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**Minutes
Forney City Council
Tuesday, June 7, 2022
6:15 p.m. Regular Meeting
Council Chambers
City Hall, 101 E. Main Street, Forney, Texas 75126**

Newly Elected Council Members take their Oath of Office

Ms. Cariann Bradford gave Council Member Place 5 Zahn Schlensker her Oath of Office.

Judge Casey Blair gave Council Member Place 1 James Traylor his Oath of Office.

I. CALL TO ORDER

Mayor Lewis called the regular meeting to order at 6:30 p.m. Present were Mayor Amanda Lewis, Mayor Pro Tem James Traylor and Council Members Cecil Chambers, Robbie Powers, Zahnd Schlensker and Jason Roberson. Council Member Sarah Salgado was absent. Also present was City Manager Charles Daniels.

II. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCIL MEMBER SARAH SALGADO

Council Member Roberson gave the invocation and led the Pledge of Allegiance.

III. PROCLAMATIONS / PRESENTATIONS

1. Proclamation for Helen Keller DeafBlind Awareness Week

Mayor Lewis read and presented the proclamation to Amanda Bowdoin and her son.

2. Juneteenth Proclamation

Mayor Lewis read and presented the proclamation to Darryl Malloy.

IV. APROVAL OF MINUTES

1. Consider approval of the Minutes of the May 17, 2022, City Council meeting.

Mayor Lewis asked if Council had any changes to the Minutes. There being no changes, Mayor Lewis called for a motion. Council Member Chambers made a motion to approve the Minutes from the May 17, 2022, City Council meeting and Council Member Schlensker seconded the motion. The motion passed by a vote of 6 ayes and 1 absent [Salgado].

2. Consider approval of the Minutes of the May 23, 2022, Special City Council meeting.

Mayor Lewis asked if Council had any changes to the Minutes. There being no changes, Mayor Lewis called for a motion. Council Member Schlensker made a motion to approve the Minutes from the May 23, 2022, City Council meeting and Council Member Powers seconded the motion. The motion passed by a vote of 5 ayes, 1 abstain [Traylor] and 1 absent [Salgado].

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V. 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.

Mayor Lewis opened the floor to anyone in the audience who wanted to address the Council. The following person came forward to address the Council:

Linda Gamble
313 Pinewood Trail
Forney, Texas 75126

She is here to talk about the incident that occurred on June 3. No one was notified about the alleged car thieves and the alleged weapons. A lot of people walk early in the morning and she would like the City to notify everyone for something this serious.

There being no one else to address the Council, Mayor Lewis closed the open forum session.

VI. 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 acceptance of public improvements for Project Blue Jay.**
2. **Consider approval of the acceptance of public improvements for the Vanhurst Gateway Industrial Addition project.**
3. **Consider all matters incident and related to providing for the redemption of certain outstanding bonds of the City, including the adoption of a resolution thereto.**
4. **Consider a Resolution approving a professional services agreement with WRA Architects, Inc. to provide municipal bond planning services and all related issues.**
5. **Consider a Resolution approving a contract with TGDS, d/b/a ParaDesign, to provide consulting and design services for Renovations to City Facilities at 118 and 120 E. Main Street project – CIP 218 and all related issues.**
6. **Consider approving the Task Authorization with Fitzpatrick Design Construction Services Group LLC for Renovations of City Facilities (118 and 120 E. Main Street) Project and all related issues.**
7. **Consider approving the Task Authorization with Fitzpatrick Design Construction Services Group LLC for Fire Station No. 2 Renovations and Expansion Project and all related issues.**

106 Mayor Lewis read the Consent Agenda items and asked if Council wanted to pull any items for
107 discussion. Council Member Powers requested that Consent Agenda Item No. 3 be pulled.
108 Mayor Lewis called for a motion on the remaining Consent Agenda Items No. 1, 2, 4, 5, 6 and 7.
109 Mayor Pro Tem Traylor made a motion to approve Consent Agenda Items No. 1, 2, 4, 5, 6 and 7
110 and Council Member Roberson seconded the motion. The motion passed by a vote of 6 ayes
111 and 1 absent [Salgado].

112
113 Finance Director Deborah Woodham came forward to discuss Consent Agenda Item No. 3. Our
114 agreement with TxDOT for the Pass-Through Toll projects guarantees a minimum annual
115 payment of \$2,009,570. The agreement also provides that the payment may be increased,
116 based on traffic counts, up to a maximum of \$4,019,140 annually. Any amount received over
117 the minimum is considered to be an accelerated payment.

