

AGENDA

REGULAR CITY COUNCIL MEETING

**AUGUST 5, 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, AUGUST 5, 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. Royse City Independent School District Update On Property Tax And New Legislative Impacts On Education.

B. Downtown Road Construction Update

C. StormWater Management Program - Stormwater Permit Post-Submittal And Education Update

[Documents:](#)

[staff summary - stormwater.pdf](#)

D. Water And Wastewater Rate Study Update Presented By NewGen Strategies And Solutions

[Documents:](#)

[fy2020_utility_billing_rate_study.pdf](#)

E. Proposed Fiscal Year 2020 Budget Including City, Fate Development Corporation And Fate Municipal Development District Budgets And Capital Improvements Program

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 NO. 1

- A. Approval Of Ordinance No. O-2019-025- Approving The Issuance And Sale Of "City Of Fate, Texas, Special Assessment Revenue Bonds, Series 2019 (Williamsburg Public Improvement District No. 1 Phase 2B, 2C, And 3A1)" And Approving Various Documents Related To Such Bonds.

Documents:

[3_pлом_preliminary_limited_offering_memorandum_080119.pdf.docx.pdf](#)
[williamsburg_pid_2b_2c_3a1_special_assessment_bonds.pdf](#)

6. CONSENT AGENDA NO. 2

- A. Approval Of Minutes Of The Council Meetings Held July 9, 2019 And July 15, 2019.

Documents:

[2019.7.9_minutes.pdf](#)
[2019.7.15_minutes.pdf](#)

- B. Approval Of Resolution No. R-2019-050 - Authorizing The City Manager To Enter Into An Interlocal Agreement With The Royse City Independent School District For The Waiver Of Building Permit Fees Pertaining To The Construction Of The Bobby Summers Middle School In Fate; And Providing An Effective Date.

Documents:

[staff summary - rcisd interlocal agreement 5aug2019.pdf](#)

- C. Approval Of Resolution No. R-2019-051- Authorizing The City Manager To Execute Various Agreements With Enterprise FM Trust And Enterprise Fleet Management, Inc. For Services Related To Fleet Acquisition, Management, Disposal, And Maintenance; And Providing An Effective Date.

Documents:

[staff summary - enterprise fleet management partnership.pdf](#)
[master equity lease agreement.pdf](#)
[maintenance agreement.pdf](#)
[maintenance management agreement.pdf](#)
[crawford group subsidiaries - schedule a.pdf](#)
[gp1j - city of fate - addendum to fm agreement - 07.19.pdf](#)
[gp1j - city of fate - addendum to maintenance management agreement - 07.....pdf](#)
[gp1j - city of fate - gov addendum to equity mla - fm trust - 07.19.pdf](#)
[gp1j - city of fate - telematics services agreement - 07.19.pdf](#)
[telematics agreement.pdf](#)

- D. Approval Of Resolution No. R-2019-052- Renumbering Resolution No. R-2019-048 –Electing A President Of The Board Of Directors Of The Fate

Development Corporation, That Was Adopted At The July 15, 2019 City Council Meeting, To Resolution No. R-2019-049 And Providing An Effective Date.

[Documents:](#)

[staff summary - renumbering resolution no. r-2019-048 electing a fdc president to resolution no. r-2019-049.pdf](#)

- E. Approval Of Resolution No. R-2019-053- Repealing Resolution No. R-2019-029 - Authorizing The Submittal Of A Grant Application To Texas Department Of Transportation's Safe Ride To School Program, Authorizing The City Manager To Execute The Grant Application For Submission, And Providing An Effective Date.

[Documents:](#)

[staff summary- repeal resolution safe ride to school.pdf](#)

- F. Approval Of Resolution No. R-2019-054- Authorizing The Submittal Of A Grant Application To Texas Department Of Transportation's Safe Route To School Program, Authorizing The City Manager To Execute The Grant Application For Submission, And Providing An Effective Date.

[Documents:](#)

[staff summary- safe route to school.pdf](#)

7. PLANNING AND ZONING RELATED ITEMS

- A. Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2019-055- Approving A Preliminary Plat For The Fate Travel Plaza, Containing 1.8862 Acres Located In The Dennis Thedford Survey, Abstract No. 208, City Of Fate, Rockwall County, Texas.

