

# **AGENDA**

## **CITY COUNCIL AND FATE PUBLIC FACILITY CORPORATION JOINT MEETING**

**SEPTEMBER 6, 2022**

**6:00 P.M.**

**FATE CITY HALL  
1900 CD BOREN PARKWAY**

**NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL AND THE FATE  
PUBLIC FACILITY CORPORATION WILL HOLD A JOINT MEETING AT 6:00  
P.M. ON TUESDAY, SEPTEMBER 6, 2022 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**

- A. Presentation Of Proclamation Designating The Month Of September 2022  
As Suicide Prevention Awareness Month

[Documents:](#)

[suicide prevention awareness month.pdf](#)

- B. Presentation Of Proclamation Honoring Clifford Haney

[Documents:](#)

[clifford haney proclamation.pdf](#)

**4. FATE PUBLIC FACILITY CORPORATION ACTION ITEMS**

- A. Fate Public Facility Corporation Call To Order And Confirm A Quorum
- B. Discuss, Consider, And Take Any Necessary Action Regarding Approval  
Of Minutes Of The Fate Public Facility Corporation Meeting Held  
September 8, 2020.

[Documents:](#)

[2020.9.8.pdf](#)

- C. Discuss, Consider, And Take Any Necessary Action Regarding PFC  
Resolution No. R-2022-001 - Designating The Managing Partner Of

Gardner Capital, Inc. An Affiliate Of Gala At Fate SLP, LLC, As An Authorized Representative Of The General Partner Of Gala At Fate GP, LLC.

[Documents:](#)

[resolution- adding amy dosen as authorized rep wth staff report.pdf](#)

- D. Discuss, Consider, And Take Any Necessary Action Regarding PFC Resolution No. R-2022-002 - Accepting A Special Warranty Deed From Fate Detention Pond, LLC And Authorizing The Execution Of A Special Warranty Deed To Fate Detention Pond, LLC To Resolve A Matter Of Property Lines, And Granting An Easement For Drainage Purposes To Fate Detention Pond, LLC To Direct And Collect Run-Off And/Or Drainage Storm Water.

[Documents:](#)

[resolution approving deeds and easement with staff report - pfc.pdf](#)

- E. Discuss, Consider, And Take Any Necessary Action Regarding PFC Resolution No. R-2022-003 - Approving The Declaration Of Land Use Restrictive Covenants Land Use Restriction Agreement For Low Income Housing Tax Credits Between The Gala At Fate, LP And The Texas Department Of Housing And Community Affairs.

[Documents:](#)

[resolution approving lura with staff report - pfc.pdf](#)

- F. Fate Public Facility Corporation Adjournment

## **5. 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.

## **6. 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 15, 2022.

[Documents:](#)

[2022.8.15.pdf](#)

- B. Approval Of Ordinance No. O-2022-030- Establishing A Reforestation Fund And Providing An Effective Date.

[Documents:](#)

[creation\\_of\\_reforrestation\\_fund.pdf](#)

- C. Approval Of Resolution No. R-2022-064- Approving The Low Income Household Water Assistance Program Water Provider Agreement Between The City Of Fate And The Texoma Council Of Governments; Authorizing The City Manager To Execute The Agreement And Take Any Action Necessary To Implement The Program.

[Documents:](#)

[inter\\_local\\_agreement\\_with\\_texoma\\_cog\\_lihwap\\_mk.pdf](#)

- D. Approval Of Resolution No. R-2022-065- Approving A Stream Wetland Mitigation Sales Agreement Between The City Of Fate, Texas And Daisy Mitigation Bank LLC In The Amount Of \$134,700 To Facilitate The Necessary Drainage Improvements Near The Melody Ranch Subdivision In The City Of Fate.

[Documents:](#)

[staff summary- stream and wetland mitigation sales agreement - daisy mitigation llc.pdf](#)

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

- A. Conduct A Public Hearing And Consider The Adoption Of Ordinance No. O-2022-031- Accepting And Approving A Williamsburg East Public Improvement District Amended And Restated Service And Assessment Plan And Improvement Area #2 Assessment Roll For The Williamsburg East Public Improvement District.

