

**MINUTES OF THE
CITY COUNCIL, FATE MUNICIPAL DEVELOPMENT DISTRICT NO. 1,
AND FATE PUBLIC FACILITY CORPORATION JOINT MEETING
JUNE 15, 2020**

1. CITY COUNCIL 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 15th day of June, 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:

Tamara Fisher
Lance Megyesi
Ian Fields
Allen Robbins, Deputy Mayor Pro Tem
David Billings, Mayor Pro Tem
John Hamilton

Council Members Absent:

Joe Burger, Mayor

City Staff Present:

Michael Kovacs, City Manager
Justin Weiss, Assistant City Manager
Victoria Raduechel, City Secretary
Jessica Larson, Assistant to the City Manager/Deputy City Secretary
Lyle Lombard, Director of Public Safety
John Taylor, DPS Captain
Scott Monaghan, Director of Public Works
Raju Anthony, Director of Finance
Teresa Stevens, Senior Accountant
Will Rugeley, Director of Planning and Development Services
Leigh Corson, Director of Human Resources
Michael Wright, IT Manager
Brenda McDonald, City Attorney
Julie Fort, Assistant 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.

City Secretary's Note: STATEMENT REGARDING JOE BURGER

City Secretary Victoria Raduechel read aloud the following statement regarding Mayor Joe Burger: *"Today, Mayor Joe Burger communicated he will be extending his leave of absence for an additional 30 days and plans to return to full duty on July 15th of this year."*

3. PRESENTATIONS**A. Government Financial Officers Association (GFOA) Distinguished Budget Presentation Award**

Council Member Lance Megyesi provided a brief overview of the GFOA Distinguished Budget Presentation Award and presented the award to Director of Finance Raju Anthony and Senior Accountant Teresa Stevens.

B. Rockwall EMS Presentation And Discussion

Rockwall County EMS Chief Mitch Ownby made a brief presentation on Rockwall County Emergency Medical Services. The presentation included the following topics:

- Services then and now
- Emergency Services Corporation was established in 2003
- Contract with ESC
- New contract October 1, 2017
- Services Now
- Moving forward
- Transport volume and maximum average bill (MAB)

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.

There was no one present wishing to speak.

5. FATE MUNICIPAL DEVELOPMENT DISTRICT NO. 1 ACTION ITEMS

A. Fate Municipal Development District No. 1 Call To Order And Confirm A Quorum

President Tamara Fisher called the meeting of the Fate Municipal Development District No. 1 to order at 6:14 P.M. on the 15th day of June, 2020, in the Fate City Hall located at 1900 CD Boren Parkway, Fate, Texas.

City Secretary Victoria Raduechel confirmed the presence of a quorum.

Board Members Present:

Tamara Fisher, President
Nikki Robinson
Tom Braden

Board Members Absent:

Joe Burger, Vice President
Kirk Adams

B. Discuss, Consider, And Take Any Necessary Action Regarding Approval Of Minutes Of The Fate Municipal Development District No. 1 Board Of Directors Meetings Held March 4, 2020, March 16, 2020, And May 4, 2020.

Board Member Nikki Robinson made a motion to approve Minutes Of The Fate Municipal Development District No. 1 Meetings Held March 4, 2020, March 16, 2020, And May 4, 2020.

Board Member Tom Braden seconded the motion.

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

Ayes: President Fisher and Board Members Robinson and Braden.

Nays: None

President Fisher declared the motion carried unanimously.

C. Discuss, Consider, And Take Any Necessary Action Regarding MDD Resolution No. R-2020-004 - Approving The First Amendment To Performance And Chapter 380 Economic Incentive Agreement With J&K Land Development; And Providing An Effective Date.

Assistant City Manager Justin Weiss provided a brief overview of the agenda item and introduced Jeff Swinger with J&K Land Development and Ted Grieb, Chef and Partner in the restaurant. Sauce and Vine will have a comfortable, open air, modern rustic dining area, as well as a farm-stand style market for takeout meals, fresh bread, gelato, and other house-made products. The Sauce & Vine kitchen will feature wood-fired pizzas from two ovens that are at the heart of the restaurant. In addition, homemade pastas with regional influences and other family favorites will make Sauce and Vine a regular destination for guests. Two large patios will flank each side of the restaurant for guests to

enjoy the views of the city and park. Guests can have some fun on the bocce courts while children play in the nearby custom play area.

Board Member Nikki Robinson made a motion to approve MDD Resolution No. R-2020-004 - Approving The First Amendment To Performance And Chapter 380 Economic Incentive Agreement With J&K Land Development; And Providing An Effective Date.

Board Member Tom Braden seconded the motion.

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

Ayes: President Fisher and Board Members Robinson and Braden.

Nays: None

President Fisher declared the motion carried unanimously.

