

AGENDA

REGULAR CITY COUNCIL MEETING

**FEBRUARY 4, 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, FEBRUARY 4, 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. 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.

4. CONSENT AGENDA

- A. Approval Of Minutes Of The Council Meeting Held January 28, 2019.

[Documents:](#)

[2019.1.28-minutes.pdf](#)

- B. Acceptance Of The Fate Department Of Public Safety 2018 Racial Profiling Report.

[Documents:](#)

[fatepdreport2018.pdf](#)

5. ACTION ITEMS

- A. Discuss, Consider, And Take Any Necessary Action Regarding An Application Submitted By Hossain Makvandi To Obtain A Special Use Permit For Gasoline Sales Pumps And Alcoholic Beverage Sales. The

Area That Is The Subject Of This SUP Application Is Commonly Known As Homeboys Exxon And Is Described As 2975 Hwy 66, Rockwall CAD Property ID 50543. Case SUP-18-005.

(1) Staff Report And Update; (2) Discuss, Consider, And Take Any Necessary Action Regarding Ordinance No. O-2019-005 - Amending The Comprehensive Zoning Ordinance By Approving A Special Use Permit For "Gasoline Sales Pumps" And "Alcoholic Beverage Sales (As Primary Use, Includes Beer And Wine Sales As Accessory Use)" To Authorize Gas Sales And A Liquor Store On Property Located At 2975 Hwy 66, CAD Property Id 50543; Amending The Official Zoning Map; Providing A Penalty Up To \$2,000 Per Day; Providing For Savings, Severability, And Declaring An Effective Date. TABLED BY COUNCIL ON NOVEMBER 5, 2018.

[Documents:](#)

[2975 hwy 66 sup - staff summary.pdf](#)

- B. Discuss, Consider, And Take Any Necessary Action Regarding Ordinance No. O-2019-006-Ordering A Special Election To Be Held On May 4, 2019, For The Purpose Of Voting On The Adoption Or Rejection Of Proposed Amendments To The Existing City Charter Of The City Of Fate, Texas, As Amended; Designating The Places At Which Said Election Is To Be Held; Appointing The Early Voting Clerk; Providing For Posting And Publication Of Notice; And Providing An Effective Date.

[Documents:](#)

[staff summary - ordering special election charter amendments may 4 2019.pdf](#)

6. 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

7. 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 BridgeWater/Montarra Development
 2. To Receive Legal Advice Regarding Potential City Attorney Conflict Of Interest
- 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

8. 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

9. ACTION ITEM

- A. Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2019-005 – Approving A Master Development Services Agreement Between The City Of Fate, Texas And Garrett Moore Company – Oklahoma LLC D/B/A Austin Kay Company, For Downtown Concept Plan And Master Development Services For The Downtown Area; Authorizing The Mayor To Execute Said Agreement And Providing An Effective Date.

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 February, 2019, at 1:15 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
_____.