



City of Mesquite, Texas

Minutes - Final City Council

Monday, April 17, 2023

5:30 PM

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

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

PRE-MEETING - TRAINING ROOMS A&B - 5:30 P.M.

AGENDA REVIEW

CITY COUNCIL/STAFF WORK SESSION - CITY COUNCIL CHAMBER - 6:33 P.M.

- 1 Receive presentation regarding the 2022 Meritorious Conduct Awards to Police Department employees.

Lieutenant Brandon Ricketts stated that the 2022 Police Department Meritorious Conduct Awards recognizes the achievement and outstanding service of members of the Mesquite Police Department and citizens of Mesquite.

Mayor Alemán and Police Chief David Gill presented awards as follows:

Sergeant H. Kent Tyler Award (Officer of the Year) - Jeremy Epperson

Civilian of the Year - Esmeralda Montante (Vasquez)

Life Saving Award - Teresa Siguenza, Jeffery Bingham, Colin Pabst and Matt Barnes

Certificate of Merit - Jeremy Delano

Citizen's Certificate of Merit - Jose Martinez and Dziwornu Ladzekpo

EXECUTIVE SESSION - COUNCIL CONFERENCE ROOM - 6:54 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. 18 - Discuss economic development incentives for a commercial development at Long Creek Road and State Highway 352 in Mesquite, Texas); whereupon, the City Council proceeded to meet in Council Conference Room. After the closed meeting ended at 6:55 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

REGULAR CITY COUNCIL MEETING - CITY COUNCIL CHAMBER - 7:00 P.M.**INVOCATION**

Stanley Viquez, Pastor, Iglesia Mundo de Fe Mesquite - Light City Church, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

Members of the McWhorter Elementary School National Honor Society.

SPECIAL ANNOUNCEMENTS

1. Mr. Casper invited families to participate in the Pond Hopper Nation – Kids Fishing event on Saturday, April 22, 2023, from 10:00 a.m. to 2:00 p.m., at City Lake Park, 403 South Galloway Avenue. This free family fishing event is for youth ages 4 – 17 to learn how to catch a fish and enjoy the outdoors. The first 100 participants will receive a free fishing rod and tackle. First and Second Place trophies will be awarded for the longest and the smallest fish caught.
2. Mr. Green presented updates on the status of the WaterSmart online service that provides tools to understand and manage water use, detect potential leaks and get the most value from every drop of water. A new automated leak alert service by WaterSmart will launch on May 1, 2023. This service will automatically alert water customers of potential leaks via the email address that is linked to the water account. Residents can sign up for WaterSmart at www.cityofmesquite.com/WaterSmart.
3. Ms. Vidler stated that the Mesquite Arts Council and Keep Mesquite Beautiful, Inc., will host Arbor Day and a Just for Kids event on Saturday, April 22, 2023, from 10:00 a.m. to Noon, at Front Street Station in Downtown Mesquite, 100 West Front Street. Kids of all ages will be able to celebrate the wonder and beauty of trees. A variety of tree samples will be available and kids can capture the unique history of trees by making their own color hand-painted tree cookie. This is a free event but space is limited to 50 kids.
4. Mr. Boroughs stated that on Monday, April 24, 2023, at 10:30 a.m., a historical marker honoring Mesquite's Civilian Conservation Corps (CCC) Company 850, will be installed at 402 East Kimbrough Street. CCC camps were formed across the country during the Great Depression by President Franklin D. Roosevelt to put young men to work. Mesquite's CCC Company 850 workers helped build levees along the Trinity River and taught sustainable land usage.
5. Mr. Smith encouraged citizens to participate in National Drug Take Back Day on Saturday, April 22, 2023. This event offers free disposal of any unwanted medications. Mesquite residents can safely dispose of prescription drugs from 10:00 a.m. to 2:00 p.m., in the lobby of the Mesquite Police Department, 777 North Galloway Avenue. Prescription medications can be in both solid and liquid form. However, any used or unused needles or syringes will not be accepted.
6. Ms. Anderson stated that Keep Mesquite Beautiful, Inc., will host the Annual Trash Bash event on Saturday, April 29, 2023. Supplies will be available for pick up at the Town East Mall parking lot marquee between 8:00 a.m. and 9:00 a.m. on the day of the event. Volunteers will be provided with trash grabbers, safety vests, disposable gloves, sanitizer and trash bags. Volunteers are asked to pre-register by calling 972-329-8331 or emailing at KMB@cityofmesquite.com.

