

AGENDA

REGULAR CITY COUNCIL MEETING

**MARCH 1, 2021
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 1, 2021 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. Introduction Of New Fate Department Of Public Safety Canine Officer Denzel By Fate Public Safety Officer/Canine Handler Bryan Dubetsky
- B. Proclamation - 2021 Winter Storm Heroes Day

[Documents:](#)

[proclamation 2021 winter storm heroes day.pdf](#)

- C. Economic Development Workplan For 2021

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 December 7, 2020, January 19, 2021, And January 25, 2021.

Documents:

[2020.12.7.pdf](#)

[2021.1.19.pdf](#)

[2021.1.25.pdf](#)

- B. Approval Of Resolution No. R-2021-032- Cancelling The Special City Election Scheduled To Be Held On May 1, 2021, For The Purpose Of Electing A Mayor To Fill An Unexpired Term, To Hold Office For A Period Of One Year; Declaring The Unopposed Candidate For Mayor Elected To Office; And Directing The Giving Of Notice Of Said Cancelled Election.

Documents:

[staff summary - cancelling special city election - unopposed candidate for mayor- unexpired term.pdf](#)

6. 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 Mayor Seating Process
2. To Receive Legal Advice Regarding Council Member Place 5

- 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 Ab74

7. 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

8. ACTION ITEMS

- A. Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2021-033-Appointing A Replacement To Serve As Council Member

Place 5 Until The General Election Is Held In May 2021; And The Swearing-In And Seating Of Newly Appointed City Council Member Place 5.

Documents:

[staff summary - appointing a replacement to serve as council member place 5.pdf](#)

B. Discuss, Consider, And Take Any Necessary Action Regarding A Bill Credit For Citizens For Severe Winter Weather Event.

Documents:

[staff summary bills credit options \(003\).pdf](#)

C. City Council Training Presented By City Attorney Brenda McDonald.

Documents:

[staff summary city attorney ethics 2021 \(002\).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 26th day of February, 2021, at 2:00 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.cityoffate.com.

Victoria Raduechel, TRMC, City Secretary

Removed from the Bulletin Board at City Hall on the ____ day of _____, 2021, by
_____.



Proclamation

WHEREAS, an unprecedented winter storm rolled into Texas on Thursday, February 11, 2021; and

WHEREAS, subfreezing temperatures, snow accumulation, icy road conditions, rolling power outages, and shortages of gas and food persisted for more than a week; and

WHEREAS, City Staff was responsive to forecast reports and readied manpower and infrastructure ahead of the winter storm event; and

WHEREAS, the Public Works, Facilities/Parks, and Public Safety departments worked around the clock in 12 hour rotating shifts onsite at City facilities. Not returning home to deal with the needs of their own families or address freezing pipes at their own homes; and

WHEREAS, City Staff maintained the water and sewer system's components in frigid temperatures, rescued stranded motorists, and responded to calls for service, to ensure the City's water and sewer remained online and its residents and guests were safe; and

WHEREAS, administrative staff worked to support field operations, fielded residents' concerns, advocated for power restoration, provided a high level of public information, and aided wherever needed; and

WHEREAS, Oncor senior staff member and Rockwall Chamber of Commerce longtime volunteer, Cindy Tayem, directed the repair and restoration of damaged power grid systems in Fate to restore power to disproportionately affected families.

NOW, THEREFORE, I, Allen Robbins, Mayor Pro Tem of the City of Fate, in recognition of the outstanding contributions of City Staff, do gladly hereby proclaim the 2nd day of March, 2021 as

"2021 WINTER STORM HEROES DAY"

in the City of Fate and encourage all citizens to thank City Staff and Cindy Tayem for their dedicated service to our community.

IN WITNESS WHEREOF, I have hereunto set my hand and have caused the Seal of the City of Fate, Texas, to be affixed this 1st day of March in the year 2021.

Allen Robbins, Mayor Pro Tem

**MINUTES OF THE REGULAR
CITY COUNCIL MEETING
DECEMBER 7, 2020**

1. CALL TO ORDER AND CONFIRM A QUORUM

Mayor Pro Tem Billings called the meeting of the Fate City Council to order at 6:00 p.m. on the 7th day of December 2020, in the Fate City Hall 1900 CD Boren Parkway, Fate, Texas.

City Secretary Victoria Raduechel confirmed the presence of a quorum.

Council Members Present:

Joe Burger, Mayor
Tamara Fisher
Lance Megyesi
Allen Robbins, Deputy Mayor Pro Tem
David Billings, Mayor Pro Tem
John Hamilton

Council Members Absent:

None

City Staff Present:

Michael Kovacs, City Manager
Justin Weiss, Assistant City Manager
Victoria Raduechel, City Secretary
Lyle Lombard, Director of Public Safety
John Taylor, DPS Captain
Scott Monaghan, Director of Public Works
Raju Anthony, Director of Finance
Steve Gilbert, Director of Community Services and Building Safety
Will Rugeley, Director of Planning and Development Services
Leigh Corson, Director of Human Resources
Michael Wright, IT Manager
Brenda McDonald, City Attorney

**2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE AMERICAN AND TEXAS
FLAGS**

Michael Wright, IT Manager gave the invocation, after which the Council led the 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.

Rickey Slagle, 700 North William E Crawford, spoke expressing concern for the “Y” intersection at Crawford and Holiday and expressing concern for increased traffic and students walking to and from school.

City Attorney Brenda McDonald advised the Council that the City is not confirming the accuracy of the comments made by citizens during public comment.

In Lieu of attendance Andy Reed – 401 Hickory Lane – submitted a statement that was read into record expressing concern for the Montarra related agenda items emphasizing it would have been smarter to work with the Montarra Developer to make the whole Community Farm concept work plus get the \$1M for the downtown rather than dragging a lawsuit out for five years. Mr. Reed also expressed concern for citizens that have been annexed into Fate that are not receiving the same level of services as those that do live in the immediate area.

4. CONSENT AGENDA

- A. Approval Of Minutes Of The Council Meeting Held October 19, 2020.
- B. Approval Of Ordinance No. O-2020-038- Modifying Speed Limits For Vehicles Traveling On State Highway 66 Within The Fate City Limits As Set Out In This Ordinance; Providing For A Penalty; And Providing For Savings, Severability And An Effective Date.
- C. Approval Of Ordinance No. O-2020-039- Repealing And Replacing Chapter 30 – Utilities, Article 4 – Design Criteria And Construction Standards For Construction Of Infrastructure; Providing For A Penalty For Each Offense Not To Exceed Five

Hundred (\$500.00) Dollars And Each Day A Violation Continues Shall Be Considered A Separate Offense, Severability And An Effective Date.

