

# **AGENDA**

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

**SEPTEMBER 7, 2021  
6:00 P.M.**

**FATE CITY HALL  
1900 CD BOREN PARKWAY**

**NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL AND THE FATE MUNICIPAL DEVELOPMENT DISTRICT NO. 1 WILL HOLD A JOINT MEETING AT 6:00 P.M. ON TUESDAY, SEPTEMBER 7, 2021 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. PRESENTATIONS/RECOGNITIONS**

- A. Proclamation To Recognize Colby Sumrak For Achieving Eagle Scout Ranking.

[Documents:](#)

[proclamation - colby sumrak.pdf](#)

#### **4. 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.

**5. FATE MUNICIPAL DEVELOPMENT DISTRICT NO. 1 CALL TO ORDER AND CONFIRM A QUORUM**

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

- A. Discuss, Consider, And Take Any Necessary Action Regarding Approval Of Minutes Of The Fate Municipal Development District No. 1 Meeting Held June 3, 2021.

[Documents:](#)

[2021-6-3 fate municipal development district no. 1 minutes.pdf](#)

**7. EXECUTIVE SESSION: IN ACCORDANCE WITH TEXAS GOVERNMENT CODE, SECTION 551.001, ET SEQ., THE CITY COUNCIL AND FATE MUNICIPAL DEVELOPMENT DISTRICT NO. 1 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. Rockwall CAD Property ID 16510
2. Rockwall CAD Property ID's 16504, 16505, 16506
3. Rockwall CAD Property ID 16474
4. Rockwall CAD Property ID 10558

**8. 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**

**9. FATE MUNICIPAL DEVELOPMENT DISTRICT NO. 1 ADJOURNMENT**

**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 A Development Agreement For

## PMB Capital Investments Single-Family Rental Development

- B. In Accordance With Texas Government Code, Section 551.072, To Deliberate The Purchase, Exchange, Lease, Or Value Of Real Property:
1. Development Agreement For PMB Capital Investments Single-Family Rental Development
  2. Property Acquisition For Fate Department Of Public Safety Northeast Fire Station And City Of Fate Public Works/Utilities Building
  3. Right-Of-Way Acquisition For Road Bond Projects South Of I30

### **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. PRESENTATIONS**

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

[Documents:](#)

[utility\\_fund\\_rate\\_study\\_fy\\_2022.pdf](#)

### **13. CONSENT AGENDA**

*All Items Under Consent Agenda Are Considered To Be Routine By The City Council And Will Be Enacted By One Motion. There Will Not Be Separate Discussion Of These Items. If Discussion Is Desired, That Item Will Be Removed From The Consent Agenda And Will Be Considered Separately.*

- A. Approval Of Minutes Of The Council Meeting Held August 9, 2021.

[Documents:](#)

[2021.8.9.pdf](#)

- B. Approval Of Council Travel Expenses Associated With Attending Texas Municipal League (TML) Newly Elected City Officials' Orientation.

[Documents:](#)

[staff summary - travel expenses.pdf](#)

- C. Approval Of Resolution No. R-2021-090- Accepting The Award Of A Grant From The Texas Parks And Wildlife Department, Local Park Grant Program, In The Amount Of \$150,000 For Joe Burger Park The Construction Elements Include A Tennis/Pickleball Court, Basketball Court, And Multi-Purpose ADA Trail/Ramp And Approving A Grant Agreement Between The City Of Fate, Texas, And The Texas Parks And Wildlife Department For Said Local Park Grant Program; Authorizing The City Manager To Execute The Grant Agreement And Providing An Effective Date.

[Documents:](#)

- D. Approval Of Resolution No. R-2021-091- Authorizing Participation In The Interlocal Purchasing System (TIPS); Authorizing An Interlocal Agreement With Region VIII Education Service Center For Cooperative Purchasing Services Through The Interlocal Purchasing System (TIPS); Authorizing The City Manager To Execute Said Agreement And Providing An Effective Date.

[Documents:](#)

[council - staff summary - tips procurement membership.pdf](#)

- E. Approval Of Contracts For Court Fines And Fees Collection Services:

[Documents:](#)

[collection\\_contracts\\_court\\_and\\_utility\\_billing res.pdf](#)

1. Approval Of Resolution No. R-2021-092- Approving A Contract Between The City Of Fate, Texas, And Perdue Brandon Fielder Collins & Mott, LLP, For The Collection Of Delinquent Accounts Receivable, Including But Not Limited To Delinquent Utility Bills; Emergency Medical Services; And The Cost Incurred By The City Or Authorized By The City Code To Be Imposed By The City To Bring Any Property Into Compliance With The City Code Including, Assessments For Mowing Of Vacant Lots, Removal Of Trash And Debris From Vacant Lots, Demolition Of Substandard Structures And Abatement Of Other Nuisances By The City; Authorizing The City Manager To Execute Said Contract And Providing An Effective Date.
2. Approval Of Resolution No. R-2021-093- Approving A Contract Between The City Of Fate, Texas, And Perdue Brandon Fielder Collins & Mott, LLP, For The Collection Of Delinquent Court Fines, Fees, And Court Costs; Authorizing The City Manager To Execute Said Contract And Providing An Effective Date.

#### **14. CITY COUNCIL ACTION ITEMS/PUBLIC HEARINGS**

- A. Discuss, Consider, And Take Any Necessary Action Regarding Presentation By DC Municipal Consultants Regarding The City Of Fate Employee Compensation Study.

