



City of Mesquite, Texas

Minutes - Final City Council

Monday, December 18, 2023

5:30 PM

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

Present: Mayor Daniel Alemán, Jr., and Councilmembers B. W. Smith, Jeff Casper, Tandy Boroughs, Kenny Green, Elizabeth Rodriguez-Ross and Brandon Murden, Assistant City Manager Raymond Rivas and City Secretary Sonja Land.

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

AGENDA REVIEW

STAFF PRESENTATIONS

- 1 Receive presentation regarding results of 2023 Community Attitude and Satisfaction Survey.

EXECUTIVE SESSION - TRAINING ROOMS A&B - 6:20 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 (Receive update on pending and contemplated litigation cases); whereupon, the City Council proceeded to meet in Training Rooms A & B. After the closed meeting ended at 6:30 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

CITY COUNCIL/STAFF WORK SESSION - CITY COUNCIL CHAMBER - 6:35 P.M.

- 2 Receive Economic Development Department Council Update.

Ms. Buttram stated that the Economic Strategy Goals that serve as the pillars of the Strategic Plan and the economic goals for a well-rounded economy include: (1) Quality Jobs for the Future – We will attract and retain quality jobs and investment to grow Mesquite’s economy and to foster shared prosperity; (2) Born and Raised in Mesquite – We will grow our diverse small businesses, positioning Mesquite as a premier entrepreneurial community in North Texas; (3) Upskilling for Tomorrow – We will build a robust skilled workforce to power Mesquite’s future; (4) A Unique North Texas Destination – We will transform Mesquite into a destination that attracts diverse families, talented young professionals and visitors of all walks of life; and (5) Intentional, Authentic Storytelling – We will promote Mesquite’s economy opportunity story. She reviewed data for each goal.

Ms. Buttram stated that the Fiscal Year 2023 accomplishments for the Economic Development Department include: (1) Adopted Strategic Plan; (2) Engaged Mesquite Economic Development Advisory (MEDA) Board in annual retreat; (3) Two focus groups activated; (4) Grew core Business Retention and Expansion (BRE) Task Force team; (5) Expanded marketing; (6) Downtown 4th Year National Accreditation awarded for Heritage Plaza and Alejandro's at Front Street Station; (7) Hosted Texas Travel Counselors Conference; and (8) Global visitor media coverage.

Ms. Buttram stated that the Economic Development Department objectives for Fiscal Year 2024 include: (1) Leverage Housing Study for commercial development; (2) Refine policies and procedures; (3) Activate CEO Focus Group; (4) Expand BRE Partnerships; (5) Expand direct and digital marketing; (6) Downtown traffic calming; (7) Small business service center; (8) Expanded placemaking; (9) Mobile-friendly Visit Mesquite website; and (10) Update video and photo assets. She stated that a major event in 2024 is the Solar Rodeo from April 5, 2024, through April 8, 2024. The City of Mesquite will be in totality longer than any other urban city in the Dallas/Fort Worth Metroplex.

The Work Session ended at 6:59 p.m.

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

INVOCATION

Fred Bacon, Pastor, First Christian Church, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

City Staff.

SPECIAL ANNOUNCEMENTS

1. Mr. Casper stated that the City provides fun and affordable camps. Kids in Kindergarten through 5th Grade can gather with friends, play games and sports and make crafts through the Parks and Recreation Department's Winter Camps. The camps are offered in two sessions. Session 1 is December 26 to December 29 and Session 2 is January 2 to January 5. Parents can register their kids for a few days or the whole week. Winter Camps will be held at Dunford Recreation Center from 7:00 a.m. to 6:00 p.m. Find out more or register online at www.cityofmesquite.com/HolidayCamps.
2. Mr. Green stated that on December 22, 2023, the City will observe the Christmas Eve holiday. All City offices and facilities will be closed with the exception of the Mesquite Metro Airport, Recreation Centers, Solid Waste, Compost Facility and Convenience Center. Trash will be collected but recycling will not be collected. Recycling collection will resume on residents' next scheduled collection day. On Christmas Day, December 25, 2023, all City offices and facilities will be closed with the exception of the Mesquite Metro Airport and Recreation Centers. No trash or recycling will be collected. Collection will resume on residents' next scheduled collection day. For details on City services impacted during the holidays, visit www.cityofmesquite.com/Holidays.

4. Mr. Boroughs stated that as colder weather sets in, wildlife often times wanders into residential areas to find food. Mesquite Animal Services has received calls recently regarding coyote sightings. At your home, you can reduce encounters with coyotes and other wildlife by not setting your trash out until the morning of pick up, keeping bird feeders and pet food containers indoors overnight and not letting your pets run loose, which is prohibited by City ordinance.

