

AGENDA
FORNEY CITY COUNCIL
Tuesday, July 21, 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 – MAYOR MARY PENN

III. PROCLAMATIONS / PRESENTATIONS

1. Presentation of a Proclamation to Connie Claxton.
2. Presentation of a Certificate of Recognition to Jerry Henry and Lowe's.
3. Presentation of a Proclamation to Elphaney Dewberry.
4. Presentation of a Proclamation for Parks and Recreation Month.

IV. APPROVAL OF MINUTES

1. Consider approval of the Minutes of the June 16, 2020, City Council meeting.

Documents:

[06-16-20 minutes.pdf](#)

2. Consider approval of the Minutes of the June 18, 2020, Special City Council meeting.

Documents:

[06-18-20 special meeting.pdf](#)

3. Consider approval of the Minutes of the July 1, 2020, Special Emergency City Council meeting.

Documents:

[07-01-2020 special emergency meeting.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 Supplement to the Agreement for Street Lighting Service regarding Eagle Ridge Phase 4 103 Lots ZG.

Documents:

[item summary -- street lighting agreement.pdf](#)
[Exhibit A FOR Eagle Ridge Ph 4 Street Light.pdf](#)
[Exhibit B FOR Eagle Ridge Ph 4 Street Light.pdf](#)

2. Consider approval of authorizing a contract for Professional Services to Gallagher Construction.

Documents:

[D20200709 Construction Manager Agent Contract Authorized - Resolution.pdf](#)
[ITEM SUMMARY -- RFQ CONSTRUCTION SERVICES.pdf](#)

3. Consider approval of a revised preliminary plat for Overland Grove.

Documents:

[Item Summary-Overland Grove Revised Plat.pdf](#)
[Exhibit-Overland Grove Revised Plat.pdf](#)

4. Consider approval of the acceptance of public improvements for the Preserve at Gateway development.

Documents:

[Item Summary - Preserve at Gateway.pdf](#)
[City of Forney Acceptance Letter - Preserve at Gateway.pdf](#)

5. Consider authorization to advertise a request for qualifications (RFQ) to perform services to complete America's Water Infrastructure Act: Risk Assessments and Emergency Response Plans and all related issues.

Documents:

[Item Summary- Americas Water Infrastructure Act.pdf](#)
[FEDERA~1.PDF](#)
[awia_s2013_faqs_final.pdf](#)

6. Consider approval of a final plat for Travis Ranch South, a residential subdivision located west of F.M. 460 and north of U.S. Highway 80 in the City of Forney extra-territorial jurisdiction.

Documents:

[Item Summary-Travis Ranch South Final Plat.pdf](#)
[Exhibit-Travis Ranch South Final Plat.pdf](#)

7. Consider approval of a final plat for Travis Ranch, Phase 1H, a residential subdivision located west of F.M. 740 and north of Lake Ray Hubbard Drive in the City of Forney extra-territorial jurisdiction.

Documents:

[Item Summary-Travis Ranch 1H Final Plat.pdf](#)
[Exhibit-Travis Ranch 1H Final Plat.pdf](#)

8. Consider approval for the project acceptance from the construction of the 5 Million Gallon Ground Storage Reservoir Pump Station No. 2 Project.

Documents:

[Item Summary - Project Acceptance Pump Station No.pdf](#)

[Engineer of Record Recommend to Accept and Certificate of Completion.pdf](#)
[Pump Station Location Exhibit.pdf](#)

9. Consider all matters incident and related to providing for the redemption of certain outstanding bonds of the City, including the adoption of a resolution pertaining thereto.

Documents:

[Item Summary-2020 Early Redemption.pdf](#)
[R20-35 -- FORNEY 2008-REDEMPTION RES \(2020\).pdf](#)

VI. PUBLIC HEARING ITEMS / ACTION ON PUBLIC HEARING ITEMS

1. Hold a public hearing and discuss and consider approval of an Ordinance for a Conditional Use Permit for a farmers market to operate on the property located at 210 E. Broad Street. [Read Ordinance Caption]

Documents:

[Item Summary-Farmers Market.pdf](#)
[Exhibits-Farmers Market.pdf](#)

2. Hold a public hearing and discuss and consider approval of an Ordinance rezoning 53.94 acres from Light Industrial district to a mixed use Planned Development district with multi-family, office and general retail uses. The property is located east of North F.M. 548, south of Don T. Cates Drive and is identified by the Kaufman County Appraisal District as property id's 7769 and 7770. [Read Ordinance Caption]

Documents:

[Item Summary-Zoning Request.pdf](#)
[Exhibits-Zoning Request.pdf](#)

3. Hold a public hearing and discuss and consider approval of an Ordinance for a Conditional Use Permit for an All-Terrain Vehicle Dealer/Sales to operate at 10500 E. U.S. Highway 80. [Read Ordinance Caption]

Documents:

[Item Summary-DFW Golf Cart CUP.pdf](#)
[Exhibits-DFW Golf Cart CUP.pdf](#)

VII. DISCUSSION / ACTION ITEMS

1. Discussion and Presentation on the launch of the City of Forney E-Library.

Documents:

[ITEM SUMMARY -- E-Library.pdf](#)

2. Discuss and Consider approval of an Interlocal Agreement with the City of Allen for Technology Mutual Aide.

Documents:

[D20200709 Resolution Approving Interlocal with Allen for mutual aid IT services.pdf](#)
[ILA Emergency Response.pdf](#)

[ITEM SUMMARY - CITY OF ALLEN.pdf](#)

3. Discuss and consider a purchase not to exceed \$20,000 with HockeyShot, a retailer of specialty hockey training equipment for multi-sport tiles.

Documents:

[Item Summary - Forney Dek Hockey Flooring.docx](#)

4. Discuss and consider a purchase not to exceed \$30,000 with Sport Resource Group, for a sports containment system.

Documents:

[Item Summary - Forney Dek Hockey Boarding.docx](#)

5. Discuss and consider authorizing the City Manager to issue a Request for Proposals for Solid Waste and Recycling Services.

Documents:

[Item Summary-Solid Waste RFP.pdf](#)

6. Discuss and consider an Ordinance amending Chapter 8, Article 8.09, "Smoking in Public Places," of the City of Forney Code of Ordinances to amend the places where smoking is and is not prohibited in relation to the City's public parks.

Documents:

[D20200715 Smoking Prohibited Placed Ordinance Summary Form.pdf](#)
[D20200713 Smoking in Public Places Ordinance 8.09 Amendment.pdf](#)

7. Discuss and consider any necessary action on the City's solicitation ordinances, and all related issues.

Documents:

[D20200715 Solicitation and Peddlers Ordinance Discussion Summary Form.pdf](#)
[solicitation -- chapter 4.05 of the code.pdf](#)
[Division_2__Solicitation_on_Public_Street_or_Right-of-Way_.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:

[2020 City Hall Report.pdf](#)
[muni court 7-13-20.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 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. 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.

2. 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 Pinball
 - b. Project Trailhouse Park
 - c. Project Victory
 - d. Project Hummingbird
 - e. Project Echols

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 17th day of July, 2020, at 5:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.