

AGENDA
FORNEY CITY COUNCIL
Tuesday, February 2, 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 no later than Tuesday, February 2, 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 ROBBIE POWERS

III. PROCLAMATIONS / PRESENTATIONS

1. Black History Month Proclamation

Documents:

[Black History Month.pdf](#)

IV. APPROVAL OF MINUTES

1. Consider approval of the Minutes of the January 19, 2021, City Council meeting.

Documents:

[01-19-21 City Council Minutes.pdf](#)

V. 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 quarterly investment report ending 12/31/20.

Documents:

[Item Summary-Quarterly Investment Report Q1.pdf](#)
[Forney Quarterly 2020-12.pdf](#)

2. Consider a Resolution authorizing continued participation with the ATMOS Cities Steering Committee authorizing the payment of membership dues for 2021 to fund regulatory and related activities related to the Atmos Energy Corporation.

Documents:

[Summary Form - 2021 ACSC Membership Resolution.pdf](#)
[Resolution - ACSC Membership 2021.pdf](#)
[ACSC 2020 year in review Newsletter.pdf](#)
[2021 ACSC Invoice-Forney.pdf](#)
[2021 MASTER ACSC List of Cities 178 Total \(2021.01.15\).pdf](#)

3. Consider approval of a resolution approving the arbitrage rebate compliance agreement with Hilltop Securities.

Documents:

[Item Summary-Hilltop Arbitrage Agreement.pdf](#)
[Resolution - Arbitrage Rebate Compliance Services Agreement with Hilltop Securities.pdf](#)
[Forney TX Contract 2021 \(003\).pdf](#)

4. Consider Approval of the Acceptance of Public Improvements for the McDonald's Forney project.

Documents:

[Item Summary - McDonalds.pdf](#)
[City of Forney Acceptance Letter - McDonalds.pdf](#)

VI. PUBLIC HEARING ITEMS / ACTION ON PUBLIC HEARING ITEMS

1. Public Hearing on the proposed annexation of approximately 4.28 acres of land located in the Absolom Hyer Survey, Abstract 203, in Kaufman County, Texas, at 8092 S FM 741, owned by Bellagio Laguna Azure, LLC and discussion and possible action on an Ordinance approving the annexation.

Documents:

[Summary Form - Annexation Public Hearing and Ordinance Bellagio Laguna Azure LLC 4.28 acres.pdf](#)
[Exhibit A - Property Annexation 4.28 Acres.pdf](#)
[Ordinance - Annexation 4.28 acres Bellagio Laguna Azure LLC.pdf](#)

VII. DISCUSSION / ACTION ITEMS

1. Discuss and consider action on a Resolution approving an expenditure under Section 501.073 Texas Local Government Code and a Performance Agreement between the Forney Economic Development Corporation and French Quarter Daiquiris LLC, DBA French Quarter Bistro.

Documents:

[Summary Form - Resolution approving FEDC Performance Agreement French Quarter Daiquiris LLC DBA French Quarter Bistro.pdf](#)
[Resolution - Economic Incentive and Performance Agreement French Quarter Bistro.pdf](#)
[ECONOMIC Incentive and Performance AGREEMENT - FEDC and French Quarter Bistro Final.pdf](#)

VIII. 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.

IX. 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

X. 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 salutary 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 salutary 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.

XI. 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. Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee (Tex. Gov't Code 551.074):
 - a. City Secretary

XII. 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.

XIII. 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 29th 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.