5. Mr. Smith reminded citizens to properly dispose of fats, oils and grease when cooking during the holiday season. Don't ruin your holidays with a sewer backup in your home. Fats, Oils and Grease, also known as FOG, are the residue left over from cooking items such as meat, butter, lard, sauces, dressings, dairy products and cooking oil. FOG and debris poured down drains can build up quickly and cause backups in both private and City-maintained sewer system. To avoid expensive plumbing repairs and damage to the sewer system, please scrape or wipe cooled grease or fat from all cookware and place in the trash and pour or scrape grease into a sturdy closed-lid container and dispose in the trash. Residents may recycle used holiday cooking oil for free at the City of Mesquite Convenience Center, 3550 Lawson Road.

6. Mr. Murden stated that with only a little more than a week left before Christmas, it becomes even more important to save time and shop local. Shopping at businesses and eating at restaurants in Mesquite helps you, local business owners and our local economy. Local sales tax funds many of the City of Mesquite's programs and services. To avoid traffic, the City continues to promote alternate driving directions to shoppers for key destinations in Mesquite, such as Town East Mall. Visit www.cityofmesquite.com/ShoppingRoutes for more information. This page offers ways to shop more and drive less by using different roads to travel and avoid traffic.

7. Mayor Alemán stated that he recently attended the Mesquite Citizens' Police Academy (MCPA) graduation. The Richard Houston Officer of the Year was awarded to Officer Sparling. Volunteers of the Year was awarded to Rosie Jackson and France Orozco. Currently, there are 119 members of the Mesquite Citizens' Police Academy Alumni Association (MCPAAA), who have volunteered 10,007 hours this year. The MCPAAA donated \$16,350.00 to the Santa Cop program, which provided gifts to 1,311 children this holiday season.

8. Mayor Alemán stated that last week our community experienced a tragic event which involved the loss of a young man in our community. I am not able to comment about this event as there is an active investigation underway. I am urging all citizens and leaders in our community to exercise patience as the Mesquite Police Department conducts their investigation. As we have in years past, we will provide body cam video and any other information that is available as soon as it can be released without endangering the investigation. I can assure you that Chief Gill, the City Manager and this Council are committed to the utmost transparency in all of our operations. What I can say is that we have an issue in this community with our youth. Many are drawn to violence and behaviors that jeopardize their safety and that of all citizens. We have watched too long as businesses and citizens are victimized by people engaged in criminal activity, often with handguns. We, as a community, must take a stand and address this issue. We must address this with the youth and their parents. We must address this as neighbors and business owners. And we must address this without criminalizing or targeting youth because of their race. Instead of rushing to judgement in this incident and seeking to blame the police before all of the details are available, I encourage our community to place your energy where it should be, creating a culture of respect and dignity among our youth. In every interaction, we must stand together. This problem will not be resolved by our schools, by pastors, or by this Council. We can only do this by interceding with parents to hold their children accountable. In the coming weeks, I will be bringing leaders in our community together to discuss this issue and seek solutions that will find ways to engage youth and help direct them in behaviors that contribute to our community. I ask that each of you pray for the family of Payton Lawrence. Help them seek comfort at this time of need. But I also ask everyone to pray for our community and for patience.

CITIZENS FORUM

1. The following persons spoke regarding the recent Payton Lawrence incident: (1) Alfonso Solis, 1610 Rancho Drive; (2) Dorothy Patterson, 2431 Beverly Hills Drive; (3) Shatarka Calhoun, 5707 Daniel Road, Plano; (4) Stephen Lawrence, 9901 St. James, Dallas; (5) Henry Brown, 211 Athel Drive; (6) Earnest Walker, 519 Seaside; (7) Jatwana Brown, 5705 Daniel Road, Plano; (8) Claudia Ryan, 4717 Monarch Drive; and (9) Harry Sewell, 790 Windbell Circle.
2. Carol Harrison LaFayette, 1920 Canterbury Drive, Seagoville, expressed support for mental health wellness education.

CONSENT AGENDA**Approval of the Consent Agenda**

Mr. Green moved to approve the items on the Consent Agenda as follows. Motion was seconded by Mr. Murden and approved unanimously.

- 3** Minutes of the regular City Council meeting held December 4, 2023.

Approved on the Consent Agenda.

- 4** An ordinance adopting the 2023-24 Pay Plans for General Government Personnel and Commissioned Police and Fire Personnel with an effective date of January 1, 2024.

Approved on the Consent Agenda.

Ordinance No. 5087, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, ADOPTING THE 2023-24 PAY PLANS FOR GENERAL GOVERNMENT PERSONNEL AND COMMISSIONED POLICE AND FIRE PERSONNEL WITH AN EFFECTIVE DATE OF JANUARY 1, 2024; PROVIDING A REPEALER CLAUSE; AND PROVIDING A SEVERABILITY CLAUSE (Ordinance No. 5087 recorded in Ordinance Book No. 131.)

- 5** A resolution adopting STAR Transit Policy #119, Title VI Program, as updated on March 21, 2023, applicable to all City of Mesquite public transit services.

Approved on the Consent Agenda.

Resolution No. 65-2023, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, ADOPTING STAR TRANSIT POLICY #119, TITLE VI PROGRAM, AS UPDATED ON MARCH 21, 2023, APPLICABLE TO ALL CITY OF MESQUITE PUBLIC TRANSIT SERVICES. (Resolution No. 65-2023 recorded in Resolution Book No. 68.)

