



RED OAK, TEXAS

**AGENDA  
REGULAR MEETING  
RED OAK CITY COUNCIL  
MONDAY, APRIL 13, 2020, 7:00 P.M.**

**Mayor:**  
**Mark L. Stanfill, DVM**

**Councilmembers:**  
**Michael Braly**  
**William Drake**  
**Ben Goodwyn**  
**Gordon Toney**  
**Ron Wilson**

**City Manager:**  
**Todd Fuller**

**Assistant City Manager:**  
**Jonathan Phillips**

**City Secretary:**  
**Dana Argumaniz**

**Deputy City Secretary:**  
**Caryn Stevens**

**IMPORTANT! PLEASE NOTE:**

In accordance with an Order of the Office of the Governor issued on March 16, 2020, and as amended on April 2, 2020, the City Council for the City of Red Oak, Texas, will conduct a City Council Regular Meeting by telephone conference at 7:00 p.m. on Monday, April 13, 2020, in order to advance the public health goal of limiting face-to-face meetings (also called "social distancing") in an effort to slow the spread of the Coronavirus (COVID-19) pandemic.

**This is an open meeting conducted by telephone conference. There will be no public access to a physical location. City Staff and City Council are encouraged to participate in the meeting by teleconference in order to allow the City to follow the CDC's social distancing guidelines. Please see details found at the bottom of the agenda.**

Pursuant to Section 551 of the Texas Government Code, notice is hereby given of a Regular Meeting of the Red Oak City Council to be held on Monday, April 13, 2020, at 7:00 p.m., at which time the following will be discussed and considered:

As authorized by Section 551.071(2) of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed herein.

**CALL TO ORDER:** *The Mayor will call the meeting to order, declare a quorum, if present, and declare notices legally posted pursuant to Open Meetings Act.*

**INVOCATION AND PLEDGE OF ALLEGIANCE:** (Wilson)

**PRESENTATIONS**

- Proclamation – National Crime Victims' Rights Month (Mayor Stanfill)

**CITIZENS COMMENTS**

**CONSENT AGENDA:** *Consent Agenda items are considered to be routine in nature and may be acted upon in one motion. Any item requiring additional discussion may be withdrawn from the Consent Agenda by the Mayor, Councilmember or City Manager, and acted upon separately.*

1. Consider approving the following Minutes: (Argumaniz/Stevens)
  - ❖ March 9, 2020 – Regular Meeting
  - ❖ March 19, 2020 – Special Called Meeting
  - ❖ March 24, 2020 – Special Called Meeting

2. Consider approval of Ordinance No. 20-010 of the City of Red Oak, Texas, amending Ordinance No. 19-042, amending the Fiscal Year 2020 Adopted Budget, appropriating funds to increase revenues and appropriate expenditures in the General Fund as per attached Exhibit A; providing that expenditures for said fiscal year be made in accordance with said amended budget; providing a severability clause; and providing an effective date. (Platt)
3. Consider approving an expenditure by the Red Oak Industrial Development Corporation (ROIDC) in the amount of \$26,855 for additional tasks for Professional Civil Engineering Services for the roadway and final drainage design, traffic signal design, traffic impact analysis, and related tasks required for the extension of Austin Boulevard to the north of Ovilla Road/FM 664. (McCleary)

**COUNCIL BUSINESS – REGULAR SESSION:**

4. Consider adoption of Resolution No. 20-011R approving the Comprehensive Annual Financial Report (Annual Audit) performed by Judd, Thomas, Smith & Company, P.C., which is attached hereto and incorporated herein as Exhibit "A"; providing for filing in the Office of the City Secretary; and, providing an effective date. (Platt)
5. Conduct a Public Hearing and consider approval of Ordinance No. 20-011 amending a Specific Use Permit (SUP) to allow for minor changes to an accessory structure, to be generally used as a garage/workshop, and to be located at 306 Rugged Drive, Case Z20006, requested by Tyler Loutsch. (Guenzel)
6. Conduct a Public Hearing and consider approval of Ordinance No. 20-012 amending the Planned Development District (PD) generally known as PD-91, totaling approximately 70 acres and to include an adjacent tract currently zoned Agricultural District (AG) and being approximately 5 acres out of the Daniel K Dowling Abstract to create a revised PD, to be generally located north of Ovilla Road, south of Harmony Way, west of IH-35E, and east of Sunnyside Lane, Case Z20003, requested by Ted Zadeh and ROISD. (Guenzel)
7. Conduct a Public Hearing and consider approval of Ordinance No. 20-013 creating a Planned Development District (PD) to allow for the ROISD Ag Science Project Center to be located at 154 Louise Ritter Boulevard, Case Z20007, requested by ROISD. (Guenzel)
8. Consider adoption of Resolution No. 20-012R and Order, extending a Mayoral Declaration of a State of Emergency as approved by City Council on March 24, 2020, as a result of the COVID-19 Virus and, providing for interim public safety measures; and, providing an effective date; and authorizing the Mayor to sign. (Fuller)
9. Consider approving an expenditure in the amount of \$69,300 to Westfall Engineering, PLLC, for an Engineering Design Contract for the design of Uhl Road. (Hartman)
10. Consider adoption of Resolution No. 20-013R awarding the bid for mowing and landscape services to the lowest bidder, GMC Landscaping, and authorizing the City Manager to execute a contract for mowing and landscaping services in a form approved by the City Attorney; and providing an effective date. (Williams)
11. Consider approving the assignment of the Tax Abatement Agreement between the City of Red Oak, Texas and Triumph Aerostructures, LLC, to allow Learjet, Inc. ("Bombardier") to assume the remaining terms and conditions of such tax abatement for the "Tangible Personal Property". (McCleary)
12. Consider approving an Economic Development Grant Agreement between the Red Oak Economic Development Corporation (ROEDC) and Te'Jun the Texas Cajun ("Te'Jun"), and an expenditure in the amount of \$42,648; and, authorize the ROEDC President to execute all necessary documents. (McCleary)

