

AMENDED AGENDA

REGULAR CITY COUNCIL MEETING

**JULY 6, 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, JULY 6, 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. PRESENTATIONS

- A. Rockwall County Judge David Sweet - COVID-19 Response And Mitigation Efforts
- B. Master Meter's "My Water Advisor 2.0" Application Tool For Monitoring Water Usage

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

- A. Approval Of Minutes Of The Council Meetings Held May 14, 2020 And May 18, 2020.

[Documents:](#)

6. ACTION ITEMS/PUBLIC HEARINGS

A. (This Item Is Associated With The Private Day School Site Located Just South Of City Hall): Discuss, Consider, And Take Any Necessary Action Regarding Approval Of A Preliminary Plat For 2 Commercial Lots In The Pinnacle Fate Addition Containing 5.884 Acres Located In The M. Crabtree Survey, Abstract No. 61, City Of Fate, Rockwall County, Texas. Applicants: Proud American Real Estate, LLC And Corvus Development, LLC. Case #PP-20-001.

(1) Staff Report And Presentation

(2) Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2020-040 - Approving A Preliminary Plat For 2 Commercial Lots In The Pinnacle Fate Addition Containing 5.884 Acres Located In The M. Crabtree Survey, Abstract No. 61, City Of Fate, Rockwall County, Texas. Rockwall CAD Property ID'S 10550 AND 103922.

[Documents:](#)

[1 - pinnacle day school pp - staff summary.pdf](#)

B. (This Item Is Associated With The New Rockwall ISD Elementary School Within The Williamsburg Subdivision): Discuss, Consider, And Take Any Necessary Action Regarding Approval Of A Preliminary Plat Application For 0.998-Acre Right-Of-Way Dedication For Gettysburg Blvd That Is Generally Located Just Due East Of The Williamsburg Pkwy And Gettysburg Blvd Intersection And Is Situated In The S.B. Crabtree Survey, Abstract No. 58, City Of Fate, Rockwall County, Texas. Applicant: Rockwall ISD. Case #PP-20-003.

(1) Staff Report And Presentation

(2) Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2020-041 - Approving A Preliminary Plat For 0.998-Acre Right-Of-Way Dedication For Gettysburg Blvd That Is Generally Located Just Due East Of The Williamsburg Pkwy And Gettysburg Blvd Intersection And Is Situated In The S.B. Crabtree Survey, Abstract No. 58, City Of Fate, Rockwall County, Texas.

[Documents:](#)

[2 - risd gettysburg pkwy pp - staff summary.pdf](#)

C. (This Item Is Associated With The FRESH By Brookshire's Grocery Store): Discuss, Consider, And Take Any Necessary Action Regarding An Application Submitted By Turcotte Development To Establish A Planned Development Zoning District On Approximately 22-Acres Of Land For Regional Mixed-Use Commercial Uses And Other Specified Retail And Commercial Uses. The General Location Of This Application Is The Southwest Corner Of I-30 And FM 551, Rockwall CAD Property IDs 61630, 72205, 72208, 87181, And 89278. Case #ZR-20-003.

(1) Applicant Presentation;

(2) Staff Report And Presentation;

(3) Public Hearing;

(4) Discuss, Consider, And Take Any Necessary Action Regarding Ordinance No. O-2020-016- Amending The Comprehensive Zoning Ordinance And Changing The Zoning Classification From Agricultural District (AG) To Planned Development District (PD) For Regional Mixed-Use Commercial Uses And Other Specified Retail And Commercial Uses On Approximately 22.11-Acres Of Land Located At The Southwest Corner Of Interstate 30 And FM 551, Rockwall CAD Property ID's 61630,

72205, 72208, 87181, And 89278; Amending The Official Zoning Map; Providing A Penalty Up To \$2,000 Per Day; Providing For Savings, Severability And An Effective Date.

