

**AGENDA**  
**FORNEY CITY COUNCIL**  
Tuesday, June 1, 2021  
**6:30 p.m. Regular Meeting**  
City Hall, 101 E. Main Street, Forney, Texas 75126

**I. CALL TO ORDER**

**II. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCIL MEMBER JASON ROBERSON**

**III. PROCLAMATIONS / PRESENTATIONS**

1. Presentation to outgoing Mayor Mary Penn.

**IV. APPROVAL OF MINUTES**

1. Consider approval of the Minutes of the May 18, 2021, City Council meeting.

Documents:

[05-18-21 City Council Minutes.pdf](#)

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

1. Public Hearing related to the proposed City of Forney Property Assessed Clean Energy (“PACE”) Program and consider a Resolution establishing the City of Forney PACE Program pursuant to Chapter 399 of the Texas Local Government Code.

Documents:

[Summary Form - Public Hearing and Resolution to Establish PACE Program.pdf](#)  
[Resolution - 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](#)

**VI. DISCUSSION / ACTION ITEMS**

1. Discuss and consider a Resolution approving a Professional Services Agreement for Administration of a Property Assessed Clean Energy (“PACE”) Program.

Documents:

[Summary Form - Resolution for PACE Administration Professional Services Agreement.pdf](#)  
[Resolution - Professional Services Agreement PACE Admin Services - Lone Star Pace LLC.pdf](#)  
[Professional Services Agreement - City of Forney.pdf](#)

2. Update on Ground Warning Siren System.
3. Discuss and consider a Resolution approving a Developer Participation Agreement with GVSF Forney Property Owner, L.P. for Design Construction Services of CR 212.

Documents:

[Summary Form - Resolution for Developer Participation Agreement GVSF FPO L.P..pdf](#)  
[Resolution - Developer Participation Agreement CR 212.pdf](#)  
[Forney-GVSF Forney Property Owner L.P.Developer Participation Agreement CR 212.pdf](#)

4. Discuss and consider approval of an Ordinance amending the budget for fiscal year 2020-2021. [Read Ordinance Caption]

Documents:

[Item Summary-2021 Amended Budget-HR Director.pdf](#)  
[Ordinance Amending Budget 2021-HR Director.pdf](#)  
[Budget Adjustment Register-HR Director.pdf](#)

5. Discuss and consider action pursuant to the authority of the City of Forney Home Rule Charter Section 3.05 to fill a vacancy for City Council Place 2.

Documents:

[Summary Form - Appointment Process Place 2.pdf](#)

6. Discuss and consider the appointment of qualified individuals to fill the vacancies on the 2021 Bond Committee and consider a Resolution to extend the term of the Committee.

Documents:

[Summary Form - 2021 Bond Committee Resolution.pdf](#)  
[Resolution - Amending the Term of the 2021 Bond Committee.pdf](#)

7. Discuss and consider action to amend the City of Forney Rules of Procedure for the City Council and the Boards, Commissions and Committees and Article 1.12 "Code of Ethics" of the City of Forney Code of Ordinances.

Documents:

[Summary Form - Council Rules.pdf](#)  
[Code of Ethics.pdf](#)  
[Rules of Procedure for the City Council and the Boards Aug 2020.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

**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. Claim by Mica Lunt.
  - c. Forensic Auditing Services.

2. Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee (Tex. Gov't Code 551.074):
  - a. City Council Place 2
3. Deliberate the purchase, exchange, lease, or value of real property. [Texas Gov't Code 551.072]
  - a. Project CBB

## **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 28th 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.