7. Mayor Alemán recognized Assistant City Manager Ted Chinn. Tonight is Ted's last City Council meeting with the City of Mesquite. He has decided to take some time off to do some hiking and mountain climbing. Ted has been clear, this is not a retirement. Ted deserves a big thank you from this City for his 29 years of service. Following his service in the United States Marine Corps, Ted began his career in the City Manager's Office after finishing graduate school. He quickly proved himself capable of handling difficult assignments and took on many roles that required his attention to detail. Ted has served as an Administrative Assistant, Manager of Community Services, Budget Director, Managing Director of Administrative Services and Assistant City Manager. Ted is known for providing exceptional customer service to the community and resolves concerns quickly and thoroughly. He was a tremendous resource for many Councilmembers in this area. Ted is also known for his ability to study complex issues such as Public Improvement Districts, Tax Increment Finance Districts and State and Federal legislation and be able to condense it into understandable concepts that have helped the City achieve many great projects. There is a long list of these projects that are successful due to Ted Chinn's efforts, but more recently, Ted has been involved in development projects such as Iron Horse, Solterra, Alcott Station, Spradley Farms and similar projects that involve complex financial modeling. As Budget Director, Ted was part of the team that kept the City going during the great recession in 2008. The City did not lay off any employees during this time and was left in a good financial position to help the City grow following the economic downturn. Ted is an Aggie and a Former Lieutenant in the United States Marine Corps. He has a sense of duty to this community that has impacted many City Councils, many employees and many residents. He has set high standards for his staff, but even higher standards for himself. Ted has three daughters – Elaine, who is graduating from Medical School in a few weeks and twin daughters – Hannah and Katherine, who attend Texas A&M University and the University of North Texas. He has been married to Ruth for over 35 years. Ted is taking a well-deserved break and will be fulfilling one of his passions – hiking and mountain climbing over the next seven months with a trip to Mount Rainier and hiking all 2,180 miles of the Appalachian Trail. Mayor Alemán wished Ted good luck with his hiking trips and wherever the future may take him.

CITIZENS FORUM

1. Kayla Nielsen, 1420 Regent Street, expressed support for allowing residents to possess chickens in the City.
2. J. R. Black, 1739 Roundrock Trail, expressed support for banning the sale of puppies from puppy mills.
3. Vivian Johnson, 4538 Live Oak Drive, expressed support for the City offering a payment plan for the purchase of trash carts.

CITIZENS COMMENTS

Maxcie Taylor, 725 Elm Falls Place, expressed concerns regarding the rental rate on the Office Lease Agreement on tonight's agenda.

CONSENT AGENDA

Approval of the Consent Agenda

Mr. Boroughs requested that Item No.11 be removed from the Consent Agenda to be considered separately. Ms. Vidler requested that Item No. 4 be removed from the Consent Agenda to be considered separately. Mr. Green moved to approve the remaining items on the Consent Agenda, as follows. Motion was seconded by Ms. Vidler and approved unanimously.