118
119 When the bonds were sold in 2008, the City anticipated that the annual payments would have
120 an accelerated portion. The bonds were structured so that some of the bonds would be eligible
121 for early redemption and allow the City to pay off this obligation in a shorter time frame thus
122 recognizing considerable interest savings.

123
124 In September 2012, City Council passed a resolution to commit the accelerated portion of the
125 passthrough payment from TxDOT for early retirement of debt related to the road projects.
126 Since 2013, the City has received \$39,328,000 of which \$19,040,000 were redeemed early,
127 saving the City \$9.3M in total interest. This year the City again received the maximum amount
128 of \$4,019,140. The City will be redeeming \$2,005,000 in bonds early, saving us \$751,838 in
129 interest.

130
131 Mayor Lewis called for a motion. Council Member Powers made a motion to approve Consent
132 Agenda Item No. 3 and Council Member Traylor seconded the motion. The motion passed by a
133 vote of 6 ayes and 1 absent [Salgado].

134
135 Council Member Sarah Salgado arrived at this time.

136 137 **VII. DISCUSSION / ACTION ITEMS**

138 139 **1. Discussion of proposed bond projects and possible action.**

140
141 City Engineer Karl Zook talked about the meetings that have been held to discuss the bond
142 projects. At this time, we are ready to determine the bond projects. The last day to call the
143 bond election is August 22, 2022.

144
145 The WRA representative stated that Package A (which was rated as the most pressing issue) is
146 Public Safety Facilities: Fire Station No. 2 Expansion, New Fire Station No. 1 and New Fire
147 Station No. 3. This will be presented as is for final approval by the Council.

148
149 Package B is Parks & Recreation. The new Northside Park and Community Park Phase 2 will
150 be presented as is for final approval by the Council.

151
152 The Recreation Center will be presented by itself for final approval by the Council.

153
154 Package C is Library/Community/Senior Center. This will be presented by itself for final
155 approval by the Council.

156

157
158 Package D is Streets and Infrastructure. Ranch Road will be removed from this package. The
159 remaining items, Lovers Lane (HWY 80 – FM 740), FM 548/Monitor Connector, Community
160 Park Road Extension, and Grade Separation, will be presented for final approval by the Council.
161 Council also recommended a higher amount than presented for the Grade Separation project.
162

163 The WRA package presented totaled \$218,700,000. Nick Bulaich of Hilltop Securities gave a
164 brief overview of the impact on the tax rate if the bonds are issued. His presentation was based
165 on \$230,300,000. At this larger amount, the tax rate is projected to be \$0.3340, with an annual
166 impact on \$100,000 of taxable value of \$334.00. Before we can take the bond projects to the
167 public, they must be approved by the Attorney General. The bonds must be sold within 10
168 years. We will need the Attorney General's approval should the City choose to extend the 10-
169 year period.
170

171 **VIII. CITY MANAGER'S REPORT**

172 THE CITY MANAGER WILL DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS,
173 FUTURE LEGISLATIVE ACTIVITIES, AND OTHE RELATED MATTERS FOR POSSIBLE
174 ACTION, INCLUDING THE FOLLOWING:
175

176 Early Voting for the Runoff Election started this week and runs through June 14, 2022. Election
177 day is June 18, 2022. The polling place for the Runoff Election will be the Forney Sub-
178 Courthouse located at 200 E. Main Street in Forney, Texas.
179

180 Beginning this Thursday, our Public Works Department will begin spraying for mosquitoes. The
181 city will focus on areas where mosquito breeding could be most prominent such as low-lying
182 areas and permanent bodies of water. Residents are encouraged to report mosquito concerns
183 to the Public Works Department or through the MYForney App. Spraying will be done every
184 Thursday throughout the summer, weather permitting. More information is available under the
185 public works section of our website at forneytx.gov
186

187 The City Council and Planning and Zoning Commission will have a joint meeting on June 14 at
188 6 pm. The purpose of the meeting is to provide an update on the progress of the
189 Comprehensive Plan and to get feedback on the initial findings. Citizens may visit
190 futureforney.com to always stay updated about the Comprehensive Plan.
191

