

AGENDA
FORNEY CITY COUNCIL
Tuesday, September 15, 2020
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 JAMES TRAYLOR

III. PROCLAMATIONS / PRESENTATIONS

1. Presentation to former Council Member Mike Thomas.
2. Presentation of a Proclamation for National IT Professionals Day.

Documents:

[National IT Professionals Day.pdf](#)

IV. APPROVAL OF MINUTES

1. Consider approval of the Minutes of the September 1, 2020, City Council Meeting.

Documents:

[09-01-20 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 for the City acceptance for the Public Works Sidewalk Improvements Project.

Documents:

[Item Summary - Project Acceptance Sidewalk Improvements.pdf](#)

2. Consider approval for the City acceptance and a change order for the Redbud Drive Reconstruction Project.

Documents:

[Forney_Redbud_Project-Closeout-Letter.pdf](#)
[Redbud Forney Proposed Change Order Final Pay Release.pdf](#)

3. Consider approval of a final plat for the Parc at Windmill Farms Addition, Lot 1, Block A, located north of U.S. Highway 80 and west of Windmill Farms Boulevard in the City of Forney, Texas, ETJ.

Documents:

[Item Summary-Parc at Windmill Farms FP.pdf](#)
[Exhibits-Parc at Windmill Farms FP.pdf](#)

4. Consider approval of a preliminary plat for the Justice Center, Lot 1, Block 1, located at the northeast corner of F.M. 548 and Justice Center Drive.

Documents:

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

5. Consider a Resolution approving the 2020 Annual Update to the Service and Assessment Plan and Assessment Rolls for The Villages of Fox Hollow Public Improvement District No. 1 (Capital PID) including the collection of the 2020 annual installments.

Documents:

[Item Summary - Villages of Fox Hollow PID SAP 2020 Update \(Capital PID\).pdf](#)
[Resolution - Approving 2020 SAP Update The Villages of Fox Hollow PID No. 1 \(Capital PID\).pdf](#)
[SAP Update - Villages of Fox Hollow \(Forney\) 2020.pdf](#)

6. Consider a Resolution awarding a contract to H&H Electrical Contractors, Inc for the Maintenance Improvements at Pump Station No. 2, and all related issues.

Documents:

[Item Summary -Maintenance Improvements Pump Station No. 2.pdf](#)
[Resolution - Electrical Maintenance Services Pump Station 2 Award.pdf](#)
[City of Forney Pump Station 2- Recondition Pump and Motor Proposal.pdf](#)

7. Consider approval of an RFP for a new City Wide telephone system.

Documents:

[Item Summary - City Phone System RFP.pdf](#)
[City of Forney RFP - Unified Communications RFP Draft v1.pdf](#)

8. Consider Rejection of all bids received on the City Parks Storage project.

Documents:

[Item Summary - Reject BIDS for Park Storage.pdf](#)
[Recommendation Letter.pdf](#)

VI. PUBLIC HEARING ITEMS / ACTION ON PUBLIC HEARING ITEMS

1. Hold a public hearing and discuss and consider approval of an Ordinance to rezone 53.94 acres from Light Industrial district to a mixed use Planned Development district with multi-family, townhome, office and retail uses. The property is located east of North F.M. 548, south of Don T. Cates Drive and is identified by the Kaufman County Appraisal District as property id's 7769 and 7770. [Read Ordinance Caption]

Documents:

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

2. Hold a public hearing and discuss and consider approval of an amendment to the City of Forney Thoroughfare Plan and Map.

Documents:

[Item Summary-Thoroughfare Amendment.pdf](#)
[Exhibits-Thoroughfare Amendment.pdf](#)

3. Conduct a public hearing, consider and act upon an ordinance levying special assessments against the assessable property within the "Fox Hollow Public Improvement District No. 1" (Maintenance PID) and approving the final update to the Service and Assessment Plan, pursuant to the provisions of Chapter 372 of the Texas Local Government Code. The PID contains approximately 813.605 acres of land generally located southeast of FM 548 between FM 1641 and FM 741 (Fox Hollow).
[Read Ordinance Caption]

Documents:

[Item Summary - Fox Hollow Maintenance PID Public Hearing.pdf](#)
[Ordinance - Forney_Fox_Hollow_Maintenance_PID_2004_-
_Levying_Assessments 2020.pdf](#)
[SAP Update - Fox Hollow \(Forney\) 2020.pdf](#)

VII. DISCUSSION / ACTION ITEMS

1. Discuss and consider approval of an Ordinance adopting the amended budget for Fiscal Year 2019-2020. [Read Ordinance Caption]

Documents:

[Item Summary-2020 Amended Budget.pdf](#)
[Ordinance Amending Budget 2020.pdf](#)
[2020 Budget Amendment.pdf](#)

2. Discuss and consider approval of an ordinance adopting the annual budget for Fiscal Year 2020-21. [Read Ordinance Caption]

Documents:

[Item Summary-2021 Operating Budget.pdf](#)
[Ordinance adopting FY 2021 budget.pdf](#)
[FY21 Budget Detail.pdf](#)

3. Discuss and consider approval of an ordinance levying ad valorem taxes for Fiscal Year 2020-21 and take any action necessary. [Read Ordinance Caption]

Documents:

[Item Summary-2020 Ad Valorem Tax Rate.pdf](#)
[Ordinance setting tax rate for 2020.pdf](#)

4. Discuss and consider approval of an Ordinance amending the Code of Ordinances by

amending the Master Fee Schedule to reflect changes to certain fees and miscellaneous permits. [Read Ordinance Caption]

Documents:

[Item Summary-Master Fee Schedule Amendment 2020.pdf](#)
[Ordinance - Amend Master Fee Schedule 2020.pdf](#)
[Master Fee Schedule Amendment-2020 09.15.pdf](#)

5. Discuss update on Land Use Assumptions and CIP for Water and Sewer Impact Fees and Schedule a Public Hearing to discuss and review the update.

Documents:

[Item Summary - Water and Wastewater Impact Fee Update - Public Hearing to Discuss and Review.pdf](#)
[Figures A,B,C, and D.pdf](#)
[Study Completion Schedule.pdf](#)

6. Discuss and consider approval to allow staff to seek bids for the new additions and improvements to existing City facilities and all related issues.

Documents:

[Item Summary- CIP 193 Building Expansion and Improvements.pdf](#)
[2020-09-15 Council Presentation.pdf](#)

7. Discuss and consider a Resolution authorizing the City Manager to finalize, execute and administer a Memorandum of Understanding between Forney and the City of Mesquite defining the expectations and responsibilities of Forney and Mesquite related to Mesquite's acquisition of the Markout Water Supply Corporation water system, customers of the system, and division of the water system.

Documents:

[Item Summary - MOU with Mesquite RE Markout Water System.pdf](#)
[Resolution - MOU with Mesquite RE Markout Transfer.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. 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. 46662; SOAH Docket No. 473-17-4964.WS – Petition of the Cities of Garland, Mesquite, Plano and Richardson Appealing the Decision by North Texas Municipal Water District Affecting Wholesale Water Rates; Proposed Contract Amendment and Settlement Agreement.
 - b. 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.
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 Manager
 - b. City Attorney
 - c. City Secretary
 - d. Municipal Judges; Professional Services Agreement for 2020-2022 Term
3. Discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development

negotiations, or to deliberate the offer of a financial or other incentive to a business prospect (Tex. Gov't Code Section 551.087):

- a. Project King Kong
- b. Project Flash

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 11th day of September, 2020, at 5:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.