NOTICE OF THE MUNICIPAL DEVELOPMENT DISTRICT

MUNICIPAL DEVELOPMENT DISTRICT
REGULAR MEETING

October 11, 2022 at 6:00 PM

Argyle Town Hall, 308 Denton Street, Argyle, Texas

AGENDA

Notice is hereby given as required by Title 5, Chapter 551.041 of the Government Code that the Argyle Municipal Development District will meet in a Regular Meeting on Tuesday, October 11, 2022 at 6:00 PM at the Argyle Town Hall, 308 Denton Street, Argyle, Texas.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

American Flag

Texas Flag: "Honor the Texas Flag; I pledge allegiance to thee Texas, one state under God, one and indivisible."

OPEN FORUM

This is an opportunity for the public to address the Municipal Development District on any matter of public business, except public hearings. Comments related to public hearings will be heard when the specific hearing begins. Each speaker is limited to five (5) minutes, unless the speaker requires the assistance of a translator, in which case the speaker is limited to ten (10) minutes, in accordance with applicable law. Each speaker shall approach the podium and state their name and address. Speakers shall address the body with civility that is conducive to appropriate public discussion. Speakers can address only the body as a whole and not individual city officials or employees. The public cannot speak from the gallery but only from the podium. Per the Texas Open Meetings Act, the Board is prohibited from deliberating or taking action on any matter not listed on the agenda. The Municipal Development District may only: (1) make a statement of fact regarding the item; (2) make a recitation of existing policy regarding the item; or (3) propose the item be placed on a future agenda, in accordance with Council adopted procedures.

STAFF REPORT/WORKSHOP ITEMS

(Staff Reports are for discussion only. No action may be taken on items listed under this portion of the agenda, other than to provide general direction to staff or to direct staff to place such items on a future agenda for action.)

1. Monthly Financial Update
2. Development Activity Update

3. Discussion on the possibility of a rebranding campaign and the use of a consultancy firm.

4. Argyle Business Association

ACTION ITEMS

5. Consider approval of the August 9, 2022 regular Municipal Development District meeting minutes as recorded.

6. Discuss and consider the approval of project funds to allow for the extension of a sewer line across FM 407 to allow for service on the South side.

RECEIVE REQUESTS FROM MEMBERS FOR ITEMS TO BE PLACED ON NEXT MEETING AGENDA
Discussion under this section must be limited to whether or not the Board wishes to include a potential item on a future agenda.

ADJOURN

NOTE: As authorized by Section 551.071 of the Texas Government Code (Consultation with Town Attorney), this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the Town Attorney on any agenda item herein.

A quorum of the Town Council members or Planning and Zoning Commission may be in attendance at this meeting. The council/commission will take no action during the course of this meeting.

CERTIFICATION

I hereby certify the above Notice of Meeting was posted on the bulletin board at Argyle Town Hall, a place convenient and readily accessible to the general public at all times, and to the Town's website in compliance with Chapter 551, Texas Government Code, on **October 8, 2022 by 2:00 p.m.** and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Erika McComis

Town Administrator

Persons with disabilities who plan to attend this public meeting and who may need auxiliary aid or services are requested to contact the Argyle Town Hall 48 hours in advance, at 940-464-7273, and reasonable accommodations will be made for assistance.

215 -MUNICIPAL DEVELOPMENT DISTRICT FUND
FY22 REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: September 30, 2022

	100% of Year Complete		
	FY 2022 BUDGET	Y-T-D ACTUAL	BUDGET BALANCE
REVENUE			
215-4011 Sales Tax EDC	260,000	343,269	(83,269)
215-4686 Interest Income	25,000	15,813	9,187
215-4690 Miscellaneous Income	-	-	-
TOTAL REVENUE	**285,000**	**359,081**	**(74,081)**
EXPENDITURES			
215-5-120-2110 Office Supplies	500	-	500
215-5-120-3005 Miscellaneous expense	500	-	500
215-5-120-3010 Postage & Shipping	250	75	175
215-5-120-3015 Printing	1,010	-	1,010
215-5-120-3018 Advertising & Marketing	10,000	9,200	800
215-5-120-3019 Promotional Expense	-	2,500	(2,500)
215-5-120-3100 Training	5,000	-	5,000
215-5-120-3120 Dues & Memberships	9,210	10,695	(1,485)
215-5-120-3210 Other Professional Services	-	30,580	(30,580)
215-5-120-3215 Legal expense	17,200	7,503	9,697
215-5-120-3218 Financial Services	-	133	(133)
215-5-120-6005 Capital projects	325,000	-	325,000
215-5-120-6210 Equipment Major	3,250	-	3,250
215-5-120-7110 Transfers out	45,000	45,000	-
TOTAL EXPENDITURES	**416,920.00**	**105,686.33**	**311,233.67**
REVENUE LESS EXPENDITURES	**(131,920.00)**	**253,395.09**	**(385,315.09)**
BEGINNING FUND BALANCE - unaudited	**1,789,695.00**	**1,789,695.00**	
ENDING FUND BALANCE	**1,657,775.00**	**2,043,090.09**	

