



City of Mesquite, Texas

Minutes - Final City Council

Monday, February 21, 2022

5:00 PM

City Hall | Council Chamber
757 N. Galloway Avenue | Mesquite, Texas

Present: Mayor Daniel Alemán, Jr., and Councilmembers Kenny Green, Tandy Boroughs, Jeff Casper, Jennifer Vidler, B. W. Smith and Debbie Anderson, City Manager Cliff Keheley and City Secretary Sonja Land.

PRE-MEETING - TRAINING ROOMS A&B - 5:00 P.M.

AGENDA REVIEW

STAFF PRESENTATIONS

- 1 Discuss draft illustrative plans redistricting City Councilmember Districts based on 2020 Census data and proposed public hearing dates to receive public input on the designated plan.

NOTICE OF EXECUTIVE SESSION - TRAINING ROOMS A & B - 5:39 P.M.

Mayor Alemán announced that the City Council would meet in Executive Session pursuant to Section 551.071 of the Texas Government Code to conduct a private consultation with its attorney related to pending or contemplated litigation; a settlement offer; and issues in which there exists a duty of the City Attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas (Agenda Item No. 31); whereupon, the City Council proceeded to meet in Training Rooms A & B. After the closed meeting ended at 5:56 p.m., the City Council reconvened in Open Session.

See Agenda Item No. 31 for executive action taken.

CITY COUNCIL/STAFF WORK SESSION - CITY COUNCIL CHAMBER - 6:45 P.M.

- 2 Receive preliminary financial statements for fiscal year ending September 30, 2021, and financial statements for period covering October 1, 2021, through December 31, 2021.

Cindy Smith, Director of Finance, presented the financial statements for fiscal year ending September 30, 2021, and financial statements for period covering October 1, 2021, through December 31, 2021.

REGULAR CITY COUNCIL MEETING - CITY COUNCIL CHAMBER - 7:20 P.M.

INVOCATION

Sam Bailey, Pastoral Assistant, Emmanuel Pentecostal Church, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

City Staff.

SPECIAL ANNOUNCEMENTS

1. Ms. Anderson announced that a District 6 Neighborhood Meeting will be held on Thursday, February 24, 2022, at 7:00 p.m., at Pirrung Elementary School, 1500 Creek Valley Road, and invited residents to attend.
2. Mr. Smith announced that STAR Transit is providing free round-trip rides to local polling places for voters on Tuesday, March 1, 2022. To schedule a free ride to vote, call STAR Transit no less than 30 minutes in advance of the desired trip during normal business hours. To book a STARNow ride, use the STARNow app, which can be downloaded free of charge from the Apple App Store or Google Play Store.
3. Mr. Boroughs invited residents to attend a District 4 Neighborhood Meeting on Thursday, March 3, 2022, at 7:00 p.m., in the Hanby Elementary School cafeteria, 408 Gross Road.
4. Mr. Boroughs stated that the Mesquite Symphony Orchestra celebrated 35 years this past Saturday, February 19, 2022, and have been performing at the Mesquite Arts Center for the last 25 years. He encouraged residents to support the Mesquite Symphony Orchestra by attending their next concert on Saturday, April 2, 2022.
5. Ms. Vidler stated that on February 11, 2022, firefighters at Fire Station No. 2 placed a new fire engine into service with a traditional push-in ceremony. The housing ceremony is a proud tradition in the history of fire service in which firefighters push a new engine into the station for the first time. The tradition dates back to the 1800's when firefighters used horse-drawn equipment. After returning to the fire station after a fire call, the horses could not easily back the equipment into the fire station, so they were disconnected from the fire equipment and firefighters would push the equipment back into the bay.
6. Mr. Green congratulated Beverly Abell, Downtown Development Manager, for receiving the prestigious Anice B. Read award. This award recognizes an individual or organization for exemplary work in community revitalization, preservation planning and more and was presented to Ms. Abell for her work leading the Mesquite Main Street Program and positively impacting downtown revitalization in Texas.
7. Mr. Casper encouraged residents to participate in the 5th Annual Neighborhood Summit, hosted by the Office of Neighborhood Vitality, to be held on Saturday, February 26, at 9:00 a.m., at the Mesquite Independent School District Professional Development Center, 3819 Towne Crossing Boulevard. The free summit will feature guest speakers and provide education to citizens about City government.
8. Mayor Alemán welcomed Whitney Golin, new Director of Communications and Marketing, who brings 25 years of strategic marketing and communications to the City. Ms. Golin has a proven history of managing innovative partnerships with local and state leaders and has extensive knowledge of strategic planning, performance management and marketing applications.
9. Mayor Alemán congratulated Elizabeth Harrell, Director of Parks and Recreation, for a successful Daddy Daughter Dance on Saturday, February 19, 2022. He took his granddaughter and enjoyed a night of dancing and fun.