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- 2 Minutes of the regular City Council meeting held April 3, 2023.
- Approved on the Consent Agenda.**
- 3 An ordinance amending Chapter 9, Section 9-150, of the City Code by revising the speed limits on East Glen Boulevard beginning with the intersection at Smokey Mountain Trail.
- Approved on the Consent Agenda.**
- Ordinance No. 5018, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 9, SECTION 9-150 OF THE MESQUITE CODE BOOK BY REVISING THE SPEED LIMITS ON EAST GLEN BOULEVARD BEGINNING WITH THE INTERSECTION AT SMOKEY MOUNTAIN TRAIL; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED (\$200.00) DOLLARS FOR EACH OFFENSE; AND DECLARING AN EFFECTIVE DATE THEREOF. (Ordinance No. 5018 recorded in Ordinance Book No. 128.)**
- 5 Bid No. 2023-074 - Annual Purchase to Provide Motor Vehicle Hydraulic Parts. (Staff recommends purchase from Herco Equipment Company, Inc., and to authorize the City Manager to finalize and execute a contract in an amount not to exceed \$85,257.70. The term of this contract is for a one-year period, with four additional one-year renewal options. The City Manager is authorized to exercise the renewal options, subject to the annual appropriation of sufficient funds.)
- Approved on the Consent Agenda.**
- 6 Bid No. 2023-076 - Annual Supply of OEM Kenworth Parts and Labor. (Staff recommends purchase from sole source provider Murphy-Hoffman Company dba MHC Kenworth, in an amount not to exceed \$200,000.00)
- Approved on the Consent Agenda.**
- 7 Bid No. 2023-080 - Purchase of One Caterpillar Skid Steer with Attachments. (Staff recommends purchase from Holt Texas, Ltd., through Sourcewell Contract No. 032119, in an amount not to exceed \$103,433.00.)
- Approved on the Consent Agenda.**
- 8 Bid No. 2023-084 - Supervisory Control and Data Acquisition (SCADA) Upgrade Project. (Staff recommends award to sole source provider Prime Controls, L.P., and to authorize the City Manager to finalize and execute a contract in an amount not to exceed \$78,969.00 for the upgrade of City of Mesquite's SCADA System to improve cybersecurity of the system.)
- Approved on the Consent Agenda.**
- 9 Bid No. 2023-086 - Purchase of One Ford F750 Utility Crew Truck. (Staff recommends purchase from Sam Pack's Five Star Ford, through BuyBoard Contract No. 601-19, in an amount not to exceed \$96,467.84.)
- Approved on the Consent Agenda.**
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- 10 Bid No. 2023-088 - Revised Architectural Services Contract for the Design and Construction of New Fire Station No. 2.
(Authorize the City Manager to finalize and execute a revised architectural services design contract with Eikon Consulting Group, LLC, for services in connection with the design of the new Fire Station No. 2, increasing the contract amount by \$30,200.00, for a new not to exceed amount of \$551,825.00.)

Approved on the Consent Agenda.

- 12 Authorize the City Manager to finalize and execute a Memorandum of Understanding between the City of Balch Springs and the City of Mesquite for the provision of sanitary sewer service to a portion of the City of Balch Springs.

Approved on the Consent Agenda.

- 13 Receive the January 2023 semiannual report for impact fees from the Capital Improvements Advisory Committee in accordance with Section 395.058(c)(4) of the Texas Local Government Code.

Approved on the Consent Agenda.

CONSENT AGENDA ITEMS CONSIDERED SEPARATELY

- 4 Bid No. 2023-055 - Annual Supply of Water Parts.
(Staff recommends award to low bidders: Groups I, III, and IV to Core & Main LP in an amount not to exceed \$584,353.11, and Group II to Ferguson US Holdings, Inc., in an amount not to exceed \$192,846.31, for a total bid amount not to exceed \$777,199.42. The term of each contract is for a one-year period, with four additional one-year renewal options. The City Manager is authorized to exercise the renewal options, subject to annual appropriation of sufficient funds.)

Ms. Vidler moved to postpone consideration of Bid No. 2023-055, Annual Supply of Water Parts, to a date uncertain. Motion was seconded by Mr. Green and approved unanimously.

- 11 Authorize the City Manager to finalize and execute an Office Lease Agreement with MiLoC Corporation d/b/a Griswold Home Care for operating and maintaining an office on City-owned property located at 617 North Ebrite Street, Mesquite, Texas.

Ted Chinn, Assistant City Manager stated that the City Council approved the purchase of the Chamber of Commerce building on October 3, 2022, for right-of-way acquisition for the Stream 2B4 Drainage Project identified in the 10-year Capital Improvement Program. At the time of purchase, the Chamber of Commerce had been leasing office space to MiLoC Corporation, the local business owner of Griswold Home Care. Griswold was established in 2013 and is a home care company that helps seniors and special needs individuals with active daily living activities. Operating under a nonprofit 501(c)(3) Portable Pantry Project, Griswold partners with the City's senior centers and Sharing Life Community Outreach to provide food, canned goods and fresh produce to over 300 senior residents on a monthly basis. During severe winter weather, Griswold prepares hot meals twice a day and delivers the meals to hotels, churches and

hospitals as part of the community's Weather Activated Relief for Mesquite program (WARM). Griswold also provides transportation services for individuals in wheelchairs to and from doctors' appointments. Griswold's non-profit mission is to provide services for Mesquite seniors and individuals with special needs to maintain healthy and safe lifestyles.

