

AGENDA

REGULAR CITY COUNCIL MEETING

**APRIL 5, 2021
6:00 P.M.**

**FATE CITY HALL
1900 CD BOREN PARKWAY**

NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL OF THE CITY OF FATE WILL HOLD A REGULAR CITY COUNCIL MEETING AT 6:00 P.M. ON MONDAY, APRIL 5, 2021 AT FATE CITY HALL, 1900 CD BOREN PARKWAY, FATE, TEXAS, FOR THE FOLLOWING PURPOSES:

- 1. CALL TO ORDER AND CONFIRM A QUORUM**
- 2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE AMERICAN AND TEXAS FLAGS**
- 3. PRESENTATIONS**

A. Proclamation To Recognize Brad Tate For Achieving Eagle Scout Ranking

[Documents:](#)

[eagle scout proclamation - brad tate.pdf](#)

4. PUBLIC COMMENT

This Is An Opportunity For The Public To Address The Council On Any Matter, Except Public Hearings That Are Included On The Agenda. Comments Related To Public Hearings Will Be Heard When The Specific Hearing Begins. Public Comments Are Limited To Three (3) Minutes Per Speaker, Unless Otherwise Required By Law. To Address The Governing Body, Each Speaker Must Complete A Public Comment Form And Present The Completed Form To The City Secretary Prior To The Start Of The Meeting. Each Speaker Shall Approach The Podium And State His/Her Name And Address Before Speaking. Speakers Shall Address The Governing Body With Civility That Is Conducive To Appropriate Public Discussion. Speakers Can Address Only The Governing Body And Not Individual City Officials Or Employees. The Public Cannot Speak From The Gallery But Only From The Podium. Per The Texas Open Meetings Act, The Governing Body Is Not Permitted To Take Action On Or Discuss Any Item Not Listed On The Agenda. The Council May: (1) Make A Statement Of Fact Regarding The Item; (2) Make A Recitation Of Existing Policy Regarding The Item; Or (3) Propose The Item Be Placed On A Future Agenda.

5. CONSENT AGENDA

All Items Under Consent Agenda Are Considered To Be Routine By The City Council And Will Be Enacted By One Motion. There Will Not Be Separate Discussion Of These Items. If Discussion Is Desired, That Item Will Be

Removed From The Consent Agenda And Will Be Considered Separately.

- A. Approval Of Minutes Of The Council Meetings Held March 1, 2021, March 15, 2021, March 24, 2021, And March 25, 2021.

Documents:

[2021.3.1.pdf](#)
[2021.3.15.pdf](#)
[2021.3.24.pdf](#)
[2021.3.25.pdf](#)

- B. Approval Of Resolution No. R-2021-048 - Approving The Purchase Of A Tier 4 Backhoe In An Amount Not To Exceed \$99,264.59; Authorizing The City Manager To Execute Any Documents Necessary To Complete The Purchase.

Documents:

[staff summary - backhoe purchase.pdf](#)

- C. Acceptance Of Public Sanitary Sewer And Franchise Utility Easements To Serve The Avondale Development And The Fate Villages Planned Development:

