

AGENDA

REGULAR CITY COUNCIL MEETING

**JANUARY 7, 2019
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, JANUARY 7, 2019 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. Certificate Of Recognition - Virginia Harris

[Documents:](#)

[certificate of recognition - virginia harris.pdf](#)

4. CITIZEN COMMENTS

This Item Provides The Opportunity For Citizens To Address The City Council On Any Matter Whether Or Not It's Posted On The Agenda. However, In Accordance With The Texas Open Meetings Act, Section 551.041, The Council Cannot Discuss, Deliberate, Or Take Action On Matters Not Listed On The Agenda. At This Time The Council Will Receive Citizen Comments, And If Necessary, May Refer The Matter To City Staff For Research, Resolution Or Referral To Council On A Future Agenda. As Described In The City's Public Meeting Procedures, Comments Will Be Limited To Three (3) Minutes And The City Secretary Is Directed To Use A Timer For Such Purposes.

5. CONSENT AGENDA

- A. Approval Of Minutes Of The Council Meeting Held November 12, 2018.

[Documents:](#)

[2018.11.12 - minutes.pdf](#)

- B. Approval Of Financial Report For November 2018.

[Documents:](#)

[financial report november 2018.pdf](#)

- C. Approval Of Ordinance No. O-2019-001 - Authorizing Certain Budget Amendments Pertaining To The 2018-2019 Budget And Providing An Effective Date.

[Documents:](#)

[budget amendment lemco settlement.pdf](#)

- D. Approval Of Resolution No. R-2019-001 - Authorizing The City Manager To Execute A Cooperative Purchasing Agreement With The City Of Fort Worth, Texas Relative To Procurement Of Goods And Services From Vendors; And Providing An Effective Date.

[Documents:](#)

[staff summary fort worth cooperative purchasing agreement.pdf](#)

6. PUBLIC HEARING/ACTION ITEM

- A. Discuss, Consider, And Take Any Necessary Action Regarding A Zoning Application Submitted By Michael Brizendine And Wagner Da Silva To Zone 1.5-Acres From Agricultural District To Neighborhood Commercial District For A Swimming School And Other Associated Aquatic Related Programs. The Location Of This Zoning Application Is The Southernmost Lot Located On The East Side Of Industrial Dr. And Is Described As Block A, Lot 6, Rockwall CAD Property ID 30997. Case ZR-18-023.

(1) Staff Report And Presentation

(2) Applicant Presentation

(3) Public Hearing

(4) Discuss, Consider, And Take Any Necessary Action Regarding Ordinance No. O-2019-002- Amending The Comprehensive Zoning Ordinance And Changing The Zoning Classification From Agricultural District (A) To Neighborhood Commercial District (NC) On Approximately 1.50 Acres Of Land Located On The East Side Of Industrial Drive And Specifically Described As Block A, Lot 6, Rockwall CAD Property Id 30997; Amending The Official Zoning Map; Providing A Penalty Up To \$2,000 Per Day; Providing For Savings, Severability, And Declaring An Effective Date.

[Documents:](#)

[industrial dr lot 6 ag to nc -staff summary.pdf](#)

7. ACTION ITEMS

- A. Discuss, Consider, And Take Any Necessary Action Regarding Ordinance No. O-2019-003- Approving The "Third Amendment To The Contract", Amending Section 11, Extending The Term Of The Current Agreement With Waste Connections Lone Star, Inc., F/K/A IESI TX Corporation, A Texas Corporation, And Providing An Effective Date.

[Documents:](#)

[staff summary waste connections.pdf](#)

- B. Discuss, Consider, And Take Any Necessary Action Regarding Montarra Development's Most Desirable Design Concept.

[Documents:](#)

[staff_summary montarra best parts of design.pdf](#)

- C. Discuss, Consider, And Take Any Necessary Action Regarding Any Desired Changes To The Fiscal Year 2020 Budget Process.

[Documents:](#)

[budget_process_discussion_revised.pdf](#)

- D. Discuss, Consider, And Provide Staff With Direction Regarding Amendments To The Number Of Planning And Zoning Commissioners.

[Documents:](#)

[staff summary - pz membership.pdf](#)

- E. Discuss, Consider, And Take Any Necessary Action Regarding Recommended Amendments To The City Of Fate Home Rule Charter.

[Documents:](#)

[staff summary - 2018 fate charter commission recommended charter amendments.pdf](#)

- F. Discuss, Consider, And Take Any Necessary Action Regarding Ordinance No. O-2019-004

Adopting Article Vi (Right Of Way Management) To Chapter 30 (Utilities) Of The Code Of Ordinances; Establishing Regulations For Permitting, Construction, Placement, And Excavation In Rights-Of-Way And Public Easements; Providing For The Regulation Of Network Nodes And Node Support Poles Pursuant To Chapter 284 Of The Texas Local Government Code; Adopting A Wireless Service Design Manual; Providing City Procedures For Applications For Permits; Establishing Time Periods For Approval Of Permit Applications; Providing Application Fees And Annual Public Right-Of-Way Rental Rates; Designating Underground Districts; Designating Design Districts; Providing Restrictions On Placement Of Network Nodes And Node Support Poles In Municipal Parks, Residential Areas, Underground Districts And Design Districts; Providing Indemnity For The City; Providing Requirements Relative To Removal, Replacement, Maintenance And Repair; Providing For Installation And Inspections; Establishing Fees; Providing A Severability Clause; Providing A Savings/Repealing Clause; Providing For A Penalty Or Fine; Providing An Effective Date; And Providing For The Publication Of The Caption Hereof.

[Documents:](#)

[staff report row management council.pdf](#)

- G. Discuss, Consider, And Take Any Necessary Action Regarding Truck Routes And Signage.

[Documents:](#)

[staff summary 2019 truck route ordinance discussion.pdf](#)

8. 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

9. 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 551.071, Consultation With Attorney On A Matter In Which The Duty Of The Attorney To The Governmental Body Under The Texas Disciplinary Rules Of Professional Conduct Of The State Bar Of Texas Clearly Conflicts With The Texas Open Meetings Act:
 - 1. To Receive Legal Advice Regarding Montarra Development
 - 2. To Receive Legal Advice Regarding A Memorandum Of Understanding/Agreement For MUD 9, Animal Control Sewer Line, And South Side Community Park Property
- B. In Accordance With Texas Government Code, Section 551.087, To Discuss Or Deliberate Regarding Commercial Or Financial Information That The City Has Received From A Business Prospect That The City Seeks To Have Locate, Stay, Or Expand In Or Near The Territory Of The City Of Fate And With Which The City Is Conducting Economic Development Negotiations; And To Deliberate The Offer Of A Financial Or Other Incentive To The Business Prospect:
 - 1. Mixed Use Development Project Located At The Northwest Corner Of FM 551 And Interstate 30
 - 2. Mixed Use Development Project Located At The Northeast, Southeast, And Southwest Corners Of FM 551 And Interstate 30
 - 3. Downtown Central Business Area

10. 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

11. 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 3rd day of January, 2019, at 6:01 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 _____, 2019, by
_____.