

AGENDA

REGULAR CITY COUNCIL MEETING

**MARCH 2, 2020
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, MARCH 2, 2020 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. 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.

4. CONSENT AGENDA

- A. Acceptance Of The Fate Department Of Public Safety 2019 Racial Profiling Report.

[Documents:](#)

[staff summary - fate dps racial profiling report.pdf](#)

- B. Approval Of Resolution No. R-2020-009- Authorizing The City Manager To Execute An Election Services Contract And Joint Election Agreement With The Rockwall County Elections Administrator, Royse City Independent

School District, And Rockwall Independent School District For Services Related To The May 2, 2020 General And Special Elections; And Providing An Effective Date.

[Documents:](#)

[staff summary - election services contract and joint election agreement 5-2-2020.pdf](#)

5. ACTION ITEMS

- A. Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2020-010- Accepting A Petition For And Calling A Public Hearing On The Advisability Of The Improvements And Creation Of Montarra Public Improvement District Within The City Of Fate Pursuant To Chapter 372, Texas Local Government Code And Authorizing The Mailing And Publication Of Notice Of The Public Hearing.

[Documents:](#)

[staff summary - montarra pid.pdf](#)

- B. Take Action To Table An Application Submitted By The Fate 231 Investment Land, LLC To Amend The Future Land Use Plan Designation Of Certain Areas Proposed By The Applicant For A Planned Development Zoning District FROM Rural Density (5+ Acres) TO Low Density (15k Sqft-1acre) To Authorize Single-Family Residential Uses With A Minimum Lot Area Of A Half (1/2) Acre, Certain Group Living And Parks And Recreation Facilities Uses, Bed And Breakfast Uses, And Elementary And Middle Schools Uses. The General Location Of This Application Is Between Ben Payne Road And FM 3549, South Of N. Country Lane And North Of Woodcreek Phase 8B, Rockwall CAD Property IDs 10490, 10491, 10492, And 12106. FLUP-19-002.

This Item, Including Presentation And Public Hearing, Will Be Tabled To The April 6, 2020 City Council Meeting.

[Documents:](#)

[staff summary - montarra res ind.pdf](#)

- C. Take Action To Table A Zoning Application Submitted By The Fate 231 Investment Land, LLC To Establish A Planned Development Zoning District On Approximately 231-Acres Of Land For Single-Family Residential Uses With A Minimum Lot Area Of A Half (1/2) Acre, Certain Group Living And Parks And Recreation Facilities Uses, Bed And Breakfast Uses, And Elementary And Middle Schools Uses, And To Amend The Development Standards Of The City Of Fate Unified Development Ordinance And Design Criteria And Construction Standards. The General Location Of This Application Is Between Ben Payne Road And FM 3549, South Of N. Country Lane And North Of Woodcreek Phase 8B, Rockwall CAD Property IDs 10490, 10491, 10492, And 12106. ZR-19-010.

This Item, Including Presentation And Public Hearing, Will Be Tabled To The April 6, 2020 City Council Meeting.

Documents:

[staff summary - montarra res ind.pdf](#)

- D. Take Action To Table A 231-Acre Concept Plan Application Submitted By The Fate 231 Investment Land, LLC For Single-Family Residential Uses With A Minimum Lot Area Of A Half (1/2) Acre, Certain Group Living And Parks And Recreation Facilities Uses, Bed And Breakfast Uses, And Elementary And Middle Schools Uses. The General Location Of This Application Is Between Ben Payne Road And FM 3549, South Of N. Country Lane And North Of Woodcreek Phase 8B, Rockwall CAD Property IDs 10490, 10491, 10492, And 12106. CP-19-006.

This Item, Including Presentation And Public Hearing, Will Be Tabled To The April 6, 2020 City Council Meeting.

Documents:

[staff summary - montarra res ind.pdf](#)

- E. Take Action To Table A Preliminary Plat Application For 235 Residential Lots In The Development Named Montarra Residential, Containing 231.24 Acres Generally Located Between Ben Payne Road And FM 3549, South Of N. Country Lane And North Of Woodcreek Phase 8B, Rockwall CAD Property IDs 10490, 10491, 10492, And 12106 And Found Within The William A. Coose Survey, Abstract No. 55 And The William L. Norwall Survey, Abstract No. 170, City Of Fate, Rockwall County, Texas. Applicant: The Fate 231 Investment Land, LLC. Case #PP-19-002.