Documents:

[3-4 - brookshires pd and cp - staff summary.pdf](#)

- D. (This Item Is Associated With The FRESH By Brookshire's Grocery Store): Discuss, Consider, And Take Any Necessary Action Regarding A Concept Plan Application Submitted By Turcotte Development For A 22-Acre Concept Plan For A Regional Mixed-Use Commercial Center. The General Location Of This Application Is The Southwest Corner Of I-30 And FM 551, Rockwall CAD Property IDs 61630, 72205, 72208, 87181, And 89278. Case #CP-20-002.

(1) Applicant Presentation;

(2) Public Hearing;

(3) Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2020-042 - Approving A Concept Plan For Fate Villages On 22.11-Acres Located At The Southwest Corner Of The Interstate 30 And FM 551 Intersection, Rockwall CAD Property ID's 61630, 72205, 72208, 87181, AND 89278, City Of Fate, Rockwall County, Texas.

Documents:

[3-4 - brookshires pd and cp - staff summary.pdf](#)

- E. (This Item Is Associated With A New Concept For The Avondale Subdivision): Discuss And Take Action To Table Avondale Subdivision Related Items, Including Presentations And Public Hearings, To The September 8, 2020 City Council Meeting:

• **FLUP AMENDMENT:** Discuss, Consider, And Take Any Necessary Action Regarding An Application Submitted By D-F Fund 18, Ltd, JBI Partners, And Fred Phillips To Amend The Future Land Use Plan Designation Of Approximately 43% Of The 111-Acre Area Proposed By The Applicant For Single-Family Residential Uses FROM Suburban Density (5k-15k Sq. Ft. Residential Lots) And Neighborhood Retail/Office/Commercial TO Urban Density (< 5k Sf Lots) And The Approximate 4-Acre Area Proposed By The Applicant For Commercial Uses FROM Urban Density TO Neighborhood Retail/Office/Commercial. The Location Of This Application Is Described Generally As Being Bound By Hwy 66 On Its North, Ben Payne Rd On Its West, The MK&T Railroad On Its South, And The Business Named Trak-Time On Its East, Commonly Known As Rockwall CAD Property ID 11680. Case #FLUP-20-001. **This Item, Including Presentation And Public Hearing, Will Be Tabled To The September 8, 2020 City Council Meeting.**

• **ZONING REQUEST:** Discuss, Consider, And Take Any Necessary Action Regarding An Application Submitted By D-F Fund 18, Ltd, JBI Partners, And Fred Phillips To Establish A Planned Development Zoning District On Approximately 111-Acres For Single-Family Residential Suburban Uses With A Minimum Lot Size Of 5,000 Square Feet, Single-Family Residential Urban Uses With A Minimum Lot Size Of 4,000 Square Feet, And Neighborhood Commercial Uses On Approximately 4-Acres.

The Location Of This Application Is Described Generally As Being Bound By Hwy 66 On Its North, Ben Payne Rd On Its West, The MK&T Railroad On Its South, And The Business Named Trak-Time On Its East, Commonly Known As Rockwall CAD Property ID 11680. Case #ZR-20-002. **This Item, Including Presentation And Public Hearing, Will Be Tabled To The September 8, 2020 City Council**

Meeting.

- **CONCEPT PLAN:** Discuss, Consider, And Take Any Necessary Action Regarding A Concept Plan Application Submitted By D-F Fund 18, Ltd, JBI Partners, And Fred Phillips For A 111-Acre Concept Plan For Single-Family Residential Suburban Uses, Single-Family Residential Urban Uses, And Neighborhood Commercial Uses. The Location Of This Application Is Described Generally As Being Bound By Hwy 66 On Its North, Ben Payne Rd On Its West, The MK&T Railroad On Its South, And The Business Named Trak-Time On Its East, Commonly Known As Rockwall CAD Property ID 11680. Case #CP-20-001. **This Item, Including Presentation And Public Hearing, Will Be Tabled To The September 8, 2020 City Council Meeting.**

