



RED OAK, TEXAS

**AGENDA
REGULAR MEETING
RED OAK CITY COUNCIL
MONDAY, APRIL 12, 2021, 7:00 P.M.**

Mayor:
Mark L. Stanfill, DVM

Council:
Gordon Toney, Mayor Pro Tem
Michael Braly, Councilmember
William Drake, Councilmember
Ben Goodwyn, Councilmember
Ron Wilson, Councilmember

City Manager:
Todd Fuller

Assistant City Manager:
Jonathan Phillips

City Secretary:
Caryn Stevens, TRMC

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 Monday, April 12, 2021, 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 telephone and/or video conference 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 12, 2021, 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 the Open Meetings Act.*

INVOCATION AND PLEDGE OF ALLEGIANCE: (Mayor Stanfill)

PRESENTATIONS

- Proclamation – National Crime Victims’ Rights Week (Wolf)
- Proclamation – National Child Abuse Prevention Month (Mayor Stanfill)
- Introduction – New firefighter, Jody Kirby (Blanton)

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 Any item requiring additional discussion may be withdrawn from the Consent Agenda by the Mayor, Councilmember or City Manager, and acted upon separately.*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: (Stevens)
 - ❖ March 8, 2021 – Regular Meeting
2. Consider adoption of Resolution No. 21-023R approving an expenditure by the Red Oak Industrial Development Corporation (ROIDC), approving an Economic Development Funding Agreement (Agreement) by and between the ROIDC and the City of Red Oak, Texas, for public infrastructure improvements to include the construction of an Austin Boulevard extension north of FM 664/E. Ovilla Road to include a 20-inch (20") water main, traffic signal, drainage improvements, and appurtenances, and authorizing the City Manager to execute the Agreement. (McCleary)
3. Consider adoption of Resolution No. 21-024R of the City Council of the City of Red Oak, Texas, hereby awarding a bid to Circle H Contracting for construction of the north extension of Austin Boulevard to include paving, drainage and water line improvements in an amount of \$2,767,592.40; authorizing the City Manager to execute the terms and conditions of a contract after approval by the City Attorney; and, providing an effective date. (Hartman)
4. Consider adoption of Resolution No. 21-025R of the City Council of the City of Red Oak, Texas, approving the terms and conditions of the Agreement by and between the City of Red Oak, Texas and Rockett Special Utility District to permit the District to provide an area with potable water in the City's Certificate of Convenience and Necessity service area, as provided in Exhibit "A" attached hereto and incorporated herein; authorizing the City Manager to execute the necessary documents; and, providing an effective date. (Platt/Hartman)
5. Consider adoption of Resolution No. 21-026R authorizing continued participation with the Steering Committee of Cities Served By Oncor; and authorizing the payment of six cents (\$0.06) per capita to the Steering Committee to fund regulatory and legal proceedings and activities related to Oncor Electric Delivery Company, LLC. (Fuller)
6. Consider adoption of Resolution No. 21-027R of the City Council of the City of Red Oak, Texas, supplementing Resolution No. 21-022R, extending and amending a State of Emergency as a result of the COVID-19 Virus; providing for interim public safety measures; providing for a face covering requirement in City buildings, facilities, and outdoor spaces; providing for a moratorium for enforcement of mobile food vending; providing for republishing of resolution; providing a severability clause; and, providing an effective date. (Fuller)

COUNCIL BUSINESS – REGULAR SESSION:

7. Consider approval of Ordinance No. 21-008 of the City of Red Oak, Texas, amending Ordinance No. 20-026, amending the Fiscal Year 2021 Official Budget; appropriating funds to increase revenue and expenditures within the General Fund, appropriating funds to increase revenue and expenditures within the Streets Capital Project Fund and appropriating funds to increase revenue and expenditures within the Water and Sewer Fund as attached in 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)
8. Conduct a Public Hearing and consider Ordinance No. 21-009 of the City of Red Oak, Texas, amending the Comprehensive Zoning Ordinance and Map of the City of Red Oak, Texas, as heretofore amended, by granting a change in zoning from Agriculture (AG) to Single Family R-2 (SF R-2) property located at 737 Valley View Road, City of Red Oak, Ellis County, Texas, as provided in Exhibit "A" attached hereto and incorporated herein; providing for a plat as provided in Exhibit "B" attached hereto and incorporated herein; providing a repealing clause; providing a severability clause; providing a savings clause; providing a penalty of fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense; and, providing an effective date. (Hartman)



