

AGENDA
FORNEY CITY COUNCIL
Tuesday, October 1, 2019
5:30 p.m. Regular Meeting
City Hall, 101 E. Main Street, Forney, Texas 75126

I. CALL TO ORDER

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

III. PROCLAMATIONS / PRESENTATIONS

1. Energy Efficiency Day Proclamation

Documents:

[energy efficiency day proclamation.pdf](#)

2. Breast Cancer Awareness Month

Documents:

[breast cancer awareness month.pdf](#)

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 September 17, 2019, City Council meeting.

Documents:

[09-17-19 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 approval of the project acceptance for the CR 212 Roadway Restoration Project.

Documents:

[Item Summary - Final Acceptance for CR 212 Roadway Restoration](#)

[Project.pdf](#)

2. Consider a Resolution approving the 2019 Annual Update to the Service and Assessment Plan and Assessment Rolls for The Villages of Fox Hollow Public Improvement District No. 1 (Capital PID) including the collection of the 2019 annual installments.

Documents:

[D20190926 Fox Hollow Capital PID SAP 2019 Update Summary Form.pdf](#)
[D20190926 Resolution Approving 2019 SAP Update Capital PID.pdf](#)
[2019 SAP Update - Villages of Fox Hollow PID \(Forney\) \(9.10.19\).pdf](#)

3. Consider an Ordinance approving the limited purpose annexation of approximately 34.263 acres of land situated in the Martha Musick Survey, Abstract No. 312, Kaufman County, Texas, KCAD Property ID No. 9714 in accordance with a Strategic Partnership Agreement between the City of Forney and Kaufman County Fresh Water Supply District No. 6.

Documents:

[D20190926 Ordinance on Limited Purpose Annexation 34.263 acres - Summary Form.pdf](#)
[D20190926 Ordinance Limited Purpose Annexing Territory-34.263 Acres - Vintage Meadows.pdf](#)
[Exhibit A and B - Limited Purpose Annexation.pdf](#)

VII. PUBLIC HEARING ITEMS / ACTION ON PUBLIC HEARING ITEMS

1. Conduct a public hearing, consider and act upon an ordinance levying special assessments against the assessable property within the "Fox Hollow Public Improvement District No. 1" (Maintenance PID) and approving the final update to the Service and Assessment Plan, pursuant to the provisions of Chapter 372 of the Texas Local Government Code. The PID contains approximately 813.605 acres of land generally located southeast of FM 548 between FM 1641 and FM 741 (Fox Hollow)

Documents:

[D20190926 Fox Hollow Maintenance PID Public Hearing Summary Form.pdf](#)
[D20190926 Forney_Fox_Hollow_Maintenance_PID_2004_-_Ordinance_Levying_Assessments 2019.pdf](#)
[2019 SAP Update - Fox Hollow PID \(Forney\) \(9.10.19\).pdf](#)

VIII. DISCUSSION / ACTION ITEMS

1. Discuss and consider a Resolution approving an Agreement Regarding Wastewater Treatment Service between the City of Forney and the Kaufman County Fresh Water Supply District No. 1-A

Documents:

[D20190926 Sewer Agreement - Windmill Farms Summary Form.pdf](#)
[D20190926 KCFWSD 1A Sewer Agreement Resolution.pdf](#)

2. Discuss and consider approval of an Ordinance approving the Drought Contingency Plan.

Documents:

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 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. Victorian Village

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 27th day of September, 2019, at 5:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.