D. EXECUTIVE SESSION: In Accordance With Texas Government Code, Section 551.001, Et Seq., The Fate Municipal Development District No. 1 Will Recess Into Executive Session (Closed Meeting) To Discuss The Following:

1. In Accordance With Texas Government Code, Section 551.072, To Deliberate The Purchase, Exchange, Lease, Or Value Of Real Property:

a. Downtown Central Business Area

The EXECUTIVE SESSION was not held.

E. RECONVENE INTO REGULAR SESSION: In Accordance With Texas Government Code, Chapter 551, The Fate Municipal Development District No. 1 Will Reconvene Into Regular Session To Consider Action, If Any, On Matters Discussed In Executive Session

There was no EXECUTIVE SESSION held.

F. Fate Municipal Development District No. 1 Adjournment

There was no further business before the Fate Municipal Development District No. 1 and Board Member Nikki Robinson moved to adjourn.

Board Member Tom Braden seconded the motion.

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

Ayes: President Fisher and Board Members Braden and Robinson.

Nays: None

President Fisher declared the motion carried unanimously and the Fate Municipal Development District No. 1 meeting adjourned at 6:29 p.m.

6. FATE PUBLIC FACILITY CORPORATION ACTION ITEMS

A. Fate Public Facility Corporation Call To Order And Confirm A Quorum

President Allen Robbins called the meeting of the Fate Public Facility Corporation Board of Directors to order at 6:29 pm. City Secretary Victoria Raduechel confirmed the presence of a quorum.

Board Members Present:

Allen Robbins, President
John Hamilton, Vice President
Tamara Fisher
Lance Megyesi
Ian Fields
David Billings

Board Members Absent:

Joe Burger

B. Discuss, Consider, And Take Any Necessary Action Regarding Approval Of Minutes Of The Fate Public Facility Corporation Meeting Held October 7, 2019.

Board Member Lance Megyesi made a motion to approve Minutes Of The Fate Public Facility Corporation meeting Held October 7, 2019.

Board Member David Billings seconded the motion.

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

Ayes: President Robbins and Board Members Hamilton, Fisher, Megyesi, Fields, and Billings.

Nays: None

President Robbins declared the motion carried unanimously.

C. Gala At Fate Project Update

Assistant City Manager Justin Weiss introduced Assistant City Attorney Julie Fort and Bob Dransfield who spoke about upcoming documents that will need to be signed for the PFC project known as Gala at Fate. Ms. Fort and Mr. Dransfield answered questions from the Board.

D. Fate Public Facility Corporation Adjournment

Board Member Lance Megyesi made a motion to adjourn the meeting of the Public Facility Corporation Board of Directors.

Board Member David Billings seconded the motion.

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

Ayes: President Robbins and Board Members Hamilton, Fisher, Megyesi, Fields, and Billings.

Nays: None

President Robbins declared the motion carried unanimously and the meeting adjourned at 6:44 p.m.

7. CITY COUNCIL CONSENT AGENDA

A. Approval Of Minutes Of The Council Meetings Held April 20, 2020 And May 4, 2020.

B. Approval Of Financial Report For May 2020.

C. Approval Of Amending Resolution No. R-2020-035 To Comply With The Coronavirus Emergency Supplemental Funding Program Grant Requirements.

Council Member Fields asked for a correction to page 9 of the May 4, 2020 Council Meeting Minutes to correct a spelling error to the word "COVID".

City Manager Michael Kovacs and Director of Finance Raju Anthony answered questions regarding the Financial Report for May 2020.

Council Member Fields made a motion to approve the consent agenda, with correction to the May 4, 2020 minutes as noted.

Council Member Robbins seconded the motion.

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

Ayes: Mayor Pro-Tem Billings and Council Members Fisher, Megyesi, Fields, Robbins, and Hamilton.

Nays: None

Mayor Pro-Tem Billings declared the motion carried unanimously.

8. CITY COUNCIL ACTION ITEMS

A. Discuss, Consider, And Take Any Necessary Action Regarding Ordinance No. O-2020-014- Appointing A Judge For The City Of Fate Municipal Court Of Record No. 1 With The Term Of Two (2) Years, Authorizing The City Manager To Execute A Contract For Professional Judicial Services By And Between The City Of Fate And Paul J. Liston; Providing A Severability Clause; And Declaring An Effective Date.

Director of Finance Raju Anthony provided a brief overview of the agenda item.

Council Member Hamilton made a motion to approve Ordinance No. O-2020-014- Appointing A Judge For The City Of Fate Municipal Court Of Record No. 1 With The Term Of Two (2) Years, Authorizing The City Manager To Execute A Contract For Professional

Judicial Services By And Between The City Of Fate And Paul J. Liston; Providing A Severability Clause; And Declaring An Effective Date.

Council Member Megyesi seconded the motion.

