

**AGENDA**  
**FORNEY CITY COUNCIL**  
**Tuesday, January 19, 2021**  
**6:30 p.m. Regular Meeting**  
**City Hall, 101 E. Main Street, Forney, Texas 75126**

The general public can view the meeting live on our video stream at <https://www.forneytx.gov/803/Watch-Meetings>. If you wish to address the Council on any subject or in open forum at this meeting, you are required to email [dbrooks@forneytx.gov](mailto:dbrooks@forneytx.gov) no later than Tuesday, January 19, 2021, by 1:00 p.m. You must provide your name and telephone number and state which item(s) you wish to speak on. You will be provided a telephone number and meeting ID which you must dial into 15 minutes prior to the scheduled meeting start time. Due to technical restrictions, those who fail to dial into the meeting at the prescribed time may forfeit their ability to speak at said meeting.

**I. CALL TO ORDER**

**II. INVOCATION – COUNCIL MEMBER SHAUN MYERS**

**III. APPROVAL OF MINUTES**

1. Consider approval of the Minutes of the January 5, 2021, City Council meeting.

Documents:

[01-05-21 City Council Minutes.pdf](#)

**IV. CONSENT AGENDA**

The items on the Consent Agenda are considered to be self-explanatory by the Council and will be enacted in one motion. There will be no separate discussion of these items unless requested by a Council Member.

1. Consider Approval of the Acceptance of Public Improvements for the 7-Eleven project.

Documents:

[Item Summary - 7 Eleven at FM 548 and Gateway Blvd.pdf](#)  
[City of Forney Acceptance Letter - 7 Eleven at FM 548 and Gateway Blvd.pdf](#)

2. Consider Approval of the Acceptance of Public Improvements for the Akron Way Phase I roadway project.

Documents:

[Item Summary - Akron Way Phase I.pdf](#)  
[City of Forney Acceptance Letter - Akron Way Phase I.pdf](#)

3. Consider approval of a preliminary plat for Dossett Addition, located northwest of the intersection of Farm-to-Market Road 740 and County Road 209 in the City of Forney extra-territorial jurisdiction.

Documents:

[Item Summary-Dossett Preliminary Plat.pdf](#)

[Exhibit-Dossett Preliminary Plat.pdf](#)

4. Consider approval of a preliminary plat for the Pinnacle Montessori - Heartland, located northeast of the F.M. 741 and Interstate Highway 20 intersection in the City of Forney extra-territorial jurisdiction.

Documents:

[Item Summary-Pinnacle Preliminary Plat.pdf](#)  
[Exhibit-Pinnacle Preliminary Plat.pdf](#)

5. Consider approval of the authorization to allow staff to seek bids for the Annual Price Agreement Contract for general asphalt and concrete maintenance and all related issues.

Documents:

[Item Summary - Permission to Advertise for Annual Price Agreement Street Maintenance.pdf](#)

## **V. PUBLIC HEARING ITEMS / ACTION ON PUBLIC HEARING ITEMS**

1. Public Hearing on the proposed annexation of approximately 34.2 acres of land located in the Absolom Hyer Survey, Abstract 203 at 11379 County Road 212, owned by the Beene Family Limited Partnership and discussion and possible action on an Ordinance approving the annexation.

Documents:

[Summary Form - Annexation Public Hearing and Ordinance Stillwater Capital 34.2 acres.pdf](#)  
[Ordinance - Annexation 34.2 acres Stillwater Capital.pdf](#)  
[Petition for Annexation 34.2 Acres Stillwater Capital.pdf](#)  
[Development Agreement Signed 34.2 Acres Stillwater Capital.pdf](#)

2. Public Hearing on the proposed annexation of approximately 3.95 acres of land located in the Absolom Hyer Survey, Abstract 203 at 11263 County Road 212, owned by George Brown and discussion and possible action on an Ordinance approving the annexation.

Documents:

[Summary Form - Annexation Public Hearing and Ordinance Stillwater Capital 3.95 acres.pdf](#)  
[Ordinance - Annexation 3.95 acres Stillwater Capital.pdf](#)  
[Petition for Annexation 3.95 Acres Stillwater Capital.pdf](#)  
[Development Agreement Signed 3.95 Acres Stillwater Capital.pdf](#)

3. Public Hearing on the proposed annexation of approximately 7.9 acres of land located in the Absolom Hyer Survey, Abstract 203 at 11305 County Road 212, owned by Edwina Elaine Edwards and discussion and possible action on an Ordinance approving the annexation.

