

AGENDA

REGULAR

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

DECEMBER 4, 2023

6:00 P.M.

**FATE CITY HALL
1900 CD BOREN PARKWAY**

NOTICE IS HEREBY GIVEN THAT THE FATE CITY COUNCIL AND FATE MUNICIPAL DEVELOPMENT DISTRICT NO. 1 WILL HOLD A JOINT MEETING AT 6:00 P.M. ON MONDAY, DECEMBER 4, 2023 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 Employee Spotlight Award To Gustavo Gonzales.

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 - DISCUSS, CONSIDER, AND TAKE ANY NECESSARY ACTION REGARDING APPROVAL OF MINUTES OF THE FATE MUNICIPAL DEVELOPMENT DISTRICT NO. 1 MEETING HELD SEPTEMBER 12, 2023.

[Documents:](#)

[2023.9.12_joint mdd.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. Sauce & Vine - 201 Greenhill Lane, Rockwall CAD Property ID 16510

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. 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 Resolution No. R-2023-088- Adopting And Ratifying Plat Application Submittal Requirements In Accordance With HB 3699 And Providing An Effective Date.

[Documents:](#)

[hb 3699 resolution_staff summary_20231204.pdf](#)

- B. Consider Approval Of Mayor Travel Expenses Associated With Attending The North Texas Commission Fall Advocacy Fly-In.

[Documents:](#)

[staff summary - mayor travel reimbursement- north texas commission dc fly-in.pdf](#)

- C. Consider Approval Of Resolution No. R-2023-089- Authorizing An Interlocal Cooperation Agreement Between The City Of Fate, Texas And The

Rockwall Independent School District For Governmental Services Related To A School Resource Officer Program; Authorizing The City Manager To Execute Said Agreement.

[Documents:](#)

[staff summary 202324 rockwall isd interlocal agreement sro.pdf](#)

- D. Consider Approval Of Ordinance No. O-2023-054- Providing For The Conveyance And Abandonment Of Approximately 0.563 Acre Tract Of Utility Easement In The Vicinity Of The Intersection Of I-30 And FM 551.

[Documents:](#)

[staff report old 551 easement abandonment redo 12 4.pdf](#)

11. CITY COUNCIL ACTION ITEMS/PUBLIC HEARINGS

- A. Discuss, Consider, And Take Any Necessary Action Regarding Appointing A Member To The Fate Municipal Development District No. 1 Board Of Directors To Serve The Remainder Of An Unexpired Term, Expiring July 2024.

1. Accept Nominations
2. Executive Session: Texas Government Code Section 551.074 (If Needed) To Discuss MDD 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-2023-090-** Appointing A Member To The Fate Municipal Development District No. 1 Board Of Directors To Serve The Remainder Of An Unexpired Term, Expiring July 2024.

[Documents:](#)

[staff summary -appointing a replacement to mdd to fill unexpired term of david overstreet.pdf](#)

- B. (This Is An Application For Approval Of A Zoning Change With A Special Use Permit To Allow A "Specialty Trade Contractors" Use In Conformance With The Unified Development Ordinance) Discuss, Consider, And Take Any Necessary Action Regarding Approval Of A Zoning Request To Change Zoning From Agriculture (A) To General Commercial (GC) As Well As A Special Use Permit To Allow "Specialty Trade Contractors" On The Site To Permit The Construction Of An Ancillary Storage Building On The Site To Support The Existing Legal Nonconforming Use. The Project Area Is Comprised Of One Acre. There Is Currently A 2,400 Square-Foot Building And Associated Parking And Driveways On The Site. The Subject Property Is Located On The North Side Of FM 552, Approximately 830 Feet West Of Dismore Lane.

City File # ZR-23-007 & SUP-23-002.

