

CITY OF BLUE RIDGE
CITY COUNCIL MINUTES
MARCH 22, 2022

THE BLUE RIDGE CITY COUNCIL MET IN SPECIAL SESSION AT 7:00 P.M. ON TUESDAY, MARCH 22, 2022, AT THE BLUE RIDGE COMMUNITY CENTER, LOCATED AT 200 W. TILTON, BLUE RIDGE, TEXAS 75424 AT 7:00 P.M. WITH THE FOLLOWING ITEMS ON THE AGENDA FOR CONSIDERATION AND/OR ACTION.

1. Mayor Williams called the meeting to order at 7:00pm and called roll with the following members present: Mayor Rhonda Williams, Christina Porath, Colby Collinsworth, Tammy Crosswhite, and Keith Chitwood. Mayela Perales was absent.

2. Prayer and Pledges of Allegiance

Edie Sims offered the prayer and lead the Pledge of Allegiance to the American and Texas Flags.

3. Public Comment

No one signed up or spoke at this time.

4. Consider, discuss and act upon a Franchise Agreement with D&P Digital Forensics, LLC operating as Texas Data and VoIP Security

Tom Pierson Jr., one of the owners of D&P Digital Forensics, along with his partner Michael Douglas, came before the Council declaring their intent to provide fiber optic broadband internet system utilizing public rights-of-way and properties within the City's jurisdiction, including its extraterritorial jurisdiction (ETJ). The product will be exclusive to fiber only to homes. Mr. Pierson stated he and his partner are viewing this as a civic project to enhance the City where they live and work.

Mr. Pierson also stated this project is being completely funded privately through he and his partner with absolutely no cost to the City of Blue Ridge. TDAV will work directly with TxDOT in their right-of-ways. Currently the City does not have a Right-of-Way Maintenance ordinance, but when one is in place, TDAV will comply with the rules set forth.

Exclusivity is being asked for fiber provider only and is the whole basis of the agreement. The Spirit of the agreement is to build up the City of Blue Ridge, including paying 3% of gross sales and will also include the wireless portion of the business. This is above board and bringing a vital need to this area. By having this product, home values will increase \$10-12,000.

The first phase of the project will be south and west of FM 545 and Business Highway 78, second phase will be the north-east quadrant, third phase will be north-west quadrant and the final fourth phase will be the south east quadrant. The actual start of construction will be October and into the winter months. The time in between will be gathering all parts and product which will arrive at planned time of start.

City Attorney Susan Thomas stated there are many questions to be worked out and our attorneys understand the need and necessity of this project.

Christina Porath motioned to approve the agreement upon approval from the City Attorney and TDAV's attorney's final clarification with Mayor approval. Colby Collinsworth seconded the motion. Motion carried unanimously.

5. Presentation regarding Development Agreement for Blue Ridge Crossing, an addition situated as being part of the Mathias Mowery Survey, Abstract 557, being part of 317.764 acre tract of land conveyed to Michael McCreary and Chad Knowles for a total of 42.572 acres of land,

also known as the property south of the Blue Ridge Area Sports Association land and also is intended to be annexed within the incorporated limits of the City of Blue Ridge

Mitchell Fielding, of GLA Ventures came before Council with a Development Agreement which has been processed through both his and the City's attorneys. This development has processed quicker than any he has worked with and is very appreciative working with the City. The property is scheduled to close on March 31st. The City will benefit from the off-site sewer improvements, improved Pruett Street, and the up and coming residents and their families.

The development will have 214 homes with a mixture of 40', 50' and 60' wide lots. The streets will have traffic control measures and the overall development will be quite attractive.

6. 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: Section 551.071: Consultation with 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 this chapter re: development agreements, zoning regulations, annexation and land use

Council went into Executive Session at 7:37pm.

7. RECONVENE INTO OPEN SESSION – In accordance with Texas Government Code, Chapter 551, the City Council will reconvene into Open Session to consider action, if any, on matters discussed in Executive Session

Council reconvened into Open Session at 8:38pm with Christina Porath motioning to approve and authorize the Mayor to execute a Development Agreement related to the Blue Ridge Crossing Public Improvement District with the understanding that the body of the Development Agreement, Exhibit A, Exhibit D, Exhibit E and Exhibit F are the final version issued by Susan Thomas on Friday, March 8, 2022 at 5:17pm, that Exhibit C "Concept Plan" will be replaced with a black and white version distributed to Council by Mitchell Fielding on March 22, 2022, and that Exhibit C "Development Regulations" will be the final version issued by Melissa Lindelow on Friday, March 18, 2022. Colby Collinsworth seconded the motion. Motion carried unanimously.

8. Consider, discuss and act upon a Resolution of the City of Blue Ridge, Texas, accepting a petition seeking the creation of the Blue Ridge Crossing Public Improvement District within the corporate limits and extraterritorial jurisdiction of the City and calling for a public hearing for the City Council's March 22, 2022 Special Meeting

Christina Porath motioned to approve the Resolution as presented with Tammy Crosswhite seconding the motion. Motion carried unanimously.

9. Consider and act upon Resolution 2022-0322-002 approving and authorizing the Mayor to execute a Development Agreement relating to the Blue Ridge Crossing Public Improvement District and resolving other matters related thereto

Christina Porath motioned to approve the Resolution as presented with Keith Chitwood seconding the motion. Motion carried unanimously.

10. Consider and act upon Resolution 2022-0322-003 approving and authorizing the Mayor to execute an Escrow Agreement relating to the Blue Ridge Crossing Public Improvement District and resolving other matters related thereto

Christina Porath motioned to approve the Resolution as presented with Tammy Crosswhite seconding the motion. Motion carried unanimously.

11. Consider, discuss and act upon the First Amendment to Municipal Advisory Agreement with Hilltop Securities regarding Blue Ridge Crossing development

Christina Porath motioned to approve the Resolution as presented with Colby Collinsworth seconding the motion. Motion carried unanimously.

12. Discussion of placing items on future agendas


No one requested any items to be placed on future agendas.

13. Adjournment

Christina Porath motioned to adjourn with Tammy Crosswhite seconding the motion. Council adjourned at 8:43pm.

APPROVED:

ATTEST:


Rhonda Williams, Mayor


Edie Sims, City Secretary

