



RED OAK, TEXAS

**AGENDA
REGULAR MEETING
RED OAK CITY COUNCIL
MONDAY, AUGUST 9, 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, August 9, 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, August 9, 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: (Wilson)

PRESENTATIONS:

- Recognition – Chick-fil-A (Jeremy Trojacek)

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 Any item requiring additional discussion may be withdrawn from the Consent Agenda by the Mayor, Councilmember or City Manager, and acted upon separately.*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)
 - ❖ July 12, 2021 – Regular Meeting
 - ❖ July 26, 2021 – Special Called Meeting and Budget Workshop II



2. Consider approval of Ordinance No. 21-025 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)
3. Consider adoption of Resolution No. 21-066R of the City Council of the City of Red Oak, Texas, to issue letters of instruction authorizing representation and take other appropriate actions deemed necessary for investments deposited of bond proceeds for the City of Red Oak Public Improvement District No. 1 with Wilmington Trust, National Association as set forth in Exhibit "A" attached hereto and incorporated herein; authorizing the City Manager or designee to sign all necessary documents; and providing an effective date. (Platt)
4. Consideration and possible action regarding approving the proposed Red Oak Industrial Development Corporation (ROIDC) Administrative Services Agreement with the City of Red Oak to provide administrative services for Fiscal Year 2021-2022. (McCleary)
5. Consideration and possible action regarding approving the proposed Red Oak Economic Development Corporation (ROEDC) Administrative Services Agreement with the City of Red Oak to provide administrative services for Fiscal Year 2021-2022. (McCleary)
6. Consider adoption of Resolution No. 21-067R authorizing the City Manager to execute a renewal of an annual Contract for a Technical Services Agreement with Trinity River Authority of Texas (TRA) in an amount not to exceed \$10,000.00. (Williams)
7. Consider adoption of Resolution No. 21-068R of the City Council of the City of Red Oak, Texas, approving the proposal and specifications between the City of Red Oak Fire Department and Siddons-Martin Emergency Group; for one (1) Pierce Velocity Quint and Equipment as specified, which is attached hereto and incorporated herein as Exhibit "A"; authorizing the Mayor or his designee to sign said proposal; and providing an effective date. (Blanton)
8. Consider adoption of Resolution No. 21-069R of the City Council of the City of Red Oak, Texas, amending Resolution No. 21-064R, extending and amending a State of Emergency as a result of the COVID-19 Virus; providing for interim public safety measures; providing for a moratorium for enforcement of mobile food vendors; providing for republishing of resolution; providing a severability clause; and providing an effective date. (Fuller)
9. Consideration and possible action approving a Grant Funding Agreement between the Red Oak Industrial Development Corporation (ROIDC) and Texas State Technical College (TSTC) Foundation in the amount of \$15,000.00 for Red Oak workforce development training. (McCleary)

COUNCIL BUSINESS – REGULAR SESSION:

10. Consideration and possible action regarding the scheduled date of August 23, 2021, for a Public Hearing on the Proposed Annual Operating Budget for Fiscal Year 2021-2022. (Platt)
11. Consider approval of Ordinance No. 21-026 authorizing the sale and issuance of the City of Red Oak, Texas Combination Tax and Revenue Certificates of Obligation, Series 2021; levying an annual ad valorem tax and providing for the security for and payment of said certificates; providing an effective date; and enacting other provisions relating to the subject. (Platt)
12. Consider approval of Ordinance No. 21-027 authorizing the sale and issuance of the City of Red Oak, Texas Tax Note, Series 2021A; levying an annual ad valorem tax and providing for the security for and payment of said notes; providing an effective date; and enacting other provisions relating to the subject. (Platt)



