



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

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

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

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

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

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

**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 and/or video conference at 7:00 p.m. on Tuesday, October 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 and/or video 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 Tuesday, October 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:** (Braly)

**PRESENTATIONS**

- Proclamation – “Pink Out Day” and National Breast Cancer Awareness Month (Mayor Stanfill)
- Proclamation – Fire Prevention Month (Mayor Stanfill)
- Proclamation – Red Ribbon Week, October 23-31 (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 Any item requiring additional discussion may be withdrawn from the Consent Agenda by the Mayor, Councilmember or City Manager, and acted upon separately.*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)
  - ❖ September 14, 2020 – Regular Meeting

2. Consider adoption of Resolution No. 20-051R authorizing approval of a Funding Agreement with the Red Oak Area Chamber of Commerce in the amount of eight thousand dollars (\$8,000.00) in support of events benefitting the business community and the citizens of the City of Red Oak; authorizing the City Manager to execute following review by the City Attorney; repealing all resolutions in conflict; providing a severability clause; and, providing an effective date. (Argumaniz/Stevens)
3. Consider adoption of Resolution No. 20-052R of the City of Red Oak, Texas, approving the terms and conditions of the Interlocal Cooperation Agreement by, between, and among Ellis County Emergency Service District #4 and the Red Oak Fire Department for emergency response to fire calls within a certain area in the county and contiguous to the City of Red Oak, which agreement is attached hereto and incorporated herein as Exhibit "A"; authorizing the City Manager to sign said agreement; and, providing an effective date. (Blanton)
4. Consider adoption of Resolution No. 20-053R of the City of Red Oak, Texas, authorizing a design contract for the design of the additional aesthetic improvements to the Ovilla Road bridge crossing the railroad right-of-way and State Highway 342 in the amount of eighty-two thousand, seven hundred dollars and 00/100 (\$82,700.00); and authorizing the City Manager to execute such agreement and the appropriate documentation; and, providing an effective date. (Hartman)
5. Consider adoption of Resolution No. 20-054R of the City of Red Oak, approving the terms and conditions of a License and Services Agreement with Tyler Technologies for conversion and implementation of Incode X software in an amount not to exceed \$204,650 as provided in the pricing quote through Sourcewell purchasing cooperative; authorizing the City Manager to execute the agreement; providing a severability clause; providing an effective date. (Platt)
6. Consider approval of Ordinance No. 20-036 approving a Utility Easement from Grantor City of Red Oak, Texas, to Grantee Oncor Electric to be used for construction and maintenance of electrical service line along the eastern boundary of the City of Red Oak Live Oak Sports Complex; and such utility easement is attached hereto and incorporated herein as Exhibit "A"; and, providing an effective date. (Kelley)
7. Consider adoption of Resolution No. 20-055R amending Resolution No. 20-046R, extending and amending a State of Emergency as a result of the COVID-19 Virus; providing for interim public safety measures; repealing all resolutions in conflict; providing a severability clause; and, providing an effective date. (Fuller)

**COUNCIL BUSINESS – REGULAR SESSION:**

8. Consider adoption of Resolution No. 20-056R accepting a donation of real property for Lots 5X and 6X Park Oakmont Park subdivision to the City of Red Oak, Ellis County, Texas, from Countryview of Red Oak, LLC., by Donation Deed which is attached hereto as Exhibit "A"; authorizing the City Manager to execute the agreement; providing a severability clause; and, providing an effective date. (Kelley)
9. Consider adoption of Resolution No. 20-057R approving the denomination of a park located at Oakmont Park Subdivision in the City of Red Oak, Texas, to be known as "Hargrove Park" more particularly described in Exhibit "A" which is attached hereto and incorporated herein; and, providing an effective date. (Kelley)
10. Conduct a Public Hearing and consider approval of Ordinance No. 20-037 amending Planned Development District (PD-67) for a 7/11 Convenience Store with Gas Pumps, east of Hickory Creek Dr., being 2.6 acres on Lot 2R of Hickory Creek Estates Phase I, at 135 E. Ovilla Rd., City of Red Oak, Texas. (Case Z20011) Requested by Kevin Mattson. (Hartman)