9. Conduct a Public Hearing and consider Ordinance No. 21-010 of the City of Red Oak, Texas, amending the Comprehensive Zoning Ordinance and Map, as heretofore amended, by granting a change in zoning from Residential Estate (RE) to Single Family Planned Development 118 (PD 118) to allow a detached accessory building as a dwelling unit with attached garage on approximately 3-acres located at 1004 West Red Oak Road, Red Oak, Ellis County, Texas, which is attached hereto as Exhibit "A"; providing for approval of the site plan and elevations, attached hereto as Exhibit "B"; providing approval of the special condition included herein; providing that this ordinance shall be cumulative of all ordinances; providing a severability clause; providing a penalty for violations hereof; providing a savings clause; providing for publication in the official newspaper; and, providing an effective date. (Hartman)
10. Consider adoption of Resolution No. 21-028R providing for setting the dates, time and place of public hearings concerning the **Voluntary Annexation** of two tracts of land, approximately 206.285 acres, more or less, out of the Gaz B. Lamar Survey, Abstract 657, and the James M. Riggs Survey, Abstract 902, and approximately 223.493 acres, more or less, out of the John Bell Survey, Abstract 61, and the William H. Morris Survey, Abstract 725, in the City of Red Oak ETJ, Ellis County, Texas, and incorporated into the City of Red Oak, Texas. (Stevens)
11. Consider adoption of Resolution No. 21-029R of the City Council of the City of Red Oak, Texas, accepting Special Warranty Deed from the Texas Parks and Recreation Foundation for 69.137 acres located on 208 H.P. Crum in Red Oak, Ellis County, Texas; and, providing an effective date. (Kelley)
12. Consider the Community Waste Disposal (CWD) Annual Report Presentation given by Greg Roemer, President of CWD. (Williams)

BOARD APPOINTMENTS:

13. Appointments/ Reappointments to Red Oak Boards & Commissions – Consider approval regarding the following Boards/Commissions:
 - A. Planning & Zoning Commission:
 - Reassignment of Kim Campbell from an Alternate Member to a Regular Member for the remainder of a two-year term from June 2020-June-2022.

DEPARTMENTAL REPORTS:

14. The City Council may deliberate and make inquiry into any item listed in the Departmental Reports.
 - A. Fire (Ben Blanton, Fire Chief)
 - ❖ Monthly Activity Report
 - B. Police (Garland Wolf, Police Chief)
 - ❖ Monthly Report
 - C. Development Services (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 (Gloria Platt, Finance Director)
 - ❖ Finance Report
 - ❖ Monthly Investment Report
 - ❖ Financial Statement



❖ Municipal Court Statistical Highlights

F. Information Technology (John Binford, IT Director)

- ❖ Major Accomplishments
- ❖ Current Initiatives
- ❖ Challenges

G. Library (Logan Ragsdale, Library Director)

- ❖ YTD Statistics
- ❖ Monthly Newsletter

H. Parks & Recreation (Kyle Kelley, Parks & Recreation Director)

- ❖ Monthly Report

I. Public Works (Scott Williams, Public Works Director)

- ❖ Monthly Operational Report

CLOSED SESSION:

15. 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.*, Civil Action 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. 201st 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; *City of Red Oak v. USDA, et al.*, Case No. 1:20-cv-00483-RP, W.D. Tex.; and *Rockett Special Utility District v. Botkin, et al.*, Civil Action No. 20-cv-1207-RP, W.D. Tex.
16. 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 443rd Judicial District Court of Ellis County, Texas.
17. 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.
18. Pursuant to the Texas Government Code, Sections § 551.071 and §551.074 – **To Seek Legal Advice from the City Attorney on Personnel Matters** and to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public employee; to wit: City Manager, Annual Evaluation.

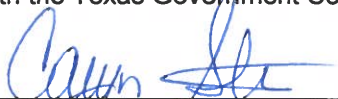
REGULAR SESSION:

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

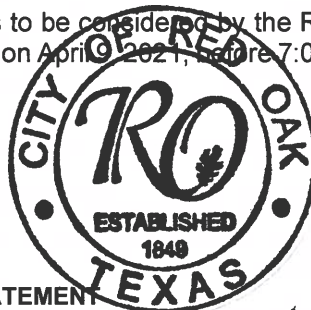
ADJOURNMENT:



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 9, 2021, before 7:00 p.m. in accordance with the Texas Government Code, Chapter 551.



Caryn Stevens, TRMC
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 citysecretary@redoaktx.org and title the email "Public Comment". All public comments submitted by 5:00 p.m. on April 12, 2021, will be provided to the City Council and entered into the record for the April 12, 2021, Regular City Council 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/UCntzB1px9caZvdivvHlnEMQ/>

Join Zoom Meeting

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

Meeting ID: 990 9886 2219

Passcode: 705825

One tap mobile

+13462487799,,99098862219#,,,,*705825# US (Houston)

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

Dial by your location

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+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

Meeting ID: 990 9886 2219

Passcode: 705825

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