D. Approval Of The Purchase Of Trail Lighting For Fate Colonial Park From Park Development Fee District "B" Funds.

E. Approval Of Resolution No. R-2020-103- Approving The Partial Assignment Of A Roadway Development Agreement With The City Of Fate For Prince Lane From Southstar Woodcreek Developer LLC To SR4 235 Partners LLC.

Director of Community Services and Building Safety Steve Gilbert answered questions from the Council related to consent agenda item 4C.

Council Member Megyesi made a motion to approve the consent agenda, as presented.

Mayor Burger seconded the motion.

There was no discussion and the vote on the motion was as follows:

Ayes: Mayor Burger and Council Members Fisher, Megyesi, Robbins, Billings, and Hamilton.

Nays: None

Mayor Pro Tem Billings declared the motion carried unanimously.

5. 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 Settlements

The items were read and Mayor Burger recessed the meeting at 6:20 p.m. and convened Executive Session at 6:27 p.m.

B. 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:

The Executive Session was adjourned at 6:50 p.m. and Mayor Burger reconvened the meeting of the City Council at 6:54 p.m.

The following action was taken on items discussed in executive session:

1. Overview Of Settlement Agreements And Layouts Of Proposed Developments Followed By Council Action To Consider And Approve Fate 54 And Fate 234 Settlement Agreements.

City Attorney Brenda McDonald provided a brief overview of the settlement of the Montarra lawsuit. Ms. McDonald explained these settlement agreements separate out the 54-acre light industrial on FM 3549 and the 231-acre tract for residential development.

The 54 acres will be zoned and platted as a light industrial tech park conforming to the previous settlement agreement. The developer will be entitled to a Public Improvement District (PID) with an assessment of \$0.75 per \$100 of assessed valuation. The development plan for the 54 acres will be submitted upon execution of the settlement agreement.

Fate 231 is the Plaintiff that owns the 231-acre tract fronting on Ben Payne Road. The property is under contract for purchase by Wynne Jackson who intends to develop this parcel as single family residential. Ms. McDonald referenced a preliminary concept plan for the residential development that includes 50ft, 60ft, and 70ft single family residential lots with a Homeowner's Association (HOA) and amenities center. The property will be zoned and platted in the development scenario as described though not necessarily in the configuration of the referenced preliminary concept plan.

Discussion ensued among the Council regarding the settlement agreements and proposed development of the parcels as described by City Attorney Brenda McDonald at which time each member of the Council provided comments regarding the same.

Mayor Burger made a motion to approve settlement agreements in the Montarra Lawsuit as discussed in Executive Session, in a form as finally approved by the City Attorney.

Council Member Hamilton seconded the motion.

There was no discussion and the vote on the motion was as follows:

Ayes: Mayor Burger and Council Members Fisher, Megyesi, Robbins, Billings, and Hamilton.

Nays: None

Mayor Pro Tem Billings declared the motion carried unanimously.

6. ACTION ITEMS

A. 2nd Public Hearing To Review The City Of Fate Juvenile Curfew Ordinance To Determine The Need To Re-Adopt, Abolish, Continue Or Modify The Ordinance.

(1) Staff Report And Recommendation;

Director of Public Safety Chief Lombard provided a brief overview of the agenda item reporting staff recommends continuing the ordinance.

(2) Public Hearing;

Mayor Pro Tem Billings opened the public hearing at 7:06 p.m.

There was no one present wishing to speak.

Mayor Pro Tem Billings closed the public hearing at 7:07 p.m.

(3) Discuss, Consider, And Take Any Necessary Action Regarding Ordinance No. O-2020-040- Continuing And Readopting The City Of Fate Juvenile Curfew.

Council Member Robbins made a motion to approve Ordinance No. O-2020-040-Continuing and Readopting Chapter 18, "Miscellaneous Offenses", Article II, "Provisions Regarding Minors", Division 2, "Curfew", Of The Code of Ordinances, City Of Fate, Texas; Providing For A Penalty Not To Exceed Five Hundred (\$500.00) Dollars For Each Offense; Providing A Repealing Clause; Providing A Severability Clause; And Providing An Effective Date.

Council Member Fisher seconded the motion.

There was no discussion and the vote on the motion was as follows:

Ayes: Mayor Burger and Council Members Fisher, Megyesi, Robbins, Billings, and Hamilton.

Nays: None

Mayor Pro Tem Billings declared the motion carried unanimously.

B. Discuss, Consider, And Take Any Necessary Action Regarding Accessory Building Unit Sizes And Requirements.

Director of Community Services and Building Safety Steve Gilbert provided a brief overview of the agenda item explaining the City's current building unit sizes and requirements. Mr. Gilbert reviewed lot coverage examples of neighboring cities (Sachse, Wylie, Rowlett, Rockwall, Royse City) and reviewed accessory structure placement and density.

Discussion ensued among the Council, City Attorney and City Staff regarding whether the Council would like changes to the current requirements. It was the consensus of the Council for staff to provide discussion points and options to consider for possible change to the ordinance at a future meeting.

C. Discuss, Consider, And Take Any Necessary Action Regarding May 2021 Bond Program Options Centering On Streets, Facilities, And Fire Fleet.

City Manager Michael Kovacs provided a brief overview of the agenda item reporting the City Council asked staff to look at the 5-year Capital Improvement Plan and see what staff would add if the City had the chance for a bond issue. Staff came up with a list and over the course of a few council meetings the list has been refined throughout the process.

Boyd London with Hilltop Securities reviewed updated tax figure scenarios and answered questions from the Council regarding the same. Discussion ensued among the Council regarding the updated tax figures and the Council asked staff to narrow the scope of the bond issue to roads only with a \$15 million target, plus cost estimates for a Ben Payne add-on.

D. Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2020-104- Updating The City's Legislative Program.

City Manager Michael Kovacs provided a brief overview of the proposed legislative program and answered questions from the Council regarding the same.