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

Ayes: Mayor Pro-Tem Billings and Council Members Fisher, Megyesi, Fields, Robbins, and Hamilton.

Nays: None

Mayor Pro-Tem Billings declared the motion carried unanimously.

City Secretary Victoria Raduechel administered the statement of appointed official and official oath of office to Paul J. Liston, Judge of the City of Fate Municipal Court.

B. Discuss, Consider, And Take Any Necessary Action Regarding The Exchange Of Old FM 551 Right-Of-Way For Right-Of-Way Which Will Facilitate The Extension Of Greenbriar Rd. In Accordance The The City' Master Thoroughfare Plan.

Director of Planning and Development Services Will Rugeley provided a brief overview of agenda items 8B1 and 8B2 reporting this has been a 6-year long process which began in 2014 when the City started working with TxDOT to swap Old FM 551 right-of-way for Memorial Pkwy. With that exchange finally concluding in April 2020, the last step in the process is to swap with the Hunt Group what the City received, Old FM 551 right-of-way, for right-of-way which will enable the extension of Greenbriar Rd. The reason for the swap is to open the area which bisects the grantee's property for future development opportunities while securing for the City an area that is already planned for a road.

1. Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2020-038 -Approving The Grant And Conveyance Of Certain Real Property To Fate I-30, LP, A Texas Limited Partnership, Benefitting The Responsible Growth And Development Of The City Of Fate; Authorizing The City Manager To Execute A Special Warranty Deed As The Grantor And Providing An Effective Date.

Council Member Fields made a motion to approve Resolution No. R-2020-038 -Approving The Grant And Conveyance Of Certain Real Property To Fate I-30, LP, A Texas Limited Partnership, Benefitting The Responsible Growth And Development Of The City Of Fate; Authorizing The City Manager To Execute A Special Warranty Deed As The Grantor And Providing An Effective Date.

Council Member Hamilton seconded the motion.

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

Ayes: Mayor Pro-Tem Billings and Council Members Fisher, Megyesi, Fields, Robbins, 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-2020-039 - Accepting The Grant And Conveyance Of Certain Real Property To The City Of Fate, Texas, A Home Rule Municipality, Benefitting The Responsible Growth And Development Of The City Of Fate; Authorizing The City Manager To Execute A Special Warranty Deed As The Grantee And Providing An Effective Date.

Council Member Robbins made a motion to approve Resolution No. . R-2020-039 - Accepting The Grant And Conveyance Of Certain Real Property To The City Of Fate, Texas, A Home Rule Municipality, Benefitting The Responsible Growth And Development Of The City Of Fate; Authorizing The City Manager To Execute A Special Warranty Deed As The Grantee And Providing An Effective Date.

Council Member Hamilton seconded the motion.

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

Ayes: Mayor Pro-Tem Billings and Council Members Fisher, Megyesi, Fields, Robbins, and Hamilton.

Nays: None

Mayor Pro-Tem Billings declared the motion carried unanimously.

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

There was no Mayor's report.

B. Council Reports

There were no reports from Council.

C. City Manager's Report

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

- Planning and Zoning Commission Meeting – June 18, 2020 at 6:00 p.m.

10. 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
2. To Receive Legal Advice Regarding Pay Treatment For Senior City Staff

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
2. City Manager
3. City Attorney
4. Mayor

The items were read and Mayor Pro Tem Billings recessed the meeting at 7:10 p.m. and convened Executive Session at 7:20 p.m.

11. 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 10:45 p.m. and Mayor Pro Tem Billings reconvened the meeting of the City Council at 10:48 p.m.

There was no action taken on items discussed in Executive Session.

12. CITY COUNCIL ADJOURNMENT

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

Mayor Pro Tem Billings seconded the motion.

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

Ayes: Mayor Pro Tem Billings and Council Members Fisher, Megyesi, Fields, Robbins, and Hamilton.

Nays: None

Mayor Pro Tem Billings declared the motion carried unanimously and the meeting adjourned at 10:48 p.m.

APPROVED BY THE CITY COUNCIL ON THIS THE 8th DAY OF SEPTEMBER, 2020.

APPROVED:

Joe Burger, Mayor

ATTEST:

Victoria Raduechel, TRMC
City Secretary

APPROVED BY THE FATE MUNICIPAL DEVELOPMENT DISTRICT NO. 1 BOARD OF DIRECTORS ON THIS THE ____ DAY OF _____, 2020.

APPROVED:

Tamara Fisher, President

ATTEST:

Victoria Raduechel, TRMC
City Secretary

APPROVED BY THE FATE PUBLIC FACILITY CORPORATION BOARD OF DIRECTORS ON THIS THE ___ DAY OF _____, 20__.

APPROVED:

Allen Robbins, President

ATTEST:

Victoria Raduechel, TRMC
City Secretary