

AGENDA

SPECIAL CITY COUNCIL MEETING

**MARCH 7, 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 THURSDAY, MARCH 7, 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. Presentation Of The Annual Comprehensive Financial Report (ACFR) For The Fiscal Year Ended September 30, 2023 Given By Forvis, LLP.

[Documents:](#)

[annual_comprehensive_financial_report_fiscal_year_ending_093023.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

V. 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. Consider Approval Of Minutes Of The Council Meeting Held January 22, 2024.

[Documents:](#)

[2024.1.22.pdf](#)

- B. Consider Approval Of Financial Report For January 2024.

[Documents:](#)

[financial_report_month_ending_013124.pdf](#)

- C. (This Item Authorizes The City To Hold The May 4, 2024 General Election Jointly With Other Participating Authorities And Contracts With The Rockwall County Elections Administrator For Election Services To Administer Said Election) Consider Approval Of Resolution No. R-2024-013- Authorizing A Joint Election Agreement And Contract For Election Services With The Rockwall County Elections Administrator And Other Participating Authorities For The May 4, 2024 Election; Authorizing The City Manager To Execute Said Agreement And Contract For Election Services.

[Documents:](#)

[staff summary - joint election agreement and election services contract - may 4, 2024 general election.pdf](#)

- D. (This Is An Application For A Preliminary Plat For Future Daycare And Commercial Development) Consider Approval Of Resolution No. R-2024-014- Conditionally Approving A Preliminary Plat For A 4.071-Acre Tract Of Land To Be Subdivided Into Two Lots. The Applicant, Fate I-30 Commercial LP, Is Proposing Two Commercial Lots. The Reason For The Request Is To Create A 1.45-Acre Pad Site For A Future Daycare And A Second 2.62-Acre Lot For In-Line Commercial/Retail. The Preliminary Plat Is Generally Located On Memorial Parkway Between Greenbriar Rd And Chamberlain Dr. The Legal Description For Parcel 12849 Is A0208 D THEDFORD, LOT 3, 24.5000 ACRES, (SOUTH PART OF LOT 3). Case #PP-23-005.

[Documents:](#)

[pp-23-005_se corner of memorial and greenbriar_staff summary_20240307.pdf](#)

- E. Consider Approval Of Resolution No. R-2024-015- Approving An Interlocal Cooperation Contract For The Failure To Appear Program Between The City Of Fate, Texas And The Texas Department Of Public Safety, Authorizing The City Manager To Execute The Contract, And Providing An Effective Date.

Documents:

[inter_local_agreement_with_txdps.pdf](#)

- F. Consider Approval Of Resolution No. R-2024-016- Acknowledging Receipt Of The Annual Comprehensive Financial Report (ACFR) For The Fiscal Year Ended September 30, 2023; And Providing An Effective Date.

Documents:

[resolution annual_comprehensive_financial_report_fiscal_year_ending_093023.pdf](#)

6. ACTION ITEMS/PUBLIC HEARINGS

- A. Conduct A Public Hearing And Consider The Adoption Of Ordinance No. O-2024-009- Accepting And Approving An Amended And Restated Service And Assessment Plan And Assessment Roll For Monterra Public Improvement District, Levying Special Assessments Against Certain Property In Improvement Area #2 Of The District And Making Certain Findings And Determinations Relating To The District.

Documents:

[pid_bond_ordinance_monterra_1a2_public_hearing.pdf](#)

- B. Consider The Adoption Of Ordinance No. O-2024-010-Approving The Issuance And Sale Of "City Of Fate, Texas, Special Assessment Revenue Bonds, Series 2024 (Monterra Public Improvement District Improvement Area #2 Project)" And The Execution Of Additional Documents Related To Such Bonds.

Documents:

[pid_bond_ordinance_monterra_1a2_bond_issuance.pdf](#)

- C. (This Is An Application For A Zoning Change Request From Agriculture To Residential Estate To Allow For Two Residential Lots) Discuss, Consider, And Take Any Necessary Action Regarding Approval Of A Zoning Request From Agriculture (A) To Residential Estate (RE) On An Approximately 2-Acre Of Tract Of Land. The Zoning Change Request Has Been Brought Forward By Property Owner Frank Montana. This Is A Straight Zoning Request And Therefore Will Be Subject To The Development Standards Outlined In The Fate Unified Development Ordinance, Code Of Ordinances, And Design Criteria And Construction Standards. The Applicant States The Reason For The Request Is To Allow For Subdividing The Property Into Two Lots, Approximately 1-Acre Each.

