

**AGENDA**  
**FORNEY CITY COUNCIL**  
**Tuesday, October 6, 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 PRO TEM SHAUN MYERS**

**III. PROCLAMATIONS / PRESENTATIONS**

1. Presentation of a Proclamation for Fire Prevention Week.

Documents:

[Fire Prevention Week October 4-10.pdf](#)

**IV. APPROVAL OF MINUTES**

1. Consider approval of the Minutes of the September 15, 2020, City Council meeting.

Documents:

[09-15-20 City Council Minutes.pdf](#)

2. Consider approval of the Minutes of the September 22, 2020, Special Joint City Council Planning and Zoning meeting.

Documents:

[09-22-20 City Council Joint PZ Minutes.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 Resolution naming the Forney Messenger as the official newspaper for the City.

Documents:

[Item Summary -- Name the Forney Messenger as the official newspaper.pdf](#)  
[R20-47 -- Name Forney Messenger as the official newspaper.pdf](#)

2. Consider approval of a Resolution approving the City's investment policy and broker's list.

Documents:

[Item Summary-Investment Policy and Brokers List.pdf](#)

[Investment Policy 2020.pdf](#)  
[Broker List 2020.pdf](#)  
[Resolution adopting investment policy 2020.pdf](#)

3. Consider a Resolution authorizing the purchase for Body Worn cameras and related equipment.

Documents:

[Item Summary - Body Worn Cameras.pdf](#)  
[Forney PD \(40\) V300 EL5 9-22-20.pdf](#)  
[Resolution - Body Worn Camera Equipment - Watchguard and Dell EMC Award.pdf](#)  
[US\\_QUOTE\\_3000069772765.1.pdf](#)

4. Consider a Resolution approving the Kaufman County Assessments and Collections Contract between the City of Forney and Kaufman County for the collection of assessments levied by the Fox Hollow Public Improvement District No. 1 (Maintenance PID).

Documents:

[Item Summary - Kaufman County PID Assessment Collection Agreement Resolution.pdf](#)  
[Resolution Approving Kaufman County Assessments and Collections Contract - Fox Hollow Maintenance PID.pdf](#)  
[Kaufman County Assessments and Collections Contract.pdf](#)

5. Consider a Resolution authorizing the City Manager to execute a contract with Perfect Finish Landscaping for landscape maintenance services in the Fox Hollow PID.

Documents:

[Item Summary - Fox Hollow PID Mowing RFP Award.docx](#)  
[City of Forney RFP - Fox Hollow PID Landscape and Site Maintenance Propo....pdf](#)  
[BID TAB.pdf](#)  
[City of Forney RFP - Fox Hollow Mowing RFP Final - Addendum 1.pdf](#)  
[City of Forney RFP - Fox Hollow Mowing RFP Final.pdf](#)

6. Consider a Resolution to authorize the City Manager to approve renewal option with SHI Solutions for the annual Microsoft Enterprise Agreement.

Documents:

[Item Summary - Microsoft Renewal FY.pdf](#)  
[SHI Quote-18708891.pdf](#)  
[Resolution - SHI Government Solutions Microsoft Enterprise Renewal Option.pdf](#)

7. Consider a Resolution approving a Professional Services Agreement with Birkhoff, Hendricks & Carter, LLP to provide professional services to complete the 2013 section of America's Water Infrastructure Act of 2018 requirement for developing a Risk and Resilient Plan and Emergency Response Plan and all related issues.

Documents:

[Item Summary - Professional Services Award Contract.pdf](#)

[Resolution - Professional Engineering Services Agreement Birkhoff, Hendricks and Carter LLP.pdf](#)  
[Professional Services Agreement.RRA-ERP.revised.pdf](#)

8. Consider approval for the City acceptance for the Public Works Manhole Rehabilitation Services.

Documents:

[Item Summary - Project Acceptance Manhole Rehabilitation Project.pdf](#)

9. Consider approval of the acceptance of public improvements for the Chipotle's Mexican Grill project.

Documents:

[Item Summary - Chipotle Mexican Grill.pdf](#)  
[City of Forney Acceptance Letter - Chipotle Mexican Grill.pdf](#)

10. Consider authorizing City staff to seek proposals for Wrecker/Towing services for 2021 for the City of Forney.

Documents:

[Item Summary - RFP publication Wrecker-Towing Services.pdf](#)  
[Wrecker-Towing Service 2021 RFP Final.pdf](#)

11. Consider a Resolution authorizing and directing the execution of the First Amendment to North Texas Municipal Water District Regional Water Supply Facilities Amendatory Contract and any related Side Settlement Agreements.

Documents:

[Item Summary - NTMWD Amendment and Side Agreement Resolution.pdf](#)  
[Resolution Approving NTMWD Amendment and Side Settlement Agreements.pdf](#)

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

1. Discussion regarding the municipal regulation of the use of golf carts on city streets and all related issues.

Documents:

[Item Summary - Golf Cart regulation.pdf](#)

2. Discuss and consider an Ordinance amending Chapter 3 Business Regulations, Article 3.1600 Flood Damage Prevention Regulations. [Read Ordinance Caption]

Documents:

[Item Summary - Flood Ordinance Update.pdf](#)  
[Ordinance Amend Code in Chapter 3 Article 3.1600 flood damage prevention regulations - 2020 DRAFT.pdf](#)

3. Discuss and consider appointments to various boards and commissions including the Parks and Recreation Board.

Documents:

[Item Summary -- Appointment to fill Vacancy on the Parks and Recreation Board.pdf](#)

## **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

Documents:

[11 - AUG 2020 - MONTHLY COUNCIL REPORT.pdf](#)

## **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 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.

## **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. Hazardous Pay Grant – COVID 19
2. Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee (Tex. Gov't Code 551.074):
  - a. City Secretary
3. Discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations, or to deliberate the offer of a financial or other incentive to a business prospect (Tex. Gov't Code Section 551.087):
  - a. Project Liberty

**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 2nd

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