Mr. Chinn stated that until such time the building is demolished for the drainage project, the City will continue leasing the current office space to Griswold. In consideration for Griswold's continued non-profit service to the community, annual rent would be a nominal fee of \$1.00 per year as long as Griswold reimburses the City for all related utilities, maintenance and upkeep of the property. Once the City is ready to begin the drainage project, Griswold will be provided adequate notice to vacate the building.

Mr. Boroughs moved to approve authorizing the City Manager to finalize and execute an Office Lease Agreement with MiLoC Corporation d/b/a Griswold Home Care for operating and maintaining an office on City-owned property located at 617 North Ebrite Street, Mesquite, Texas. Motion was seconded by Ms. Vidler and approved unanimously.

END OF CONSENT AGENDA

PUBLIC HEARINGS

14

Conduct a public hearing and consider an ordinance for Zoning Application No. Z0223-0292, submitted by Vasquez Engineering, on behalf of MM Mesquite 50, LLC and Gulf Coast Hotel Development, Inc., for a change of zoning to amend Planned Development Ordinance Nos. 4595 and 4799 to allow hotels as a conditional use on Tract 1A and to remove the requirement for senior living residential dedicated to adults 55 and over on Tract 2A, located southwest of Rodeo Center Boulevard and West Scyene Road.

(No responses in favor and ten in opposition to the application have been received from property owners within the statutory notification area. The Planning and Zoning Commission recommends denial.)

A public hearing was held for Zoning Application No. Z0223-0292.

Jeff Armstrong, Director of Planning and Development Services, stated that the Planned Development (PD) district for the Iron Horse development was approved by the City Council on September 4, 2018. The PD provides for a retail and restaurant area along the Rodeo Center Boulevard frontage. The applicant proposes to construct an Echo Suites extended stay hotel in a portion of the retail area. However, the PD does not permit hotels. In addition, Tract 2A of the development was set aside for 24 age-restricted single-family homes. The developer is having trouble selling the homes with this limitation and is requesting the removal of the age restriction requirement. Twenty-two of the 24 homes have been completed, with 11 purchased and occupied.

Mr. Armstrong stated that staff received a petition with nine signatures from property owners in favor of removing the age-restricted component on Tract 2A and 10 responses in opposition to the construction of a hotel in Iron Horse Village. If Council is inclined to approve the request, staff recommends the removal of the requirement for senior living residential dedicated to adults 55 and over in Tract 2A and that hotels be permitted by Conditional Use Permit

(CUP). A CUP will enable Council to have more control over the type of hotel that can occupy the space. On March 27, 2023, the Planning and Zoning Commission voted unanimously to deny Application No. Z0223-0292. However, the applicant filed a timely appeal.

Ian McClure, representing Gulf Coast Hotel Development, Inc., stated that the proposal is for a four-story hotel by Wyndham Hotel and Resorts on Tract 1A. He stated that Wyndham has partnered with Gulf Coast Hotel Development, Inc., to develop a new extended-stay brand. One hotel is currently under construction in the City of Plano and two hotels in the City of Houston. He stated that Gulf Coast Hotel Development, Inc., is locally owned, locally managed and operates 20+ hotels in 12 states. The proposed hotel will consist of 124 rooms, fitness room and upgraded patio and grill area with key card access. Mr. McClure stated that due to the proposed hotel being four stories tall with residential homes behind it, the hotel was moved closer to Rodeo Center Boulevard with parking and enhanced landscaping at the rear of the property. The elevation of Tract 1A is lower than the residential homes, which will help shield the hotel. The rooms will contain full kitchens with a refrigerator, microwave, 2-burner cook top, kitchen utensils and other items for the guests at a cost of \$150.00 to \$200.00 per night.

Applicant Trevor Kollinger, representing Centurion American Development Group, stated that they plan to incorporate four or more restaurants into the development and are currently constructing 30,000 square feet of retail on the Rodeo Center Boulevard frontage.