13. Conduct a Public Hearing and consider adoption of Resolution No. 21-070R of the City of Red Oak, Texas, adopting guidelines and criteria for tax abatement agreements within the City of Red Oak; providing the City of Red Oak eligible in granting tax abatement; providing a repealing clause; and providing an effective date. (McCleary)
14. Conduct a Public Hearing and consider approval of Ordinance No. 21-028 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 Agricultural Zoning (AG) to a Planned Development Zoning District 125 (PD-125), for approximately 17.25 acres out of the McKinney & Williams Survey, Abstract 751, for real property to construct townhomes not to exceed 170 residential single homes and including neighborhood amenities and open spaces; at the northwest corner of west Red Oak Road and the ROW of the railroad; said property being more particularly described in Exhibit "A", which is attached hereto and incorporated herein; providing site plan, landscape plan, sign plan and lighting plan, elevations and development regulations, in Exhibits "B" through "D", respectively, which are 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. (Case Z21012) *Requested by Naveen Khammampati (Hartman)*
15. Consider approving a preliminary plat for Oak Pointe Townhomes to consist of a mix of different styles and types of townhomes not to exceed 170 units, to include neighborhood amenities and open spaces, on approximately 17.25 acres, from two parcels out of the McKinney & Williams Survey, Abstract 751, further described as being generally at the northwest corner of west Red Oak Road and the ROW of the railroad, the development will provide access to north Main Street and west Red Oak Road, in the City of Red Oak, Texas. (Case P21015) *Requested by Naveen Khammampati (Hartman)*
16. Conduct a Public Hearing and consider approval of Ordinance No. 21-029 of the City of Red Oak, Texas, amending the Comprehensive Zoning Ordinance and Map of the City of Red Oak, Texas, as heretofore amended, be and the same is hereby amended by granting a change in zoning from Highway Oriented Zoning (HO) to a Planned Development Highway Oriented Zoning District (PD) on approximately 0.0951± acres of land being Lot 1, Block A, of the Annadon Development located at 106 E. Ovilla Road, an addition of the City of Red Oak, Ellis County, Texas, and being depicted as provided in Exhibit "A", which is attached hereto and incorporated herein, to allow for the development, use and maintenance of uses as permitted under the HO designation subject to the development regulations provided; 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. (Case Z21022) *Requested by Mike Boyd (Hartman)*
17. Conduct a Public Hearing and consider approval of Ordinance No. 21-030 of the City of Red Oak, Texas, amending the Comprehensive Zoning Ordinance and Map of the City of Red Oak, Texas, as heretofore amended, be and the same is hereby amended by granting a change in zoning from Agricultural Zoning (AG) to a Planned Development Zoning District (PD) to add a Special Use Permit (SUP) to allow for a church, with a child day care, martial arts studio; on approximately 1.24± acres, Lot 1, and located at 122 S. SH-342, an addition of Abundant Grace, Red Oak, Ellis County, Texas, and being more particularly depicted in Exhibit "A", which is attached hereto and incorporated herein; providing for development regulations and landscaping requirements set forth herein; 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. (Case Z21023) *Requested by Jared Thompson (Hartman)*
18. Conduct a Public Hearing and consider approval of Ordinance No. 21-031 of the City of Red Oak, Texas, amending the Comprehensive Zoning Ordinance and Map, as heretofore amended, by granting a change in zoning, by amending a Residential Planned Development 11/12 (PD 11/12) to allow for a solar panel system as an accessory use greater than 650 square feet located at 103 Autumn Trail, Lot 2, Block B, Fox Hollow Estates, Phase I, City of Red Oak, Ellis County, Texas,



more particularly described as set forth in the attached Exhibit "A"; providing development regulations as depicted in the plot plan with roof plan, roof plan and modules, electric plan, attachment detail and equipment specifications as provided in Exhibit "B" through "F", respectively, attached hereto; 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. (Case Z21024) Requested by Paul Farr (Hartman)

19. Conduct a Public Hearing and consider approval of Ordinance No. 21-032 of the City of Red Oak, Texas, amending the Code of Ordinances of the City of Red Oak, Texas, by amending Chapter 2 "Animal Control"; by amending Article 2.01 "General Provisions", by adding definition of "Poultry" and by adding a new Section 2.01.016 "Chickens" to provide regulations to permit keeper including definition; providing a penalty of fine not to exceed the sum of five hundred dollars (\$500.00) for each offense; providing a severability clause; providing a savings clause; and providing an effective date. (Case Z21019) Requested by Staff (Hartman)
20. Conduct a Public Hearing and consider approval of Ordinance No. 21-033 of the City of Red Oak, Texas, amending the Red Oak Zoning Code by amending Article 7 "Supplementary Use Regulations" by adding Section 9 "Solar Panels Systems"; providing a conflicts resolution clause; providing a severability clause; providing a savings clause; providing for penalty of fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense; and providing an effective date. (Case Z21020) Requested by Staff (Hartman)
21. Consideration and direction regarding approving the addition of recreational basketball courts. (Kelley)

BOARD APPOINTMENTS:

22. Appointments/Reappointments to Boards & Commissions – Consider approval regarding the following Boards/Commissions:
 - A. Library Advisory Board:
 - Accept resignation of Natasha Gordon effective July 30, 2021.

DEPARTMENTAL REPORTS:

23. 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:

- 24. 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.
- 25. 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.
- 26. 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.
- 27. 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 Houston School Road, west of Pratt Road, north of Red Oak Road, and south of the city limits line, Red Oak, Texas.
 - B. 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.

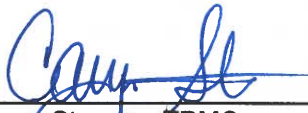
REGULAR SESSION:

- 28. 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 August 6, 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 August 9, 2021, will be provided to the City Council and entered into the record for the August 9, 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

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+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>

