

AGENDA

REGULAR CITY COUNCIL MEETING

**AUGUST 5, 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 REGULAR CITY COUNCIL MEETING AT 6:00 P.M. ON MONDAY, AUGUST 5, 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. Chief's Commendation Certificates Presented To Robert Hutchins, Alan Noeller, Christopher Bond, And Blake Worden

4. 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 Regarding:
 - 1. Development Agreement Between Fate I-30 Commercial LP And City Of Fate Regarding 49.852 Acres, Generally Located At FM 551 And Greenbriar Road.
 - 2. Annexation Of Approximately 14.38 Acres Of Land, Situated In The S C Wright Survey, Abstract 218, Tract 2, In The Extraterritorial Jurisdiction Of The City Of Fate, Being RCAD ID 12857, Generally Located South Of I-30, West Of FM 548 And East Of FM 551, And Owned By Boulos, LLC.
 - 3. Annexation Law And Existing Chapter 43 Local Government Code

Development Agreements/Chapter 212 Non-Annexation Agreements
With Property Owners In The Extraterritorial Jurisdiction Of The City Of
Fate.

4. Senate Bill 2038 (88th Legislative Session) And The Petition For Release From The Extraterritorial Jurisdiction (ETJ) Filed By Rebecca Toomey, Andrew Mask, And Charles Mask (Rockwall CAD IDs 12203 And 11315) On July 23, 2024.

5. 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

6. 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.

7. 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 Meetings Held July 1, 2024, July 15, 2024(Meet & Greet), July 15, 2024(Regular Meeting).

[Documents:](#)

[staff summary - minutes.pdf](#)
[2024.7.1.pdf](#)
[2024.7.15_meetandgreet.pdf](#)
[2024.7.15_regular meeting.pdf](#)

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

[Documents:](#)

[financial_report_month_ending_063024.pdf](#)

- C. Consider Approval Of Quarterly Investment Report For The Quarter Ending June 30, 2024.

Documents:

[investment_report_quarter_ending_063024_signed.pdf](#)

- D. Consider Approval Of Resolution No. R-2024-054- Accepting Three Easements (Two Drainage Easements And A Fire Lane, Access, And Utility Easement) From Fate I-30 Commercial, LP On The South Side Of I-30 Frontage.

Documents:

[petro hunt easements_staff summary_20240805.pdf](#)

- E. Consider Approval Of Resolution No. R-2024-055- Authorizing A Interlocal Cooperation Agreement Between The City Of Fate And The Rockwall Independent School District For The Service Of A School Resource Officer.

Documents:

[staff summary 2024-2025 rockwall isd interlocal agreement school resource officer services.pdf](#)

- F. Consider Approval Of Resolution No. R-2024-056- Approving The Purchase Of Seating Shade Structure From Whirlix Design INC For Joe Burger Park In An Amount Not To Exceed \$112,237.

Documents:

[staff report joe burger shade over seating council 8 5 24.pdf](#)

8. ACTION ITEMS/PUBLIC HEARINGS

- A. Discuss, Consider, And Take Any Necessary Action Regarding Approval Of A Specific Use Permit (SUP) For A Temporary Auto Repair, Major Use On A Two-Acre Parcel Zoned General Commercial To Facilitate A Temporary Use Of The Site For Auto Storage And Minor Auto Body Repair. The Address Of The Project Site Is 2435 E I-30, Fate, TX. RCAD ID 11220. Case # SUP-24-003.

1. Staff Summary
2. Applicant Presentation
3. Public Hearing
4. Discuss Consider And Take Any Necessary Action Regarding **Ordinance No. O-2024-036.**

Documents:

[sup-24-003_temporary auto repair major_staff summary_20240805.pdf](#)

- B. (This Is A Request For Consideration Of Amendments To The Fate Unified Development Ordinance Article II: Procedures And Administration)

Discuss, Consider, And Take Any Necessary Action Regarding Proposed Amendments To Chapter 36, "Unified Development Ordinance" Of The Code Of Ordinances To Amend Article II, "Procedures And Administration".

1. Staff Summary
2. Public Hearing
3. Discuss Consider And Take Any Necessary Action Regarding **Ordinance No. O-2024-037.**

Documents:

[fate udo article ii text amendments_staff summary_20240805.pdf](#)

- C. Discuss, Consider, And Take Any Necessary Action Regarding Ordinance No. O-2024-038- To Annex Approximately 14.38 Acres Of Land, Situated In The S C Wright Survey, Abstract 218, Tract 2, In The Extraterritorial Jurisdiction Of The City Of Fate, Being RCAD ID 12857, Generally Located South Of I-30, West Of FM 548 And East Of FM 551, And Owned By Boulos, LLC.

Documents:

[staff summary boulos annex 080524.pdf](#)

- D. Discuss, Consider, And Take Any Necessary Action Regarding Increasing The Over 65 Property Tax Residential Homestead Exemption Amount From \$25,000 To \$75,000.

Documents:

[staff summary.pdf](#)

- E. Discuss, Consider, And Take Any Necessary Action Regarding The Proposed Fate Department Of Public Safety (DPS) Bond.

Documents:

[dps bond staff sum aug 1 2024.pdf](#)

- F. Discuss, Consider, And Take Any Necessary Action Regarding The Proposed Fiscal Year 2024-2025 Budget.

Documents:

[proposed_budget_discussion_fy_2025.pdf](#)

9. 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

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 1st day of August, 2024, at 6:06 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