Applicant Mehrdad Moayedi, representing Centurion American Development Group, stated they are committed to the Iron Horse Village development and must adjust to the market. He stated that the homes with the over-55 restriction was a mistake and should not have included this restriction.

The following persons expressed opposition to the construction of a hotel in Iron Horse Village: (1) Michelle Sierra, 2292 Palomino Street; (2) Amy Martindale, 2100 Buffalo Hill Drive; (3) Dan Larson, 2201 Crooked Bow Drive; (4) Precious Ekanim, 2001 Juniper Pass Way; (5) Perla Bouche, 2025 Amarillo Place; (6) Terry Thomas, 2052 Dove Creek Lane; (7) Dahmahlee Lawrence, 2124 Steer Creek Place; (8) Francisco Prieto, 2292 Palomino Street; and (9) Christopher Degler, 2033 Dove Creek Lane.

The following persons expressed support for removing the over-55 restriction on Tract 2A: (1) Dan Larson, 2201 Crooked Bow Drive; and (2) Terry Thomas, 2052 Dove Creek Lane.

Teddi Fulenwider, 2052 Meadow Ridge Drive, expressed concerns regarding the Iron Horse Village development.

No others appeared regarding the proposed application.

Mr. Kollinger acknowledged that there is some damage to some of the trail system in the development and assured the residents that the builders have committed to making the necessary repairs.

City Manager Cliff Keheley explained that many retail businesses in Mesquite have contracted and are requesting less square footage. Iron Horse Village is

being marketed; however, in today's climate, it is very difficult to attract restaurants. He stated that crime statistics were pulled after some residents mentioned crime in Iron Horse Village. A majority of the crime is related to construction. Appliances have been stolen from unoccupied homes along with construction materials. To deter crime, license plate readers have been installed throughout the development and additional police patrols have been assigned.

Mr. Green moved to approve Zoning Application No. Z0223-0292, in part, approving removal of the senior living residential requirements from Tract 2A of the development with the following stipulations:

A. Section 1.6 of Ordinance No. 4595 concerning senior living residential uses is hereby repealed.

B. Exhibit B to Ordinance No. 4595 and Exhibit F to Ordinance No. 4799 are hereby amended to delete the label "SENIOR TARGETED AREA" from Tract 2A.

And to table the decision on allowing a hotel as a permitted use on Tract 1A of the development to a date uncertain to allow the applicant an opportunity to communicate with the residents and to approve Ordinance No. 5019 as so modified, AN ORDINANCE AMENDING THE MESQUITE ZONING ORDINANCE BY APPROVING A CHANGE OF ZONING TO AMEND PLANNED DEVELOPMENT ORDINANCE NOS. 4595 AND 4799 TO REMOVE THE REQUIREMENT FOR SENIOR LIVING RESIDENTIAL DEDICATED TO ADULTS 55 AND OVER IN TRACT 2A, WITHIN THE IRON HORSE VILLAGE PLANNED DEVELOPMENT GENERALLY LOCATED SOUTHWEST OF RODEO CENTER BOULEVARD AND WEST SCYENE ROAD; REPEALING ALL PORTIONS OF 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 Ms. Vidler. On call for a vote on the motion, the following votes were cast:

Ayes: Green, Vidler, Alemán, Burroughs, Anderson, Casper

Nays: Smith

Motion carried. (Ordinance No. 5019 recorded in Ordinance Book No. 128.)

A brief recess was taken at 9:38 p.m. The meeting resumed at 9:45 p.m.

15

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) with William C. Christensen III, Independent Executor on behalf of the Estate of Betty C. Bowie, for the construction and development of the property located at 19400 Interstate Highway 635, the 2100 through 2300 blocks of Orlando Avenue, 2443 and 2501 Westwood Avenue, and a portion of Orlando Avenue, in the City of Mesquite, Dallas County, Texas, and authorizing the City Manager to finalize, execute and administer the agreement on behalf of the City.

A public hearing was held to consider a resolution for an Economic Development Program Chapter 380 Agreement with William C. Christensen III, Independent Executor on behalf of the Estate of Betty C. Bowie.