1. Approval Of Resolution No. R-2021-049 - Accepting The Dedication From D-F Fund, IV, LLC, D-F Fund 18, LLC, And D-F Southwest Fund 19, LLC., Of A Sanitary Sewer Easement On Property Located In The Sinclair Murphy, Abstract No. 148, And The Dennis Thetford Survey, Abstract No. 2018, City Of Fate, Rockwall County, Texas.
2. Approval Of Resolution No. R-2021-050 - Accepting The Dedication From D-F Fund, IV, LLC, D-F Fund 18, LLC, And D-F Southwest Fund 19, LLC., Of A Sanitary Sewer Easement On Property Located In The Sinclair Murphy, Abstract No. 148, City Of Fate, Rockwall County, Texas.
3. Approval Of Resolution No. R-2021-051 - Accepting The Dedication From Brookshire Grocery Company, A Texas Corporation, Of A 0.030 Acres Utility Easement On Property Located In The Dennis Thetford Survey, Abstract No. 208, City Of Fate, Rockwall County, Texas.
4. Approval Of Resolution No. R-2021-052 - Accepting The Dedication From Brookshire Grocery Company, A Texas Corporation, Of A 0.054 Acres Utility Easement On Property Located In The Dennis Thetford Survey, Abstract No. 208, City Of Fate, Rockwall County, Texas.
5. Approval Of Resolution No. R-2021-053 - Accepting The Dedication From Fate I-30 Commercial L.P., Of A 0.014 Acres Utility Easement On Property Located In The Dennis Thetford Survey, Abstract No. 208, City Of Fate, Rockwall County, Texas.
6. Approval Of Resolution No. R-2021-054 - Accepting The Dedication From Fate I-30 Commercial, L.P., Of A 0.140 Acres Utility Easement On Property Located In The Dennis Thetford Survey, Abstract No. 208, City Of Fate, Rockwall County, Texas.
7. Approval Of Resolution No. R-2021-055 - Accepting The Dedication From Fate I-30 Commercial, L.P., Of A 0.170 Acres Utility Easement On Property Located In The Dennis Thetford Survey, Abstract No. 208, And The J. B. Merchant Survey, Abstract No. 159, City Of Fate, Rockwall County, Texas.
8. Approval Of Resolution No. R-2021-056 - Accepting The Dedication From Fate I-30 Commercial, L.P., Of A 0.174 Acres Utility Easement On Property Located In The Dennis Thetford Survey, Abstract No. 208, City Of Fate, Rockwall County, Texas.

9. Approval Of Resolution No. R-2021-057 - Accepting The Dedication From Fate I-30 Commercial, L.P., Of A 0.583 Acres Utility Easement On Property Located In The Dennis Thetford Survey, Abstract No. 208, City Of Fate, Rockwall County, Texas.

Documents:

[staff summary - avondale and fate villages utility easements.pdf](#)

6. ACTION ITEMS/PUBLIC HEARINGS

A. ITEMS ASSOCIATED WITH THE AVONDALE SUBDIVISION:

1. DEVELOPMENT AGREEMENT: Discuss, Consider, And Take Any Necessary Action Regarding A Development Agreement For The Avondale Subdivision.

A. Staff Report And Presentation

B. Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2021-058 - Approving A Development Agreement Between Amalgamated Properties, LLC, A Delaware Limited Liability Company And The City Of Fate For The Avondale Subdivision.

2. FUTURE LAND USE PLAN (FLUP) AMENDMENT: Discuss, Consider, And Take Any Necessary Action Regarding An Application Submitted By D-F Fund 18, Ltd, JBI Partners, And Fred Phillips To Amend The Future Land Use Plan Designation Of Approximately 43% Of The 111-Acre Area Proposed By The Applicant For Single-Family Residential Uses FROM Suburban Density (5k-15k Sq. Ft. Residential Lots) And Neighborhood Retail/Office/Commercial TO Urban Density (< 5k Sf Lots) And The Approximate 4-Acre Area Proposed By The Applicant For Commercial Uses FROM Urban Density TO Neighborhood Retail/Office/Commercial. The Location Of This Application Is Described Generally As Being Bound By Hwy 66 On Its North, Ben Payne Rd On Its West, The MK&T Railroad On Its South, And The Business Named Trak-Time On Its East, Commonly Known As Rockwall CAD Property ID 11680. Case #FLUP-20-003.

A. Applicant Presentation

B. Staff Report And Presentation

C. Public Hearing

D. Discuss Consider And Take Any Necessary Action Regarding Ordinance No. O-2021-008 - Amending The Future Land Use Plan Designation Of The Above Reference Property.

3. ZONING REQUEST: Discuss, Consider, And Take Any Necessary Action Regarding An Application Submitted By D-F Fund 18, Ltd, JBI Partners, And Fred Phillips To Establish A Planned Development Zoning District On Approximately 111-Acres For Single-Family Residential Suburban Uses With A Minimum Lot Size Of 5,000 Square Feet, Single-Family Residential Urban Uses With A Minimum Lot Size Of 4,000 Square Feet, And Neighborhood Commercial Uses On Approximately 4-Acres. The Location Of This Application Is Described Generally As Being Bound By Hwy 66 On Its North, Ben Payne Rd On Its West, The MK&T Railroad On Its South, And The Business Named Trak-Time On Its East, Commonly Known As Rockwall CAD Property ID 11680. Case #ZR-20-010.