[Documents:](#)

[amended\\_and\\_restated\\_service\\_and\\_assessment\\_plan\\_wm\\_east\\_1a2.pdf](#)

- B. Discuss, Consider, And Take Any Necessary Action Regarding Ordinance No. O-2022-032- Approving The Issuance And Sale Of "City Of Fate, Texas, Special Assessment Revenue Bonds, Series 2022 (Williamsburg East Public Improvement District Improvement Area #2)" And Approving Various Documents Related To Such Bonds.

[Documents:](#)

[ordinance\\_issuance\\_and\\_sale\\_of\\_special\\_assessment\\_bonds\\_wm\\_east\\_1a2.pdf](#)

- C. Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2022-066- Approving A Contract With Focused Advocacy For Legislative Liaison Services For The City Of Fate, Texas.

[Documents:](#)

- D. Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2022-067-Adopting The Legislative Program For The City Of Fate, Texas; Directing The City Manager Or His Designee To Act With Regard To The City's Legislative Program.

[Documents:](#)

- E. Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2022-068- Requesting The Support Of The Texas Municipal League, Finding A Substantial Need For Zoning Reforms To Return Powers To The Citizens Of The Cities Of Texas Through Their Elected Municipal Councils, And Supporting The State Legislature's Action To Amend State Law.

[Documents:](#)

- F. (This Is A Planned Development And Concept Plan For A Proposed Mixed-Use Duplex Rental, Townhome, And Commercial Development) Discuss, Consider, And Take Any Necessary Action Regarding Approval Of A Planned Development And Concept Plan For Cottages At Greenbriar, A Proposed 426-Unit Duplex Rental And Townhome Development, And A Future Commercial Development Consisting Of Approximately 170,000 Sf Of Commercial Space.

The Existing Zoning For The Property Is Agriculture, And The Proposed Base Zoning For The Property Within The Planned Development Is A Mix Of Highway Mixed Use (40.3% Of Total Area) And Mixed-Use Transition (59.7%). The Total Project Area Is Comprised Of Approximately 73.27 Acres Across Two Tracts Generally Located At The Southeast Corner Of The Intersection Of I-30 And Memorial Parkway. Case # ZR-22-005 & CP-22-002.

1. Staff Summary
2. Applicant Presentation
3. Public Hearing
4. Discuss, Consider, And Take Any Necessary Action Regarding **Ordinance No. O-2022-033** - Amending The Comprehensive Zoning Ordinance And Changing The Zoning Classification From Agriculture (A) To Highway Mixed Use (RMU-C) On Approximately 29.52 Acres And From Agriculture (A) To Regional Mixed Use Transition (RMU-T) On Approximately 43.75 Acres Of Land Identified As Rockwall CAD Property ID 12848 And 12849, 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.

5. Discuss, Consider, And Take Any Necessary Action Regarding **Resolution No. R-2022-069** - Approving A Concept Plan For Mixed Use Commercial And Residential Uses On Approximately 73.27 Acres Of Land Generally Located On The Eastern Side Of Memorial Parkway, South Of I-30, And North Of Chamberlain Drive, Rockwall CAD Property ID 12848 And 12849, City Of Fate, Rockwall County, Texas.

Documents:

[zr-22-005, cp 22-002 memorial commerical and cottages at greenbriar - staff summary\\_20220906.pdf](#)

- G. (This Is An Application For A Type II Site Plan For The Blackland Water Fate Pump Station Site) Discuss, Consider, And Take Any Necessary Action Regarding Approval Of A Type II Site Plan To Facilitate The Construction Of The Blackland Water Fate Pump Station. The Project Area Is Comprised Of Approximately 3.651 Acres With An Additional 0.478 Acres Of Right Of Way To Be Dedicated. The Subject Property Is Part Of The Woodcreek Planned Development And Was Assigned A "Commercial District" Land Use. The Project Is Located On Parcel 59874, Approximately 303ft North Of The Northeast Corner Of The Intersection Of SH 66 And Ben Payne Road. The Legal Description Is ABS A0103, J HODGES, TRACT 2-1, (SEE 62169 FOR MU1 DISTRICT ACCT), 4.1290 ACRES. Case # SP-22-009.

