

AGENDA

REGULAR CITY COUNCIL MEETING

**MARCH 18, 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, MARCH 18, 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. Gardner Capital Senior Living Project Presentation

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 March 4, 2019

[Documents:](#)

[2019.3.4_minutes.pdf](#)

B. Approval Of Mayor And Council Travel Expenses Associated With Attending Rockwall County Days 2019

[Documents:](#)

[mayor and council travel expenses rockwall county days 2019.pdf](#)

C. Approval Of Financial Report For February 2019

[Documents:](#)

[financial report 022819.pdf](#)

- D. Approval Of Resolution No. R-2019-010 - Ratifying The Execution Of A Donation Agreement And An Exchange Agreement With The Texas Department Of Transportation To Exchange Property On Memorial Parkway Owned By The City For Property Owned By The Texas Department Of Transportation On Old State Highway 551; And Providing An Effective Date

[Documents:](#)

[staff summary - ratifying execution of agreements for exchange of property with txdot.pdf](#)

6. ACTION ITEMS

- A. Discuss, Consider, And Take Any Necessary Action Regarding Ordinance No. O-2019-010- Authorizing Certain Budget Amendments Pertaining To The Fiscal Year 2018-2019 Budget - Park Development Fund District A, Providing For Improvements To Robert Smith Family Park And Providing An Effective Date.

[Documents:](#)

[budget_amendment_park_dist_a.pdf](#)

- B. Discuss, Consider, And Take Any Necessary Action Regarding Approval Of The Purchase And Installation Of Splash Pad Equipment For The Robert Smith Family Park In An Amount Not To Exceed \$699,683.68 From Kraftsman Commercial Playgrounds And Water Parks With Ancillary Cost Of Approximately \$63,415.00 And Authorizing The City Manager To Execute Necessary Documents To Complete The Purchase

[Documents:](#)

[splash pad purchase.pdf](#)

- C. Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2019-011-Withdrawing The Approval Of A First Amended Economic Development Incentive Agreement With SC/TS Investments, LLC Granted In Resolution No. 2019-004 And Approving A New First Amended Economic Development Incentive Agreement With SC/TS Investments, LLC; And Providing An Effective Date

[Documents:](#)

[council - staff summary - sc ts economic development agreement amendment.pdf](#)

- D. Discuss, Consider, And Take Any Necessary Action Regarding Updates Related To The Downtown Master Developer Agreement Between Garrett Moore Company And City Of Fate

[Documents:](#)

[garrett moore company update.pdf](#)

- E. Discuss, Consider, And Take Any Necessary Action Regarding Planning

And Zoning Commission Vacancy

- (1) Interview Candidates For Planning And Zoning Commission;
- (2) Accept Nominations;
- (3) Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2019-012 -Appointing A Replacement To Serve As Planning And Zoning Commissioner For An Unexpired Term.

Documents:

[staff summary - appointing a replacement to serve as pz commissioner.pdf](#)

- F. Discuss And Consider Ordinance No. O-2019-009 - Annexing The Hereinafter Described Territory Known As RCAD ID 12859, Located At 5126 FM 548; Extending The Boundary Limits Of The City So As To Include The Described Property, And Adopting A Service Plan

Documents:

[annex of nondev agrmnt.pdf](#)

- G. Discuss, Consider, And Take Any Necessary Action Regarding Ordinance No. O-2019-011- Amending Chapter 6 Buildings And Building Regulations To Add Article I, Contractor Registration To Provide Additional Requirements For Contractors Registering With The City; Providing For Revocation Of Registration; Establishing A Registration Fee; Providing For A Penalty Not To Exceed Five Hundred (\$500.00) Per Day With Each Day Constituting A Separate Violation; Providing For Savings, Severability And An Effective Date.

Documents:

[contractor registration ordinance.pdf](#)

- H. Discuss, Consider, And Take Any Necessary Action Regarding Building Permit Fees Discussion

Documents:

[staff_summary building permit fees march 2019.pdf](#)

- I. Discuss, Consider, And Take Any Necessary Action Regarding A Board Recognition Policy

Documents:

[staff summary board recognition policy.pdf](#)

- J. Discuss, Consider, And Take Any Necessary Action Regarding The Process Of Evaluating City Council Appointees

Documents:

[staff summary - discussion of process of evaluating city council appointees.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 551.071, 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 Contemplated And Pending Litigation City Of Fate V. Glen C. Eskew, Jr.; Cause No. 1-18-1598, Rockwall County 439th Judicial District Court
- 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

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 14th day of March, 2019, at 6:10 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
_____.