The Second Will Be In The Rear And The Site Of A Proposed Single-Family Home. The Legal Description Is A0151 J MCKINNEY, TRACT 17-7, ACRES 2.00. Case # ZR-24-002.

1. Applicant Presentation
2. Staff Summary
3. Public Hearing

4. Discuss, Consider, And Take Any Necessary Action Regarding **Ordinance No. O-2024-011** - Amending The Comprehensive Zoning Ordinance And Changing The Zoning Classification From Agriculture (A) To Residential Estate (RE) On An Approximately 2-Acres Tract Of Land Identified As Rockwall CAD Property ID 32042, 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-24-002_montana addition_staff summary_20240307.pdf](#)

- D. (This Is An Application For A Type III Site Plan For A New High School) Discuss, Consider, And Take Any Necessary Action Regarding Approval Of A Type III Site Plan For A New High School Campus That Includes A 468,307-Sf High School Building, 95,045-Sf Multipurpose Facility, Multiple Additional Ancillary Structures, And Numerous Sports Fields. The Property Is Generally Located At The Northwest Corner Of FM 552 And N. King Rd. The Legal Description For Parcel 113335 Is ABS A0106, M HODGES, TRACT 1-07, (PT OF 190.818 AC TR), 117.0872 ACRES. Case #SP-23-021.

1. Applicant Presentation
2. Staff Summary
3. Public Hearing
4. Discuss, Consider, And Take Any Necessary Action Regarding **Resolution No. R-2024-017**- Approving A Site Plan For A 468,307-Square Foot High School Building With Multiple Ancillary Structures And Facilities On Approximately 117.09 Acres Of Land Identified As Rockwall CAD Property ID 113335, City Of Fate, Rockwall County, Texas.

Documents:

[sp-23-021_worthy fate high school_staff summary_20240307.pdf](#)

- E. (This Is An Application For Approval Of A City-Initiated Zoning Change Request From Agriculture To Neighborhood Transition And Old Town Core To Bring Downtown Fate Into Compliance With The Comprehensive Plan) Discuss, Consider, And Take Any Necessary Action Regarding Approval Of A Zoning Request From Agriculture (A) To Neighborhood Transition (NT) And Old Town Core (OTC) For 96 Properties In Downtown Fate. The Zoning Change Request Has Been Initiated By The Fate City Council At The Recommendation Of Planning Staff. There Is No Development Currently Proposed Driving Forward This Zoning Case.

Rather, This Is A Straight Zoning Request To Bring Downtown Fate Into Compliance With Both The Forward Fate Comprehensive Plan The

Compliance With Both The Forward Fate Comprehensive Plan, The Downtown Focus Area Plan, And Zoning Standards As Outlined In The Fate Unified Development Ordinance (UDO). The Property ID's And Their Associated Legal Descriptions Are Outlined In Exhibit 2. Case # ZR-24-001.

1. Staff Summary
2. Public Hearing
3. Discuss, Consider, And Take Any Necessary Action Regarding **Ordinance No. O-2024-012-** Amending The Comprehensive Zoning Ordinance And Changing The Zoning Classification From Agriculture (A) To Neighborhood Transition (NT) On Approximately 30.027 Acres Of Land Comprising 88 Parcels, And From Agriculture (A) To Old Town Core (OTC) On Approximately 4.478 Acres Of Land Comprising 8 Parcels, Located Within The 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-24-001_downtown fate zoning change_staff summary_20240307.pdf](#)

- F. Discuss, Consider, And Take Any Necessary Action Regarding Ordinance No. O-2024-013- Reviewing And Approving The Homestead Exemption Percentage And Providing An Effective Date.

[Documents:](#)

[general_homestead_exemption_fy_2025.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 551.072, To Deliberate The Purchase, Exchange, Lease, Or Value Of Real Property:

1. Property Acquisition - FM 551 Right Of Way
2. Property Acquisition For Extension Of Roadway For Future Schools
- 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 Rochelle Rd. Water Line
- 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 29th day of February, 2024, at 5:00 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

_____.