192 The construction of the new outdoor warning system will begin soon. Some of the new sirens
193 are planned to be added near residential neighborhoods such as Skyline Estates, Eagle Ridge,
194 Diamond Creek, Fox Hollow, Grayhawk, and Overland Grove. On June 16th, the city will be
195 hosting a public meeting to address any questions or concerns these residents may have. This
196 meeting will be held from 6:30 to 7:30 at Forney City Hall (101 E Main St, Forney, TX 75126).
197

198 Our new IT Director Joseph Yazdanpanahi started with the city this week. Joseph previously
199 served as the Director of IT for the Town of Sunnyvale. We are excited to have him.
200

201 **IX. ANNOUNCEMENT OF COMMUNITY EVENTS**

202 This section is used to communicate items of community interest, specifically,
203 reminders about upcoming events organized or sponsored by the government
204 body or other information regarding a social, ceremonial or community event
205 organized or sponsored by any entity other than the government body that may
206 be of interest to the citizens of Forney.
207

208 The Mayor announced that the City is participating in the Kaufman County Broadband Initiative
209 to enhance and expanding broadband access throughout the county for the benefit of local
210

211 residents and businesses. Input on current services is greatly needed, and any Kaufman
212 County resident is encouraged to go to <https://connectednation.org/kaufman-county-texas/> to
213 complete the survey.

214
215 Mayor Lewis announced that the Council would now adjourn into Executive Session under the
216 Open Meetings Act, Chapter 551, Sections 551.071, 551.074 and 551.087 and asked for a
217 motion. Council Member Chambers made a motion to go into Executive Session at 8:40 p.m.
218 and Mayor Pro Tem Traylor seconded the motion. The motion passed unanimously by a vote of
219 7 ayes and 0 nays.

220

221 **X. EXECUTIVE SESSION**

222 PURSUANT TO THE OPEN MEETINGS ACT, CHAPTER 551, TEXAS GOVERNMENT CODE,
223 THE CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION (CLOSED MEETING) TO
224 DISCUSS THE FOLLOWING:

225

226 1. Consult with legal counsel regarding pending or contemplated litigation or
227 a settlement offer and/or matters in which the duty of the attorney to the
228 governmental body under Texas Disciplinary Rules of Professional
229 Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of
230 the Texas Government Code (Tex. Gov't Code Section 551.071):

231

232 a. JAC Facility Entertainment Management Agreement

233

234 b. ATI Systems negotiations

235

236 c. Potential sale of City right-of-way

237

238 2. Deliberate the appointment, employment, evaluation, reassignment,
239 duties, discipline or dismissal of a public officer or employee (Tex. Gov't
240 Code 551.074):

241

242 a. City Attorney Contract

243

244 3. Discuss or deliberate regarding commercial or financial information that
245 the governmental body has received from a business prospect that the
246 governmental body seeks to have locate, stay, or expand in or near the
247 territory of the governmental body and with which the governmental body
248 is conducting economic development negotiations, or to deliberate the
249 offer of a financial or other incentive to a business prospect (Tex. Gov't
250 Code Section 551.087):

251

252 a. Project Eclipse

253

254 **XI. RECONVENE INTO REGULAR SESSION**

255 IN ACCORDANCE WITH TEXAS GOVERNMENT CODE, CHAPTER 551, THE CITY COUNCIL
256 WILL RECONVENE INTO REGULAR SESSION TO CONSIDER ACTION, IF ANY, ON MATTERS
257 DISCUSSED IN EXECUTIVE SESSION.

258

259 Council returned to Chambers at 9:25 p.m. Mayor Lewis called for a motion to adjourn out of
260 Executive Session at that time. Council Member Chambers made a motion to adjourn out of
261 Executive Session and Council Member Roberson seconded the motion. The motion passed
262 unanimously by a vote of 7 ayes and 0 nays.

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As a result of Executive Session, Mayor Lewis called for a motion to allow a survey of the City property on the east and west side of Parcel AD 30391 at the requestor's cost. Council Member Roberson made a motion and Mayor Pro Tem Traylor seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

Mayor Lewis called for a motion to mutually terminate the JAC contract upon the completion of the Ted Nugent concert on August 26, 2022. Council Member Chambers made a motion and Council Member Schlensker seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

There being no further business to come before the Council, Mayor Lewis called for a motion to adjourn. Council Member Salgado made a motion to adjourn and Council Member Schlensker seconded the motion. The motion passed unanimously by a vote of 7 ayes and 0 nays.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FORNEY, TEXAS, this _____ day of _____, 2022.

ATTEST:

Amanda Lewis, Mayor

Dorothy Brooks, City Secretary