CONSENT AGENDA**Approval of the Consent Agenda**

Mr. Green requested that Item No. 8 be removed from the Consent Agenda to be considered separately. Mr. Casper moved to approve the remaining items on the Consent Agenda as follows. Motion was seconded by Ms. Vidler and approved unanimously.

- 3 Minutes of the regular City Council meeting held February 7, 2022.

Approved on the Consent Agenda.

- 4 An ordinance amending Article XII, Sections 12-100, 12-103 and 12-115 of Appendix D - Comprehensive Fee Schedule of the Mesquite City Code by revising certain building permit and health permit fees collected by the City of Mesquite.

Approved on the Consent Agenda.

Ordinance No. 4939, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING ARTICLE XII, SECTIONS 12-100, 12-103, AND 12-115 OF APPENDIX D – COMPREHENSIVE FEE SCHEDULE OF THE MESQUITE CITY CODE BY REVISING CERTAIN BUILDING PERMIT AND HEALTH PERMIT FEES COLLECTED BY THE CITY OF MESQUITE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00; AND PROVIDING AN EFFECTIVE DATE. (Ordinance No. 4939 recorded in Ordinance Book No. 126.)

- 5 An ordinance, on second reading, granting to Mesquite Independent School District, its successors and assigns, the nonexclusive right to use and occupy rights-of-way within the City of Mesquite for the construction and operation of a communication system.

Approved on the Consent Agenda.

- 6 An ordinance amending Chapter 13 of the Mesquite City Code, thereby updating certain regulations on signs and adding regulations for “Murals” and “Ghost Signs.”

Approved on the Consent Agenda.

Ordinance No. 4940, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 13 OF THE MESQUITE CITY CODE BY MAKING CERTAIN ADDITIONS AND DELETIONS THEREBY UPDATING CERTAIN REGULATIONS ON SIGNS AND ADDING REGULATIONS FOR “MURALS” AND “GHOST SIGNS”; PROVIDING A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE IN AN AMOUNT NOT TO EXCEED FIVE HUNDRED DOLLARS (\$500.00); PROVIDING FOR PUBLICATION; AND DECLARING AN EFFECTIVE DATE. (Ordinance No. 4940 recorded in Ordinance Book No. 126.)

- 7 A resolution authorizing the City Manager to execute a Wholesale Water Facilities Construction and Treated Water Supply Agreement with the City of Crandall for the design, construction and operations of a water supply line and

supply of treated water.

Approved on the Consent Agenda.

Resolution No. 09-2022, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A WHOLESALE WATER FACILITIES CONSTRUCTION AND TREATED WATER SUPPLY AGREEMENT WITH THE CITY OF CRANDALL, TEXAS, FOR THE DESIGN, CONSTRUCTION, AND OPERATIONS OF A WATER SUPPLY LINE AND SUPPLY OF TREATED WATER; AND PROVIDING AN EFFECTIVE DATE. (Resolution No. 09-2022 recorded in Resolution Book No. 64.)

- 9** Bid No. 2021-119 - Roof Restoration - Evans Recreation Center.
(Authorize the City Manager to finalize and execute a contract with Simon Roofing and Sheet Metal Corporation d/b/a SR Products, through The Interlocal Purchasing System (TIPS), Contract No. 21060302, in the amount of \$232,145.00.)

