

AGENDA
FORNEY CITY COUNCIL
Tuesday, September 3, 2019
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 KEVIN MOON

III. PROCLAMATIONS / PRESENTATIONS

1. Presentation of the GFOA Budget Award

IV. OPEN FORUM/CITIZEN COMMENTS

This is the public's opportunity to address the City Council on any matter related to the City. However, in accordance with the Texas Open Meetings Act, Section 551.041, the City Council cannot discuss, consider, or take action on matters not listed on the agenda. The City Council will receive citizen comments, 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.

V. APPROVAL OF MINUTES

1. Consider approval of the Minutes from the August 20, 2019, City Council meeting.

Documents:

[08-20-19 city council minutes.pdf](#)

VI. 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 approving a Professional Services Agreement with Lee Engineering.

Documents:

[Item Summary Las Lomas TIA Review - Lee Engineering.pdf](#)
[D20190828 Professional Services Agreement Lee Engineering Resolution.pdf](#)
[Standard Engineering Agreement - Lee Engineering TIA Review.pdf](#)

2. Consider a Resolution approving an Interlocal Agreement between the City of Forney and the Texas Department of Public Safety ("TXDPS"), to implement the provisions of Texas Transportation Code, Chapter 706, related to the Failure to Appear Program for municipal courts.

Documents:

[D20190828 TXDPS Interlocal Agreement FTA Program Summary Form.pdf](#)
[D20190828 TXDPS FTA Program Interlocal Agreement Resolution.pdf](#)
[TX DPS OMNI new contract.pdf](#)

3. Consider approval of the acceptance of public improvements for Emerson Apartments.

Documents:

[Item Summary Emerson Apartments.pdf](#)
[City of Forney Acceptance Letter Emerson Apartments.pdf](#)

4. Consider approval of the acceptance of public improvements for the Race Trac Project.

Documents:

[Item Summary Race Trac.pdf](#)
[City of Forney Acceptance Letter Race Trac.pdf](#)

5. Consider approval of the project acceptance for the Weaver Lift Station Project.

Documents:

[Item Summary - Weaver Lift Station Project.pdf](#)
[Project Acceptance Letter - Design Engineer.pdf](#)

VII. PUBLIC HEARING ITEMS / ACTION ON PUBLIC HEARING ITEMS

1. Hold a public hearing (2nd public hearing) on a proposal to increase total tax revenues from properties on the tax roll in the preceding tax year by 3.5%.
2. Hold a 2nd public hearing and discuss and consider action on a proposed Strategic Partnership Agreement between the City of Forney and Kaufman County Fresh Water Supply District No. 6 and the voluntary annexation for limited purposes of collecting sales tax on a tract of land consisting of 34.263 acres, situated in the Martha Musick Survey, Abstract No. 312, Kaufman County, Texas, KCAD Property ID No. 9714.

Documents:

[D20190827 Strategic Partnership Agreement - 2nd Public Hearing Summary Form.pdf](#)
[Strategic Partnership Agreement.pdf](#)

3. Hold a public hearing on an Ordinance and discuss and consider and any necessary action amending Ordinance 08-1290 to approve the First Amended and Restated Project Plan and Reinvestment Zone Financing Plan that enlarges the TIRZ boundaries, extends the duration of the Zone and updates projects and project costs.

Documents:

[D20190828 Amended and Restated Project and Finance Plan Summary Form.pdf](#)
[D20190828 Ordinance - TIRZ - Zone Expansion Extension.pdf](#)
[Forney Amended and Restated Project Plan and Finance Plan.pdf](#)

VIII. DISCUSSION / ACTION ITEMS

1. Vision 2025 -- Goals and Initiatives

Documents:

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

2. Discuss and consider an Ordinance approving a negotiated settlement between the ATMOS Cities Steering Committee ("ACSC") and ATMOS Energy Corp., Mid-Tex Division regarding the Company's 2019 Rate Review Mechanism filing.

Documents:

[D20190827 ACSC Rate Negotiation Summary Form.pdf](#)
[2019.08.16 Model Staff Report Attachments.pdf](#)
[2019.08.16 Ordinance RE Settlement between ACSC and Atmos Energy Mid-Tex.pdf](#)

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

Documents:

[D20190828 Amendment to Owner Reimbursement Agreement Summary Form.pdf](#)
[D20190828 Owner Reimbursement Agreement Amendment Resolution.pdf](#)
[FIRST AMENDEMENT TO OWNER REIMBURSMENT AGREEMENT_FINAL.pdf](#)

4. Discuss, consider and take any necessary action including action on a Resolution regarding the creation of the Hall of Honor and appointing members to the Hall of Honor Committee and providing an effective date.

Documents:

[D20190828 Hall of Honor Resolution Summary Form.pdf](#)
[D20190828 Hall of Honor Resolution.pdf](#)

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

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. 476-18-1344.WS – Petition 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. Victorian Village
 - d. Mediation Settlement Agreement between the City of Forney and Crescent Constructors, Inc. regarding the construction of Pump Station 2 Improvements and the 5 MG Ground Storage Tank.

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 30th day of August, 2019, at 5:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.