Mayor Burger made a motion to approve Resolution No. R-2020-104- Adopting the Legislative Program for the City of Fate, Texas; Directing the City Manager or his designee to act with regard to the City's Legislative Program; And providing an effective date.

Council Member Hamilton seconded the motion.

There was no discussion and the vote on the motion was as follows:

Ayes: Mayor Burger and Council Members Fisher, Megyesi, Robbins, Billings, and Hamilton.

Nays: None

Mayor Pro Tem Billings declared the motion carried unanimously.

E. Discuss, Consider, And Take Any Necessary Action Regarding Approval Of A City Council Meeting Schedule For Calendar Year 2021.

City Manager Michael Kovacs provided a brief overview of the agenda item reporting Staff prepared a City Council meeting schedule for 2021 to assist City Council and staff with advance planning and preparation of City business. City Attorney Brenda McDonald reported there is no action required by the Council regarding the meeting calendar. It is provided to the council strictly for planning purposes. Therefore, no action was taken by the Council.

F. Discuss, Consider, And Take Any Necessary Action Regarding Cancelling The December 21, 2020 City Council Meeting.

City Manager Michael Kovacs provided a brief overview of the agenda item reporting the Council has cancelled meetings from time to time to allow themselves and the City staff a break during holiday seasons or peak vacation seasons.

Mayor Burger made a motion to cancel the December 21, 2020 City Council meeting.

Council Member Robbins seconded the motion.

There was no discussion and the vote on the motion was as follows:

Ayes: Mayor Burger and Council Members Fisher, Megyesi, Robbins, Billings, and Hamilton.

Nays: None

Mayor Pro Tem Billings declared the motion carried unanimously.

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

Mayor Burger expressed appreciation to those who voted in the election.

B. Council Reports

Council Member Robbins expressed appreciation to City Staff and Kerry Wiemokly for Christmas Tree Lighting and gave a “Shout-Out” to teachers who are getting ready to end the semester.

Council Member Hamilton wished everyone a Merry Christmas.

Council Member Megyesi expressed appreciation to City staff for the tree lighting event and asked for prayer for DPS Officer Willoughby who is suffering from COVID-19.

Council Member Fisher expressed appreciation to City staff for an amazing tree lighting event and wished everyone a Merry Christmas.

Council Member Billings expressed appreciation to DPS and City staff for the tree lighting event and wished everyone a Merry Christmas.

C. City Manager's Report

City Manager Michael Kovacs announced the following upcoming meetings/events:

- Fresh by Brookshires ground breaking Wednesday at 10:30 a.m.
- Planning and Zoning Commission meeting – December 17, 2020 at 6:00 p.m.

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. 112 Greenhill Lane, Rockwall CAD ID 16466.
2. 1.075 Acres Of Property Generally Located At 200 Fate Main Place, Rockwall CAD ID 16504; 204 Fate Main Place, Rockwall CAD ID 16506; And Rockwall CAD ID 16505.
3. Project 84B.

The items were read and Mayor Pro Tem Billings recessed the meeting at 8:20 p.m. and convened Executive Session at 8:25 p.m.

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.

The Executive Session was adjourned at 8:53 p.m. and Mayor Pro Tem Billings reconvened the meeting of the City Council at 8:56 p.m.

The following action was taken on items discussed in executive session:

- 8A1. 112 Greenhill Lane, Rockwall CAD ID 16466.

Council Member Fisher made a motion to approve Resolution No. R-2020-105 - approving a Chapter 380 Economic Development Incentive Agreement with Fate Main One TN, LLC, regarding the development of 112 Greenhill in the City of Fate, in a final format as approved by the City Attorney and as discussed in executive session.

Mayor Burger seconded the motion.

There was no discussion and the vote on the motion was as follows:

Ayes: Mayor Burger and Council Members Fisher, Megyesi, Robbins, Billings, and Hamilton.

Nays: None

Mayor Pro Tem Billings declared the motion carried unanimously.

- 8A2. 1.075 Acres Of Property Generally Located At 200 Fate Main Place, Rockwall CAD ID 16504; 204 Fate Main Place, Rockwall CAD ID 16506; And Rockwall CAD ID 16505.

Council Member Robbins motion to approve Resolution No. R-2020-106 - approving the First Amendment to Chapter 380 Economic Development Incentive and Performance Agreement with Canales Zamora Trust, as discussed in executive session.

Council Member Hamilton seconded the motion.

There was no discussion and the vote on the motion was as follows:

Ayes: Mayor Burger and Council Members Fisher, Megyesi, Robbins, Billings, and Hamilton.

Nays: None

Mayor Pro Tem Billings declared the motion carried unanimously.

8A3. Project 84B.

Council Member Hamilton made a motion to authorize the City Manager to execute a six-month Exclusivity Agreement regarding project 84B, as discussed in executive session.

Council Member Megyesi seconded the motion.

There was no discussion and the vote on the motion was as follows:

Ayes: Mayor Burger and Council Members Fisher, Megyesi, Robbins, Billings, and Hamilton.

Nays: None

Mayor Pro Tem Billings declared the motion carried unanimously.

10. ADJOURNMENT

There was no further business before the Council and Council Member Robbins moved to adjourn.

Mayor Burger seconded the motion.

There was no discussion and the vote on the motion was as follows:

Ayes: Mayor Burger and Council Members Fisher, Megyesi, Robbins, Billings, and Hamilton.

Nays: None

Mayor Pro Tem Billings declared the motion carried unanimously and the meeting adjourned at 8:58 p.m.

APPROVED BY THE CITY COUNCIL ON THIS THE 1ST DAY OF MARCH, 2021.

APPROVED:

Allen Robbins, Mayor Pro Tem

ATTEST:

Victoria Raduechel, TRMC
City Secretary

**MINUTES OF THE
CITY OF FATE
SPECIAL CITY COUNCIL MEETING
JANUARY 19, 2021**

1. Call To Order And Confirm A Quorum

Mayor Pro Tem David Billings called the Fate City Council Meeting to order at 6:00 p.m. on the 19th day of January 2021, in Fate City Hall located at 1900 CD Boren Parkway, Fate, Texas.

Deputy City Secretary Jessica Larson confirmed the presence of a quorum.

