

AGENDA
FORNEY CITY COUNCIL
Tuesday, May 18, 2021
6:30 p.m. Regular Meeting
City Hall, 101 E. Main Street, Forney, Texas 75126

Administer the Statement of Elected Officials and Official Oath of Office to the Candidates Declared Elected – Council Member Place 2, Shaun Myers, Council Member Place 4, Sarah Salgado, Council Member Place 6, Jason E. Roberson and Mayor, Amanda Lewis.

I. CALL TO ORDER

II. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCIL MEMBER DERALD COOPER

III. PROCLAMATIONS / PRESENTATIONS

1. Proclamation for National Public Works Week

Documents:

[National Public Works Week 2021.pdf](#)

IV. APPROVAL OF MINUTES

1. Consider approval of the Minutes of the May 4, 2021, City Council meeting.

Documents:

[05-04-21 City Council Meeting.pdf](#)

2. Consider approval of the Minutes of the May 11, 2021, Special Meeting of the City Council.

Documents:

[05-11-21 Minutes of the Special Meeting to Canvass the Election.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 a Resolution approving an Agreement for Conceptual Planning Services for updates to the City of Forney parks plans for Community Park and the Northside Park.

Documents:

[Item Summary - Parkhill Conceptual Agreement.pdf](#)
[Resolution - Agreement for Conceptual Planning Services - Parkhill Inc..pdf](#)
[Agreement for Conceptual Planning Services.pdf](#)

2. Consider action to reject all bids submitted in response to the City's request for proposals for Holiday Lighting Displays.

Documents:

[Item Summary - Holiday Light Display RFP Award.pdf](#)
[RFP 2021-005 SCORES.pdf](#)

3. Consider a Resolution approving an Interlocal Cooperative Agreement with Kaufman County, Texas for assessment collection services for the Villages of Fox Hollow Public Improvement District No. 1.

Documents:

[Summary Form - Interlocal Agreement Kaufman County Assessment Collection.pdf](#)
[Resolution - Kaufman County Interlocal Agreement for Assessment Collection - Villages of Fox Hollow PID No. 1.pdf](#)
[Interlocal Agreement - Kaufman County Assessment Collection Services.pdf](#)

4. Consider approval of a final plat for the Platform 80-20 Addition, located west of the County Road 212 and S. Gateway Boulevard intersection.

Documents:

[Item Summary-Platform 8020 Final Plat.pdf](#)
[Exhibit-Platform 8020 Final Plat.pdf](#)

5. Consider approval of a preliminary plat for Adams Ranch, located northwest of Ranch Road.

Documents:

[Item Summary-Adams Ranch Prelim Plat.pdf](#)
[Exhibit-Adams Ranch Prelim Plat.pdf](#)

6. Consider approval of a site plan for Forney Marketplace Lots 5 & 7, located north of U.S. Highway 80 and west of Marketplace Boulevard.

Documents:

[Item Summary-Forney Marketplace 57 Site Plan.pdf](#)
[Exhibits-Forney Marketplace 57 Site Plan.pdf](#)

7. Consider approval of a site plan for Forney Tract D of 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](#)

8. Consider approval of a preliminary plat for Lot 3, Block A, Kroger Drive North Addition, located northeast of the Trailhouse Boulevard and Kroger Drive intersection.

Documents:

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

9. Consider approval of a final plat for Lot 3, Block A, Kroger Drive North Addition, located northeast of the Trailhouse Boulevard and Kroger Drive intersection.

Documents:

[Item Summary-Kroger Drive Final Plat.pdf](#)
[Exhibit-Kroger Drive Final Plat.pdf](#)

10. Consider approval of a final plat for Overland Grove Phase 3A, located southwest of Vineyard Way and South F.M. 548.

Documents:

[Item Summary-Overland Grove 3A Final Plat.pdf](#)
[Exhibit-Overland Grove 3A Final Plat.pdf](#)

11. Consider Approval of the Acceptance of Public Improvements for the Amazon FTW5 project.

Documents:

[Item Summary - Amazon FTW5.pdf](#)
[City of Forney Acceptance Letter - Amazon FTW5.pdf](#)

12. Consider a Resolution to deny the rate change application proposed by CoServ Gas, Ltd. To the Railroad Commission of Texas.

Documents:

[Summary Form - Resolution to Deny CoServ Rate Change Application.pdf](#)
[Resolution - Deny CoServ Rate Increase Application.pdf](#)

13. Consider authorizing staff to seek proposals in response to a request for qualifications for forensic auditing services for the City of Forney.

VI. PUBLIC HEARING ITEMS / ACTION ON PUBLIC HEARING ITEMS

1. Hold a Public Hearing pursuant to Section 372.009, Texas Local Government Code, and consider action on a Resolution establishing the Bellagio Public Improvement District No. 1 and accepting findings on the advisability of the proposed improvements.

Documents:

[Summary Form - Resolution - Bellagio PID Creation.pdf](#)
[Resolution - Establish Bellagio PID No. 1.pdf](#)
[Bellagio Laguna Azure LLC - Executed PID Petition - City of Forney TX.pdf](#)

2. Hold a public hearing and discuss and consider approval of an Ordinance amending the City of Forney Comprehensive Zoning Ordinance by providing a definition and use regulations for coffee related businesses. [Read Ordinance Caption]

Documents:

[Item Summary-Coffee Roasting.pdf](#)
[Exhibit-Coffee Roasting.pdf](#)

3. Hold a public hearing and discuss and consider approval of an Ordinance for a Conditional Use Permit for a food truck to operate at 205 W. Broad Street. [Read Ordinance Caption]

Documents:

[Item Summary-Food Truck CUP.pdf](#)
[Exhibits-Food Truck CUP.pdf](#)

VII. DISCUSSION / ACTION ITEMS

1. Discuss and consider approval of a final plat for the Bellagio Addition, located southeast of Forney High School and south of F.M. 741.

Documents:

[Item Summary-Bellagio Final Plat.pdf](#)
[Exhibit-Bellagio Final Plat.pdf](#)

2. Discuss and consider approval of authorized signatories for American National Bank account.

Documents:

[Item Summary ANB Authorized Signers.pdf](#)

3. Discuss and consider a Resolution of Intent to Establish a City of Forney Property Assessed Clean Energy ("PACE") Program, and all related actions.

Documents:

[Summary Form - Resolution of Intent to Estbalish PACE Program.pdf](#)
[Resolution - Intent to Establish PACE Program.pdf](#)
[Program Report - City of Forney 2021 03 25.pdf](#)
[Program Report Exhibit 1 - Map of City of Forney PACE Region 2021 04 27.pdf](#)
[Program Report Exhibit 2 - Owner Contract - City of Forney.pdf](#)
[Program Report Exhibit 3 - Lender Contract - City of Forney.pdf](#)
[Program Report Exhibit 4 - Notice of Contractual Assessment - City of Forney.pdf](#)

4. Discuss and consider approval of a Resolution authorizing the City Manager to execute an encroachment agreement for property located within Front Street right-of-way.

Documents:

[Item Summary-Encroachment Agreement.pdf](#)
[Exhibits-Encroachment Agreement.pdf](#)

5. Discuss and consider a Resolution to appoint a Mayor Pro Tem for a period of one year.

Documents:

[Summary Form - Resolution Appointing Mayor Pro Tem.pdf](#)
[Resolution - Mayor Pro Tem Election.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

Documents:

[2021 City Hall Report.pdf](#)

[Municipal Court Report 5-4-21.pdf](#)

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 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.

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. 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. Claim by Mica Lunt

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 14th day of May, 2021, at 5:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.