

AGENDA
FORNEY CITY COUNCIL
Tuesday, May 19, 2020
6:30 p.m. Regular Meeting
City Hall, 101 E. Main Street, Forney, Texas 75126

The general public can view the meeting live on our video stream at <https://www.forneytx.gov/803/Watch-Meetings>. If you wish to address the Council on any subject or in open forum at this meeting, you are required to email dbrooks@forneytx.gov no later than Tuesday, May 19, 2020, by 3:00 p.m. You must provide your name and telephone number and state which item(s) you wish to speak on. You will be provided a telephone number and meeting id which you must dial into 15 minutes prior to the scheduled meeting start time. Due to technical restrictions, those who fail to dial into the meeting at the prescribed time may forfeit their ability to speak at said meeting.

I. CALL TO ORDER

II. INVOCATION – COUNCIL MEMBER MIKE THOMAS

III. PROCLAMATIONS / PRESENTATIONS

1. Proclamation for National Public Works Week

IV. APPROVAL OF MINUTES

1. Consider approval of the Minutes of the May 5, 2020, City Council meeting.

Documents:

[05-05-20 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 a Resolution authorizing the application for grant funding for a COVID-19 Hazard Pay and Personal Protective Equipment Project as part of the Texas Office of the Governor, Public Safety Office, Criminal Justice Division: Coronavirus Emergency Supplemental Funding (CESF) Program FY 2020 funding opportunity.

Documents:

[ITEM SUMMARY - CESF Grant.pdf](#)
[D20200512 Hazard Pay and PPE Project Grant Application Resolution.pdf](#)

2. Consider approval of a Resolution authorizing the application for grant funding for a TASER & Radio Acquisition Project as part of the Texas Office of the Governor, Public Safety Office, Criminal Justice Division: Criminal Justice Program FY 2021 funding opportunity.

Documents:

ITEM SUMMARY - JAG Grant.pdf
D20200512 TASER and Radio Acquisition Project Grant Application
Resolution.pdf

3. Consider a Resolution awarding a contract to Midwest Wrecking Co. of Texas, Inc., for demolition services at 702 E. Main Street, known as the Booker T Washington site, and all related issues.

Documents:

Item Summary - Demolition Booker T Site- Award Contract.pdf
D20200512 Booker T. Washington Demo Project Award Resolution.pdf
Bid Tabulation Results Demolition of Booker T Washington Site.pdf

4. Consider approval of a Resolution authorizing the City Manager to submit applications for grant projects related to the COVID-19 pandemic.

Documents:

D20200512 COVID-19 Grant Projects CM Authorization Resolution.pdf

5. Consider approval of advertising a Request for Qualifications (RFQ) for the City Storage Buildings project.

Documents:

ITEM SUMMARY -- STORAGE RFQ.pdf
RFQ FOR CMA STORAGE_Legal Review.pdf

6. Consider approval to allow staff to seek bids for the Manhole Rehabilitation/Reconstruction Services and all related issues.

Documents:

Item Summary- Manhole Rehabilitation-Reconstruction.pdf
Location Exhibit MH REHAB Sheet 1 5-008-20.pdf
Location Exhibit MH REHAB Sheet 2 5-008-20.pdf

7. Consider approval for a change order for streetlights to be installed on Trailhouse Lane CIP #169.

Documents:

Item Summary - Change Order CC Approval - Trailhouse Lane Streetlights.pdf
Change Order 2 Trailhouse Lane Streetlights pending Council Approval.pdf

VI. DISCUSSION ONLY ITEMS

1. Discussion on joining the North East Texas Library Consortium for access to the Digital Library.

Documents:

ITEM SUMMARY -- Digital Library.pdf
OverDrive Participation Form- Northeast Texas Digital Consortium- Forney.pdf

VII. DISCUSSION / ACTION ITEMS

1. Discuss and consider a Resolution approving an Interlocal Cooperation Agreement between the City of Forney and Kaufman County pursuant to Section 242.001 of the Texas Local Government Code for the regulation of subdivision plats and related permits in the extraterritorial jurisdiction of the City of Forney.

Documents:

[D20200513 ETJ Subdivision Enforcement Interlocal Summary Form.pdf](#)
[D20200513 Resolution - ETJ Subdivision Regulation Enforcement - Interlocal Agmt.pdf](#)
[D20200513 Forney ETJ Kaufman County Agreement Final.pdf](#)

2. Discuss and consider board and commission appointments: North Texas Municipal Water District; Planning & Zoning Commission, and all related issues.

Documents:

[Item Summary -- Appointment to planning and zoning and to the NTMWD Board.pdf](#)

3. Discuss and consider action related to the Declaration of State of Disaster and Public Health Emergency, and all related issues.

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:

[2020 City Hall Report.pdf](#)
[muni court 5-11-20.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 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.

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.
 - b. PUC Docket No. 47814; SOAH Docket No. 476-18-1344.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.
 - c. Fox Hollow Public Improvement District No. 1.
2. Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee (Tex. Gov't Code 551.074):
 - a. Economic Development Corporation Director

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 15th day of May, 2019, at 5:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.