Kim Buttram, Director of Economic Development, stated that Masterplan, a development consulting company, submitted a proposal on behalf of the Estate of Betty C. Bowie, along with William C. Christensen III, Independent Executor for the Estate of Betty C. Bowie (the Estate), in response to RFP No. 2022-124, released by the City for the sale and development of Orlando Avenue, a City-owned right-of-way, located within a prime commercial corner at IH-635 and U.S. Highway 80. Masterplan was awarded RFP No. 2022-124 for the purchase of Orlando Avenue by the City Council on December 5, 2022, under Chapter 272 of the Local Government Code. With the award of the Orlando Avenue right-of-way, the Estate assembled other properties owned by the Estate at IH-635 and U.S. Highway 80 into an approximately 12.78-acre tract for commercial development.

Ms. Buttram stated that the proposed Chapter 380 Agreement contains terms and conditions precedent for the transfer of the City's Orlando Avenue right-of-way land as part of a project for commercial development of the assembled 12.78-acre tracts. Terms and conditions include the development of a minimum 200,000-square-foot Class A industrial building with a capital investment of at least \$15 million, shell completion by February 28, 2025. Other development requirements include the improvement and dedication to the City of the public access portion of Orlando Avenue, enhanced landscaping and design standards outlined in the Planned Development zoning ordinance. The Estate has secured a developer, Lovett Industrial, for the purchase of land and development of the project, listed as an assignee within the proposed Chapter 380 Agreement.

Developer Colby Everett with Lovett Industrial, presented renderings of the industrial buildings.

No one appeared regarding a resolution for an Economic Development Program Chapter 380 Agreement with William C. Christensen III, Independent Executor on behalf of the Estate of Betty C. Bowie.

Mr. Green moved to approve Resolution No. 16-2023, 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; AUTHORIZING THE CITY MANAGER TO FINALIZE AND EXECUTE AN ECONOMIC DEVELOPMENT PROGRAM (CHAPTER 380 AGREEMENT) FOR SUCH PURPOSES WITH WILLIAM C. CHRISTENSEN III, INDEPENDENT EXECUTOR ON BEHALF OF THE ESTATE OF BETTY C. BOWIE, FOR THE CONSTRUCTION AND DEVELOPMENT OF THE PROPERTY LOCATED AT 19400 INTERSTATE HIGHWAY 635, THE 2100 THROUGH 2300 BLOCKS OF ORLANDO AVENUE, 203 AND 2501 WESTWOOD AVENUE, AND A PORTION OF ORLANDO AVENUE IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS; AND AUTHORIZING THE CITY MANAGER TO FINALIZE, EXECUTE, AND ADMINISTER THE AGREEMENT ON BEHALF OF THE CITY. Motion was seconded by Ms. Vidler and approved unanimously. (Resolution No. 16-2023 recorded in Resolution Book No. 67.)

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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 LCG2i Mesquite Long Creek, LLC, for the construction and development of two commercial buildings, located at 200 Long Creek Road and 450 State Highway 352, in the City of Mesquite, Dallas

County, Texas, and authorizing the City Manager to finalize, execute and administer the Agreement on behalf of the City.

A public hearing was held to consider a resolution for an Economic Development Program Chapter 380 Agreement with LCG2i Mesquite Long Creek, LLC.

Kim Buttram, Director of Economic Development, stated that the developer, LCG2i Mesquite Long Creek, LLC, an entity of Leon Capital, has assembled properties at Long Creek Road and State Highway 352, on the eastern edge of Mesquite and western edge of the Town of Sunnyvale for new commercial development. The properties contain a significant amount of flood/drainage area which have historically hindered new development. Leon Capital has created development plans to work with the site challenges and proposes to build two commercial buildings in Mesquite and one in Sunnyvale for industrial use, served by Long Creek Road and State Highway 352. The agreement provides a rebate equivalent to Roadway Impact Fees assessed by the City of Mesquite granted to the developer, up to and not to exceed \$500,000.00, for the improvement and dedication to the City of Long Creek Road for the portion within the City of Mesquite, by June 30, 2025.

Ms. Buttram stated the Chapter 380 Agreement also requires the construction of two industrial buildings on the 48-acre tract of land within the City of Mesquite portion of the proposed development totaling at least 400,000 square feet, with a capital expenditure on the buildings being a minimum of \$30 million and completion of the shell buildings by June 30, 2025.