Approved on the Consent Agenda.

- 10** Bid No. 2022-020 - Annual Contract for Sidewalk, Pedestrian Ramps, Drive Approaches and Curb & Gutter Replacement.
(Authorize the City Manager to finalize and execute a contract with low bidder Ken-Do Construction, in the amount of \$285,300.00. The term of the contract is for a one-year period, with two additional one-year options. The City Manager is authorized to exercise the renewal option, subject to annual appropriation of sufficient funds.)

Approved on the Consent Agenda.

- 11** RFP No. 2022-027 - Economic Development Strategic Plan.
(Authorize the City Manager to finalize and execute a contract with Resonance Consultancy, Inc., in the amount of \$99,650.00)

Approved on the Consent Agenda.

- 12** Bid No. 2022-043 - Purchase of a New 2023 Ford F-350 Diesel Chassis Remounted Ambulance. (Staff recommends the purchase of one remounted ambulance offered by McCall F Inc., d/b/a Sterling McCall Ford, through the Houston-Galveston Area Council of Governments Cooperative Purchasing Program (HGAC Buy) Contract No. AM10-20, in the amount of \$153,800.00).

Approved on the Consent Agenda.

- 13** Bid No. 2022-048 - Purchase of Eight Ford Explorers with Police Interceptor vehicle package for the Police Department.
(Staff recommends the purchase of eight 2022 Ford Explorers (model K7A) with Police Interceptor vehicle package (model K8A) offered by Sam Pack's Five Star Ford, through BuyBoard National Purchasing Cooperative, Contract No. 601-19, in the amount of \$325,963.58.)

Approved on the Consent Agenda.

- 14** Bid No. 2022-053 - Clay Mathis Park: SprayPad.
(Authorize the City Manager to finalize and execute a contract with Kraftsman

Equipment, L.P., through BuyBoard National Purchasing Cooperative, Contract No. 592-19, in the amount of \$349,992.73.)

Approved on the Consent Agenda.

- 15** Bid No. 2022-054 - Clay Mathis Park: Pre-Fabricated Restroom.
(Authorize the City Manager to finalize and execute a contract with Restroom Facilities Ltd., d/b/a CorWorth, through BuyBoard National Purchasing Cooperative, Contract No. 592-19, in the amount of \$286,408.00.)

Approved on the Consent Agenda.

- 16** Bid No. 2022-055 - Latimore Park: Playground.
(Authorize the City Manager to finalize and execute a contract with Total Recreation Products, Inc., through BuyBoard National Purchasing Cooperative, Contract No. 592-19, in the amount of \$93,241.83.)

Approved on the Consent Agenda.

- 17** Bid No. 2022-056 - Copeland Park: Pre-Fabricated Restrooms.
(Authorize the City Manager to finalize and execute a contract with Restroom Facilities Ltd., d/b/a CorWorth, through BuyBoard National Purchasing Cooperative, Contract No. 592-19, in the amount of \$159,355.00.)

Approved on the Consent Agenda.

- 18** Bid No. 2022-058 - Purchase of Eight Commercial Solid Waste Roll-Off Trucks.
(Staff recommends the purchase of eight commercial solid waste roll-off trucks offered by Bruckner Truck Sales, Inc., through the Houston-Galveston Area Council of Governments Cooperative Purchasing Program (HGAC Buy) Contract No. HT06-20, in the amount of \$1,489,416.00.)

Approved on the Consent Agenda.

- 19** Bid No. 2022-059 - Purchase of Ten Commercial Solid Waste Front Load Trucks.
(Staff recommends the purchase of ten commercial solid waste front load trucks offered by Bruckner Truck Sales, through the Houston-Galveston Area Council of Governments Cooperative Purchasing Program (HGAC Buy) Contract No. HT06-20, in the amount of \$3,611,830.00.)

Approved on the Consent Agenda.