Documents:

[Summary Form - Annexation Public Hearing and Ordinance Stillwater Capital 7.9 acres.pdf](#)  
[Ordinance - Annexation 7.9 acres Stillwater Capital.pdf](#)

[Petition for Annexation 7.9 Acres Stillwater Capital.pdf](#)  
[Development Agreement Signed 7.9 Acres Stillwater Capital.pdf](#)

4. Public Hearing on the proposed annexation of approximately 1.14 acres of land located in the Absolom Hyer Survey, Abstract 203 at 11237 County Road 212, owned by Bobby Wayne Hilbert and discussion and possible action on an Ordinance approving the annexation.

Documents:

[Summary Form - Annexation Public Hearing and Ordinance Stillwater Capital 1.14 acres.pdf](#)  
[Ordinance - Annexation 1.14 acres Stillwater Capital.pdf](#)  
[Petition for Annexation 1.14 Acres Stillwater Capital.pdf](#)  
[Development Agreement Signed 1.14 Acres Stillwater Capital.pdf](#)

5. Public Hearing on the proposed annexation of approximately 25.3345 acres of land located in the Absolom Hyer Survey, Abstract 203 on County Road 212, owned by Platform 80-20, LP and discussion and possible action on an Ordinance approving the annexation.

Documents:

[Summary Form - Annexation Public Hearing and Ordinance Platform 80-20 LP 25.3345 acres.pdf](#)  
[Ordinance - Annexation 25.3345 acres Platform 80-20 LP.pdf](#)  
[Petition for Annexation 25.3345 Acres Platform 80-20 LP.pdf](#)  
[Platform 80-20 DA\\_Fully Executed.pdf](#)

6. Hold a public hearing and discuss and consider approval of an Ordinance rezoning 113.878 acres of land from Agricultural District to Planned Development District with a base zoning of Light Industrial District. The property is located west of Helms Trail and north of Plantation Ridge. [Read Ordinance Caption]

Documents:

[Item Summary-Seefried PD.pdf](#)  
[Exhibits-Seefried PD.pdf](#)

7. Hold a public hearing and discuss and consider approval of an Ordinance rezoning 43.615 acres of land from Agricultural District to Planned Development District with a base zoning of Light Industrial District. The property is located at the southeast corner of U.S. Highway 80 and S. Gateway Boulevard. [Read Ordinance Caption]

Documents:

[Item Summary-Van Trust PD.pdf](#)  
[Exhibits-Van Trust PD.pdf](#)

8. Hold a public hearing and discuss and consider approval of an Ordinance zoning 39.16 acres of land to Light Industrial District. The property includes Kaufman County Appraisal District Parcels 7814, 7815, 7817, and 7818. [Read Ordinance Caption]

Documents:

[Item Summary-Platform 8020 Zoning.pdf](#)  
[Exhibits-Platform 8020 Zoning.pdf](#)

9. Hold a public hearing and discuss and consider approval of an Ordinance zoning 47.16 acres of land to Planned Development District with a base zoning of Light Industrial District. The property is located south of U.S. Highway 80 and west of Co. Rd. 212. [Read Ordinance Caption]

Documents:

[Item Summary-Stillwater Zoning.pdf](#)  
[Exhibits-Stillwater Zoning.pdf](#)

10. Hold a public hearing and discuss and consider approval of an Ordinance rezoning 349.09 acres of land from Agricultural District to a Planned Development District with a mix of residential and non-residential uses. The property includes 246.38 acres located southeast of Forney High School and south of F.M. 741 and 102.71 acres located east of F.M. 741 and Lakemont Drive. [Read Ordinance Caption]

Documents:

[Item Summary-Bellagio PD.pdf](#)  
[Exhibits-Bellagio PD.pdf](#)

## **VI. DISCUSSION / ACTION ITEMS**

1. Discuss and consider a Resolution approving a Development Agreement between the City of Forney and Bellagio Laguna Azure, LLC for the development of an approximate 106.99 acres of land located on FM 741 within the City of Forney and its extraterritorial jurisdiction; setting a date, time and place for a public hearing on the proposed annexation of an approximate 4.28 acres located at 8092 S FM 741, Forney, Texas, within the Absolom Hyer Survey, Abstract 203, owned by Bellagio Laguna Azure, LLC.

Documents:

[Summary Form - Resolution - Development Agreement Bellagio Laguna Azure LLC.pdf](#)  
[Resolution - Development Agreement Bellagio Laguna Azure LLC and calling public hearing on annexation.pdf](#)

2. Discuss and consider approval of a preliminary plat for the Seefried Addition, located west of Helms Trail and north of Plantation Ridge.

Documents:

[Item Summary-Seefried Preliminary Plat.pdf](#)  
[Exhibit-Seefried Preliminary Plat.pdf](#)

3. Discuss and consider approval of a site plan for the Seefried Addition, located west of Helms Trail and north of Plantation Ridge.