11. Conduct a Public Hearing and consider approval of Ordinance No. 20-038 amending Planned Development District (PD-98), generally known as The Oaks, being approximately 211 acres, generally located south of Stephenson Rd. and west of IH-35E, in the City of Red Oak, Texas. (Case Z20017) Requested by Randell Curington. (Hartman)
12. Consider adoption of Resolution No. 20-058R approving a Development Agreement between the City of Red Oak and Amalgamated Properties, LLC to allow for the creation of a Public Improvement District (PID) for The Oaks residential subdivision development being approximately 211 acres, generally located south of Stephenson Rd and west of IH-35E, in the City of Red Oak, Texas. (Hartman)
13. Consider adoption of Resolution No. 20-059R of the City of Red Oak, Texas, approving the purchase of two (2) trucks and one (1) dump truck for the Public Works Department and authorizing the City Manager to execute necessary documents for such vehicle in an amount not to exceed \$136,839.80 as provided in the formal quote, which is attached hereto and incorporated herein as Exhibit "A" and "B"; and, providing an effective date. (Williams)
14. Consider and take action on an Ordinance authorizing the issuance of the City of Red Oak, Texas Combination Tax and Revenue Certificates of Obligation, Series 2020; authorizing the Mayor or City Manager to execute all necessary documents; and ordaining other matters relating to the subject. (Fuller)

**BOARD APPOINTMENTS:**

15. Appointments/ Reappointments to Boards & Commissions – Consider approval regarding the following Boards/Commissions:
  - A. Red Oak Library Advisory Board:
    - Reappointment of Lauren Crain, Juan C. Gutierrez and Karen Owens Stanfill as Regular Members for two-year terms from October 2020 – October 2022;
    - Resignation of Jacqueline Lozada as an Alternate Member.
  - B. Planning & Zoning Commission:
    - Appointment of Kim Campbell as an Alternate Member for the remainder of a two-year term from June 2020 – June 2022.

**DEPARTMENTAL REPORTS:**

16. 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 (Amanda Monsivais, Human Resources Director)
    - ❖ 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, Public Works Director)

- ❖ Monthly Operational Report

**CLOSED SESSION:**

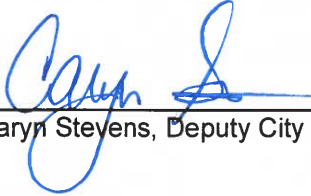
17. Pursuant to the Texas Government Code, Section §551.071 – **Consultation with the City Attorney** concerning pending litigation: *Rockett Special Utility District v. Botkin, et al.*, Cause No. 19-cv-1007-RP, W.D. Tex.; *City of Red Oak, Tex. v. USDA et al.*, Civil Action No. 19-cv-02761-S, N.D. Tex.; *ex Parte-City of Red Oak v. 201<sup>st</sup> Judicial District Court of Travis County*, Cause No. D-1GN-20-002116; *Rockett Special Utility District v. City of Red Oak, Texas*, Case No. 3:20-cv-1320; and *City of Red Oak v. USDA, et al.*, Case No. 1:20-cv-00483-RP, W.D. Tex.
18. Pursuant to the Texas Government Code, Section §551.071 – **Consultation with the City Attorney** regarding pending litigation styled as *Cassandra Preston Insurance and Financial Services, Inc. v. City of Red Oak*, et al, Cause Number 103467, filed in 443<sup>rd</sup> Judicial District Court of Ellis County, Texas.
19. 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.
20. 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 Red Oak Road, and north of the Oak Boulevard, Red, 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:**

21. 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 October 9, 2020, before 7:00 p.m. in accordance with the Texas Government Code, Chapter 551.

  
Caryn Stevens, Deputy 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 the City Secretary's office at (972) 617-6831.

To submit public comments, email [cstevens@redoaktx.org](mailto:cstevens@redoaktx.org) and title the email "Public Comment". All public comments submitted by 5:00 p.m. on October 13, 2020, will be provided to the City Councilmembers and entered into the record for the October 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 1-346-248-7799. Once connected, enter Access Code: 961 3225 5614, Passcode: 705825.**

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

<https://www.youtube.com/channel/UCntzB1px9caZvdivvHInEMQ/>

**Join Zoom Meeting**

<https://zoom.us/j/99098862219?pwd=eVFXVWpkciswVDhWbUVrYjJvZ3RyZz09>

Meeting ID: 990 9886 2219

Passcode: 705825

One tap mobile

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+16699006833,,99098862219#,,,,,0#,,705825# US (San Jose)

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Meeting ID: 990 9886 2219

Passcode: 705825

Find your local number: <https://zoom.us/u/ad7jFpc0e6>