- 20** Bid No. 2022-060 - MPD FARO Laser Scanner and Training.
(Staff recommends award to ZNET Tech, through GSA Schedule GSA 47QTCA18D003S, in the amount of \$58,678.54)

Approved on the Consent Agenda.

- 21** Bid No. 2022-063- Annual Supply of Personal Computers.
(Staff recommends award to Dell, Inc., through the Texas Department of Information Resources Contract No. DIR-TSO-3763, in the amount of \$307,229.72.)

Approved on the Consent Agenda.

- 22 Bid No. 2022-064 - Purchase of Enterprise Servers.
(Staff recommends award to Dell, Inc., through Texas Department of Information Resources Contract No. TX DIR-TSO-3763, in the amount of \$69,075.84.)
Approved on the Consent Agenda.
- 23 Authorize the City Manager to finalize and execute Amendment No. 3 to the Commercial and Industrial Refuse Collection Agreement between the City of Mesquite and Allied Waste Systems, Inc., d/b/a Republic Services, to extend services for two years with one 90-day extension option.
Approved on the Consent Agenda.
- 24 Approve the purchase of a tract of land containing approximately 1.529 acres and being located in the Theophalus Thomas Survey, Abstract Number 1461, City of Mesquite, Dallas County, Texas, and being referred to as Block 16, Lot 11R2 of Casa View Heights Number 18 2nd installment Replat (the "Property") from the Oates Drive Baptist Church (the "Seller") for the purchase price of \$193,861.96, plus closing costs, authorize the City Manager to finalize and execute a Sales Contract between the Seller and the City for the purchase of the Property, and execute all other documents and take all other actions necessary or requested to finalize the closing and purchase of the Property.
Approved on the Consent Agenda.
- 25 Approve the purchase of a tract of land containing approximately 3.272 acres of property located at 2800 Creek Crossing Road, City of Mesquite, Dallas County, Texas, (the "Property") from Ken and Ginger Griffis (Seller) for the purchase price of \$75,500.00 and related closing costs, authorize the City Manager to finalize and execute a Sales Contract between the Seller and the City for the purchase of the Property, and authorize the City Manager to execute all other documents and take all other actions necessary or requested to finalize the closing and purchase of the Property.
Approved on the Consent Agenda.

AGENDA ITEMS TO BE CONSIDERED SEPARATELY

- 8 A resolution designating Illustrative Redistricting Plan for public hearings, establishing public hearing dates and providing an effective date.
- Mr. Green stated that the redistricting map will serve the City for the next 10 years, as redistricting only takes place following the U. S. Census. He encouraged residents to participate in two citizen input meetings to be held at Florence Recreation Center, 2501 Whitson Way, on Tuesday, March 29, 2022, at 7:00 p.m., and Rutherford Recreation Center, 900 Rutherford Drive, on Tuesday, April 5, 2022, at 7:00 p.m.**
- Mr. Green moved to approve Resolution No. 10-2022, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, DESIGNATING ILLUSTRATIVE REDISTRICTING PLAN FOR PUBLIC HEARINGS; ESTABLISHING PUBLIC HEARING DATES; AND PROVIDING AN EFFECTIVE DATE. Motion was seconded by Mr.**

Casper and approved unanimously. (Resolution No. 10-2022 recorded in Resolution Book No. 64)

END OF CONSENT AGENDA

APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

- 26 Consider appointment of two members to the Mesquite Quality of Life Corporation Board of Directors for terms to expire August 19, 2023.

Mr. Boroughs moved to appoint Brandon Murden and Tom Palmer as members to the Mesquite Quality of Life Corporation Board of Directors to terms to expire August 19, 2023. Motion was seconded by Mr. Green and approved unanimously.

PUBLIC HEARINGS

- 27 Conduct a public hearing and consider a resolution authorizing the right-of-way acquisition from Rorie Galloway Day Camp for safety improvements to Lawson Road and authorizing the City Manager to take all actions necessary to complete this transaction.

A public hearing was held to consider authorizing the right-of-way acquisition from Rorie Galloway Day Camp for safety improvements to Lawson Road.