Council Members Present:

David Billings – Mayor Pro Tem
Lance Megyesi, Council Member, Place 1
John Brandt, Council Member, Place 2
Christopher Ash, Council Member, Place 3
John Hamilton, Council Member, Place 6

Council Members Members Absent:

Allen Robbins, Council Member, Place 4

City Staff Present:

Michael Kovacs, City Manager
Justin Weiss, Assistant City Manager
Jon Lawson, Assistant City Attorney
Jessica Larson, Assistant to the City Manager/Deputy City Secretary
Scott Monaghan, Director of Public Works & Utilities
Steve Gilbert, Director of Community Services & Building Safety
Raju Anthony, Director of Finance
Leigh Corson, Director of HR
Lyle Lombard, Director of Public Safety
Michael Wright, IT Manager

2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE AMERICAN AND TEXAS FLAGS

Michael Wright, IT Manager gave the invocation, after which the Council led the 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.

There was no one present wishing to speak.

4. CONSENT AGENDA

4A. Approval Of Minutes Of The Council Meetings Held November 17, 2020 And December 29, 2020.

4B. Approval Of Financial Report For December 2020.

4C. Approval Of Quarterly Investment Report For The Quarter Ending December 31, 2020.

4D. Approval Of Any Necessary Action Regarding All Matters Incident And Related To The Issuance And Sale Of "City Of Fate, Texas, General Obligation Bonds, Series 2021", Including The Adoption Of Ordinance No. O-2021-001- Authorizing The Issuance Of Such Bonds And Approving All Other Matters Incident Thereto.

Council Member Brandt moved to approve the consent agenda.

Council Member Megyesi seconded the motion.

There was no further discussion and the vote on the motion was as follows:

Ayes: Mayor Pro Tem Billings and Council Members Megyesi, Brandt, Ash, and Hamilton

Nays: None

Mayor Pro Tem Billings declared the motion carried unanimously.

5. ACTION ITEMS

5A. Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2021-008– Appointing Allen Robbins And Christopher Ash To The Fate Municipal Development District No. 1 Board Of Directors, To Serve The Remainder Of Unexpired Terms Ending July 2021.

Council Member Hamilton motion to appoint Allen Robbins and Christopher Ash to the Fate Municipal Development District No. 1 Board of Directors. (Resolution No. R-2021-008).

Council Member Megyesi seconded the motion.

There was no further discussion and the vote on the motion was as follows:

Ayes: Mayor Pro Tem Billings and Council Members Megyesi, Brandt, Ash, and Hamilton.

Nays: None

Mayor Pro Tem Billings declared the motion carried unanimously.

- 5B. Discuss, Consider, And Take Any Necessary Action Regarding A Resolution No. R-2021-009– Appointing John Brandt To The Fate Development Corporation Board Of Directors, To Serve As A Council Class Member For The Remainder Of An Unexpired Term Ending July 2021.

Council Member Ash made a motion to appoint John Brandt to the Fate Development Corporation Board of Directors. (Resolution No. R-2021-009).

Council Member Megyesi seconded the motion.

There was no further discussion and the vote on the motion was as follows:

Ayes: Mayor Pro Tem Billings and Council Members Megyesi, Brandt, Ash, and Hamilton.

Nays: None

Mayor Pro Tem Billings declared the motion carried unanimously.

- 5C. Discuss, Consider, And Take Any Necessary Action Regarding Appointing A Representative To The Rockwall County Consortiums To Include The Emergency Services Corporation, The Road Consortium, And The Open Space Consortium.

1. Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2021-010- Appointing A Member To The County Of Rockwall Emergency Service Corporation (ESC); And Providing An Effective Date.

Council Member Christopher Ash volunteered to serve on the County of Rockwall Emergency Service Corporation (ESC).

Council Member Brandt made a motion to appoint Council Member Ash to the County of Rockwall Emergency Service Corporation (ESC). (Resolution No. R-2021-010).

Council Member Hamilton seconded the motion.

There was no further discussion and the vote on the motion was as follows:

Ayes: Mayor Pro Tem Billings and Council Members Megyesi, Brandt, Ash, and Hamilton.

Nays: None

Mayor Pro Tem Billings declared the motion carried unanimously.

2. Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2021-011- Appointing A Member To The Rockwall County Wide Planning Consortium (Road Consortium); And Providing An Effective Date.

Nominations for Rockwall County Wide Planning Consortium (Road Consortium)

Council Member Hamilton nominated David Billings.

The vote on the nominations was as follows:

David Billings received all five votes.

Council Member Hamilton made a motion to elect David Billings to the for Rockwall County Wide Planning Consortium (Road Consortium). (Resolution No. R-2021-011).

Council Member Brandt seconded the motion.

There was no further discussion and the vote on the motion was as follows:

Ayes: Mayor Pro Tem Billings and Council Members Megyesi, Brandt, Ash, and Hamilton.

Nays: None

Mayor Pro Tem Billings declared the motion carried unanimously.

3. Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2021-012- Appointing A Representative To The Rockwall County Open Space Consortium; And Providing An Effective Date.

Nominations for Rockwall County Open Space Consortium

Council Member Ash nominated Allen Robbins.

The vote on the nominations was as follows:

Allen Robbins received all five votes.

Council Member Ash made a motion to appoint Allen Robbins to the Rockwall County Open Space Consortium. (Resolution No. R-2021-012).

Council Member Megyesi seconded the motion.

There was no further discussion and the vote on the motion was as follows:

Ayes: Mayor Pro Tem Billings and Council Members Megyesi, Brandt, Ash, and Hamilton.

Nays: None

Mayor Pro Tem Billings declared the motion carried unanimously.

5D. Discuss, Consider, And Take Any Necessary Action Regarding Accessory Building Requirements And Size.

Steve Gilbert, Director of Community Services & Building Safety gave a brief presentation regarding the agenda item. His presentation included the current guidelines.

Three options were presented for amendments to the current UDO Article 4.3.5 regarding accessory structures.