Documents:

[Item Summary-Seefried Site Plan.pdf](#)  
[Exhibits-Seefried Site Plan.pdf](#)

4. Discuss and consider approval of a preliminary plat for the Van Trust Gateway Industrial Addition, located south of U.S. Highway 80 and east of S. Gateway Boulevard.

Documents:

[Item Summary-Van Trust Preliminary Plat.pdf](#)  
[Exhibit-Van Trust Preliminary Plat.pdf](#)

5. Discuss and consider approval of a site plan for the Van Trust Addition, located south of U.S. Highway 80 and east of S. Gateway Boulevard.

Documents:

[Item Summary-Van Trust Site Plan.pdf](#)  
[Exhibits-Van Trust Site Plan.pdf](#)

## **VII. OPEN FORUM/CITIZEN COMMENTS**

This is the public's opportunity to address the City Council on any matter related to the City. In accordance with the Texas Open Meetings Act, Section 551.042, the City Council cannot discuss, consider, or take action on matters not listed on the agenda. The City Council will receive citizen comments on non-agenda items, and if necessary, may refer the matter to City staff for research, resolution or referral to Council on a future agenda. As described in the City's Public Meeting Procedures, comments will be limited to three (3) minutes.

## **VIII. CITY MANAGER'S REPORT**

**THE CITY MANAGER WILL DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS FOR POSSIBLE ACTION, INCLUDING THE FOLLOWING:**

- Department Reports (Fire, Police, Municipal Court, Finance)
- Citizen Complaints -- Actions taken or to be taken
- Upcoming Special Events
- Personnel Changes
- Commendations
- Public Works/Streets Projects, Repairs or Construction
- Park Issues
- Inspection Issues
- CIP Projects

Documents:

[2020 City Hall Report.pdf](#)  
[Municipal Court Report 1-8-21.pdf](#)

## **IX. COUNCIL COMMENTS**

**PURSUANT TO SECTION 551.0415 TEX. GOV'T CODE, CITY COUNCIL MEMBERS MAY MAKE A REPORT ABOUT ITEMS OF COMMUNITY INTEREST DURING A MEETING OF THE GOVERNING BODY WITHOUT HAVING GIVEN NOTICE OF THE REPORT. ITEMS OF COMMUNITY INTEREST INCLUDE:**

- Expressions of thanks, congratulations, or condolence;
- Information regarding holiday schedules;
- An honorary or salutory recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutory recognition for purposes of this subdivision;
- A reminder about an upcoming event organized or sponsored by the governing body;
- Information regarding a social, ceremonial, or community event organized or

sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and

- Announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

## **X. EXECUTIVE SESSION**

**PURSUANT TO THE OPEN MEETINGS ACT, CHAPTER 551, TEXAS GOVERNMENT CODE, THE CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION (CLOSED MEETING) TO DISCUSS THE FOLLOWING:**

1. Consult with legal counsel regarding pending or contemplated litigation or a settlement offer and/or matters in which the duty of the attorney to the governmental body under Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code (Tex. Gov't Code Section 551.071):
  - a. PUC Docket No. 47814; SOAH Docket No. 46-18-1344.WS – Petition of High Point Water Supply Corporation, Talty Special Utility District and Markout Water Supply Corporation Appealing the Decision by the City of Forney Affecting Wholesale Water Rates.
  - b. CARES Act CRF Funding

## **XI. RECONVENE INTO REGULAR SESSION**

**IN ACCORDANCE WITH TEXAS GOVERNMENT CODE, CHAPTER 551, THE CITY COUNCIL WILL RECONVENE INTO REGULAR SESSION TO CONSIDER ACTION, IF ANY, ON MATTERS DISCUSSED IN EXECUTIVE SESSION.**

## **XII. ADJOURNMENT**

In addition to any executive session already listed above, the City Council of the City of Forney reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed on this agenda, as authorized by the Texas Government Code for the following purposes:

Section 551.071 -- Consultation with Attorney

Section 551.072 -- Deliberations regarding Real Property

Section 551.073 -- Deliberation regarding Prospective Gift

Section 551.074 -- Personnel Matters

Section 551.076 -- Deliberations regarding Security Devices

Section 551.087 -- Deliberations regarding Economic Development Negotiations

This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of the Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed session portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144 (c) and the meeting is conducted by all participants in reliance on this opinion.

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 972-564-7302 or FAX 972-564-7349 for further information.

Braille is not available.

I, Dorothy Brooks, City Secretary for the City of Forney, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 15th day of January, 2021, at 5:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.