John Mears, City Engineer, stated that the City of Mesquite, in conjunction with the Texas Department of Transportation (TxDOT), is proposing improvements to Lawson Road from 1,635 linear feet south of East Cartwright Road to 2,885 linear feet north of Milam Road in Dallas County, Texas, a distance of approximately 0.33 mile. The proposed project would include adding two 3-foot-wide shoulders, adding metal beam guard fences with mow strips to both north and southbound lanes and improving three existing culverts. No changes would be made to the vertical or horizontal alignment of the roadway.

Mr. Mears stated that the proposed project would result in the acquisition of approximately 0.33 acre of additional right-of-way along the northwest side of Rorie Galloway Day Camp, a recreational facility owned and operated by the City of Mesquite, located at 3100 Lawson Road, Mesquite, Texas 75181. Because the proposed improvements would result in acquisition of public land, Chapter 26 of the Texas Parks and Wildlife Code applies to the proposed project which requires the public hearing. Written comment may be submitted by mail to the City of Mesquite Engineering Division, Attn: Wes McClure, P.E., P. O. Box 850137, Mesquite, TX 75185-0137 or by email to Wes McClure at wmcclure@cityofmesquite.com. All public comments must be received on or before Tuesday, March 8, 2022. Responses to written comments received will be on file at the City of Mesquite Engineering Division and available for inspection once they have been prepared.

No one appeared regarding the right-of-way acquisition from Rorie Galloway Day Camp for safety improvements to Lawson Road.

Mr. Green moved to approve Resolution No. 11-2022, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE RIGHT-OF-WAY ACQUISITION FROM RORIE GALLOWAY DAY CAMP FOR SAFETY IMPROVEMENTS TO LAWSON ROAD; AND AUTHORIZING THE CITY MANAGER TO

TAKE ALL ACTIONS NECESSARY TO COMPLETE THIS TRANSACTION. Motion was seconded by Ms. Vidler and approved unanimously. (Resolution No. 11-2022 recorded in Resolution Book No. 64.)

28

Conduct a public hearing and consider an ordinance for Zoning Application No. Z0820-0145, submitted by Manuel Molina, Jr. of Molina Construction, for a change of zoning from Commercial to Commercial with a Conditional Use Permit to allow a primary outdoor storage yard, located at 2526 Westwood Avenue.

(Four responses in favor and none in opposition to the application have been received from property owners within the statutory notification area. The Planning and Zoning Commission recommends approval with certain stipulations. This item was postponed at the December 6, 2021, and February 7, 2022, City Council meetings.)

A public hearing was held for Zoning Application No. Z0820-0145.

Jeff Armstrong, Director of Planning and Development Services, stated that this item was previously postponed to provide the applicant the opportunity to clean up the property. The property has been cleaned up and there are currently no code violations on the site. An improved surface is required for storage of vehicles, trailers and equipment.

Mr. Armstrong stated that the Planning and Zoning Commission recommended approval of the application with several stipulations. One of the stipulations is that the Conditional Use Permit (CUP) would expire six months after issuance of the Certificate of Occupancy (CO).

Council expressed support for changing the expiration of the CUP from six months to one year after issuance of the CO.

Applicant Manual Molina, Jr. stated that he proposes to build a shop on the property for his business and agrees with the Planning and Zoning Commission's stipulations.

Ms. Vidler moved to approve Zoning Application No. Z0820-0145, as recommended by the Planning and Zoning Commission, with the following stipulations, and changing the time frame in Stipulation No. 5 from 6 months to one year:

1. The outdoor storage area shall be screened with a board on board, stained cedar privacy fence a minimum of six feet in height. The fence shall be constructed and maintained in good working condition, including the replacement of any missing boards and/or damaged portions immediately, with re-staining occurring at least every three years and as needed. The fence shall be constructed along the entirety of the south property line, along Westwood Avenue, to provide screening from public view, except in visibility triangle areas and the entry gate.