- Option 1
 - Article 4.3.5 (1) c. remain as is.
 - 4.3.6 (1) d. Setbacks and number of buildings:
 - Add section iv. Minimum separation: Detached accessory structures shall maintain a minimum separation of six (6) feet from all other structures.
- Option 2
 - Article 4.3.5 (1) Size:
 - (C) Maximum size:
 - Change ii lots 16,335 square feet (3/8 acre) to lots 21,780 square feet (1/2 acre)
 - Add new section iii. Lots 21,780 square feet (1/2 acre) or more:
 - The area of any detached accessory structure shall not exceed the lessor of:
 - (a) Eight percent (8%) of the total lot square footage.
 - (b) Seventy-five percent (75%) of the total primary structure square footage.
 - (c) 1650 square feet.
- Option 3
 - 4.3.6 (1) d. Setbacks and number of buildings:
 - Add section iv. Accessory building on lots of greater than 16,335 square feet may have an attached awning a maximum area of 450 square feet and shall not be considered in the square footage of the accessory building provided.
 - (a) It is open on at least three sides.
 - (b) The overall area of coverage does not exceed the maximum lot coverage for the zoning district in which it is located.

Mr. Gilbert stated that at 1,200 square feet, Fate has the largest allowable accessory structures from the neighboring cities. He also clarified that accessory structures are different than carports or cabanas and a different ordinance has the requirements for

these structures. He requested to remove the word “floor” from the description, as this is where confusion in the definitions began in Mr. Stewart’s accessory structure application. Discussion ensued among the Council and City staff regarding the current accessory building ordinance and the last time it was modified.

Mike Stewart, 107 Weston, spoke with regards to his accessory building project. He showed a drone picture of his and his neighbors houses.

- He was in support of option 2, but is okay with Option 3.
- He explained the percentage of his lot compared with his proposed building.

Further discussion ensued among the Council and City Staff regarding the options for proposed amendments to the ordinance regarding accessory structure.

Council Member Ash made a motion to approve option 3, with adding six-feet of separation between accessory buildings as in option 1, and removing the word “floor” from the term “floor area.”

Council Member Hamilton seconded the motion.

There was no further discussion and the vote on the motion was as follows:

Ayes: Mayor Pro Tem Billings and Council Members Megyesi, Brandt, Ash, and Hamilton.

Nays: None

Mayor Pro Tem Billings declared the motion carried unanimously.

5E. Discuss, Consider, And Take Any Necessary Action Regarding Placing The Dissolution Of The Fate Development Corporation On The May 2021 Ballot.

Justin Weiss, Assistant City Manager gave a brief presentation regarding the agenda item. He went over the staff summary which included:

- The Fate Development Corporation (Type 4B) was created in 2009
- Citizens approved the establishment of a ½ cent sales tax to be collected within the City limits for the purposes of Economic Development.
- Since the creation of the Fate Development Corporation, the City has also added two more corporations for the purposes of Economic Development: The Fate Municipal Development District #1 (MDD); and, the Fate Public Facilities Corporation (PFC).
- The MDD is funded by a separate ½ cent sales tax which is collected within the City limits and Extraterritorial Jurisdiction of the City of Fate.
- The PFC receives funding from public-private-partnership distributions from The Gala at Fate.
- In 2019, the Texas Legislature passed Senate Bill 2, which capped the property tax rate increase to 3.5% from the previous year to the next (formerly 8%).

- For a fast-growing community like the Fate, this means the revenue available to keep up with the increase in demand for services is severely hampered.
- Pressure continues to mount to keep up with and improve services (officers for the Department of Public Safety, construction of new roads, and new programs).
- Voter approval is needed to reallocate the ½ cent for the City's general usage.

Financial Considerations:

- The Fate Development Corporation currently transfers \$320,000 to the General Fund for the Administrative Services Contract.
- The General Fund would see an increase of approximately \$83,000 in the first year and that amount would increase as sales tax collections increase.
- The anticipated loss to the General Fund based on the 3.5% property tax cap is \$155,745 in fiscal year 2021.
- The total single-family lots available is about 4,367. At the build-rate of 700 lots a year, Fate has 6 years of lots left.

Michael Kovacs, City Manager explained that this plan fund would support the General Fund without impacting taxes. Good things are happening, FRESH by Brookshires, downtown development, and not permitting additional single-family homes since 2013.

- Without dissolving the FDC, we will need to go to the voter to approve new DPS officers or City services will need to be cut.
- The decision will be sent to the voters to authorize the dissolution.
- This process does not mean that we are getting rid of economic development – instead, this streamlines the process.
- Two other economic development boards are in existence.

Jon Lawson, Assistant to the City Attorney gave explanation about what the different boards do.

- The Council is already approving everything that the FDC does.
- Dissolving the FDC would not affect the City Council based decisions.
- The MDD will still be collecting the sales taxes for economic development
- Any outstanding obligations by the FDC will be honored.
- Calling an election for dissolution needs to be done by February 15 to go on the May ballot.

Discussion ensued among the Council regarding the considerations surrounding dissolving the FDC.

Assistant City Manager Justin Weiss suggested the following language for a motion: to direct the staff and Assistant City Attorney to prepare actions for the Feb. 1st Council meeting to call an election question on converting the FDC sales tax to a general revenue sales tax.

Council Member Ash made a motion to direct city staff to take necessary action to place the dissolution of the Fate Development Corporation on the May 2021 ballot.

Council Member Hamilton seconded the motion.

There was no further discussion and the vote on the motion was as follows:

Ayes: Mayor Pro Tem Billings and, Council Members Ash, and Hamilton.

Nays: Council Members Megyesi and Brandt.

Mayor Pro Tem Billings declared the motion carried.

6. TRAINING

6A. Council Orientation From City Manager On Logistical Items, And Familiarization With City Practices, Protocols, And Operations.

Michael Kovacs, City Manager presented a training session regarding the agenda topic. The following topics were discussed:

- A city-wide organizational chart
- Use of Funds by Department
- Economic Development
- The things we don't do – affordable housing, public art, museums, etc.
- Roberts Rules of Order – Council meetings management
- Issued Items – laptops, iPhones, access cards, business cards
- Council Support Staff
- Council Training – Next Monday Night with Mike Mowry
- The Why
- Team Sport
- Relationships Matter
- Don't Worry, Be Courageous
- Think Long Range
- Three ride-along are available for in-depth looks at departments (DPS, Finance and Public Works) – NTWMD also has tours

Mayor Pro Tem Billings gave support for the City Manager's presentation.

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

Mayor Pro Tem Billings had nothing to report.

B. Council Reports

Council Member Hamilton had nothing to report.

Council Member Ash expressed appreciation to City Staff for onboarding processed he experienced.

Council Member Brandt expressed appreciation to City Staff and encourage residents to participate in the May election and the Council meetings.

Council Member Megyesi express concern for the DPS member fighting COVID-19 and asked for prayers for him and his family.

