



RED OAK, TEXAS

**AGENDA
REGULAR MEETING
RED OAK CITY COUNCIL
MONDAY, APRIL 11, 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 Council and City staff 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, April 11, 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: (Franklin)

PRESENTATIONS:

- Proclamation – National Crime Victims’ Rights Week (Wolf)
- Proclamation – Professional Municipal Clerks Week (Stanfill)
- Proclamation – National Child Abuse Prevention Month (Stanfill)
- Introduction – Tanangelia “Tan” Beatty, New Assistant Finance Director (Platt)

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 Any item requiring additional discussion may be withdrawn from the Consent Agenda by the Mayor, Councilmember or City Manager, and acted upon separately.*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 14, 2022 – Regular Meeting
2. Consider adoption of Resolution No. 22-023R of the City Council of the City of Red Oak, Texas, amending the Master Fee Schedule, by amending Chapter 3.00 “Parks, Libraries and Other Public Places” by adding a new Section 3.004 “Red Oak Senior Citizen Center” by providing rental fees; providing a repealing clause; providing a severability clause; and, providing an effective date. (Kelley)



3. Consider adoption of Resolution No. 22-024R of the City Council of the City of Red Oak, Texas, awarding the bid for mowing and landscape services to Yellowstone Landscape; and approving a contract and/or purchase order in conformance with the bid specification in the amount not to exceed \$65,000.00, which is attached hereto and incorporated herein as Exhibit "A"; and authorizing the City Manager to execute a contract for mowing and landscape services in a form approved by the City Attorney; and, providing an effective date. (Kelley)
4. Consider adoption of Resolution No. 22-025R of the City of Red Oak, Texas, approving the terms and conditions of the Purchase Agreement from HydroPro Solutions to provide water meters and registers to the City of Red Oak in an amount not to exceed two hundred sixty thousand dollars (\$260,000.00), as provided in Exhibits "A" through "C"; utilizing the Houston-Galveston Area Council Cooperative Purchasing Contract No. WM09-20, competitively bid by the Houston-Galveston Area Council Cooperative Purchasing Program, which is attached hereto and incorporated herein as Exhibit "D"; providing a repealing clause; providing a severability clause; and, providing an effective date. (Williams)
5. Consider adoption of Resolution No. 22-026R of the City Council of the City of Red Oak, Texas, approving the terms and conditions of an Interlocal Agreement with the City of Frisco for the purchase of goods and services, which is attached hereto and incorporated herein as Exhibit "A"; authorizing the City Manager to execute said agreement; and, providing an effective date. (Blanton)
6. Consider adoption of Resolution No. 22-027R of the City Council of the City of Red Oak, Texas, awarding of bid and approving the terms and conditions of Fire Station 181 and Fire Station 182 Construction Remodel Contract Agreement by and between the City of Red Oak and JM Construction Solutions for remodeling Fire Station 181 and Fire Station 182; authorizing the City Manager to execute such agreement; and, providing an effective date. (Blanton)
7. Consider adoption of Resolution No. 22-028R, supplementing Resolution No. 22-021R, extending and amending a State of Emergency as a result of COVID-19 Virus; providing for interim public safety measures; providing for the City Manager to provide reasonable regulations and access hours for city public facilities; providing for publishing of resolution; providing a severability clause; and, providing an effective date. (Fuller)

COUNCIL BUSINESS – REGULAR SESSION:

8. Conduct a Public Hearing regarding **Voluntary Annexation** of real property generally described as being 5.406 acres, more or less, out of the M.W. Spencer Survey, Abstract No. 1367, in the City of Red Oak ETJ, Ellis County, Texas, Parcel No. 193210. (Stevens)
9. Consider approval of Ordinance No. 22-012 of the City Council of the City of Red Oak, Texas, providing for the **Voluntary Annexation** of territory generally described as being 5.406 acres, more or less, out of the M.W. Spencer Survey, Abstract 1367, 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. (Stevens)
10. Conduct a Public Hearing and consider approval of Ordinance No. 22-013 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 Planned Development 88 Revised (PD-88R) as previously revised to Planned Development 88 Revised 1 (PD-88R1) to allow for addition of land into said PD to provide for development use and maintenance of said property under the Ranchette Estates District (RAE) Standards on approximately 4.56 acres on Lot 3, Block 1, of the



Brooks Addition located at 100 Country Ridge Court and part of the tract located north of Red Oak Road and approximately 230 feet west of Hidden Lane, situated in the S. McCommas Survey, Abstract 695, Red Oak, Ellis County, Texas, said property being more particularly depicted in Exhibit "A"; 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 ZC22-11) Requested by Chris Lofton and Lance Brooks (Hartman)

11. Conduct a Public Hearing and consider approval of Ordinance No. 22-014 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 Planned Development 135 (PD-135) being approximately 147.287 acres for single-family homes and associated open spaces out of the Robert A. Lemmans Survey, Abstract 628, generally located on the southwest corner of Poe Road and west Pratt Road, City of Red Oak, Ellis County, Texas; said property being more particularly described in Exhibit "A", which is attached hereto and incorporated herein; providing for development regulations, concept plan, landscape plan, signage and amenities, in Exhibits "B" through "F", 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 ZC22-006) Requested by First Texas Homes (Hartman)
12. Consider approval of a Preliminary Plat for the proposed Planned Development 135 (PD-135) for approximately 147 single-family homes and associated open spaces on approximately 147.47 acres out of the Robert A. Lemmans Survey, Abstract 628, further described as being generally located on the southwest corner of Poe Road and west Pratt Road, in the City of Red Oak, Texas. (Case PS22-05) Requested by First Texas Homes (Hartman)
13. Consider approval of an expenditure by the Red Oak Economic Development Corporation (ROEDC) in the amount of \$12,000.00 for an annual subscription to "Placer.ai" for location analytics software. (McCleary)
14. Consider adoption of Resolution No. 22-029R of the City of Red Oak, Texas, approving of an expenditure in the amount of \$650,000.00 by the Red Oak Economic Development Corporation (ROEDC), plus additional costs, if any, for the acquisition of approximately 7.507± acres of real property generally located east of Uhl Road, west of Interstate 35E, south of Red Oak Road, and north of the Oaks Boulevard, Red Oak, Ellis County, Texas, and, providing an effective date. (McCleary)

DEPARTMENTAL REPORTS:

15. 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:

- 16. 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.
- 17. 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.
- 18. 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.
- 19. Pursuant to the Texas Government Code, Section §551.072 – **Deliberations Regarding the Purchase, Exchange, Lease, or Value of Real Property.**



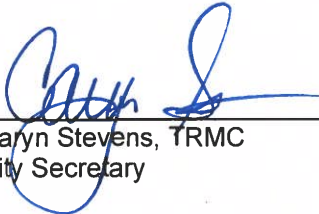
- A. Discuss or deliberate acquisition, sale and/or exchange, lease or value of Real Properties generally located east of Houston School Road, west of Pratt Road, north of Red Oak Road, and south of the city limits line, Red Oak, Texas.
 - B. Discuss or deliberate acquisition, sale and/or exchange, lease 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.
 - C. Discuss or deliberate acquisition, sale and/or exchange, lease or value of Real Properties generally located east of Uhl Road, west of I-35E, north of The Oaks Boulevard, and south of FM 664/Ovilla Road, Red Oak, Texas.
20. 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:

- 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 April 8, 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 April 11, 2022, will be provided to the City Council and entered into the record for the April 11, 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



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Passcode: 705825

Find your local number: <https://zoom.us/j/99098862219>

