

AGENDA

REGULAR CITY COUNCIL MEETING

**April 18, 2022
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, APRIL 18, 2022 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. YMCA Presentation

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. 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 March 21, 2022.

[Documents:](#)

[2022.3.21.pdf](#)

B. Approval Of Quarterly Investment Report For The Quarter Ending March 31, 2022.

[Documents:](#)

[investment_report_quarter_ending_033122 signed.pdf](#)

C. Approval Of Resolution No. R-2022-022- Approving A Construction And Maintenance Agreement Between The City Of Fate, Texas, And Dallas, Garland & Northeastern Railroad, Inc., For Roadway Traffic Safety Improvements; Authorizing The City Manager To Execute Said Agreement; And Providing An Effective Date.

[Documents:](#)

[dgno staff summary.pdf](#)

6. ACTION ITEMS

A. (This Is An Application For A Special Sign Permit For The FRESH By Brookshire's Store) Discuss, Consider, And Take Any Necessary Action Regarding Approval Of A Special Sign Permit Request For The FRESH By Brookshire's Store, Located On Memorial Parkway In Fate. The Project Is Located On Parcel 112929, Within The Fate Village Mixed Use Commercial Development.

1. Staff Summary
2. Applicant Presentation
3. Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2022-023- Approving A Special Sign Permit For Fresh By Brookshire's, Located Within The Fate Village Mixed Use Development, Rockwall CAD Property ID 112929, City Of Fate, Rockwall County, Texas; And Providing An Effective Date.

[Documents:](#)

[special sign permit_fresh by brookshires staff summary_20220418.pdf](#)

B. Discuss, Consider, And Take Any Necessary Action Regarding Approval Of The Financial Report For March 2022 And Quarterly Budget Check-In.

[Documents:](#)

[financial_report_month_ending_033122.pdf](#)

C. Discuss, Consider, And Take Any Necessary Action Regarding Ordinance No. O-2022-006- Amending Fiscal Year 2021-2022 Budget - General

Fund And Utility Fund.

[Documents:](#)

[budget_amendment_mid_year_033122.pdf](#)

- D. Discuss, Consider, And Take Any Necessary Action Regarding Amending The Appointment Policy And Procedures For The Appointment Of Individuals To City Boards And Commissions And For The Appointment Of Vacancies In The City Council.

[Documents:](#)

[staff summary - discussion board commission and city council appointments.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 551.072, To Deliberate The Purchase, Exchange, Lease, Or Value Of Real Property:
 - 1. Right-Of-Way Acquisition For Road Bond Projects North Of I30
 - 2. Right-Of-Way Acquisition For Road Bond Projects South Of I30
- B. 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 Chapter 380 Economic Development Incentive Agreement With Brookshire Grocery Company D/B/A FRESH By Brookshire's For Property Generally Located At The Southwest Corner Of Interstate 30 And FM 551
- C. In Accordance With Texas Government Code, Section 551.074: To Deliberate The Appointment, Employment, Evaluation, Reassignment, Duties, Discipline, Or Dismissal Of A Public Officer Or Employee:

1. City Attorney
2. City Secretary
3. City Manager

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 April, 2022, at 3:40 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.

Victoria Raduechel, TRMC, City Secretary

Removed from the Bulletin Board at City Hall on the ____ day of _____, 2022, by
_____.