1. Staff Summary
2. Applicant Presentation
3. Discuss, Consider, And Take Any Necessary Action Regarding **Resolution No. R-2022-070**- Approving A Site Plan For Blackland Water Supply Corporation On Approximately 3.6 Acres Of Land Generally Located On The Northeast Corner Of The Intersection Of State Highway 66 And Ben Payne Road, Rockwall CAD Property ID 59874, City Of Fate, Rockwall County, Texas; And Providing An Effective Date.

Documents:

[sp-22-009\\_blackland water fate pump station - staff summary\\_20220906.pdf](#)

- H. (This Is An Application For Approval Of A Zoning Change Request And A Preliminary Plat For An Existing Fireworks Sales Business Across Three Parcels On The South Side Of I-30) Discuss, Consider, And Take Any Necessary Action Regarding Approval Of A Zoning Change Request From Agriculture (A) To Highway Commercial (HC) And The Approval Of An Associated Preliminary Plat. The Total Area Of The Proposed Zoning Change Is Across Three Parcels Which Total Approximately 10.278 Acres. Case # ZR-22-003 & PP-22-003.

1. Staff Summary
2. Applicant Presentation
3. Public Hearing
4. Discuss, Consider, And Take Any Necessary Action Regarding **Ordinance No. O-2022-034**- Amending The Comprehensive Zoning Ordinance And Changing The Zoning Classification From Agriculture (A) To Highway Commercial (HC) On Approximately 10.278 Acres Of Land Identified As Rockwall CAD Property ID 11209, 32040, And 32041, 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.
5. Discuss, Consider, And Take Any Necessary Action Regarding **Resolution No. R-2022-071**- Conditionally Approving A Preliminary Plat For Alamo Fireworks On 10.278 Acres Of Land Located West Of Compass Self Storage And South Of I-30, Rockwall CAD Property IDs 11209, 32040, And 32041, City Of Fate, Rockwall County, Texas; And Providing An Effective Date.

[Documents:](#)

[zr-22-003 and pp-22-003\\_alamo fireworks - staff summary final\\_20220906.pdf](#)

- I. (This Is An Application For A Zoning Request And Special Use Permit For A New And Used Car Sales And Service Business) Discuss, Consider, And Take Any Necessary Action Regarding Approval Of A Zoning Request And Special Use Permit For A New And Used Car Sales And Service Business. The Applicant, ZTEX, LLC, Is Proposing A 34,060 Square Foot Sales And Service Facility On A 5.32-Acre Property. The Existing Zoning For The Property Is Agriculture, And The Proposed Zoning For The Property Is Highway Commercial. The Property Is Generally Located On The North Side Of I-30, Immediately East Of Encounter Church And Approximately 0.45 Miles East Of Ben Payne Road. Case # ZR-22-007 & SUP-22-003.

1. Staff Summary
2. Applicant Presentation
3. Public Hearing
4. Discuss, Consider, And Take Any Necessary Action Regarding **Ordinance No. O-2022-035** - Amending The Comprehensive Zoning Ordinance And Changing The Zoning Classification From Agriculture (A) To Highway Commercial (HC) On Approximately 5.32 Acres Of Land Identified As Rockwall CAD Property ID 29047, 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.

5. Discuss, Consider, And Take Any Necessary Action Regarding **Ordinance No. O-2022-036**- Amending The Comprehensive Zoning Ordinance By Approving A Special Use Permit For “Motor Vehicle Sales, Used” To Authorize Sales Of Used Passenger Vehicles On Approximately 5.32 Acres Of Land Identified As Rockwall CAD Property ID 29047, 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 Declaring An Effective Date.

[Documents:](#)

[sup-22-003 and zr-22-007\\_volkswagen fate\\_staff summary\\_20220906.pdf](#)

- J. Take Action To Table Presentation, Public Hearing, And Any Action Regarding An Application For Approval Of A Planned Development Request To Allow For UHAUL Truck And Trailer Rentals At Rockwall Fate Self-Storage, Located At 4480 E I-30. The Applicant Is Mohammad Nikpour. The Total Area Of The Proposed Planned Development Is Approximately 1.72 Acres. Case # ZR-22-006.

**The Applicant Requested This Item, Including Presentation And Public Hearing, Be Tabled To The September 19, 2022 City Council Meeting.**

## **8. 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

## **9. CITY COUNCIL 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 September, 2022, at 4:20 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 \_\_\_\_\_, 2022, by \_\_\_\_\_.