13. Consider approving an expenditure by the Red Oak Economic Development Corporation (ROEDC) in the amount of \$600,000, plus additional closing costs, for the acquisition of real property located at 2518 Ovilla Road/FM 664. (McCleary)
14. Presentation of the Plan of Finance and authorization to proceed to issue Series 2020 General Obligation Refunding Bonds. (Platt)
15. Conduct a Public Hearing and consider adoption of Resolution No. 20-014R to amend and update the City of Red Oak Water Master Plan. (Hartman)
16. Discuss and consider Resolution No. 20-015R directing publication of notice of intention to issue certificates of obligation in an amount not to exceed \$2,100,000; and resolving other matters related to the subject including the validation of such certificates of obligation. (Fuller)
17. Discuss and consider Resolution No. 20-016R approving an amendment for the Red Oak Fee Schedule establishing a category for Industrial / Non-potable water use and providing a rate. (Fuller)

**DEPARTMENTAL REPORTS:**

18. The City Council may deliberate and make inquiry into any item listed in the Departmental Reports.
  - A. Fire Department (Ben Blanton, Fire Chief)
    - ❖ Monthly Activity Report
  - B. Police Department (Garland Wolf, Police Chief)
    - ❖ Monthly Report
  - C. Engineering & Community Development Department (Ben Hartman, City Engineer)
    - ❖ Code Services Report
    - ❖ Building Permit and Inspections Report
    - ❖ Administrative Monthly Report
  - D. Human Resources (Jonathan Phillips, Assistant City Manager)
    - ❖ Administrative Monthly Report
  - E. Finance Department (Gloria Platt, Finance Director)
    - ❖ Finance Report
    - ❖ Monthly Investment Report
    - ❖ Financial Statement
    - ❖ Municipal Court Statistical Highlights
  - F. IT Department (John Binford, IT Director)
    - ❖ Major Accomplishments
    - ❖ Current Initiatives
    - ❖ Challenges
  - G. Library (Logan Ragsdale, Library Director)
    - ❖ YTD Statistics
    - ❖ Monthly Newsletter
  - H. Parks & Recreation Department (Kyle Kelley, Parks & Recreation Director)
    - ❖ Monthly Report
  - I. Public Works Department (Scott Williams, PW Director)
    - ❖ Monthly Operational Report

**CLOSED SESSION:**

19. Pursuant to the Texas Government Code, Section §551.071 – **Consultation with the City Attorney** concerning pending litigation: *Rockett Special Utility District v. Botkin, et al.*, Cause No. 19-cv-1007-RP, W.D. Tex.
20. Pursuant to the Texas Government Code, Section §551.071 – **Consultation with the City Attorney** concerning pending litigation: *City of Red Oak, Tex. v. USDA et al.*, Civil Action No. 19-cv-02761-S, N.D. Tex.
21. Pursuant to the Texas Government Code, Section §551.087 – **Deliberations Regarding Economic Development Negotiations.**
  - A. Discuss or deliberate regarding commercial or financial information from a business prospect that seeks to locate, stay or expand in the City of Red Oak.
  - B. Discuss or deliberate the offer of a financial or other incentive, if any, with such business prospect.
22. Pursuant to the Texas Government Code, Section §551.072 – **Deliberations Regarding the Purchase, Exchange, Lease, or Value of Real Property.**
  - A. Discuss or deliberate acquisition, sale and/or exchange of Real Properties generally located east of Uhl Road, west of I-35E, south of FM664/Ovilla Road, and north of the Oaks Boulevard, Red Oak, Texas.
  - B. Discuss or deliberate acquisition, sale and/or exchange of Real Properties generally located east of Houston School Road, west of SH 342, south of the Ellis County line, and north of Ovilla Road, Red Oak, Texas.


**REGULAR SESSION:**

23. Reconvene into Regular Session and take any action necessary as a result of the Closed Session.

**ADJOURNMENT:**

**CERTIFICATION:** I certify that the above agenda of items to be considered by the Red Oak City Council was posted on the Red Oak Municipal Center bulletin board on April 10, 2020, before 7:00 p.m., in accordance with the Texas Government Code, Chapter 551.



  
Dana Argumaniz, City Secretary

**ACCESSIBILITY STATEMENT**

The Red Oak Municipal Center is wheelchair accessible with an entry ramp and accessible parking spaces located in front of the building. Request for accommodations must be made 48 hours prior to the meeting by contacting Dana Argumaniz, City Secretary at (469) 218-1207.

To submit public comments, email [dargumaniz@redoaktx.org](mailto:dargumaniz@redoaktx.org) and title the email "Public Comment". All public comments submitted by 5:00 p.m. on April 13, 2020, will be provided to the City Councilmembers and entered into the record for the April 13, 2020, City Council Regular Meeting.

**Link to Citizens' Comments Form:**

<http://www.redoaktx.org/FormCenter/Meetings-9/City-Meetings-Citizens-Comments-62>

The public dial-in number to access the telephone meeting is 1-408-418-9388. Once connected, enter Meeting Code: 295 917 895, Passcode: 77379937.

**Citizens will be able to watch the meeting via live-stream at:**

**Webex:**

<https://meetingsamer6.webex.com/meetingsamer6/j.php?MTID=md0447a9ddc0125b57bc0c313913147c2>