



RED OAK, TEXAS

**AGENDA
REGULAR MEETING
RED OAK CITY COUNCIL
MONDAY, FEBRUARY 14, 2022, 7:00 P.M.**

Mayor:
Mark L. Stanfill, DVM

Councilmembers:
William Drake
Willie G. Franklin, Jr.

City Manager:
Todd Fuller

City Attorney:
Robert E. Hager

Mayor Pro Tem:
Michael Braly

Ben Goodwyn
Ron Wilson

Assistant City Manager:
Jonathan Phillips

City Secretary:
Caryn Stevens, TRMC

IMPORTANT! PLEASE NOTE:

This is an open meeting conducted in-person and by videoconference. Citizens, City staff and City Council are encouraged to participate in the meeting by videoconference in order to allow the city to follow the CDC's social distancing guidelines in an effort to slow the spread of the Coronavirus (COVID-19) pandemic. 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, February 14, 2022, at 7:00 p.m., in the Ronald Reagan Room of the Red Oak Municipal Center, 200 Lakeview Parkway, Red Oak, Texas, and by videoconference as authorized by Section 551.127 of the Texas Government Code, 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 – Love Your Library Month (Ragsdale)
- Recognition – Jason Esquibel, Officer of the Year and promotion to Police Lieutenant (Wolf)
- Introduction – Emma Chetuya, New P&Z Manager (Hartman)
- Presentation – Red Oak ISD Bond 2022

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 Any item requiring additional discussion may be withdrawn from the Consent Agenda by the Mayor, Councilmember or City Manager, and acted upon separately.*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)
 - ❖ January 10, 2022 – Regular Meeting
2. Consider adoption of Resolution No. 22-007R of the City Council of the City of Red Oak, Texas, declaring certain personal property as obsolete, valueless and surplus; providing for disposal of same by the City Manager or his designee; authorizing the Mayor to execute; providing a severability clause; providing a repealing clause; and, providing an effective date. (Stevens)



3. Consider adoption of Resolution No. 22-008R of the City Council of the City of Red Oak, Texas, approving the terms and conditions of a Lease Agreement with American Medical Response (AMR); authorizing the Mayor to execute a Lease Agreement with AMR, which is attached hereto as Exhibit "A", following review by the City Attorney; repealing all resolutions in conflict; providing a severability clause; and, providing an effective date. (Blanton)
4. Consider adoption of Resolution No. 22-009R of the City of Red Oak, Texas, authorizing continued participation with the Atmos Cities Steering Committee; and authorizing the payment of five cents (\$0.05) per capita to the Atmos Cities Steering Committee to fund regulatory and related activities related to Atmos Energy Corporation. (Fuller)
5. Consider adoption of Resolution No. 22-010R of the City of Red Oak, Texas, authorizing continued participation with the Steering Committee of Cities Served by Oncor (Steering Committee); and authorizing the payment of ten cents (\$0.10) 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. 22-011R of the City Council of the City of Red Oak, Texas, approving additional funding for the contract with Prime Source Construction in the amount of \$34,300.00 for the Live Oak Municipal Center roof replacement as provided in Exhibit "A" attached hereto and incorporated herein; authorizing the City Manager to execute the necessary documents; and, providing an effective date. (Phillips)
7. Consider adoption of Resolution No. 22-012R, supplementing Resolution No. 22-002R, extending and amending a State of Emergency as a result of COVID-19 Virus; providing for interim public safety measures; 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:

8. Consider adoption of Resolution No. 22-013R of the City Council of the City of Red Oak, Texas, ordering for a General Election to be held on May 7, 2022, for the purpose of electing three (3) Councilmembers to the Red Oak City Council for Place Two (2), Place Four (4), and Place Five (5), for three (3) year terms; establishing procedure for said election, designating locations of polling places (vote centers); designating filing deadlines; designating presiding election judge and alternate presiding judge; providing for the publication and posting of Notice; providing for authorization to enter into a Joint Election Contract for Election Services with Ellis County to conduct such election; providing a severability clause; and, providing an effective date. (Stevens)
9. Conduct a Public Hearing regarding **Voluntary Annexation** of real property generally described as being 147.47 acres, more or less, out of the Robert A. Lemmans Survey, Abstract No. 628, in the City of Red Oak ETJ, Ellis County, Texas, Parcel No. 148132. (Stevens)
10. Consider adoption of Resolution No. 22-014R of the City of Red Oak, Texas, approving intent to establish a City of Red Oak Property Assessed Clean Energy Program ("City of Red Oak PACE Program"); authorizing the Mayor to execute the necessary documents; and, providing an effective date. (McCleary)
11. Consider adoption of Resolution No. 22-015R of the City of Red Oak, Texas, approving the terms and conditions of the Construction Manager at Risk Agreement, which is attached hereto and incorporated herein as Exhibit "A", by and between the City of Red Oak, Texas, and Guaranteed Maximum Price (GMP), for construction services at Live Oak Municipal Center of guaranteed maximum price for the Live Oak Municipal Center located in the City of Red Oak in an amount not to exceed four million, two hundred thirty-three thousand, three hundred seventy-two dollars (\$4,233,372.00); authorizing the Mayor to execute; and, providing an effective date. (Phillips)



12. Discussion and consideration of pond dredging and related management of Pearson Park lake.
(Kelley)

BOARD APPOINTMENTS:

13. Appointments/Reappointments/Resignations for Boards & Commissions – Consider approval regarding the following Boards/Commissions:
- A. Parks & Recreation Commission:
 - Accept the resignation of JoAnn Smith effective January 18, 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. Communications & Marketing (Alexa Beasley, Communications & Marketing Director)
 - ❖ Monthly Report
 - D. Development Services (Ben Hartman, City Engineer)
 - ❖ Code Services Report
 - ❖ Building Permit and Inspections Report
 - ❖ Administrative Monthly Report
 - E. Human Resources (Amanda Monsivais, Human Resources Director)
 - ❖ Administrative Monthly Report
 - F. Finance (Gloria Platt, Finance Director)
 - ❖ Finance Report
 - ❖ Monthly Investment Report
 - ❖ Financial Statement
 - ❖ Municipal Court Statistical Highlights
 - G. Information Technology (John Binford, IT Director)
 - ❖ Major Accomplishments
 - ❖ Current Initiatives
 - ❖ Challenges
 - H. Library (Logan Ragsdale, Library Director)
 - ❖ YTD Statistics
 - ❖ Monthly Newsletter
 - I. Parks & Recreation (Kyle Kelley, Parks & Recreation Director)
 - ❖ Monthly Report
 - J. Public Works (Scott Williams, Public Works Director)
 - ❖ Monthly Operational Report
 - K. Administration (Jonathan Phillips, Assistant City Manager)
 - ❖ Monthly Report on Municipal Center Project



CLOSED SESSION:

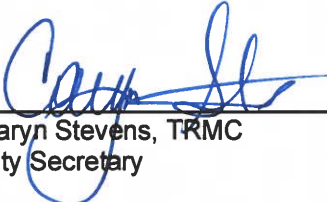
15. Pursuant to the Texas Government Code, Section §551.071 – **Consultation with the City Attorney** concerning pending litigation: *Rockett Special Utility District v. Botkin, et al.*, Civil Action No. 19-cv-1007-RP, W.D. Tex.; *City of Red Oak, Tex. v. USDA et al.*, Civil Action No. 19-cv-02761-S, 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, 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:

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 February 11, 2022, 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 February 14, 2022, will be provided to the City Council and entered into the record for the February 14, 2022, 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://us06web.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>

