

AGENDA

SPECIAL CITY COUNCIL MEETING

**FEBRUARY 12, 2024
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, FEBRUARY 12, 2024 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 Aidan Adair For Achieving Eagle Scout Ranking.

[Documents:](#)

[proclamation - aidan adair eagle scout.pdf](#)

- B. Rockwall Independent School District Presentation Regarding Growth And Needs.

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

Discuss Regarding The Item; (2) Make A Resolution Or Enabling 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. City Staff May Answer Questions From The City Council Regarding Consent Agenda Items. However, If Discussion Is Desired, That Item Will Be Removed From The Consent Agenda And Will Be Considered Separately.

- A. Approval Of Resolution No. R-2024-012- Ordering The General Election To Be Held On Saturday, May 4, 2024, For The Purpose Of Electing Two (2) Council Members, (Places 1 And 5), To The Fate City Council To Hold Office For A Period Of Three Years.

[Documents:](#)

[staff summary - ordering general election may 4, 2024.pdf](#)

6. ACTION ITEMS

- A. (This Is An Ordinance Prohibiting Smoking And Vaping In Certain Locations) Discuss, Consider, And Take Any Necessary Action Regarding Ordinance No. O-2024-007- Amending Chapter 18 "Miscellaneous Offenses" Of The Code Of Ordinances To Add New Provisions Regulating Smoking And Vaping In Certain Commercial Establishments; Establishing Criminal Offenses And Setting Penalties; Providing For Certain Affirmative Defenses; Providing For Savings, Severability Clause; Providing For A Repealing Clause; And Providing For An Effective Date.

[Documents:](#)

[staff report smoking ordinance council 2 12.pdf](#)

- B. (This Is An Ordinance Amending Existing Provisions To Allow The City Manager To Grant Special Permission For The Possession Of Alcoholic Beverages By Event Attendees And/Or The Sale Of Alcoholic Beverages By Approved Vendors Who Have The Appropriate Permits Through The Texas Alcoholic Beverage Commission (TABC)) Discuss, Consider, And Take Any Necessary Action Regarding Ordinance No. O-2024-008- Amending The Fate Code, Chapter 22 "Parks And Recreation", By Amending Existing Provisions And Adding New Provisions Regarding City-Sponsored Events; Providing A Penalty Clause For A Fine Not To Exceed \$500; Providing For Repeal Of All Conflicting Ordinances; Providing A Severability Clause; Providing An Effective Date.

[Documents:](#)

[staff report alcohol in park ord council 2 12.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

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 551.087, 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. Commercial Tenants For Rockwall CAD Property ID's 16404, 16405, 16406, 16407, 16408, 16412
 - 2. Extension To The Chapter 380 Economic Development Incentive And Performance Agreement With Canales Zamora Trust A/K/A JCK & FJ Trust For Property Located At 200 Fate Main Place, Rockwall CAD Property ID 16504; 204 Fate Main Place, Rockwall CAD Property ID 16506; And Rockwall CAD Property ID 16505.
 - 3. Chapter 380 Economic Development Incentive And Performance Agreement For Property Located At 301 E. Fate Main Place, Rockwall CAD Property ID 10558.
- 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. Consultation With Legal Counsel Regarding A Development Agreement For Lafayette Crossing Planned Development (Discussion Only).
- 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

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 8th day of February, 2024, at 5:04 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 _____, 2024, by
_____.