Documents:

[5-7 - avondale pd, cp, and flup - staff summary.pdf](#)

- F. Discuss, Consider, And Take Any Necessary Action Regarding Holding Public Hearing On The Creation Of The Williamsburg East Public Improvement District And Approval Of Resolution No. R-2020-043- Creating The PID District, Consistent With The Already Council Approved Williamsburg East Development Agreement. The Proposed Williamsburg East Public Improvement District Is 163.568 Acres Of Land, All Of Which Is Located Within The Corporate Boundaries Of The City, And Which Property Is Generally Located East Of S FM 551.

- (1) Staff Report And Presentation;
- (2) Public Hearing;
- (3) Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2020-043- Approving The Creation Of The Williamsburg East Public Improvement District And Other Matters Related Thereto.

Documents:

[resolution_authorizing_williamsburg_east_pid_and_resolution_authorizing_dissolution_of_williamsburg_pid.pdf](#)

- G. Discuss, Consider, And Take Any Necessary Action Regarding Holding Public Hearing On The Dissolution Of The City Of Fate Public Improvement District No. 2 And Approval Of Resolution No. R-2020-044- Dissolving The PID District, Previously Created By The City In 2006, As Recommended By The City's PID Administrator. The Boundaries Of The District Include Approximately 140.59 Contiguous Acres Located Within The Corporate Limits Of The City, Which Property Is Generally Located East Of S FM 551.

- (1) Staff Report And Presentation;
- (2) Public Hearing;
- (3) Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2020-044- Dissolving The City Of Fate Public Improvement District No. 2 And Approving Other Matters Related Thereto.

Documents:

[resolution_authorizing_williamsburg_east_pid_and_resolution_authorizing_dissolution_of_williamsburg_pid.pdf](#)

- H. Discuss, Consider, And Take Any Necessary Action Regarding Approving The Annual Service And Assessment Plan Updates For 2020 Dated July 6, 2020, Including The Collection Of The 2020-21 Annual Installment For The Williamsburg Public Improvement Districts NO.1 And NO.2, Phases 1A, 1B, 1C, 1B2-1B3, 2B,

2C, And 3A1.

1. Discuss, Consider, And Take Any Necessary Action Regarding Approving [Resolution No. R-2020-045](#) - Approving The Annual Service And Assessment Plan Update For 2020 Dated July 6, 2020, Including The Collection Of The 2020 Annual Installments, For Williamsburg Public Improvement District No. 1.
2. Discuss, Consider, And Take Any Necessary Action Regarding Approving [Resolution No. R-2020-046](#) - Approving The Annual Service And Assessment Plan Update For 2020 Dated July 6, 2020, Including The Collection Of The 2020 Annual Installments, For Williamsburg Public Improvement District No. 2.

[Documents:](#)

[williamsburg_public_improvement_districts_1_and_2_service_and_assessment_plans_2020.pdf](#)

- I. Discuss, Consider, And Take Any Necessary Action Regarding COVID-19 Response And Mitigation Efforts To Include Community Protective Measures And Approach Options For City Events Including Celebrate Fate In The Fall And The Christmas Tree Lighting In The Winter.

[Documents:](#)

[staff_summary_special_events.pdf](#)

- J. Discuss, Consider, And Take Any Necessary Action Regarding The Offer To Donate The Historic Fate Church From The Canales Family.

[Documents:](#)

[staff_summary_history.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 551.071, 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 Montarra Litigation
- B. 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 Secretary

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

Pursuant to Section 551.127, Texas Government Code, one or more Council Members or employees may attend this meeting remotely using videoconferencing technology. The video and audio feed of the videoconferencing equipment can be viewed and heard by the public at the address posted above as the location of the meeting.

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 3rd day of July, 2020, at 1:30 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.cityoffate.com.

Victoria Raduechel, TRMC, City Secretary

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