2. The outdoor storage area and driving area shall have an approved asphalt or concrete surface where the storage of vehicles, trailers, and equipment occurs.

3. A Site Plan must be approved and indicate full compliance with the Mesquite Zoning Ordinance prior to the issuance of a Certificate of Occupancy.

4. The CUP shall apply to Molina Construction and cannot be reassigned or transferred.
5. This CUP shall expire one year from the issuance of the certificate of occupancy.
6. Should Molina Construction wish to continue the use after the six-month period, Molina Construction may submit a new CUP application requesting to continue the CUP. Such application shall require the same procedures outlined in the Mesquite Zoning Ordinance for initial approval of a CUP, and City Staff shall present a report on property conditions during the six-month period. In this event, the application fee shall be 30 percent of the CUP application fee at the time of renewal.

And to approve Ordinance No. 4941, AN ORDINANCE AMENDING THE MESQUITE ZONING ORDINANCE BY APPROVING A CHANGE OF ZONING FROM COMMERCIAL TO COMMERCIAL WITH A CONDITIONAL USE PERMIT TO ALLOW PRIMARY OUTDOOR STORAGE ON PROPERTY LOCATED AT 2526 WESTWOOD AVENUE SUBJECT TO CERTAIN STIPULATIONS; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; AND PROVIDING AN EFFECTIVE DATE. Motion was seconded by Mr. Smith and approved unanimously. (Ordinance No. 4941 recorded in Ordinance Book No. 126.)

29

Conduct a public hearing and consider an ordinance for Zoning Application No. Z0721-0206, submitted by Maxwell Fisher of Masterplan, for a change of zoning from Planned Development - Industrial (Ord. No. 4856) to Planned Development - Industrial (Ord. No. 4856) with a Conditional Use Permit to allow a self-storage facility and outdoor recreational vehicle storage with modifications to the Special Conditions found in Section 3-502, located at 2210 East Scyene Road. (No responses in favor or in opposition to the application have been received from property owners within the statutory notification area. The Planning and Zoning Commission recommends approval with certain stipulations.)

A public hearing was held for Zoning Application No. Z0721-0206.

Jeff Armstrong, Director of Planning and Development Services, stated that the applicant proposes to construct a self-storage facility consisting of 14 buildings totaling 232,017 square feet. One structure, proposed to be 108,000 square feet in area, would be two-stories in height and climate controlled. The other 13 storage buildings would be one-story in height. In addition, there would be four covered RV storage structures that would be enclosed on three sides with the open side facing the interior of the property.

Mr. Armstrong stated that due to a scheduling issue, the applicant has requested postponement to the March 7, 2021, City Council meeting.

Brenda Randall, President of the Glenway Estates Homeowner's Association, 510 Binkley Court, expressed opposition to the application.

No others appeared regarding the proposed application.

Mr. Casper moved to keep the public hearing open and to postpone consideration of Zoning Application No. Z0721-0206 to the March 7, 2022, City Council meeting. Motion was seconded by Ms. Vidler and approved unanimously.

30

Conduct a public hearing and consider a resolution approving the terms and conditions of a program to promote local economic development and stimulate business and commercial activity in the City, authorizing the City Manager to finalize and execute an Economic Development Program Agreement (Chapter 380 Agreement) for such purposes with DG Mesquite III Property Owner, L.P. (Mesquite Airport Logistics Center), for the development of approximately 89 acres of real property located at 1900 Airport Boulevard and 1800 Berry Road, in the City of Mesquite, Texas, and the exercise of option to purchase approximately 48 acres of City-owned property, and authorizing the City Manager to administer the agreement on behalf of the City.

A public hearing was held for a Chapter 380 Agreement with DG Mesquite III Property Owner, L.P. (Mesquite Airport Logistics Center) for the development of approximately 89 acres of real property located at 1900 Airport Boulevard and 1800 Berry Road.