Municipal Development District
Agenda Item Memorandum

ITEM TYPE	MEETING DATE:
Staff Report	October 11, 2022

PRESENTER:

Erika McComis, Town Administrator

ITEM DESCRIPTION:

Active Development Review Committee Project List as presented to Town Council

BACKGROUND INFORMATION:

The Active Development Review Committee Project List is included for Council's information.

FISCAL IMPACT:

☒ Not Applicable
☐ Proposed Expenditure:
☐ General Ledger Code:
☐ Proposed Revenue:
☐ Budget Amendment Required: No
☐ Financial Review Completed by:

LEGAL REVIEW:

Not applicable.

ATTACHMENTS:

DRC Project List

RECOMMENDED MOTION AND/OR ACTION:

None.

Active DRC Project List - 9.29.2022

SI	Project #	Project Name	Type/Location	Status	Comments
1	SP-22-008	Well Church Monument Sign	Site Plan	Approved by Town Council 9.19.2022	The monument sign proposed by the Well Church is exceeding the mximum allowable size. The development standards outline a site plan process for these exceptions requiring approval from P&Z and Town Council.
2	SUP-22-001	Car Wash North Avalon	Specific Use Permit	Denied by Town Council 9.19.2022	The request is to allow a Car Wash with a Specific Use Permit on a 2.075 acres proposed lot. The current zoning on the property is CR Community Retail, which requires a Specific Use Permit for the proposed use
3	FP-22-013	Ashworth Addition	Minor Final Plat	Under Review by Town Staff	The minor plat is for Lots 1 & 2, Block A, Ashworth Addition, being 24.27 acres situated in the Patrick Rock Survey, Abstract #1063; Town of Argyle ETJ, east of Harvest Phase 16 and west of I35W
4	FP-22-014	Harvest Phase 13	Final Plat	Scheduled for PZ 10.3.2022	The final plat is for 132 residential lots and 4 nonresidential/open space lots, being 47.73 acres in the Patrick Rock Survey, Abstract No 1063, Town of Argyle ETJ, north of Harvest Phase 12 and south of the Town of Northlake
5	RP-22-004	Reeves Ranch	Minor Replat	Approved by Town Staff 9.7.2022	The minor plat is for Lots 1, Block A, Reeves Ranch North, being 39.20 acres situated in the Patrick Rock Survey, Abstract #1063; the plat contains one lot
6	FP-22-012	North Avalon Addition	Final Plat	Approved by P&Z 9.7.2022	The final plat is for Lots 1-4, Block A, North Avalon Addition, Phase 1, being 7.905 acres in Francis W. Thornton Survey, Abstract No. 1244; the plat contains four lots
7	FP-22-009	Argyle Landing (Third Submittal)	Final Plat	Approved by P&Z 7.6.2022	This final plat is for the Argyle Landing planned development, 198 residential lots, 2 commercial lots, and 11 open space lots on 222.24 acres in the Thorton Survey, Abstract No.1244, Town of Argyle, Denton County, Texas. The applicant formally withdrew the first final plat application during the P&Z commission meeting on 3.2.22. The Preliminary Plat (PP-21-004) was approved with conditions by PZ on 5.5.21. P&Z approved a 30-day extension request for this plat on 5.4.22. The applicant submitted a withdrawal request on 5.25, and P&Z accepted the withdrawal request on 6.1.22. A new application has been submitted on the June 7 filing date.
8	FP-22-010	Harvest Commercial	Final Plat	Approved by P&Z 7.6.2022	A part of the Harvest by Hillwood development and subject to the Belmont (Harvest) Development Agreement, this final plat contains 8 lots on 66.67 acres in the Town of Argyle ETJ, and bounded by FM 407 to the souh, I35W on the east, Harvest Way on the west, and Homestead Way on the north.
9	PP-22-002	Harvest Phase 13	Preliminary Plat	Approved by P&Z 7.6.2022	A part of Harvest Hillwood development and subject to Belmont (Harvest) Development Agreement, this preliminary plat contains 132 lots, located north of Old Justin Road. This project was previously approved for a preliminary plat with a different layout and less lots and was known as Harvest Townside Phase 3
10	N/A	Sign Ordinance Review and Update	N/A	Under Review by Town Staff	Community Development Department has initiated an effort to review the Town's existing sign ordinance. The effort will consist of two steps: 1) the diagnostic report and 2) ordinance update The diagnostic report will identify the issues within the existing ordinance and formulate general recommendations. Utilizing the diagnostic report on the second step, the sign ordinance will be updated. A timeline for the effort has been developed.
11	TBD	Monument Sign Discussion	US 377/Earl's/St Argyle's	Under Review by Town Staff	Town staff provided a presentation to the MDD during their meeting on March 8, 2022 regarding the potential partnership with the property owners of Earl's and St. Argyle's on a monument sign along US 377. Town staff presented the current branding and wayfinding report from 2017 to show how a monument sign could look under these design standards.
12	N/A	Land Use Chart Update	Task Order #2	Approved by Town Council 8.15.2022	Freese and Nichols presented the item to P&Z on 6.1.22. Several suggestions were made by P&Z and staff received the updated draft on 6.2.22. P&Z moved to keep the public hearing open until 7.6.22. If P&Z recommends the item on that day, the item will likely be scheduled for Town Council on 7.18.22.
13	N/A	Comprehensive Plan Update	Task Order #5	Joint Work Session with PZ & TC Scheduled for 9.29.22	Town staff will work with Freese and Nichols (FNI) on the scope of work for updates to the comprehensive plan to specifically focus on strategic plans for commercial centers along FM 407 and US HWY 377. Freese and Nichols will need to return for a work session with P&Z and Council to discuss the existing comprehensive plan and where it needs improvements before formulating an updated scope.