C. City Manager's Report

City Manager Michael Kovacs reminded the newly Rockwall County appointed members that there is a meeting on January 20, 2021. He also announced the Comprehensive Plan meeting with Chuck Marohn – January 28, 2021.

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:

8A. 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 A Development Agreement With Avondale To Cost Share Woodcreek Blvd. From State Highway 66 To Interstate 30

8B. 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 WS20

The items were read and Mayor Pro Tem Billings and the Council recessed the meeting at 8:13 p.m. and convened Executive Session at 8:20 p.m.

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

The Executive Session was adjourned at 9:15 p.m. and Mayor Pro Tem Billings reconvened the meeting of the City Council at 9:17 p.m.

Action taken on items discussed in Executive Session was as follows:

8A. 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 A Development Agreement With Avondale To Cost Share Woodcreek Blvd. From State Highway 66 To Interstate 30

No action was taken on this item.

8B. 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 WS20

Council Member Megyesi made a motion to approve an interim use agreement in a format as finally approved by the City Attorney as discussed in Executive Session.

Council Member Hamilton seconded the motion.

There was no further discussion and the vote on the motion was as follows:

Ayes: Mayor Pro Tem Billings and Council Members Megyesi, Brandt, Ash, and Hamilton.

Nays: None

Mayor Pro Tem Billings declared the motion carried unanimously.

10. ADJOURNMENT

There was no further business before the Fate City Council and Council Member Megyesi moved to adjourn.

Council Member Ash seconded the motion to adjourn.

There was no further discussion and the vote on the motion was as follows:
Ayes: Mayor Pro Tem Billings and Council Members Megyesi, Brandt, Ash, and Hamilton.
Nays: None
Mayor Pro Tem Billings declared the motion carried unanimously and declared the meeting adjourned at 9:19 p.m.

APPROVED BY THE FATE CITY COUNCIL ON THE 1st DAY OF MARCH, 2021.

APPROVED:

Allen Robbins, Mayor Pro Tem

ATTEST:

Victoria Raduechel, TRMC
City Secretary

**MINUTES OF THE SPECIAL
CITY COUNCIL MEETING
JANUARY 25, 2021**

1. CALL TO ORDER AND CONFIRM A QUORUM

Mayor Pro Tem Billings called the meeting of the Fate City Council to order at 6:00 p.m. on the 25th day of January 2021, in the Fate City Hall 1900 CD Boren Parkway, Fate, Texas.

City Secretary Victoria Raduechel confirmed the presence of a quorum.

Council Members Present:

Lance Megyesi
John Brandt
Christopher Ash
Allen Robbins, Deputy Mayor Pro Tem
David Billings, Mayor Pro Tem

Council Members Absent:

John Hamilton

City Staff Present:

Michael Kovacs, City Manager
Justin Weiss, Assistant City Manager
Victoria Raduechel, City Secretary
John Taylor, DPS Captain
Leigh Corson, Director of Human Resources

2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE AMERICAN AND TEXAS FLAGS

The Council led the Pledge of Allegiance to the American and Texas Flags, after which Justin Weiss, Assistant City Manager gave the invocation.

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.

There was no one present wishing to speak.

4. GOVERNANCE WORKSHOP

A. City Council Training with Mike Mowery of Strategic Government Resources (SGR).

City Secretary's Note: Mayor Pro Tem Billings recessed the workshop at 7:19 p.m. for a break and reconvened the workshop at 7:29 p.m.

Mike Mowery, President of Leadership Development and Training with Strategic Government Resources (SGR), led the City Council in a governance workshop. During the workshop, discussion ensued among the Council, Mr. Mowery, and City staff regarding the following:

- What do we mean by governance?
- What do we mean by leadership?
- Reviewed the 4th dimension leadership pyramid.
- Why care about Board Governance and Leadership?
 - To speed up the process and reduce the amount of time required to take care of business effectively.
 - To eliminate ambiguity and uncertainty for the board, the staff, and all stakeholders.
 - To help you hold each other to higher standards. You can not expect staff to attain higher standards than Council. "Walk the Talk".
 - To help each individual take responsibility for their own actions.
 - To disagree without being disagreeable.
 - To enhance the quality of decisions you make and dramatically increase the significance of the impact those decisions have on the future.
- Challenges to effective teamwork and governance
 - Absence of a clear mission and vision.
 - Last minute agendas.
 - Board members who seek power through put down.
 - Board members who manipulate the board in how they interact with outside stakeholders.
 - Board members who focus on management instead of governance

- Staff members who fail to follow through with policy decisions
- Major Governance Challenges
 - Board members who do not understand their basic role and responsibilities.
 - Board members and Staff members who don't understand the issues.
 - Staff failure to provide policy options/alternatives.
 - Fear of moving forward if there is any opposition.
 - Lack of good processes.
- Overcoming the two great challenges
 - CAVE men.
 - Articulate Incompetents.
- Effective Board Governance
 - Enables the Mayor and Council to reach decisions with a broad consensus; within an environment of teamwork and mutual respect; creates within the group a broad-based sense of ownership in the process, and ultimately in the decision.
 - Requires philosophy and policy.
 - Having a philosophy means knowing what you want to accomplish and why.
 - Having policies means knowing what you want to accomplish and how.
- Healthy Deliberation
 - Avoid internal disagreement over issues that don't matter.
 - Avoid time drain on the "small stuff".
 - Disagree without being disagreeable.
 - Deal effectively with CAVE men rather than catering to and empowering them.
 - Don't let articulate incompetents drive you to make incompetent decisions out of fear.
- Effective Governance Requires
 - Thoughtful Deliberation.
 - Sincere Humility.
- Roles and Responsibilities of Board Members
 - Formulating the organization's mission, vision, and goals.
 - Ensuring financial health of the organization.
 - Setting expectations for efficient and effective management and systems.
 - Ensuring quality of services.
 - Monitoring board and organizational effectiveness in advancing the mission and in making the vision a reality.
- Board Role 1 – External Communicators
 - Establish a vital link to the community as a whole.
 - Reassure and educate those who think the City is moving too fast/far/slow or far enough.
 - Act as ambassadors on behalf of the City to all stakeholders.
 - Set an example by your own personal demeanor regarding how decisions are made with positive and appropriate behaviors.

