

AGENDA
FORNEY CITY COUNCIL
Tuesday, October 20, 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
ROBBIE POWERS**

III. PROCLAMATIONS / PRESENTATIONS

1. Presentation of the GFOA Budget Award.

Documents:

[GFOA Budget Award.pdf](#)

IV. APPROVAL OF MINUTES

1. Consider approval of the Minutes of the October 6, 2020, City Council meeting.

Documents:

[City Council Minutes 10-06-20.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 acceptance of COVID-19 Project federal grant.

Documents:

[Item Summary-COVID-19 Project grant acceptance.pdf](#)

2. Consider a resolution authorizing the authorizing the City Manager to execute all necessary grant applications; accepting grant funds from the coronavirus relief fund; authorizing expenditure of grant funds towards covid-19.

Documents:

[Item Summary - CRF Expenses.pdf](#)
[Resolution Authorizing CRF Expenses.pdf](#)

3. Consider approval of a final plat for Ryhn Addition, located north of Don T. Cates Drive and east of North F.M. 548.

Documents:

[Item Summary-Rhyn Addition Final Plat.pdf](#)

[Exhibit-Rhyn Addition Final Plat.pdf](#)

4. Consider approval of a revised site plan for the Community Development and Public Works Offices, located at 101 E. Aimee Street.

Documents:

[Item Summary-Community Development Revised Site Plan.pdf](#)
[Exhibits-Community Development Revised Site Plan.pdf](#)

5. Consider approval of a site plan for the Public Works Storage, located south of the intersection of Kaufman Street and Mesquite Street.

Documents:

[Item Summary-Public Works Storage.pdf](#)
[Exhibits-Public Works Storage.pdf](#)

6. Consider a Resolution approving a Professional Services Agreement with Freese and Nichols, Inc. to provide services for the 2020 Roadway Impact Fee Study, and all related issues.

Documents:

[Item Summary Professional Services Freese and Nichols Inc Roadway Impact Fee Study.pdf](#)
[Resolution - Professional Services Agreement Freese and Nichols Inc 2.pdf](#)
[Roadway Impact Fee Agreement_FNI Executed 9-25-2020.pdf](#)

VI. PUBLIC HEARING ITEMS / ACTION ON PUBLIC HEARING ITEMS

1. Hold a public hearing and discuss and consider approval of an Ordinance amending the Brookville Estates Planned Development (Ordinances 1066 and 1137) by amending the development standards and concept plan for Phase 2. [Read Ordinance Caption]

Documents:

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

2. Hold a public hearing and discuss and consider approval of an Ordinance for a Conditional Use Permit for Auto Repair (Major) to operate at 12549 Reeder Road. [Read Ordinance Caption]

Documents:

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

3. Hold a public hearing and discuss and consider approval of an Ordinance rezoning 38.7 acres from Planned Development No. 1031 to a single-family residential Planned Development. The property is located south of S. F.M. 548 and Sycamore Trail.

Documents:

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

4. Hold a public hearing to receive public comment regarding the land use assumptions and capital improvements plan related to the update of the water and sanitary sewer impact fees for the city of Forney and consider action to determine whether to amend the plan.

Documents:

[Item Summary - Water and Wastewater Impact Fee Update - Public Hearing to Discuss and Review.pdf](#)
[Figure 1 Water CIP Projects - January 2021.pdf](#)
[Figure 2 SEWER CIP PROJECTS - JAN 2021.pdf](#)

VII. DISCUSSION / ACTION ITEMS

1. Discuss and consider all matters incident and related to the issuance and sale of "City of Forney, Texas, General Obligation Refunding Bonds, Series 2020", including the adoption of an ordinance authorizing the issuance of such bonds. [Read Ordinance Caption]

Documents:

[Item Summary-2020 Refunding Bonds.pdf](#)
[Forney Refunding Analysis 061820.pdf](#)
[FORNEY GO REF 2020 - DRAFT ORDINANCE.pdf](#)

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

Documents:

[Item Summary-2021 Amended Budget-hazard pay.pdf](#)
[Ordinance Amending Budget 2021.pdf](#)
[Ordinance Exhibit A.pdf](#)

3. Discuss and consider action on a Resolution approving a Development Agreement between the City of Forney and Jackrabbit Fund 1, LLC.

Documents:

[Item Summary - Resolution approving Development Agreement Jackrabbit Fund 1, LLC.pdf](#)
[Resolution Approving Development Agreement - Jackrabbit Fund 1, LLC.pdf](#)

4. Discuss and consider action on an Ordinance amending Chapter 12 of the Code of Ordinances, "Traffic and Vehicles," by adding Article 12.09 containing regulations for "Golf Carts, Neighborhood Electric Vehicles and Slow-Moving Vehicles." [Read Ordinance Caption]

Documents:

[Item Summary - Adding 12.09 Golf Carts, Neighborhood Electric Vehicles and Slow-Moving Vehicles.pdf](#)
[Ordinance - Amending Chapter 12 for Golf Carts NEVs and SMVs - 10.13.2020.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:

[Municipal Court Report September 2020.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 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. Markout Water Supply
 - b. Madison Grayhawk
2. 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 Liberty

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 16th day of October, 2020, at 5:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.