A. Applicant Presentation

B. Staff Report And Presentation

C. Public Hearing

D. Discuss Consider And Take Any Necessary Action Regarding Ordinance No. O-2021-009- Changing The Zoning Classification From Agricultural District To Planned Development District On The Above Reference Property.

4. CONCEPT PLAN: Discuss, Consider, And Take Any Necessary Action Regarding A Concept Plan Application Submitted By D-F Fund 18, Ltd, JBI Partners, And Fred Phillips For A 111-Acre Concept Plan For Single-Family Residential Suburban Uses, Single-Family Residential Urban Uses, And Neighborhood Commercial Uses. The Location Of This Application Is Described Generally As Being Bound By Hwy 66 On Its North, Ben Payne Rd On Its West, The MK&T Railroad On Its South, And The Business Named Trak-Time On Its East, Commonly Known As Rockwall CAD Property ID 11680. Case #CP-20-005.

A. Applicant Presentation

B. Staff Report And Presentation

C. Public Hearing

D. Discuss Consider And Take Any Necessary Action Regarding Resolution No. R-2021-059 - Approving A Concept Plan For Avondale Subdivision.

[Documents:](#)

[staff summary avondale dev agree.pdf](#)

[staff summary - avondale flup, zoning, and concept plan.pdf](#)

7. MAYOR, COUNCIL, AND CITY MANAGER REPORTS

Regarding Items Of Community Interest – Pursuant To Texas Government Code Section 551.0415 The Mayor, Council And City Manager May Report On The Following Items: (1) Expression Of Thanks, Congratulations Or Condolences; (2) Information About Holiday Schedules; (3) Recognition Of Individuals; (4) Reminders About Upcoming City Council Events; (5) Information About Community Events; (6) Announcements Involving Imminent Threat To Public Health And Safety.

A. Mayor's Report

B. Council Reports

C. City Manager's Report

8. EXECUTIVE SESSION: IN ACCORDANCE WITH TEXAS GOVERNMENT CODE, SECTION 551.001, ET SEQ., THE CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION (CLOSED MEETING) TO DISCUSS THE FOLLOWING:

A. In Accordance With Texas Government Code, Section 551.074: To Deliberate The Appointment, Employment, Evaluation, Reassignment, Duties, Discipline, Or Dismissal Of A Public Officer Or Employee:

1. City Manager

2. City Secretary

3. City Attorney

9. RECONVENE INTO REGULAR SESSION: IN ACCORDANCE WITH TEXAS GOVERNMENT CODE, CHAPTER 551, THE CITY COUNCIL

**WILL RECONVENE INTO REGULAR SESSION TO CONSIDER
ACTION, IF ANY, ON MATTERS DISCUSSED IN EXECUTIVE SESSION**

10. ADJOURNMENT

In addition to any executive session already listed above, the City Council of the City of Fate reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code for the following purposes:

- §551.071 Consultations with Attorney
- §551.072 Deliberations regarding Real Property
- §551.074 Personnel Matters
- §551.076 Deliberations regarding Security Devices
- §551.087 Deliberations regarding Economic Development Negotiations

This building is wheelchair accessible. Any request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-4601 Ext. 103 for further information.

I certify that the above **NOTICE OF MEETING** was filed and posted on the Bulletin Board at City Hall, 1900 CD Boren Parkway, City of Fate, Texas on the 1st day of April, 2021, at 3:00 P.M. and remained so posted until removed as indicated below, pursuant to the Texas Open Meetings Act. This notice was likewise posted on the city website at www.cityoffate.com.

Victoria Raduechel, TRMC, City Secretary

Removed from the Bulletin Board at City Hall on the ____ day of _____, 2021, by
_____.