



RED OAK, TEXAS

**AGENDA
REGULAR MEETING
RED OAK CITY COUNCIL
MONDAY, JUNE 14, 2021, 7:00 P.M.**

Mayor:
Mark L. Stanfill, DVM

Council:
Michael Braly, Mayor Pro Tem
William Drake, Councilmember
Willie G. Franklin, Jr., 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 Regular City Council Meeting by telephone and/or video conference at 7:00 p.m. on Monday, June 14, 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, June 14, 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: (Franklin)

PRESENTATIONS:

- Introduction – David Arnold, Code Enforcement Officer (Hartman)
- Recognition – Award presented by the Masons to 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 Any item requiring additional discussion may be withdrawn from the Consent Agenda by the Mayor, Councilmember or City Manager, and acted upon separately.*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: (Stevens)
 - ❖ May 10, 2021 – Regular Meeting
 - ❖ May 17, 2021 – Public Hearing and Special Called Meeting
 - ❖ May 18, 2021 – Public Hearing and Special Called Meeting
 - ❖ June 1, 2021 – Special Called Meeting
2. Consider adoption of Resolution No. 21-045R of the Red Oak City Council amending authorized representatives to transmit and/or withdraw funds, issue letters of instruction, and take other appropriate actions deemed necessary for investments in the Texas Local Government Investment Pool; and, providing an effective date. (Platt)
3. Consider adoption of Resolution No. 21-046R of the Red Oak City Council amending authorized representatives to transmit and/or withdraw funds, issue letters of instruction, and take other appropriate actions deemed necessary for investments in the Texas Short Term Asset Reserve Fund Investment Pool; and, providing an effective date. (Platt)
4. Consider adoption of Resolution No. 21-047R of the Red Oak City Council amending authorized representatives to transmit and/or withdraw funds, issue letters of instruction, and take other appropriate actions deemed necessary for investments in the Local Government Investment Cooperative Investment Pool; and, providing an effective date. (Platt)
5. Consider adoption of Resolution No. 21-048R of the City Council of the City of Red Oak, Texas, approving the terms and conditions of the Interlocal Cooperative Agreement for Red Oak Public Improvement District No. 1 assessment collection between Ellis County, Texas, and the City of Red Oak, Texas, for the collection of special assessment levied by the Public Improvement District, 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)
6. Consider adoption of Resolution No. 21-049R of the City Council of the City of Red Oak, Texas, approving the terms and conditions of the agreement for tax collection services by and between Linebarger, Goggan, Blair & Sampson, LLP, to collect property taxes owed to Red Oak Public Improvement District No. 1; authorizing the City Manager to execute the necessary documents; and, providing an effective date. (Platt)
7. Consider adoption of Resolution No. 21-050R of the City Council of the City of Red Oak, Texas, authorizing a renewal of the dental rate with Cigna Healthcare attached hereto and incorporated herein as Exhibit "A"; and, authorizing the City Manager or designee to execute appropriate documentation; and, providing an effective date. (Monsivais)
8. Consider adoption of Resolution No. 21-051R of the City Council of the City of Red Oak, Texas, approving the terms and conditions of an Event License Agreement by and between The Oaks Assembly of God d/b/a The Oaks Fellowship and the City of Red Oak; providing for the City Manager to execute such license agreement; and, providing an effective date. (Kelley)
9. Consider adoption of Resolution No. 21-052R of the City Council of the City of Red Oak, Texas, approving the terms and conditions of an Event License Agreement by and between Oak Hill Crossing, Ltd., and the City of Red Oak; providing for the City Manager to execute such license agreement; and, providing an effective date. (Kelley)
10. Consider adoption of Resolution No. 21-053R of the City Council of the City of Red Oak, Texas, accepting and approving an amendment for Project Order 064449234 with Kimley-Horn and Associates, Inc., as part of the Master Agreement for continuing professional services between the City of Red Oak and Kimley-Horn and Associates, Inc., dated December 20, 2011, for the preparation of construction plans and specification, and construction administrative services for the utility relocation for constructing a new overpass and widening of FM 664; and authorize the City Manager to execute a contract in a form approved by the City Attorney; and, providing an effective date. (Williams)



COUNCIL BUSINESS – REGULAR SESSION:

