

# **AMENDED AGENDA**

## **CITY COUNCIL AND FATE MUNICIPAL DEVELOPMENT DISTRICT NO. 1 JOINT MEETING**

**MARCH 16, 2020  
6:00 P.M.**

**FATE CITY HALL  
1900 CD BOREN PARKWAY**

**NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL AND FATE MUNICIPAL DEVELOPMENT DISTRICT NO. 1 OF THE CITY OF FATE WILL HOLD A SPECIAL MEETING AT 6:00 P.M. ON MONDAY, MARCH 16, 2020 AT FATE CITY HALL, 1900 CD BOREN PARKWAY, FATE, TEXAS, FOR THE FOLLOWING PURPOSES:**

- 1. CITY COUNCIL CALL TO ORDER AND CONFIRM A QUORUM**
- 2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE AMERICAN AND TEXAS FLAGS**
- 3. EMERGENCY AGENDA ITEM**
  - A. Discuss, Consider And Take Any Necessary Action Regarding The Covid-19 Pandemic.
- 4. PRESENTATIONS**
  - A. Child Abuse Prevention And Awareness Proclamation  
[Documents:](#)  
[proclamation - child abuse awarness month 2020.pdf](#)
- 5. FATE MUNICIPAL DEVELOPMENT DISTRICT NO. 1 CALL TO ORDER AND CONFIRM A QUORUM**
- 6. EXECUTIVE SESSION: IN ACCORDANCE WITH TEXAS GOVERNMENT CODE, SECTION 551.001, ET SEQ., THE CITY COUNCIL AND FATE MUNICIPAL DEVELOPMENT DISTRICT WILL RECESS INTO EXECUTIVE SESSION (CLOSED MEETING) TO DISCUSS THE FOLLOWING:**
  - A. 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. Downtown Central Business Area

**7. RECONVENE INTO REGULAR SESSION: IN ACCORDANCE WITH TEXAS GOVERNMENT CODE, CHAPTER 551, THE CITY COUNCIL AND FATE MUNICIPAL DEVELOPMENT DISTRICT NO. 1 WILL RECONVENE INTO REGULAR SESSION TO CONSIDER ACTION, IF ANY, ON MATTERS DISCUSSED IN EXECUTIVE SESSION**

**8. FATE MUNICIPAL DEVELOPMENT DISTRICT NO. 1 ACTION ITEMS**

- A. Discuss, Consider, And Take Any Necessary Action Regarding A Resolution No. R-2020-001 - Approving An Economic Development Incentive Agreement With J&K Land Development, LLC, Approving The Sale Of District Property Subject To Approval From The City Council Of The City Of Fate, Texas; And Providing An Effective Date.
- B. Discuss, Consider, And Take Any Necessary Action Regarding Approval Of Minutes Of The Fate Municipal Development District No. 1 Meetings Held June 27, 2019 And November 11, 2019.

Documents:

[2019-6-27 fate municipal development district no. 1 minutes.pdf](#)  
[2019-11-11 fate municipal development district no. 1 minutes.pdf](#)

C. Fate Municipal Development District No. 1 Adjournment

**9. 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.

**10. CITY COUNCIL CONSENT AGENDA**

- A. Approval Of Mayor And Council Travel Expenses Associated With Attending Rockwall County Days 2020.

Documents:

[staff summary - travel expenses- rockwall county days 2020.pdf](#)

## 11. CITY COUNCIL ACTION ITEMS

- A. Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2020-012- Supporting The Fate Municipal Development District No. 1 Grant Of An Economic Development Incentive To J&K Land Development, LLC; Authorizing The Sale Of Propety Belonging To The Fate Municipal Development District No. 1; Authorizing The Expenditure Of Funds Or The Waiver Of Fees Therefor; And Providing An Effective Date.
- B. Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2020-013- Acknowledging Receipt Of The Comprehensive Annual Financial Report For The Fiscal Year Ended September 30, 2019; And Providing An Effective Date.

[Documents:](#)

[comprehensive\\_annual\\_financial\\_report\\_093019.pdf](#)

- C. Discuss, Consider, And Take Any Necessary Action Regarding Ordinance No. O-2020-008- Authorizing Certain Budget Amendments Pertaining To The Fiscal Year 2019-2020 Budget; And Providing An Effective Date.

[Documents:](#)

[budget\\_amendment\\_surplus\\_transfer.pdf](#)

- D. Discuss, Consider, And Take Any Necessary Action Regarding Fiscal Year 2020 Road And Storm Water Maintenance Plan.
1. Fiscal Year 2020 Road And Storm Water Maintenance Plan Presentation;
  2. Discuss, Consider, And Take Any Necessary Action Regarding Approval Of Texana Land And Asphalt, Inc. Proposal In The Amount Of \$302,330.75 For Downtown Fate Road Repairs.

[Documents:](#)

[staff\\_summary\\_road\\_plan.pdf](#)

- E. Discuss, Consider, And Take Any Necessary Action Regarding North Texas Municipal Water District Customer Cities Coalition And Public Utility Commission Filing Concerning The Take-Or-Pay Contract Structure.

[Documents:](#)

[staff\\_summary\\_puc\\_w\\_customer\\_cities\\_disc.pdf](#)

- F. Discuss, Consider, And Take Any Necessary Action Regarding A Governance Policy For The City Council Of The City Of Fate, Texas.

[Documents:](#)

[staff\\_summary\\_governing\\_policy\\_march\\_2020.pdf](#)

- G. Discuss, Consider, And Take Any Necessary Action Regarding Emergency Medical Services (EMS) Exclusivity For Ambulance Transports.

[Documents:](#)

[staff\\_summary\\_ems\\_exclusivity\\_disc.pdf](#)

- H. Discuss, Consider, And Take Any Necessary Action Regarding Directing The Planning And Zoning Commission To Examine A Change To Fence Regulations Within The Unified Development Ordinance To Allow For Privacy Fencing Along Lots Backing To Open Space.

[Documents:](#)

[staff summary fence regs discussion.pdf](#)

## **12. 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

## **13. 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 Nelson's Fireworks Long-Term Agreement And Building Improvements
- 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
- C. In Accordance With Texas Government Code, Section 551.072, To Deliberate The Purchase, Exchange, Lease, Or Value Of Real Property:
  - 1. Mixed Use Development Project Located At The Northwest Corner Of FM 551 And Interstate 30 And Related Road Right-Of-Way

**14. 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**

**15. CITY COUNCIL ADJOURNMENT**

In addition to any executive session already listed above, the City Council and Fate Municipal Development District No. 1 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 **AMENDED NOTICE OF MEETING** was filed and posted on the Bulletin Board at City Hall, 1900 CD Boren Parkway, City of Fate, Texas on the 16th day of March, 2020, at 2:22 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](http://www.cityoffate.com).

Victoria Raduechel, TRMC, City Secretary

Removed from the Bulletin Board at City Hall on the \_\_\_\_ day of \_\_\_\_\_, 2020, by \_\_\_\_\_.