

**AGENDA**  
**FORNEY CITY COUNCIL**  
**Tuesday, February 18, 2020**  
**6:30 p.m. Regular Meeting**  
City Hall, 101 E. Main Street, Forney, Texas 75126

**I. CALL TO ORDER**

**II. INVOCATION / PLEDGE OF ALLEGIANCE – COUNCIL MEMBER SHAUN MYERS**

**III. OPEN FORUM/CITIZEN COMMENTS**

This is the public's opportunity to address the City Council on any matter related to the City. Public comments on items listed on the agenda may be deferred until the specific item is brought before the City Council. 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.

**IV. APPROVAL OF MINUTES**

1. Consider approval of the Minutes of the February 4, 2020, City Council meeting.

Documents:

[02-04-20 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 of the quarterly investment report ending 12/31/19.

Documents:

[Item Summary-Quarterly Investment Report Q1.pdf](#)  
[Forney Quarterly 2019-12.pdf](#)

2. Consider a Resolution approving a Professional Services Agreement with Surdukan Surveying, Inc.

Documents:

[Item Summary Professional Services Surdukan Surveying, Inc.pdf](#)  
[D20200211 Professional Services Agreement Surdukan Surveying Resolution.pdf](#)  
[Contract for Professional Surveying Services - Surdukan Surveying Inc..pdf](#)  
[Exhibit A - City of Forney Proposal.pdf](#)  
[Site Locations.pdf](#)

3. Consider approval of a revised site plan for Criswell Elementary School, located southwest of the intersection of Ridgecrest Road and Pinson Road.

Documents:

[Item Summary-Criswell Revised Site Plan.pdf](#)  
[Exhibit-Criswell Revised Site Plan.pdf](#)

4. Consider approval of advertising a Request for Proposals (RFP) - Outside Plant Optical Fiber Backbone Infrastructure.

Documents:

[ITEM SUMMARY -- FIBER RFP.pdf](#)  
[City of Forney RFP - New Formatted - Rev02.pdf](#)

5. Consider approval of the acceptance of public improvements for the construction of the Lady Liberty Monument project.

Documents:

[Item Summary - Lady Liberty Monument Project.pdf](#)  
[Recommendation to Accept 02.10.2020.pdf](#)

6. Consider approval of the acceptance of public improvements for the Ridgecrest Center Addition project.

Documents:

[Item Summary - Ridgecrest Center Addition.pdf](#)  
[City of Forney Acceptance Letter - Ridgecrest Center Addition.pdf](#)

7. Consider Approval to Accept Public Improvements - Golden Chick.

Documents:

[Item Summary - Golden Chick.pdf](#)  
[City of Forney Acceptance Letter - Golden Chick.pdf](#)

8. Consider approval of the authorization to allow staff to seek bids for the residential sidewalk improvements, and all related issues.

Documents:

[Item Summary- Sidewalk Improvements Project.pdf](#)  
[LOCATION EXHIBIT AUSTIN AND CENTER STREET.pdf](#)  
[LOCATION EXHIBIT DOWNING STREET.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 City of Forney Comprehensive Zoning Ordinance by amending the parking, loading, and unloading requirements for a childcare use. [Read Ordinance Caption]

Documents:

[Item Summary-Section 38 Amendment.pdf](#)

## VII. DISCUSSION / ACTION ITEMS

### 1. Vision 2025 -- Goals and Initiatives

Documents:

[workshop summarization ver. 2.pdf](#)

### 2. Receive annual audit presentation by Pattillo, Brown & Hill.

Documents:

[Item Summary CAFR Presentation.pdf](#)  
[Required Communication with Governance 2019.pdf](#)  
[Comprehensive Annual Financial Report 2019.pdf](#)

### 3. Discuss and consider a Resolution awarding a contract with R&P Hunt Brothers for the Forney Parks and Recreation maintenance and fertilization.

Documents:

[City of Forney RFP - Park Landscape Maintenance.pdf](#)  
[D20200212 Resolution - Mowing and Fertilizer RFP Award.pdf](#)  
[Lawn Contract Item Summary.pdf](#)  
[Parks Landscape Bid Score Sheet.pdf](#)

### 4. Discuss and consider a Resolution to waive penalties and interest on delinquent taxes for Tax Parcel # 185246 and 191685, pursuant to Section 33.011 Texas Tax Code.

Documents:

[D20200212 Waiver of Penalties and Interest Summary Form.pdf](#)  
[D20200212 Resolution - Waiver of Penalties and Interest Delinquent Taxes.pdf](#)

### 5. Discuss and consider appointing an ad hoc member of the Capital Improvements Advisory Committee representing the extra territorial jurisdiction of the City of Forney pursuant to Chapter 395 of the Texas Local Government Code.

Documents:

[D20200212 CIAC ETJ Appointment Summary Form.pdf](#)

### 6. Discuss and consider an Ordinance ordering a special election to be held on May 2, 2020, for the purpose of voting on the adoption or rejection of proposed amendments to the existing City Charter of the City of Forney, Texas; designating the places at which said election is to be held; appointing the early voting clerk; and providing for posting and publication of the election notice.

Documents:

[D20200212 Charter Amendment Special Election - Summary Form.pdf](#)  
[D20200128 Charter Amendment Ordinance.pdf](#)  
[Charter Commission Report.pdf](#)  
[City Charter.pdf](#)

7. Discuss and consider action to ratify the Rules of Procedure for the City Council and the Boards, Commissions and Committees of the City of Forney, Texas reestablishing the Agenda Order for regular City Council and its Board, Commission and Committee meetings.

Documents:

[D20200212 Rules of Procedure ratification Summary Form.pdf](#)  
[Rules of Procedure for the City Council and the Boards.pdf](#)

## **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

Documents:

[muni crt rpt 2-4-20.pdf](#)  
[2020 City Hall Report.pdf](#)

## **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 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. Settlement Agreement and Release between the City of Forney and Alan Kent Erdman.
  - b. City of Forney Parks Facilities Utilization Agreement.
  - c. Demand Letter – James and Gail McCurry
  
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 CP

## **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 14th day of February, 2020, at 5:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.