

AGENDA

SPECIAL CITY COUNCIL MEETING

**OCTOBER 9, 2023
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 SPECIAL CITY COUNCIL MEETING AT 6:00 P.M. ON MONDAY, OCTOBER 9, 2023 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. Proclamation Recognizing Evan Sumrak For Achieving Eagle Scout Ranking.

[Documents:](#)

[evan sumrak eagle scout proclamation.pdf](#)

B. Hispanic Heritage Month Proclamation

[Documents:](#)

[hispanic heritage month proclamation.pdf](#)

C. Community Planning Month Proclamation

[Documents:](#)

[community planning month 2023.pdf](#)

D. Presentation Of Employee Service Awards To John Taylor, Jay Shallow, And Ashley Martin

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. Consider Approval Of Minutes Of The Council Meetings Held August 14, 2023, August 21, 2023, And September 12, 2023.

Documents:

staff summary - minutes.pdf
2023.8.14.pdf
2023.8.21_joint pz.pdf
2023.9.12_joint mdd.pdf

- B. Consider Approval Of Ordinance No. O-2023-042- Providing For The Conveyance And Abandonment Of An Approximately 2.928 Acre Tract Of Utility Easement In The Vicinity Of The Intersection Of I-30 And FM551.

Documents:

agenda summary - easement abandonment.pdf

- C. Consider Approval Of Resolution No. R-2023-075- Approving An Agreement Between The City Of Fate, Texas, And All American Dogs, Inc., A Texas Corporation, D/B/A "All American Animal Control" To Provide Animal Control Services.

Documents:

staff summary 2023 animal control services.pdf

- D. This Is An Application For A Zoning Change Request From Agriculture To Planned Development) Discuss, Consider, And Take Any Necessary Action Regarding A Zoning Request From Agriculture (A) To Planned Development (PD) On Approximately 28.455 Acres Comprising Portions Of Two Separate Tracts Of Land. The Zoning Change Request Has Been Brought Forward By Fate I-30 Commercial, LP. This Reason For The Zoning Request Is To Entitle The Land To Support A Horizontal Mixed-Use Project Consisting Of Commercial, Live/Work, And Multifamily Residential Units. Case # ZR-23-004.

This Item, Including Presentation And Public Hearing Is Postponed To The November 13, 2023

Hearing, Is Rescheduled To The November 16, 2023 City Council Meeting.

- E. Consider Approval Of Travel Expenses Associated With Attending The Texas Municipal League (TML) Annual Conference.

[Documents:](#)

[staff summary - travel expenses tml conference 2023.pdf](#)

- F. Consider Approval Of Ordinance No. O-2023-043- Amending Procedures And Rules Relating To The Development Of Real Property In The City Limits And Extraterritorial Jurisdiction. (No Changes To Platting Procedures, Land Uses, Or Zoning Classifications).

[Documents:](#)

[staff summary ord development action etj.pdf](#)

- G. Consider Approval Of Ordinance No. O-2023-044- Clarifying The Time Of Impact Fee Assessment And Clarifying When A Project Becomes Dormant Due To Non-Development.

[Documents:](#)

[agenda summary - assessment and dormancy.pdf](#)

- H. (This Is An Update To The City's Master Thoroughfare Plan) Consider Approval Of Resolution No. R-2023-076- Approving An Update To The Master Thoroughfare Plan Related To Updates To The Roadway Impact Fee Report.

[Documents:](#)

[master thoroughfare plan update_staff summary_20231009.pdf](#)

6. ACTION ITEMS/PUBLIC HEARINGS

- A. Conduct Public Hearing To Consider The Amendment Of Land Use Assumptions, Capital Improvements Plan, And Impact Fees For The City Of Fate; And Discuss, Consider, And Take Any Necessary Action Regarding Ordinance No. O-2023-045-Adopting And Approving Amendments To The City's Land Use Assumptions, Capital Improvement Plans For Water, Wastewater, And Roadway Facilities, And A Revised Land Use Equivalency Table; And Adopting And Modifying Maximum Impact Fees And Impact Fees To Be Collected On Development Projects In The City.

[Documents:](#)

[agenda summary - impact fee increases final.pdf](#)

- B. (This Is An Application For A Special Use Permit To Allow For A 155 Ft Monopole In The Agriculture Zoning District) Discuss, Consider, And Take Any Necessary Action Regarding Approval Of A Special Use Permit (SUP) For A 155 Ft Monopole On A 100 Ft X 100 Ft Area Of A 12.6-Acre Tract Of Land Currently Zoned Agriculture. The Applicant, MD7 LLC On Behalf Of Verizon, Is Proposing The Monopole To Be Located On The Northern

Portion Of The Tract. The Reasoning For The Request Is Due To Telecommunication Towers Requiring An SUP For Approval In The Agriculture Zoning District. The Tract Is Generally Described As Being Three Parcels North Of Prince Lane Abutting Hwy 66 To The West. The Legal Description Is A0151 J MCKINNEY, TRACT 3, ACRES 12.599, (PT OF 13.430 AC TR). RCAD ID 11739. Case # SUP-23-001

1. Staff Summary
2. Applicant Presentation
3. Public Hearing
4. Discuss Consider And Take Any Necessary Action Regarding **Ordinance No. O-2023-046** - Amending The Comprehensive Zoning Ordinance By Approving A Special Use Permit For "Telecommunications Towers" To Authorize The Construction Of A Single 155-Foot-High Monopole Telecommunications Tower On Approximately 12.6 Acres Of Land Identified As Rockwall CAD Property ID 11739, 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-23-001_sixty six auto_staff summary_20231009.pdf](#)

- C. Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2023-077- Authorizing An Interlocal Agreement Between The City Of Fate, Texas And Rockwall County For Fire Protection Services; Authorizing The Mayor To Execute Said Agreement.

[Documents:](#)

[staff summary 2023 rockwall county interlocal agreement fire protection services ll mk.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. 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 5th day of October, 2023, at 4:25 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 _____, 2023, by _____.