Kim Buttram, Director of Economic Development, stated that on September 20, 2021, City staff briefed the City Council on a proposed Phase Two Development Agreement with Dalfen Industrial for the construction of three additional industrial buildings between Scyene Road and Berry Road, just west of the Mesquite Municipal Airport. Dalfen Industrial has a significant track record of industrial development in the Dallas/Fort Worth area and throughout the country and recently completed the two distribution facilities on Kearney Street, just west of Collins Road/SH 352 called the East Dallas Logistics Center and has two Phase One buildings under construction at this time at Airport Logistics Center.

Ms. Buttram stated that Dalfen's proposed Phase Two development includes three buildings, two planned for 339,750 square feet each, and one for 648,950 square feet. As part of this development, Dalfen is proposing to extend Airport Boulevard to allow access to each of the three buildings and upsize a City water line along Berry Road. Dalfen is seeking to purchase a 33-acre portion of City-owned property directly to the south of their property to maximize the development of their project for which they have a right of first refusal per a Chapter 380 Agreement approved by the City Council on May 3, 2021, and a 12.6-acre portion of airport property for detention area purposes.

Ms. Buttram stated that the resolution will authorize the City Manager to finalize and execute the Chapter 380 Agreement with DG Mesquite III Property Owner, L.P., which is Dalfen's entity constructing this property. The agreement outlines the City's and Dalfen's obligation and responsibilities for the project which includes the developer's obligation to construct the buildings as identified in the concept plan, the purchase of the City-owned properties for approximately \$2.28 million, the construction of the Airport Boulevard extension and upsizing of the Berry Road water line. The City will support this development by granting the cost of the City property back to the developer upon completion of project milestones, and up to \$250,000.00 rebate of development fees.

Jeff Stringer, Director of Development and Construction with Dalfen Industrial, LLC, reviewed the Phase Two development and stated that Airport Boulevard

will be extended to a cul-de-sac.

No one appeared regarding a Chapter 380 Agreement with DG Mesquite III Property Owner, L.P. (Mesquite Airport Logistics Center) for the development of approximately 89 acres of real property located at 1900 Airport Boulevard and 1800 Berry Road.

Ms. Anderson moved to approve Resolution No. 12-2022, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF A PROGRAM TO PROMOTE LOCAL ECONOMIC DEVELOPMENT AND STIMULATE BUSINESS AND COMMERCIAL ACTIVITY IN THE CITY OF MESQUITE; AUTHORIZING THE CITY MANAGER TO FINALIZE, EXECUTE, AND ADMINISTER AN ECONOMIC DEVELOPMENT PROGRAM AGREEMENT (CHAPTER 380 AGREEMENT) FOR SUCH PURPOSES WITH DG MESQUITE III PROPERTY OWNER, L.P. (MESQUITE AIRPORT LOGISTICS CENTER), A DELAWARE LIMITED PARTNERSHIP, FOR THE DEVELOPMENT OF APPROXIMATELY 86.5 ACRES OF REAL PROPERTY LOCATED AT OR ABOUT 1900 AIRPORT BOULEVARD AND 1800 BERRY ROAD IN THE CITY INCLUDING THE PURCHASE OF APPROXIMATELY 45.5 ACRES OF CITY-OWNED PROPERTY; AND AUTHORIZING THE CITY MANAGER TO FINALIZE, EXECUTE, AND ADMINISTER THE AGREEMENT ON BEHALF OF THE CITY. Motion was seconded by Mr. Smith and approved unanimously. (Resolution No. 12-2022 recorded in Resolution Book No. 126.)

31

Conduct a public hearing and consider a resolution providing support or resolution providing no objection to the MVAH Partners' application to the Texas Department of Housing and Community Affairs (the "TDHCA") for 2022 Competitive 9% Housing Tax Credits Program for the construction of a 96-unit affordable multi-family rental housing development to be located at 901 East U.S. Highway 80, in accordance with Chapter 2306 of the Texas Government Code, and authorizing the City Secretary to certify the resolution to the TDHCA.