This Item, Including Presentation And Public Hearing, Will Be Tabled To The April 6, 2020 City Council Meeting.

Documents:

[staff summary - montarra res ind.pdf](#)

- F. Take Action To Table An Application Submitted By The Fate 54 Investment Land, LLC To Amend The Future Land Use Plan Designation Of Certain Areas Proposed By The Applicant For A Planned Development Zoning

District FROM Rural Density (5+ Acres) TO Regional Retail/Office/Commercial To Authorize Manufacturing, Warehouse And Storage, Light Industrial Condominiums, Construction-Related Businesses, Utility And Utility Services, Commercial And Industrial Machinery Leasing And Rental, Community Garden, Public Park Or Playground, Nature Preserve, And Transportation-Related Uses. The General Location Of This Application Is On The East Side FM 3549 Approximately 1,200 Feet North Of Cornelius Rd. And Just South Of Clem Rd., Rockwall CAD Property IDs 10493 And 10496. FLUP-19-003.

This Item, Including Presentation And Public Hearing, Will Be Tabled To The April 6, 2020 City Council Meeting.

Documents:

[staff summary - montarra res ind.pdf](#)

- G. Take Action To Table A Zoning Application Submitted By The Fate 54 Investment Land, LLC To Establish A Planned Development Zoning District On Approximately 54-Acres Of Land For Manufacturing, Warehouse And Storage, Light Industrial Condominiums, Construction-Related Businesses, Utility And Utility Services, Commercial And Industrial Machinery Leasing And Rental, Community Garden, Public Park Or Playground, Nature Preserve, And Transportation-Related Uses And To Amend The Development Standards Of The City Of Fate Unified Development Ordinance And Design Criteria And Construction Standards. The General Location Of This Application Is On The East Side FM 3549 Approximately 1,200 Feet North Of Cornelius Rd. And Just South Of Clem Rd., Rockwall CAD Property IDs 10493 And 10496. ZR-19-011.

This Item, Including Presentation And Public Hearing, Will Be Tabled To The April 6, 2020 City Council Meeting.

Documents:

[staff summary - montarra res ind.pdf](#)

- H. Take Action To Table A 54-Acre Concept Plan Application Submitted By The Fate 54 Investment Land, LLC For Manufacturing, Warehouse And Storage, Light Industrial Condominiums, Construction-Related Businesses, Utility And Utility Services, Commercial And Industrial Machinery Leasing And Rental, Community Garden, Public Park Or Playground, Nature Preserve, And Transportation-Related Uses. The General Location Of This Application Is On The East Side FM 3549 Approximately 1,200 Feet North

Of Cornelius Rd. And Just South Of Clem Rd., Rockwall CAD Property IDs 10493 And 10496. CP-19-007.

This Item, Including Presentation And Public Hearing, Will Be Tabled To The April 6, 2020 City Council Meeting.

Documents:

[staff summary - montarra res ind.pdf](#)

- I. Take Action To Table A Preliminary Plat Application For 12 Industrial Lots In The Development Named Montarra Industrial, Containing 54.040 Acres Generally Located On The East Side Of FM 3549 Approximately 1,200 Feet North Of Cornelius Rd. And Just South Of Clem Rd., Rockwall CAD Property IDs 10493 And 10496 And Found Within The William A. Coose Survey, Abstract No. 55, City Of Fate, Rockwall County, Texas. Applicant: The Fate 54 Investment Land, LLC. Case #PP-19-003.

This Item, Including Presentation And Public Hearing, Will Be Tabled To The April 6, 2020 City Council Meeting.

Documents:

[staff summary - montarra res ind.pdf](#)

6. 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

7. 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.; Cause No. 1-18-1598, Rockwall County 439th Judicial District Court
- B. 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. Project QSM-28
 2. Downtown Central Business Area

8. 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

9. 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 28th day of February, 2020, at 9:15 A.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.cityoffate.com.

Victoria Raduechel, TRMC, City Secretary

Removed from the Bulletin Board at City Hall on the ____ day of _____, 2020, by _____.