Municipal Development District
Agenda Item Memorandum

ITEM TYPE	MEETING DATE:
Action Item	October 11, 2022

PRESENTER:

Erika McComis, Town Administrator

ITEM DESCRIPTION:

Consider approval of the August 9, 2022 regular Municipal Development District meeting minutes as recorded.

BACKGROUND INFORMATION:

The minutes of the Municipal Development District Meeting have been recorded by the Interim Town Administrator and presented to the Board for approval.

FISCAL IMPACT:

- ☒ Not Applicable
- ☐ Proposed Expenditure:
- ☐ General Ledger Code:
- ☐ Proposed Revenue:
- ☐ Budget Amendment Required: No
- ☐ Financial Review Completed by:

LEGAL REVIEW:

Not applicable.

ATTACHMENTS:

Minutes

RECOMMENDED MOTION AND/OR ACTION:

Move to approve minutes as presented.

AUGUST 9, 2022

REGULAR MUNICIPAL DEVELOPMENT DISTRICT OF THE TOWN OF ARGYLE, TEXAS, HELD ON THIS DATE WITH THE FOLLOWING MEMBERS PRESENT:

PRESIDENT, PLACE 1	CYNTHIA HERMANN
VICE PRESIDENT, PLACE 4	BRIAN DARNELL
DIRECTOR, PLACE 2	RICK BRADFORD
DIRECTOR, PLACE 3	KATARINA LJOLJIC
DIRECTOR, PLACE 5	REID NORTON
DIRECTOR, PLACE 6	LEONA MCDADE
DIRECTOR, PLACE 7	LARRY THOMPSON
TOWN ATTORNEY	CYNTHIA KIRCHOFF
INTERIM TOWN ADMINISTRATOR	ERIKA MCCOMIS

CALL TO ORDER

President Hermann called the meeting to order at 6:02 pm.

OPEN FORUM

No speakers.

STAFF REPORT
(Staff Reports are for discussion only. No action may be taken on items listed under this portion of the agenda, other than to provide general direction to staff or to direct staff to place such items on a future agenda for action.)

1. TEX-21 US 377 Corridor Coalition Meeting Recap *(Rick Bradford, Director Place 2)*

ACTION ITEMS
Any Board member may request an item on the Consent Agenda to be taken up for individual consideration.

2. Consider approval of July 12, 2022, Regular Municipal Development District meeting minutes as recorded.

Director Nortn motioned to approve the July 12, 2022 regular meeting minutes as presented. Director Bradford seconded. The motion passed 7-0.

3. Discuss and consider the approval of project funds to allow for the extension of a sewer line across FM 407 to allow for service on the South side.

Ms. McComis updated the board on the discussions around extending the sewer line from the North side of FM 407 to the South to allow for the businesses to tie into the line. The

original request comes from the property owner at 831 FM 407, which is the current location of 407 BBQ. The commercial property currently utilizes a septic system and would like the ability to move to a sewer system to allow for the expansion of the footprint of the restaurant. Staff discussed the possibility of allowing other properties in the area to tie into the line as well. The board asked for the updated cost to be gathered along with the ability to allow for other properties to tie into the line. **NO ACTION TAKEN AT THIS TIME.**

EXECUTIVE SESSION

At 6:40 p.m., the Municipal Development District adjourned into executive session pursuant to Texas Government Code, Annotated, Chapter 551, Subchapter D to discuss the following:

Economic Development

§551.087: Economic Development negotiations (to discuss or deliberate commercial or financial information from a business prospect, or to deliberate the offer of a financial or other incentives to a business prospect):

4. Retail Recruitment Update

RECONVENE INTO OPEN SESSION

In accordance with Texas Government Code, Section 551, the Municipal Development District will reconvene into Open Session and consider action, if any, on matters discussed in Executive Session.