[Documents:](#)

[7a - fate travel plaza - staff summary.pdf](#)

- B. Discuss, Consider, And Take Any Necessary Action Regarding A Zoning Application Submitted By Alan Bain, Robert LaCroix, And Jan Vaquez To Zone 1.496-Acres From Agriculture District To Planned Development District For Spirits Sales. The General Location Of This Zoning Application Is On The East Side Of FM 551 Approximately 600-Feet North Of IH30, Rockwall CAD Property ID 12848. Case ZR-19-004.

(1) STAFF REPORT AND PRESENTATION; (2) APPLICANT PRESENTATION; (3) PUBLIC HEARING; (4) DISCUSS, CONSIDER, AND TAKE ANY NECESSARY ACTION REGARDING **ORDINANCE NO. O-2019-026**- AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND CHANGING THE ZONING CLASSIFICATION FROM AGRICULTURAL DISTRICT TO PLANNED DEVELOPMENT DISTRICT FOR RETAIL USES ON 1.496 ACRES OF LAND LOCATED ON THE EAST SIDE OF FM 551 APPROXIMATELY 600-FEET NORTH OF IH-30, ROCKWALL CAD PROPERTY ID 12848; AMENDING THE OFFICIAL ZONING MAP; PROVIDING A PENALTY UP TO \$2,000 PER DAY; PROVIDING FOR SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE.

[Documents:](#)

[7b and 7c - specs, pd and concept plan - staff summary_redacted.pdf](#)

C. Discuss, Consider, And Take Any Necessary Action Regarding A Concept Plan Application Submitted By Alan Bain, Robert LaCroix, And Jan Vaquez For A 1.496-Acre Concept Plan For A Retail Store For Alcoholic Beverage Sales. The Area That Is The Subject Of This Concept Plan Application Is Described As The East Side Of FM 551 approximately 600-Foot North Of IH30, Rockwall CAD Property ID 12848 Case CP-19- 001.

(1) STAFF REPORT AND PRESENTATION; (2) APPLICANT PRESENTATION; (3) PUBLIC HEARING; (4) DISCUSS, CONSIDER, AND TAKE ANY NECESSARY ACTION REGARDING **RESOLUTION NO. R-2019-056**-- APPROVING A CONCEPT PLAN FOR A SPECS LIQUOR STORE ON 1.496 ACRES OF LAND LOCATED ON THE EAST SIDE OF FM 551 APPROXIMATELY 600-FEET NORTH OF IH-30, ROCKWALL CAD PROPERTY ID 12848, CITY OF FATE, ROCKWALL COUNTY, TEXAS.

[Documents:](#)

[7b and 7c - specs, pd and concept plan - staff summary_redacted.pdf](#)

D. Discuss, Consider, And Take Any Necessary Action Regarding A Zoning Application Submitted By Oncor Electric Delivery Company, LLC And Brian Satagaj To Zone 12.33-Acres From Agriculture District To Industrial District For An Electric Substation Facility. The General Location Of This Zoning Application Is Directly South Of The Fate Postal Office On Hwy 66, Rockwall CAD Property ID 11680. Case ZR-19-005.

(1) STAFF REPORT AND PRESENTATION; (2) PUBLIC HEARING; (3) DISCUSS, CONSIDER, AND TAKE ANY NECESSARY ACTION REGARDING **ORDINANCE NO. O-2019-027**- AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND CHANGING THE ZONING CLASSIFICATION FROM AGRICULTURAL DISTRICT (A) TO INDUSTRIAL DISTRICT (IND) ON ACRES OF LAND LOCATED SOUTH OF THE FATE POSTAL OFFICE ON HWY 66, ROCKWALL CAD PROPERTY ID 11680; AMENDING THE OFFICIAL ZONING MAP; PROVIDING A PENALTY UP TO \$2,000 PER DAY; PROVIDING FOR SAVINGS, SEVERABILITY, AND DECLARING AN EFFECTIVE DATE.

[Documents:](#)

[7d and 7e - oncor hwy 66, ag to ind and sup - staff summary_redacted.pdf](#)

E. Discuss, Consider, And Take Any Necessary Action Regarding An Application Submitted By Oncor Electric Delivery Company, LLC And Brian Satagaj To Obtain A Special Use Permit For An Electric Substation Facility. The General Location Of This Special Use Permit Application Is Directly South Of The Fate Postal Office On Hwy 66, Rockwall CAD Property ID 11680. Case SUP-19-002.

