

AGENDA
FORNEY CITY COUNCIL
Tuesday, September 1, 2020
6:30 p.m. Regular Meeting
City Hall, 101 E. Main Street, Forney, Texas 75126

Newly Appointed Council Member James Traylor takes Oath of Office

I. CALL TO ORDER

II. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCIL MEMBER DAVID JOHNSON

III. APPROVAL OF MINUTES

1. Consider approval of the Minutes of the August 18, 2020, City Council meeting.

Documents:

[8-18-20 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 approval of the Acceptance of Public Improvements for the Amazon DDX7 Project.

Documents:

[Item Summary - Amazon DDX7.pdf](#)
[City of Forney Acceptance Letter - Amazon DDX7.pdf](#)

2. Consider approval of the Acceptance of Public Improvements for the Caliber Collision project.

Documents:

[Item Summary - Caliber Collision.pdf](#)
[City of Forney Acceptance Letter - Caliber Collision.pdf](#)

3. Consider approval of the Acceptance of Public Improvements for the Deen Kubota project.

Documents:

[Item Summary - Deen Kubota.pdf](#)
[City of Forney Acceptance Letter - Deen Kubota.pdf](#)

4. Consider approval of the Acceptance of Public Improvements for the Eagle Ridge Phase

IV project.

Documents:

[Item Summary - Eagle Ridge Phase IV.pdf](#)
[City of Forney Acceptance Letter - Eagle Ridge Phase IV.pdf](#)

5. Consider approval of the Acceptance of Public Improvements for the Firestone project.

Documents:

[Item Summary - Firestone.docx.pdf](#)
[City of Forney Acceptance Letter - Firestone.pdf](#)

6. Consider approval of the Acceptance of Public Improvements for the Kroger North Drive Addition project.

Documents:

[Item Summary - Kroger North Drive Addition.pdf](#)
[City of Forney Acceptance Letter - Kroger North Drive Addition.pdf](#)

7. Consider a Resolution approving a negotiated settlement between the Atmos Cities Steering Committee (ACSC) and ATMOS Energy Corp., Mid-Tex Division regarding the 2020 Rate Review Mechanism Filing.

Documents:

[Item Summary - Atmos ASCS 2020 RRM Settlement Resolution.pdf](#)
[2020 Atmos Mid-Tex RRM Model Staff Report Attachments.pdf](#)
[2020 Atmos Mid-Tex RRM Settlement Resolution.pdf](#)
[2020 Atmos Mid-Tex RRM Settlement Resolution Attachments.pdf](#)

8. Consider approval of a Resolution to authorize the City Manager to execute an agreement with AAA Greenleaf Landscaping for a period of Two Months for landscape and mowing in the Fox Hollow PID.

Documents:

[Item Summary - Fox Hollow PID Two Month.pdf](#)
[D20200825 AAA Greenleaf Landscaping 2 Month Contract Resolution.pdf](#)
[Fox Hollow PID - Two Month Scope.pdf](#)

9. Consider authorizing city staff to seek Request for Proposals (RFP) for Fox Hollow PID landscape and site maintenance.

Documents:

[Item Summary - Fox Hollow PID Mowing RFP.pdf](#)
[City of Forney RFP - Fox Hollow Mowing RFP Final.pdf](#)

10. Consider approval of a resolution authorizing a wireline crossing agreement between the City and Union Pacific Railroad Company.

Documents:

[Item Summary - Union Pacific Wireline Agreement.pdf](#)

V. DISCUSSION / ACTION ITEMS

1. Discuss and consider board and commission appointments: Planning and Zoning Commission.

Documents:

[Item Summary -- Appointment to fill Vacancy on the Planning and Zoning Commission.docx](#)

VI. 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.

VII. 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

VIII. 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.

IX. 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; Proposed Contract Amendment and Settlement Agreement.
 - 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. Landscape Maintenance Agreement with AAA Greenleaf Landscaping – Fox Hollow Public Improvement District No. 1.

X. 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.

XI. 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 28th day of August, 2020, at 5:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.