Daniel Marsicano, representing Leon Capital Group, presented the renderings of the Industrial buildings. He stated that one of the buildings will be approximately 294,000 square feet with 60 dock doors and is designed to accommodate four tenants. The other building is approximately 157,000 square feet with 29 dock doors and is designed to accommodate four tenants.

No one appeared regarding a resolution for an Economic Development Program Chapter 380 Agreement with LCG2i Mesquite Long Creek, LLC.

Mr. Smith moved to approve Resolution No. 17-2023, 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; AUTHORIZING THE CITY MANAGER TO FINALIZE AND EXECUTE AN ECONOMIC DEVELOPMENT PROGRAM (CHAPTER 380 AGREEMENT) FOR SUCH PURPOSES WITH LCG2i MESQUITE LONG CREEK, LLC, FOR THE CONSTRUCTION AND DEVELOPMENT OF TWO COMMERCIAL BUILDINGS LOCATED AT 200 LONG CREEK ROAD AND 450 STATE HIGHWAY 352 IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS; AND AUTHORIZING THE CITY MANAGER TO FINALIZE, EXECUTE, AND ADMINISTER THE AGREEMENT ON BEHALF OF THE CITY. Motion was seconded by Mr. Green and approved unanimously. (Resolution No. 17-2023 recorded in Resolution Book No. 67.)

17

Conduct a public hearing and consider an ordinance amending Mesquite City Code, Appendix B - Subdivisions, Article VI (Conveyance of Land For Parks) making certain additions and deletions to Subsection D (General Requirements) for the purpose of providing an exception to the general rule regarding a conveyance of land for park purposes and said exception would apply when a

plat or replat results in the creation of four or fewer new single-family or duplex lots whereby a fee, in lieu of a land conveyance, shall be required.

A public hearing was held to consider an ordinance amending Mesquite City Code, Appendix B - Subdivisions, Article VI (Conveyance of Land for Parks).

Jeff Armstrong, Director of Planning and Development Services, stated that the proposed amendment would allow for staff approval of payment of a fee in lieu of park land dedication, for plats and replats that result in the creation of four or fewer lots. Currently, all requests for paying a fee instead of dedicating land for park purposes must be approved by the City Council regardless of the size of the parcel or number of lots created.

No one appeared regarding an ordinance amending Mesquite City Code, Appendix B - Subdivisions, Article VI (Conveyance of Land for Parks).

Mr. Casper moved to approve Ordinance No. 5020, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING MESQUITE CITY CODE, APPENDIX B - SUBDIVISIONS, ARTICLE VI (CONVEYANCE OF LAND FOR PARKS) MAKING CERTAIN ADDITIONS AND DELETIONS TO SUBSECTION D (GENERAL REQUIREMENTS) FOR THE PURPOSE OF PROVIDING AN EXCEPTION TO THE GENERAL RULE REGARDING A CONVEYANCE OF LAND FOR PARK PURPOSES AND SAID EXCEPTION WOULD APPLY WHEN A PLAT OR REPLAT RESULTS IN THE CREATION OF FOUR (4) OR FEWER NEW SINGLE-FAMILY OR DUPLEX LOTS WHEREBY A FEE, IN LIEU OF A LAND CONVEYANCE, SHALL BE REQUIRED; PROVIDING A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE WITH A FINE NOT TO EXCEED FIVE HUNDRED DOLLARS (\$500.00); PROVIDING FOR PUBLICATION; AND DECLARING AN EFFECTIVE DATE. Motion was seconded by Mr. Green and approved unanimously. (Ordinance No. 5020 recorded in Ordinance Book No. 128.)

Mayor Alemán recognized Kaylin Duff, Administrative Aide - City Secretary's Office, who assisted with the technical equipment at tonight's Council meeting.

ADJOURNMENT

Mr. Green moved to adjourn the meeting. Motion was seconded by Ms. Vidler and approved unanimously. The meeting adjourned at 10:05 p.m.

Attest:

Approved:

DocuSigned by:
Sonja Land
C2518095973F46A...
Sonja Land, City Secretary

DocuSigned by:
Daniel Aleman Jr.
D999585317D142B...
Daniel Alemán, Jr., Mayor