- Explain unpopular decisions to critics.
- Protect the integrity of the process more than the integrity of your position.
- Board Role 2 – Internal Communicators
 - Provide insight into the direction and concerns of the community and stakeholders.
 - Effectively “Listen” to what the community is saying in words and deeds.
 - Act as a “Compass” for staff.
- Board Role 3 – Fiduciary Overseers
 - Monitor all relevant trends, not just current cash flow.
 - Ensure compliance with regulatory rules.
 - Ensure all resources are properly accounted for and reported.
 - Ensure all expenditures are for the purposes intended.
 - Ensure that resources are properly invested and/or managed.
 - Ensure that systems are in place which build trust in the community and among stakeholders.
- Board Role 4 – Policy Developer
 - Ensure that appropriate and effective policies are in place governing all aspects of the operation of the municipality.
 - Internalize your vision and mission statement.
 - Challenge everyone’s assumptions – yours included.
 - Don’t be afraid to ask questions but be willing to accept answers even if they aren’t what you expected or wanted.
 - Ensure the pursuit of the mission, not preservation of the status quo.
- Board Role 5 – Information Systems Overseer
 - Understand the significance of good data.
 - Understand how to use good data.
 - Make your decisions evidence based.
 - Remember that information is power.
- Board Role 6 – Priority Assessments
 - Do things right; and
 - Do the right things.
 - You can’t do the wrong thing well enough to make it the right thing to do.
 - Ensure resources are effectively utilized.
- Board Role 7 – Strategic Visionary
 - Identifying your core mission or purpose.
 - Articulating your core values.
 - Deciding what you want to become.
 - Defining what you want to achieve.
 - Understanding where you are.
 - Determining how to get where you’re going.
 - Deciding the price and level of investments necessary to get there.
- The Athenian Code

- We will never bring disgrace on this our City by an act of dishonesty or cowardice.
- We will fight for the ideals and sacred things of the City both alone and with many.
- We will revere and obey the City's laws and will do our best to incite a like reverence and respect to others.
- We will strive unceasingly to quicken the public's sense of civic duty.
- We will leave the City greater and more beautiful than it was when given to us.

The Council participated in an effective governance polarity scale exercise and shared their takeaways at the conclusion of the exercise.

At the close of the workshop the Mr. Kovacs expressed appreciation to the Council for participating and Mr. Mowrey for facilitating the workshop.

5. ADJOURNMENT

There was no further business before the Council and Council Member Megyesi moved to adjourn.

Council Member Brandt seconded the motion.

There was no discussion and the vote on the motion was as follows:

Ayes: Mayor Pro Tem Billings and Council Members Megyesi, Brandt, Ash, Robbins, and Billings.

Nays: None

Mayor Pro Tem Billings declared the motion carried unanimously and the meeting adjourned at 8:02 p.m.

APPROVED BY THE CITY COUNCIL ON THIS THE 15th DAY OF FEBRUARY 2021.

APPROVED:

David Billings, Mayor Pro Tem

ATTEST:

Victoria Raduechel, TRMC
City Secretary



To: Mayor & City Council

From: Vickey Raduechel, TRMC, City Secretary

Date: February 25, 2021

Agenda Items & Summary: Approval a resolution cancelling the Special City Election scheduled to be held on May 1, 2021, for the purpose of electing a Mayor to fill an unexpired term, to hold office for a period of one year; declaring the unopposed candidate for Mayor elected to office; and directing the giving of notice of said cancelled election.

Action Requested: Approval of consent agenda

Overview and Background:

A general or special election may be cancelled if each candidate for an office that is to appear on the ballot is unopposed.

The filing deadlines for placement on the May 1, 2021 Special City Election ballot and declaration of write-in candidates have passed. The City Secretary has certified in writing that no person has made a declaration of write-in candidacy, and the following Special City Election candidates are unopposed:

<u>Candidate</u>	<u>Office Sought</u>
David Billings	Mayor, unexpired term

This resolution cancels the Special City Election and declares Mr. Billings elected to the office of Mayor. Mayor Elect Billings will be issued a certificate of election in accordance with the Election Code.

A copy of this resolution will be posted on Election Day at each polling place used or that would have been used in the election.

Documents Included:

- Resolution

RESOLUTION NO. 2021-_____

A RESOLUTION OF THE CITY OF FATE, TEXAS, CANCELING THE SPECIAL ELECTION SCHEDULED TO BE HELD ON THE MAY 1, 2021, FOR THE PURPOSE OF ELECTING A MAYOR TO FILL AN UNEXPIRED TERM, TO HOLD OFFICE FOR A PERIOD OF ONE YEAR, IN ACCORDANCE WITH SECTION 2.053(a) OF THE TEXAS ELECTION CODE; DIRECTING THE GIVING OF NOTICE OF SUCH CANCELLATION OF ELECTION; AND PROVIDING DETAILS RELATING TO THE CANCELLATION OF SUCH ELECTION

WHEREAS, a Special City Election was called for May 1, 2021 for the purpose of electing a Mayor to fill an unexpired term, to hold office for a period of one year; and

WHEREAS, pursuant to section 2.052, Texas Election Code, the City Secretary has certified in writing that no person has made a declaration of write-in candidacy, and that each candidate on the ballot is unopposed for election to office; and

WHEREAS, under these circumstances, Subchapter C, Chapter 2, Texas Election Code, authorized the City Council to declare the candidates elected to office and cancel the election.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FATE, TEXAS:

Section 1: The following candidates, who are unopposed in the May 1, 2021, Special City Election, are declared elected to office, and shall be issued certificates of election in accordance with the Election Code:

<u>Candidate</u>	<u>Office Sought</u>
David Billings	Mayor, unexpired term

Section 2: The May 1, 2021 Special City Election is canceled, and the City Secretary is directed to cause a copy of this resolution or notice to be posted on election day at each polling place used or that would have been used in the election.

Section 3: This resolution shall become effective immediately upon approval by the City Council of the City of Fate, Texas.

AND IT IS SO RESOLVED.

Passed and approved by the City Council of the City of Fate, Texas this 1st day of March, 2021.

APPROVED:

Allen Robbins, Mayor Pro Tem

ATTEST:

Victoria Raduechel, TRMC
City Secretary



To: Mayor & City Council

From: Michael Kovacs, City Manager and Vickey Raduechel, City Secretary

Date: February 25, 2021

Agenda Item & Caption: Discuss, consider, and take any necessary action regarding a Resolution appointing a replacement to serve as Council Member Place 5 until the General Election is held in May 2021; and the Swearing-In and Seating of Newly Appointed City Council Member Place 5.