1. Staff Summary
2. Applicant Presentation

2. Applicant Presentation

3. Public Hearing
4. Discuss, Consider, And Take Any Necessary Action Regarding **Ordinance No. O-2023-055** - Amending The Comprehensive Zoning Ordinance And Changing The Zoning Classification From Agriculture (A) To General Commercial (GC) On Approximately One Acre Of Land Identified As Rockwall CAD Property ID 11964, 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-2023-056** - Amending The Comprehensive Zoning Ordinance By Approving A Special Use Permit For "Specialty Trade Contractors" To Authorize The Construction Of A New Ancillary Building On A One-Acre Property Identified As Rockwall CAD Property ID 11964, 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:

[zr-23-007_sup-23-002_ww_electronics solution storage staff summary_20231204.pdf](#)

- C. (This Is An Application For A Special Use Permit To Allow For A Used Car Dealership Office And Five Associated Parking Spaces At An Existing Self Storage Business) Discuss, Consider, And Take Any Necessary Action Regarding Approval Of A Special Use Permit (SUP) For The Addition Of A Used Car Dealership To Office Out Of The Rear Of Rockwall Fate Self Storage. The Used Car Dealership Would Also Have Five Car Parking Spaces Associated With It. The Applicant, Mohammad Nikpour, Is Requesting The SUP To Generate Additional Leasing Revenue From His Self-Storage Business To Help Cover Rising Costs. The Property Is Currently A Planned Development With A Base Zoning District Of General Commercial (F.k.a Highway Commercial).

The Property Address Is 4480 I-30 Frontage Rd, Generally Described As Being On The South I30 Frontage Road, Approximately 768 Feet East Of Rochelle Road. The Legal Description Is A0184 G W REDLIN, TRACT 3-13, ACRES 1.72. RCAD ID 71107. Case # SUP-23-003.

1. Staff Summary
2. Applicant Presentation
3. Public Hearing
4. Discuss, Consider, And Take Any Necessary Action Regarding **Ordinance No. O-2023-057** - Amending The Comprehensive

Zoning Ordinance By Approving A Special Use Permit For "Motor Vehicle Sales, Used" To Authorize The Operation Of A Used Car Dealership On A 1.72-Acre Property Identified As Rockwall CAD Property ID 71107, 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-23-003_dealership office rockwall fate self-storage_staff summary_20231204.pdf](#)

- D. (This Is An Application For A Zoning Change Request From Agriculture To A Planned Development For A Horizontal Mixed Use Development) Discuss, Consider, And Take Any Necessary Action Regarding A Zoning Request From Agriculture (A) To A Planned Development (PD) For 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 Development Which Will Include Commercial, Live/Work Units, Townhomes, And Multifamily Housing. The Project Site Is Generally Located On The Northeast Corner Of The Intersection Of Memorial Parkway And Greenbriar Road. The Legal Description Of Parcel ID 329992 Is A0208 D THEDFORD, The Legal Description Of Parcel ID 12848 Is A0208 D THEDFORD, LOT 2, 42.6780 ACRES. Case # ZR-23-004.

1. Staff Summary
2. Applicant Presentation
3. Public Hearing
4. Discuss, Consider, And Take Any Necessary Action Regarding **Ordinance No. O-2023-058-** Amending The Comprehensive Zoning Ordinance And Changing The Zoning Classification From Agriculture (A) To Planned Development (PD) On Approximately 28.455 Acres Comprising A Portion Of Two Parcels Of Land Identified As Rockwall CAD Property ID 329992 & 12848, 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.

Documents:

[zr-23-004_fate memorial mixed use_staff summary_20231204.pdf](#)

- E. Conduct A Public Hearing On The Reauthorization Of Building Permit Fees In Accordance With HB 1922 And Discuss, Consider, And Take Any Necessary Action Regarding Ordinance No. O-2023-059- Reauthorizing

Building Permit Fees.

[Documents:](#)

[staff report hb 1922 reauthorization of building permit fees 12 4.pdf](#)

- F. Discuss, Consider, And Take Any Necessary Action Regarding Partial Reductions In Fees For The Rockwall Independent School District And The Royse City Independent School District School Permits In 2023/2024.

[Documents:](#)

[permit fees for schools - staff summary.pdf](#)

- G. Discuss, Consider, And Take Any Necessary Action Regarding City Council Meeting Schedule For Calendar Year 2024.

[Documents:](#)

[staff summary cy 2024 council meeting schedule.pdf](#)

- H. Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2023-091-Casting Votes For A Candidate To Serve As Member Of The 2024-2025 Rockwall Central Appraisal District Board Of Directors.

[Documents:](#)

[staff summary -casting votes for rcad board of directors ballot 2023.pdf](#)

12. 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

13. CITY COUNCIL ADJOURNMENT

In addition to any executive session already listed above, the City Council and 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 30th day of November, 2023, at 4:05 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

_____.