At 7:43 p.m., the Municipal Development District reconvened into open session.

No action taken.

RECEIVE REQUESTS FROM MEMBERS FOR ITEMS TO BE PLACED ON THE NEXT MEETING AGENDA

Director Darnell asked Staff to develop a policy on retail recruitment.

Director Ljoljic asked for further conversations on beginning a branding campaign.

President Hermann asked that Retail Coach be brought back at a future meeting to receive an update that includes non-franchise type retailers.

ADJOURN

President Hermann adjourned the meeting at 7:47 p.m.

_____

Cynthia Hermann, President

_____

Erika McComis, Interim Town Administrator

Municipal Development District
Agenda Item Memorandum

ITEM TYPE	MEETING DATE:
Action Item	October 11, 2022

PRESENTER:

Erika McComis, Town Administrator

ITEM DESCRIPTION:

Discuss and consider the approval of project funds to allow for the extension of a sewer line across FM 407 to allow for service on the South side.

BACKGROUND INFORMATION:

UPDATE ~ The MDD board discussed the sewer line extension during the August 9th meeting and asked staff to bring back further details. The cost analysis has been updated by Freese and Nichols, and our Town Engineer will be at the meeting to answer questions from the board. Staff has proposed to bring the 8-inch sewer line to the North across FM 407 South to the right-of-way property line, which will allow commercial properties or developers the ability to tie into the line at their expense. The cost for the extension across FM is $84,672.

The MDD has set aside $150,000 for undesignated projects for Fiscal Year 2023. Staff recommends using these funds for the sewer line extension project.

FISCAL IMPACT:

☐ Not Applicable	
☒ Proposed Expenditure:	up to $84,672
☒ General Ledger Code:	215-5-120-6005
☐ Proposed Revenue:	
☐ Budget Amendment Required:	No
☒ Financial Review Completed by:	E. McComis

LEGAL REVIEW:

Not applicable.

ATTACHMENTS:

Proposal from FNI

RECOMMENDED MOTION AND/OR ACTION:

Move to approve the use of MDD funds to allow for the extension of a sewer line to be constructed South across FM 407 in an amount not to exceed $84,672.

FREESE AND NICHOLS

Innovative approaches
Practical results
Outstanding service

OPINION OF PROBABLE CONSTRUCTION COST

PROJECT NAME	FM 407 SS Line	DATE	8/16/2022
CLIENT	Town of Argyle	GROUP	1112
% SUBMITTAL	Conceptural	PM	Ashley Hairston

ESTIMATED BY	QC CHECKED BY	FNI PROJECT NUMBER
Ashley Hairston	Brent Anderson	

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
6" SS Line - Town Cost					
1	8" Sanitary Sewer PVC Pipe By Open Cut	30	LF	$ 95.00	$ 2,850
2	8" Sanitary Sewer PVC Pipe By Bore	120	LF	$ 105.00	$ 12,600
3	12" Steel Casing By Bore	120	LF	$ 275.00	$ 33,000
4	5' Manhole	1	EA	$ 15,000.00	$ 15,000
5	Connect Proposed 6" SS Service Line to Existing 8" SS	1	EA	$ 2,500.00	$ 2,500
6	SWPPP	1	LS	$ 1,250.00	$ 1,250
				Subtotal:	**$ 67,200**
			CONTINGENCY	20%	$ 13,440
			SUBTOTAL		$ 80,640
			MOBILIZATION	5%	$ 4,032
			SUBTOTAL		$ 84,672

PROJECT TOTAL (2022 COSTS)	**$ 88,704**

The Engineer has no control over the cost of labor, materials, equipment, or over the Contractor's methods of determining prices or over competitive bidding or market conditions. Opinions of probable costs provided herein are based on the information known to Engineer at this time and represent only the Engineer's judgment as a design professional familiar with the construction industry. The Engineer cannot and does not guarantee that proposals, bids, or actual construction costs will not vary from its opinions of probable costs.

NOTES:

1 FNI OPCC classified as an AACE Class 5 Estimate with accuracy range or -30 to + 50.
2 FNI OPCC does not include costs associated with engineering fees, permits, surveying, etc.


12" Bore across FM 407
Connect to Existing Sanitary Sewer
Existing 8" Sanitary Sewer Line
Proposed 5' Manhole
407 BBQ
Google Earth