(1) STAFF REPORT AND PRESENTATION; (2) APPLICANT PRESENTATION; (3) PUBLIC HEARING; (4) DISCUSS, CONSIDER, AND TAKE ANY NECESSARY ACTION REGARDING **ORDINANCE NO. O-2019-028**- AMENDING THE COMPREHENSIVE ZONING ORDINANCE BY APPROVING A SPECIAL USE PERMIT FOR "ELECTRICAL UTILITY SERVICES" TO AUTHORIZE AN ELECTRICAL UTILITY SUBSTATION ON PROPERTY LOCATED SOUTH OF THE FATE POSTAL OFFICE ON HWY 66, ROCKWALL CAD PROPERTY ID 11680; AMENDING THE OFFICIAL ZONING MAP; PROVIDING A PENALTY UP TO \$2,000 PER DAY; PROVIDING FOR SAVINGS, SEVERABILITY, AND DECLARING AN EFFECTIVE DATE.

[Documents:](#)

- F. Discuss, Consider, And Take Any Necessary Action Regarding A Zoning Application Submitted By Tan Minh Doan And Medd Rattana To Zone 2.98-Acres From Agricultural District To Neighborhood Commercial District For A Senior Center. The Location Of This Zoning Application Is 2622 Blackland Rd., Which Is Due East Of The Rayburn Electric Substation, Rockwall CAD Property ID 88212. Case ZR-19-003.(1) Staff Report And Presentation; (2) Applicant Presentation; (3) Public Hearing; (4) Discuss, Consider, And Take Any Necessary Action.

No Discussion Or Action To Be Taken – This Item Is Tabled To The October 7, 2019 City Council Meeting.

8. ACTION ITEMS

- A. Discuss, Consider And Take Any Necessary Action Regarding City Council Requested Post-Election Budget-Related Discussion Items:

Funded – Downtown/Trailhead Park (Partial), Update Comprehensive Plan, Drainage (Minimal), Advocacy At The County And State, Staff Training, Public Works Facility (Minimal/Portable Rental).

Unfunded – Expedite The South Side Park, Various Fate Development Corporation Additional Programs/Staff, Enhanced Social Media Presence, Off-Site Council Meeting (Remote Live-Streaming Capabilities), Keep Fate Beautiful.

Documents:

[staff summary discussion items budget related.pdf](#)

- B. Discuss, Consider And Take Any Necessary Action Regarding Resolution No. R-2019-057- Approving The Placement Of A Proposal On The September 3, 2019 Council Meeting To Adopt A 2019 Tax Year Proposed Property Tax Rate That Will Exceed The Lower Of The Effective Tax Rate Or The Rollback Tax Rate For The City Of Fate, Texas For The Fiscal Year Beginning October 1, 2019 And Ending September 30, 2020; Calling Two Public Hearings On The Proposed Property Tax Rate To Be Held On August 19, 2019 And August 26, 2019 At 6 Pm; Requiring Publication Of The Notice Of 2019 Tax Year Proposed Property Tax Rate In The Newspaper; Posting The Notice On The City's Website; And Providing An Effective Date.

Documents:

[fy2020_notice_proposed_tax_rate.pdf](#)

- C. Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2019-058- Approving The Placement Of A Proposal On The September 3, 2019 City Council Meeting Agenda To Adopt Proposed Fiscal Year 2019-2020 Budget; Calling A Public Hearing On August 19, 2019; Requiring Publication Of A Notice Of The Public Hearing On The Proposed 2019-2020 Budget In The Newspaper And On City's Website;

And Providing An Effective Date.

Documents:

[fy2020_budget_public_hearing.pdf](#)

D. Discuss, Consider, And Take Any Necessary Action Regarding The Fiscal Year 2020 Proposed Budget

Documents:

[fy2020_proposed_budget 08.02.2019 final.pdf](#)

9. 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

10. 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 Litigation
 - 2. To Receive Legal Advice Regarding Citizen Complaint Regarding Email Access To Public Officials
 - 3. To Receive Legal Advice Regarding The Process For Responding To Formal And Informal Complaints Made Against The City, It's Officers And Employees
 - 4. To Receive Legal Advice Regarding The Council's Latitude Regarding Appointments To Boards And Commissions

11. 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

12. 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 August, 2019, at 5:51 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
_____.