion. There being no further discussion, a rollcall vote was held and the motion passed unanimously with four voting yes.

7. Consider and take appropriate action accepting the Bridge Creek Shores project.

City Engineer, Mark Hill, addressed the Council Members, stating that all addressed on the “Punch List” is satisfactory. Mr. Hill also informed the Council Members that the street will be a private street and the HOA is fully responsible for maintaining the road, however, the water and sewer will be provided by the City of Hackberry. Mr. Hill recommended that no Certificate of Occupancy (CO) be issued until the development’s entrance is completed, including landscaping and gate. City Administrator, B. Lewallen, stated that all fees, at this point have been paid. City Attorney, P. Adams informed Mr. Cochran that HOA needed to be an existing entity and all documents certifying the HOA filed with the City of Hackberry. Mr. Cochran was asked to submit a letter to the City stating who will be responsible for a two (2) year maintenance bond on Sycamore Road. City Engineer, Mark Hill, reminded the Council Members and Mr. Cochran that Sycamore Road is Denton County’s responsibility and not the City of Hackberry’s.

Developer, Brett Cochran, addressed the Council Members requesting that they, once again, consider having sidewalks on one side of the road versus both. City Attorney, P. Adams, explained that this is not an item on the agenda for discussion tonight.

Mayor Pro Tem Green made a motion to accept Bridge Creek Shores with these exceptions; a letter stating the HOA’s name, address, and other contact information, and documentation of the establishment of the HOA filed with the City; no CO’s to be issued until the entrance to the development is landscaped and gate installed; and a letter from Mr. Cochran stating the responsibility of the two-year maintenance bond and maintenance thereafter of Sycamore Road is filed with the City. Council Member Schultz seconded the motion. There being no further discussion, a rollcall vote was held and the motion passed unanimously with four voting yes.

8. Consider and take appropriate action on approving Change Order No. 1 to the Storm Water Drainage Project with SAI Construction in an amount not to exceed One Hundred Twenty Thousand, Four Hundred and Forty Dollars and no cents (\$120,440.00).

City Engineer, Mark Hill, addressed the Council Members stating that the Change Order No. 1 to the Storm Water Drainage Project with SAI Construction is less than 10% in the contract price. The easements needed will affect two lots on Price Circle and one on Stark Road. All three driveways will be rebuilt.

Council Member Hickerson made a motion to approve Change Order No. 1 to the Storm Water Drainage Project with SAI Construction in an amount not to exceed One Hundred Twenty Thousand, Four Hundred and Forty Dollars and no cents (\$120,440.00). Council Member Dalton seconded the motion. There being no further discussion, a rollcall vote was held and the motion passed unanimously with four voting yes.

9. Consider and take appropriate action on scheduling a work session regarding the 2021/2022 Budget and tax rate; and consider and take appropriate action on designating an officer to submit the no new revenue and voter approval rates to the City Council, and authorizing such officer to also certify the rates with the Comptroller prior to presentation to Council, authorizing the officer to submit the certified property tax rates to the tax assessor collector.

City Administrator, B. Lewallen, explained that there are some issues with the new billing software program which has delayed good numbers in order to construct a new budget.

Council Member Dalton made a motion not to hold a work session and to designate Ms. Lewallen as an officer to submit the new revenue and voter approval rates to the City Council, and authorizing Ms. Lewallen to certify the rates with the Comptroller prior to presentation to Council, authorizing Ms. Lewallen to submit the certified property tax rates to the tax assessor collector, and to prepare the 2021/2022 Budget and Tax Rate Ordinances and present them to the Council at the September regular meeting. Council Member Schultz seconded the motion. There being no further discussion, a rollcall vote was held and the motion passed unanimously with four voting yes.


10. Adjournment.

There being no further business before the Council, Mayor Austin adjourned the meeting at 7:45 p.m.


Passed and approved by the City Council of the City of Hackberry, Texas this 14th day of September, 2021.



ATTEST:



Brenda Lewallen, City Secretary



Ronald Austin, Mayor