

**AGENDA**  
**FORNEY CITY COUNCIL**  
**Tuesday, June 2, 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](mailto:dbrooks@forneytx.gov) no later than Tuesday, June 2, 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 – MAYOR PRO TEM SHAUN MYERS**

**III. APPROVAL OF MINUTES**

1. Consider approval of the Minutes of the May 19, 2020 City Council meeting.

Documents:

[05-19-20 City Council Minutes.pdf](#)

**IV. 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 a Resolution awarding a contract to Tex-Pro Construction, LLC for the Sidewalk Improvements Project, and all related issues.

Documents:

[Item Summary - Sidewalk Improvements Award Contract.pdf](#)  
[D20200526 Sidewalk Improvements Project Award Resolution.pdf](#)  
[Rebid Tabulation Results Sidewalk Project.pdf](#)

2. Consider a Resolution awarding a contract to Estrada Concrete Company, LLC, for the Streets Improvements Project and all related issues.

Documents:

[Item Summary - 2020 Street Improvements Award Contract.pdf](#)  
[D20200526 Street Improvements Project Award Resolution.pdf](#)  
[Final Bid Tabulation - 2020 Street Improvements Project.pdf](#)

3. Consider authorization to advertise a request for qualifications (RFQ) to update the Roadway Impact Fee Study.

Documents:

[Item Summary - Roadway Impact Fee Study RFQ.pdf](#)

4. Consider approval of the acceptance of public improvements for the Meadow Ridge Farm Sanitary Sewer Phase IV project

Documents:

[Item Summary - Meadow Ridge Farm Ph IV.pdf](#)  
[City of Forney Acceptance Letter- Meadow Ridge Farms Ph IV.pdf](#)

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

Documents:

[ITEM SUMMARY -- STORAGE RFQ.pdf](#)  
[CMA RFQ - City of Forney Park Storage 2020-05-27.pdf](#)

## **V. PUBLIC HEARING ITEMS / ACTION ON PUBLIC HEARING ITEMS**

1. Hold a public hearing on an Ordinance and discuss and consider and any necessary action amending Ordinance 08-1290 to approve the Second Amended and Restated Project Plan and Reinvestment Zone Financing Plan and the addition of an approximate 240 acres to the TIRZ.

Documents:

[D20200527 Second Amended and Restated Project and Finance Plan Summary Form.pdf](#)  
[D20200527 Ordinance - TIRZ - 2nd Amended Plan - Zone Expansion Extension.pdf](#)  
[TIRZ 1 Second Amended PFP Forney Project Plan and Finance Plan 5.15.20.pdf](#)

## **VI. DISCUSSION / ACTION ITEMS**

1. Discuss and consider a Resolution approving the Second Amendment to Owner Reimbursement Agreement between Meadow Ridge Farm, LP, the City of Forney and Reinvestment Zone Number One, City of Forney.

Documents:

[D20200527 Second Amendment to Owner Reimbursement Agreement Summary Form.pdf](#)  
[D20200527 Second Amendment Owner Reimbursement Agreement Resolution.pdf](#)  
[SECOND AMENDMENT TO OWNER REIMBURSEMENT AGREEMENT\\_FINAL with exhibits.pdf](#)

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

## **VII. 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.

## **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

## **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 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.

## **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. 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. 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.
  - c. Markout W.S.C.
  - d. Spellman Theater Management Agreement.
2. Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.
    - a. Water Meter Technician
  3. Discuss or deliberate regarding commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay, or expand in or near the City's corporate limits and with which the City is conducting economic development negotiations; or deliberate the offer of a financial or other incentive to a business prospect.
    - a. Project CP
    - b. Project Trailhouse Park
    - c. Project Victory
    - d. Project Hummingbird

## **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 29th day of May, 2020, at 5:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.