

AGENDA

REGULAR CITY COUNCIL MEETING

OCTOBER 16, 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 REGULAR CITY COUNCIL MEETING AT 6:00 P.M. ON MONDAY, OCTOBER 16, 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. Texas Chamber Of Commerce Week Proclamation

[Documents:](#)

[texas chamber of commerce week proclamation.pdf](#)

B. Voice Of The People Award From ICMA And Polco For Transformation In Economy

C. Presentation Regarding The City Of Fate's Proactive Zoning Initiative

[Documents:](#)

[proactive zoning initiative staff summary with exhibits_20231016.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. 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 Meeting Held September 18, 2023.

Documents:

staff summary - minutes.pdf

- B. (This Is An Update To The City's Master Thoroughfare Plan) Consider Approval Of Resolution No. R-2023-078- Adopting An Update To The City's Master Thoroughfare Plan.

Documents:

master thoroughfare plan update_staff summary_20231016.docx

- C. Consider Approval Of Resolution No. R-2023-079- Ratifying The Oct. 9, 2023, Approval Of Updated And Amended Land Use Assumptions And Capital Improvement Plans For Water, Wastewater, And Roadway Facilities.

Documents:

resolution ratifying - staff summary.pdf

6. ACTION ITEMS

- A. Discuss, Consider, And Take Any Necessary Action Regarding Ordinance No. O-2023-047- Adopting And Approving A Revised Land Use Equivalency Table And Amendments To The Fate Code, Adopting And Modifying Maximum Impact Fees And Impact Fees To Be Collected On New Development Projects In The City.

Documents:

agenda summary - impact fee 10.16.pdf

- B. Discuss, Consider, And Take Any Necessary Action Regarding Ordinance No. O-2023-048- Enacting A Commercial Street Maintenance Fee (Road Fee) On Commercial Properties (Amending The Fate Code Of Ordinances, Appendix A "Municipal Fee And Use Schedule", By Adding New User Fees For Roadway Maintenance For Commercial And Nonresidential Land Uses; Providing For Repeal Of All Conflicting Ordinances; Providing A Severability Clause; Providing An Effective Date).

Documents:

commercial street fee - updated packet.pdf

- C. Discuss, Consider, And Take Any Necessary Action Regarding Planning And Zoning Commission Vacancy.

1. Accept Nominations
2. Executive Session: In Accordance With Texas Local Government Code Section 551.074 To Discuss Planning And Zoning Commission Appointment.
3. Reconvene In Regular Session And Vote On Nominations (In Alphabetical Order).
4. Discuss, Consider, And Take Any Necessary Action Regarding **Resolution No. R-2023-080**- Appointing A Member To The Planning And Zoning Commission For An Unexpired Term, Expiring July 2025.

Documents:

2023 staff summary - appointing a replacement to serve as pz commissioner for unexpired term.pdf

- D. Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2023-081- 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 (2).pdf

- E. Discuss, Consider, And Take Any Necessary Action Regarding Having Alcohol At Future Celebrate Fate Events.

[Documents:](#)

alcohol at celebrate fate - staff summary.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 551.071, 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 Pending Litigation (City Of Fate V. Glen C. Eskew, Jr., 439th District Court, Cause No. 1-18-1598)

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 12th day of October, 2023, at 3:35 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
_____.