Action Requested: Approve Resolution appointing a replacement to Council Member Place 5; Swearing-In and Seating of newly appointed City Council Member Place 5.

Overview and Background:

On January 12, 2021, David Billings - Council Member, Place 5, filed as a candidate for Mayor in the May 1, 2021 Election, thus creating a vacancy in Council Member, Place 5 due to resign-to-run provisions contained in State Law and City Charter.

In accordance with Section 3.07(4)(A) the City Charter, a vacancy on the City Council shall be filled within thirty (30) days after the occurrence of the vacancy by majority vote of the remaining Council members, including the Mayor, by selection of a person qualified under state law and the Charter and the appointee shall serve until the General Election in May 2021.

Supporting Documents:

- Resolution

RESOLUTION NO. R-2021-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FATE, TEXAS, APPOINTING A REPLACEMENT TO SERVE AS COUNCIL MEMBER, PLACE 5, UNTIL THE GENERAL ELECTION IN MAY 2021.

WHEREAS, on January 12, 2021, David Billings - Council Member, Place 5, filed as a candidate for Mayor in the May 1, 2021 Election, thus creating a vacancy in Council Member, Place 5; and

WHEREAS, in accordance with the City's Charter, Section 3.07(4)(A), a vacancy on the City Council shall be filled within thirty (30) days after the occurrence of the vacancy by majority vote of the remaining Council members, including the Mayor, by selection of a person qualified under state law and this Charter; and

WHEREAS, in accordance with the City's Charter, Section 3.07(4)(A), the appointee shall serve until the next general election.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FATE, TEXAS:

Section 1: That the above findings are hereby true and correct and are incorporated herein in their entirety.

Section 2: That the appointment of _____ to serve as Council Member, Place 5, until the General Election is held in May 2021, is hereby approved.

Section 3: That this Resolution shall become effective immediately upon approval by the City Council of the City of Fate, Texas.

AND IT IS SO RESOLVED.

Passed and approved by the City Council of the City of Fate, Texas this 1st day of March, 2021.

APPROVED:

Allen Robbins, Mayor Pro Tem

ATTEST:

Victoria Raduechel, TRMC
City Secretary



To: Mayor Pro Tem & City Council

From: Michael Kovacs, City Manager, & Raju Anthony, Director of Finance

Date: February 25, 2021

Agenda Item & Caption: Bill Credit for Citizens for Severe Winter Weather Event

Action Requested: N/A.

Prior Action: During the early portion of the pandemic in 2019, the City waived credit card fees, disconnection fees, late fees, and provided business incentives, for a total of approximately \$79,000. CARES Act Coronavirus Relief Fund monies provided funds to cover all those expenses.

Plumbing permit fees for pipe bursts were waived using emergency powers as we began the exit from the winter storm last week, but the total costs of those permits will be minor. The basic plumbing permit is \$75.

Individual bill partial credits for water use from leaks are being given with evidence of repairs per our policy.

Overview and Background: On February 12, 2021, Governor of Texas, Greg Abbot declared State of Disaster in all 254 Counties due to the severe winter weather event. Pursuant to this, Councilmembers Megyesi and Brandt expressed an interest in a bill credit for all Fate citizens/water customers to ease the financial burden during the Pandemic compounded by severe winter weather. A credit of about \$25 was discussed.

In response, the staff prepared some options for the City Council to consider for a bill credit for all citizens.

One question asked a lot is, "what does a dripping faucet cost?" Here is the answer from the U.S. Geological Survey website using their calculator assuming 1 house, dripping 4 faucets at 1 drip per second: 22.8 gallons per day. For 10 days, that is 228 gallons. Source: <https://water.usgs.gov/edu/activity-drip.html> The average home uses 5,000 gallons per month, less in the winter. The cost for 1,000 gallons is \$4.90, in the lowest tier. Overall system water consumption activity summary by week in gallons: 1/24/21 – 1/31/21 **7,812,000**, 2/1/21 – 2/7/21 **7,963,000**, 2/8/21 – 2/14/21 **9,470,000**, 2/15/21 – 2/21/21 **15,465,000**

Financial Considerations:

Currently, City of Fate has accounts for 6,780 customers.

- Option 1 - \$10 bill credit for a total of \$67,800 total credit.
- Option 2 - \$15 bill credit for a total of \$101,700 total credit.
- Option 3 - \$20 bill credit for a total of \$135,600 total credit.
- Option 4 - \$25 bill credit for a total of \$169,500 total credit.
- Option 5 - \$25 opt-in bill credit ... costs will depend on response rates, will be less than \$169,500
- Option 6 – No credit. Keep reserves for upcoming capital projects to try and defer debt issuance.
- Option 7 – \$5.13 bill credit, eliminating the surplus year-to-date in the Utility Fund of \$34,780 on 1/31.

A quick review of the Utility Fund's performance indicates that the City is doing well so far this year, with about a third of the revenues in already and not too many unexpected costs. One departure from this is the upcoming land purchase for Pump Station 3 and potentially the need to start engineering early on the Pump Station 3 project. Those costs will be in the millions and were not planned for this year. While Utility reserves are strong, we were trying to save enough funds to do some projects cash, instead of relying on debt and paying interest. It is likely that we will be able to buy the Pump Station 3 property and launch phase 1 engineering using cash and reserves this year if needed, while at the same time doing the maximum credit. It is doubtful we will be able to save enough cash to do a ground storage tank and pump addition, a Public Works small facility, or phase 1 construction of Pump Station 3 without using debt.

Supporting Documents: N/A



To: Mayor & City Council

From: Michael Kovacs, City Manager

Date: February 25, 2021

Agenda Item & Caption: City Council training by the City Attorney on Ethics

Action Requested: Hear a presentation and discuss as desired.

Prior Action: Council requested in the past that an annual ethics presentation be given. At your first meeting in February, you received the social media training from the City Attorney.

Overview and Background: City Attorney Brenda McDonald will present on ethics. The review is good for the existing Council and would be beneficial to those about to take office or running this spring in the election.

Financial Considerations: n.a.

Supporting Documents: n.a.