[Documents:](#)

[staff summary compensation study sept 2021.pdf](#)

- B. (This Is A Future Land Use Plan Map Amendment, Zoning Request, And Concept Plan For A Proposed Single Family Rental Development) The Total Project Area Is Comprised Of Approximately 27.36 Acres Across Two Tracts Generally Located At Hwy 66 And CD Boren Parkway. Parcel 10552 Legal Description: A0061 M CRABTREE, TRACT 4, ACRES 1, City Of Fate, Rockwall County, Texas. Parcel 87218 Legal Description A0057 S B CRABTREE, TRACT 6-08, ACRES 26.36, City Of Fate, Rockwall County, Texas. Case # FLUP-21-001, ZR-21-002, And CP-21-002.

- Staff Report And Presentation
- Applicant Presentation

Documents:

[woodcreek sfr zr-21-002\\_cp-21-002\\_flup-21-001 - staff summary\\_20210907.pdf](#)

1. FLUP - Discuss, Consider, And Take Any Necessary Action Regarding Approval Of A Future Land Use Plan Map Amendment For A Proposed Single Family Rental Development.
  - a. Public Hearing
  - b. Discuss, Consider, And Take Any Necessary Action Regarding Ordinance No. 2021-035 - Amending The City Of Fate Comprehensive Plan To Amend The Future Land Use Plan Designation Of Approximately 27.83 Acres From “Suburban Density (5k-15k SF Residential Lots)” To “Urban Density (<5,000 Sf Lots)” To Authorize A 105-Unit Single-Family Rental Project On Land Generally Located On The Eastern Side Of State Highway 66 And South Of Abelia Drive, Rockwall CAD Property ID 10552 And 87218, City Of Fate, Rockwall County, Texas; Amending The Official Future Land Use Plan Map; Providing A Penalty Up To \$2,000 Per Day; Providing For Savings, Severability, And Declaring An Effective Date.
2. ZONING – Discuss, Consider, And Take Any Necessary Action Regarding Approval Of A Zoning Request For A Proposed Single Family Rental Development.
  - a. Public Hearing
  - b. Discuss, Consider, And Take Any Necessary Action Regarding Ordinance No. O-2021-036 - Amending The Comprehensive Zoning Ordinance And Changing The Zoning Classification From Woodcreek Planned Development To Planned Development District For Single-Family Residential Urban Uses And To Amend The Development Standards Of The Unified Development Ordinance And Design Criteria And Construction Standards On Approximately 27.83 Acres Of Land Identified As Rockwall CAD Property ID 10552 And 87218, City Of Fate, Rockwall County, Texas; Amending The Official Zoning Map; Providing A Penalty Up To \$2,000 Per Day; Providing For Savings, Severability, And An Effective Date.
3. Concept Plan – Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2021-094- Approving A Concept Plan For Single-Family Rental Housing On Approximately 27.83 Acres Of Land Generally Located On The Eastern Side Of State Highway 66 And South Of Abelia Drive, Rockwall CAD Property ID 10552 And 87218, City Of Fate, Rockwall County, Texas.

- C. (This Is A Proposed Ordinance Establishing Restrictions On Small Box Discount Stores) Discuss, Consider, And Take Any Necessary Action Regarding A Proposed Ordinance That Establishes New Regulations For Small-Box Discount Stores. This Ordinance Would Place Distance And Other Regulations On Certain Store Types In Order To Promote Community Health And A Robust Local Economy.

1. Staff Report And Presentation
2. Public Hearing
3. Discuss, Consider, And Take Any Necessary Action Regarding Ordinance No. O-2021-037- Amending The Fate Unified Development Ordinance By Making Certain Deletions And Additions In Sections Found Under Article IV (Use Standards) And Article XII (Definitions) Thereby Providing New Regulations For Small-Box Discount Stores; Providing A Penalty Not To Exceed Two Thousand And No/100 Dollars (\$2,000.00) For Each Offense And A Separate Offense Shall Be Deemed Committed Each Day During Or On Which A Violation Occurs Or Continues; Providing A Savings Clause; Providing A Cumulative Clause; Providing A Severability Clause; Providing A Repealer Clause; And Providing For An Effective Date.

[Documents:](#)

[small box discount stores - staff summary\\_20210907.pdf](#)

- D. (This Is An Application For A Preliminary Plat For The Avondale Planned Development) Discuss, Consider, And Take Any Necessary Action Regarding An Application For A Preliminary Subdivision Plat For The Avondale Planned Development. The Project Area Is Comprised Of 110.581 Acres, Generally Located On The Southeast Corner Of The Intersection Of State Highway 66 And Ben Payne Road. The Legal Description Is ABS A0148, S MURPHY, TRACT 1, 110.3480 ACRES. Case File # PP-21-003.

1. Staff Report And Presentation;
2. Applicant Presentation;
3. Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2021-095- Approving A Preliminary Subdivision Plat For The Avondale Planned Development. The Project Area Is Comprised Of 110.581 Acres, Generally Located On The Southeast Corner Of The Intersection Of State Highway 66 And Ben Payne Road. The Legal Description Is ABS A0148, S MURPHY, TRACT 1, 110.3480 ACRES. Case File # PP-21-003.

[Documents:](#)

[pp-21-003\\_avondale preliminary plat - staff summary\\_20210907.pdf](#)

## **15. 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

## 16. CITY COUNCIL ADJOURNMENT

In addition to any executive session already listed above, the City Council of the City of Fate and the Fate Municipal Development District No. 1 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 2nd day of September, 2021, at 4:45 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.fatetx.gov](http://www.fatetx.gov).

Victoria Raduechel, TRMC, City Secretary

Removed from the Bulletin Board at City Hall on the \_\_\_\_ day of \_\_\_\_\_, 2021, by

\_\_\_\_\_.