

**AGENDA**  
**FORNEY CITY COUNCIL**  
**Tuesday, July 16, 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 – MAYOR PRO TEM SHAUN MYERS**

**III. PROCLAMATIONS / PRESENTATIONS**

1. Booker T. Washington presentation
2. Presentation by State Representative Keith Bell to Forney Fire Marshal John Holcomb and Assistant Fire Chief Phillip Pyle
3. Recognition of Keith Wilkins for his years of service and dedication to the City of Forney

**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 June 18, 2019, City Council Meeting.

Documents:

[06-18-19 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 awarding a contract to Anderson Asphalt & Concrete Paving LLC, for approximately 67,100 square feet Mill & Overlay (M&O) services, and related activities.

Documents:

[D20190709 Mill Overlay Road Services - Anderson Asphalt and Concrete Paving LLC Award Resolution.pdf](#)  
[Item Summary - Downtown Mill and Overlay Bid Award.pdf](#)  
[Notice - RFP 2019-007-Mill Overlay\\_McQuiston 3x6.pdf](#)  
[Addendum 01.pdf](#)  
[Bid Tabulation Results \(1\).pdf](#)

## VII. PUBLIC HEARING ITEMS / ACTION ON PUBLIC HEARING ITEMS

1. Hold a public hearing and discuss and consider a replat of the C-Life Church Addition final plat.

Documents:

[Item Summary-CLife Replat.pdf](#)  
[Exhibit-CLife Replat.pdf](#)

2. Hold a public hearing and discuss and consider the Mustang Platinum final plat, being a replat of lots 66 through 69 of the Mustang Industrial Park final plat.

Documents:

[Item Summary-Mustang Platinum Replat.pdf](#)  
[Exhibit-Mustang Platinum Replat.pdf](#)

3. Hold a public hearing and discuss and consider an Ordinance amending the Zoning Ordinance by amending the definition and use classification for a Brewery. [Read Ordinance Caption]

Documents:

[Item Summary-Brewery.pdf](#)  
[Exhibit-Brewery.pdf](#)

## VIII. DISCUSSION / ACTION ITEMS

1. Vision 2025 -- Goals and Initiatives

Documents:

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

2. 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-2019 Early Redemption.pdf](#)  
[FORNEY 2019 DEFEASANCE \(2008\) - DEFEASANCE RESOLUTION.PDF](#)

3. Discuss and consider approval of a revised site plan for Forney Fence, located north of U.S. Highway 80 and west of Mustang Boulevard.

Documents:

[Item Summary-Forney Fence Site Plan.pdf](#)  
[Exhibits-Forney Fence Site Plan.pdf](#)

4. Discuss and consider a Resolution approving a Sewer Agreement with South Forney, LLC for reimbursement of certain costs related to the design and construction of sanitary sewer facilities in the eastern part of the City of Forney.

Documents:

[D20190709 Sewer Agreement Summary Form.pdf](#)  
[D20190709 Resolution Approving Sewer Agreement with South Forney, LLC.pdf](#)  
[D20190703-Forney\\_South\\_Forney\\_LLC\\_Sewer\\_Agreement Final.pdf](#)  
[Exhibit A Sewer Line Economic Development Agreement.pdf](#)  
[Exhibit B Sewer Line Economic Development Agreement.pdf](#)  
[Exhibit C Sewer Line Economic Development Agreement.pdf](#)

5. Discuss and consider a Resolution approving a Joint Participation Agreement for Design and Construction of Whaley Drive with South Forney, LLC for reimbursement of design and construction costs for Whaley Drive and related storm water drainage facilities.

Documents:

[D20190709 Whaley Drive Joint Participation Agreement Agreement Summary Form.pdf](#)  
[D20190709 Resolution Approving Joint Participation Agreement for Whaley Drive.pdf](#)  
[Exhibit A Whaley Agreement.pdf](#)  
[Exhibit B Whaley Agreement.pdf](#)  
[D20190703 Developer Participation Agreement Whaley Road Final.pdf](#)

6. Discuss and consider approval of an Ordinance amending the FY 2018-19 Budget to transfer \$105,000 from the CIP Fund balance to establish project #190 for the construction of a parking lot adjacent to the Kaufman County Sub-Courthouse. [Read Ordinance Caption]

Documents:

[Item Summary-downtown parking project 190.pdf](#)  
[Ordinance - Budget Amendment-KC downtown parking.pdf](#)

7. Discuss and consider approval of an Ordinance amending the FY 2018-19 Budget to transfer \$50,000 from the Utility CIP Fund balance to establish project #189 for the construction of a garage facility for Public Works. [Read Ordinance Caption]

Documents:

[Item Summary-Public Works garage project 189.pdf](#)  
[Ordinance - Budget Amendment-PW garage.pdf](#)

8. Discuss and consider approval of an Ordinance amending the FY 2018-19 Budget to transfer \$50,000 from the CIP Fund balance to establish project #191 for the construction of a parking lot for Community Development. [Read Ordinance Caption]

Documents:

[Item Summary-CD parking project 191.pdf](#)  
[Ordinance - Budget Amendment-CD parking lot.pdf](#)

9. Discuss and consider approval of authorizing the the purchase of laptops and docks (MDT) for Public Safety and City vehicles.

Documents:

[ITEM SUMMARY -- FLEET MDT REPLACEMENT.pdf](#)  
[City of Forney Dell Proposal 6.26.19.pdf](#)

10. Discuss and consider board and commission appointments.

Documents:

[Item Summary -- Board Appointments 07-16-19.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

Documents:

[2019 City Hall Report.pdf](#)  
[muni court rpt 7-9-19.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. 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.
2. Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee (Tex. Gov't Code 551.074):
  - a. Police Chief

## **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 12th day of July, 2019, at 5:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.