A public hearing was held regarding consideration of a resolution providing support or resolution providing no objection to the MVAH Partners' application to the Texas Department of Housing and Community Affairs (TDHCA) for 2022 Competitive 9% Housing Tax Credits Program for the construction of a 96-unit affordable multi-family rental housing development to be located at 901 East U.S. Highway 80.

Jeff Armstrong, Director of Planning and Development Services, stated that representatives from MVAH Partners will present information regarding a proposed 96-unit affordable housing project. The applicant intends to apply for 9% Competitive Housing Tax Credits (HTC) through the (TDHCA). An approved resolution will provide points toward the scoring of their competitive grant application. The difference between a resolution of support and a resolution of no opposition is three points.

Applicant Darren Smith, representing MVAH Partners, stated that MVAH has over 8,000 properties in 16 states. He reviewed the development along with amenities.

1. Benny Gordon, 1918 Del Oak Drive, expressed concerns regarding traffic congestion on U.S. Highway 80 near the proposed development.
2. Keith Fulenwider, 2507 Meadowridge; Brandon Williamsraig, Oak Cliff; Derick Avery, 315 Alpine Drive, DeSoto; Jeffrey Moore, 4603 Palos Verdes; Teresa Jackson, CEO of Sharing Life; Michael London, 1441 Misty Cove, Rockwall; Teddi

Fulenwider, 2507 Meadow Ridge; and Vivian Carrasco, 4538 Live Oak; expressed support for the resolution.

No others appeared regarding the resolution.

Mr. Casper moved to approve a resolution providing support, Resolution No. 13-2022, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, SUPPORTING THE MVAH PARTNERS' APPLICATION TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (THE "TDHCA") FOR 2022 COMPETITIVE 9% HOUSING TAX CREDITS PROGRAM FOR THE CONSTRUCTION OF A 96-UNIT AFFORDABLE MULTI-FAMILY RENTAL HOUSING DEVELOPMENT TO BE LOCATED AT 901 EAST U.S. HIGHWAY 80, IN ACCORDANCE WITH CHAPTER 2306 OF THE TEXAS GOVERNMENT CODE; PROVIDING A LOCAL FUNDING COMMITMENT FOR THE DEVELOPMENT; AND AUTHORIZING THE CITY SECRETARY TO CERTIFY THE RESOLUTION TO THE TDHCA. Motion was seconded by Ms. Anderson. On call for a vote on the motion, the following votes were cast:

Ayes: Casper, Anderson, Aleman, Green

Nays: Boroughs, Vidler, Smith

Motion carried. (Resolution No. 13-2022 recorded in Resolution Book No. 64.)

NOTICE OF EXECUTIVE SESSION - COUNCIL CONFERENCE ROOM - 9:46 P.M.

Mayor Alemán announced that the City Council would meet in Executive Session pursuant to Section 551.087 of the Texas Government Code to consider commercial or financial information regarding business prospects or projects (Item No. 32 - Discuss economic development incentives for a prospective business relocation within Alcott Logistics Station Tract A at the corner of East Scyene Road and Clay Mathis Road; Item No. 33 - Discuss economic development incentives for an existing business relations at the corner of North Galloway Avenue and US Highway 80); whereupon, the City Council proceeded to meet in Council Conference Room. After the closed meeting ended at 9:51 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

NOTICE OF EXECUTIVE SESSION - COUNCIL CONFERENCE ROOM - 9:51 P.M.

Mayor Alemán announced that the City Council would meet in Executive Session pursuant to Section 551.074 of the Texas Government Code to consider the appointment, evaluation, employment, reassignment, duties, discipline or dismissal of the City Manager, City Attorney, Municipal Court Judge, City Secretary, members of the various City boards and commissions, and City officers or other City employees (Annual review of City Secretary); whereupon, the City Council proceeded to meet in the Executive Conference Room. After the closed meeting ended at 10:45 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

ADJOURNMENT

Ms. Anderson moved to adjourn the meeting. Motion was seconded by Mr. Smith and approved unanimously. The meeting adjourned at 10:45 p.m.

Attest:

Approved:

Sonja Land, City Secretary

Daniel Alemán, Jr., Mayor