11. Conduct a Public Hearing and consider approval of Ordinance No. 21-014 of the City Council of the City of Red Oak, Texas, accepting and approving a Red Oak Public Improvement District No. 1 Service and Assessment Plan and Improvement Area #1 Assessment Roll for the Red Oak Public Improvement District; making a finding of special benefit to certain property in the District; levying special assessments against certain property within the District and establishing a lien on such property; providing for the method of assessment and the payment of the assessments in accordance with Chapter 372, Texas Local Government Code, as amended; providing penalties and interest on delinquent assessments; approving a Reimbursement Agreement; providing for severability; and, providing an effective date. (Platt)
12. Consider approval of Ordinance No. 21-015 of the City Council of the City of Red Oak, Texas, authorizing the issuance of the "City of Red Oak, Texas, Special Assessment Revenue Bonds, Series 2021 (Red Oak Public Improvement District No. 1 Improvement Area #1 Project)"; approving and authorizing an indenture of trust, a bond purchase agreement, a limited offering memorandum, a continuing disclosure agreement, a reimbursement agreement and other agreements and documents in connection therewith; making findings with respect to the issuance of such bonds; and, providing an effective date. (Platt)
13. Consider adoption of Resolution No. 21-054R directing publication of Notice of Intention to Issue Certificates of Obligation; and resolving other matters relating to the subject. (Platt)
14. Consider approval of Ordinance No. 21-016 of the City Council of the City of Red Oak, Texas, providing for the **Voluntary Annexation** territory generally described as being 206.285 acres, more or less, out of the Gaz B. Lamar Survey, Abstract 657, and the James M. Riggs Survey, Abstract 902, in the City of Red Oak ETJ, Ellis County, Texas, as described in Exhibit "A", which is attached hereto and incorporated herein for all purposes, to the City of Red Oak, Texas, and extending the boundary limits of the city so as to include said property within the city limits and granting to all inhabitants and owners of said property all of the rights and privileges of other citizens and binding all inhabitants by all the ordinances, acts, resolutions and regulations of said city; providing for a service plan, which is attached hereto and incorporated herein by reference; providing a severability clause; and, providing an effective date. (Hartman/Stevens)
15. Consider approval of Ordinance No. 21-017 of the City Council of the City of Red Oak, Texas, providing for the **Voluntary Annexation** territory generally described as being 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, as described in Exhibit "A", which is attached hereto and incorporated herein for all purposes, to the City of Red Oak, Texas, and extending the boundary limits of the city so as to include said property within the city limits and granting to all inhabitants and owners of said property all of the rights and privileges of other citizens and binding all inhabitants by all the ordinances, acts, resolutions and regulations of said city; providing for a service plan, which is attached hereto and incorporated herein by reference; providing a severability clause; and, providing an effective date. (Hartman/Stevens)
16. Conduct a Public Hearing and consider approval of Ordinance No. 21-018 approving a Specific Use Permit in Planned Development 85 (PD-85) to allow for a ground mounted solar array as an accessory use greater than 650 square feet, at 220 Stonegate Way, City of Red Oak, Texas. (Case Z21013) *Requested by Kyle Hoang* (Hartman)
17. Conduct a Public Hearing and consider approval of Ordinance No. 21-019 changing the zoning from Industrial (I) and Highway Oriented (HO) to a Planned Development (PD) providing for a list of allowable "uses" in identified areas, if the PD is approved then district standards will be determined in a subsequent amendment to the PD, generally located north of Ovilla Road, west of IH-35E, for approximately 62 acres in the 796 J Nugent Survey, in the City of Red Oak, Texas. (Case Z21007) *Requested by Ted Zadeh* (Hartman)



18. Consider approving a preliminary plat for The Oaks, a residential development for approximately 211 acres, out of the A Fredrick Survey, A-375, J Chapman Survey, A-214, J S Davis Survey, A-923, J S Patton Survey, A-842, James Patton Survey, A-839, generally located south of Stephenson Rd, and west of IH-35E, generally known as Planned Development 98 (PD-98), in the City of Red Oak, Texas. (Case P21008) *Requested by John Hutchison (Hartman)*
19. Consider adoption of Resolution No. 21-055R of the City Council of the City of Red Oak, Texas, approving the terms and conditions of a contract with Texas Bit, in an amount not to exceed \$426,693.96 for the reconstruction and resurfacing of a section of Stainback Road located in Red Oak, Texas, upon approval as to form by the City Attorney; and, authorizing the City Manager to sign. (Williams)

DEPARTMENTAL REPORTS:

20. 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:

21. 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.

22. 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.
23. 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.
24. 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, lease or value of Real Properties generally located east of I-35E, west of SH 342, south of FM 664/Ovilla Road, and north of Red Oak Road, Red Oak, Texas.
 - B. Discuss or deliberate acquisition, sale and/or exchange, lease or value of Real Properties generally located east of Houston School Road, west of Pratt Road, north of Red Oak Road, and south of the city limits line, Red Oak, Texas.
 - C. Discuss or deliberate acquisition, sale and/or exchange, lease or value of Real Properties generally located east of Lowrance Road, west of Batchler Road, north of FM 2377/Louise Ritter Road, and south of the city limits line, Red Oak Texas.

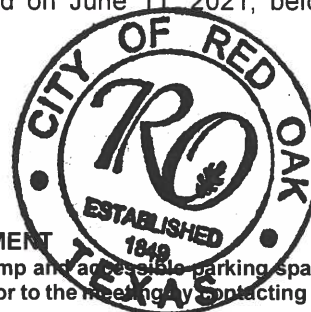
REGULAR SESSION:

25. 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 June 11, 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 June 14, 2021, will be provided to the City Council and entered into the record for the June 14, 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

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

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+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>