- 6** Bid No. 2023-140 - Camera Upgrade for Twenty-One City of Mesquite Locations.
(Authorize the City Manager to finalize and execute a contract with Convergent Technologies LLC, through Omnia Partners Purchasing Cooperative Contract Number R220702, in the amount of \$292,304.43.)

Approved on the Consent Agenda.

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- 7 Bid No. 2024-045 - Purchase of Body-Worn Cameras, In-Car Cameras, Interview Room Cameras, Evidence Storage and Related Software.
(Authorize the City Manager to approve annual payments to Axon Enterprises, Inc., and to finalize and execute a contract and any required documents with Axon Enterprise, Inc., through Buy Board Contract No. 648-21, for the purchase of body-worn cameras, in-car cameras, interview room cameras, evidence storage and software in an amount not to exceed \$5,910,098.90.)
Approved on the Consent Agenda.
- 8 Bid No. 2024-047 - Purchase of Four Ford Escapes.
(Staff recommends purchase from Sam Pack's Five Star Ford, through the BuyBoard Contract No. 724-23, in an amount not to exceed \$124,639.40.)
Approved on the Consent Agenda.
- 9 Bid No. 2024-048 - Purchase of Seven Ford Pickups.
(Staff recommends purchase from Sam Pack's Five Star Ford, through the BuyBoard Contract No. 724-23, in an amount not to exceed \$352,380.34.)
Approved on the Consent Agenda.
- 10 Bid No. 2024-049 - Purchase of Four Toyota Sedans.
(Staff recommends purchase from Silsbee Ford, through The Interlocal Purchasing System (TIPS) Contract No. 210907, in an amount not to exceed \$112,167.20.)
Approved on the Consent Agenda.
- 11 Authorize the City Manager to negotiate and execute contracts and closing documents for the purchase of a 3,600-square-foot facility, Hangar D4, located at the Mesquite Metro Airport, 910 Airport Boulevard, Mesquite, Texas, (the "Property") from Classic Flight Corporation (the "Seller") for the purchase price of \$216,000.00, plus closing costs and authorize the City Manager to finalize and execute a Termination of Ground Lease Agreement between the Seller and the City for the purchase of the Property, and all other documents and take all other actions necessary or requested to finalize the closing and purchase of the Property.
(This item was postponed at the November 6, 2023, City Council meeting.)
Approved on the Consent Agenda..
- 12 Authorize the City Manager to finalize and execute a Memorandum of Understanding between Mesquite Independent School District and the City of Mesquite, Texas for Mesquite Police Department Driving Track Training.
Approved on the Consent Agenda.

PUBLIC HEARINGS

- 13 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 a First Amendment to an Economic Development Program

Chapter 380 Agreement (“380 Agreement”) with LF Gateway LP, regarding the construction and development of the property located at 3201 East Cartwright Road, in the City of Mesquite, Texas; and authorizing the City Manager to finalize, execute and administer the First Amendment to the agreement on behalf of the City.

A public hearing was held to consider a resolution authorizing the City Manager to finalize and execute a First Amendment to an Economic Development Program Chapter 380 Agreement with LF Gateway LP, regarding the construction and development of the property located at 3201 East Cartwright Road.

Lexie Woodward, Manager of Economic Development, stated that in 2017, noting a market need in the area for new commercial development and in anticipation of future residential development in Southeast Mesquite, LF Gateway LP purchased a 6.787-acre tract at 3201 East Cartwright Road. The site is located at the southeastern corner of the intersection of Cartwright Road and Faithon P. Lucas, Sr., Boulevard, adjacent to John D. Horn High School.

Ms. Woodward stated that the development includes approximately five freestanding retail buildings to be leased and/or sold to medical office, local retail and restaurant concepts. Exceptional costs of developing the site to improve ingress and egress include modifications to East Cartwright Road and the entrance to John D. Horn High School from Faithon P. Lucas, Sr., Boulevard.

Ms. Woodward stated that the Chapter 380 Agreement, executed on July 14, 2021, provided an incentive package consisting of Grants based upon Real and Business Personal Property Tax paid to the City as a result of the development over ten years, as well as Water, Sewer and Roadway Impact Fees paid to the City during the development process. Roadway Impact Fees would be granted back to the developer 100 percent during the first five years of the project and 50 percent years six through ten. All other tax and fee-based Grants would have a performance-based cap of \$500,000.00 or \$600,000.00 (a \$100,000.00 increase if a Fast Casual or Table Service Restaurant is constructed within the first five years). Additional terms:

- Minimum combined square footage of buildings: 42,500
- One building to be completed prior December 31, 2023
- Subsequent improvements (remaining buildings) to be completed prior to July 13, 2031

Ms. Woodward stated that due to market conditions and infrastructure projects, the construction of the project was delayed. The proposed Amended and Restated Chapter 380 Agreement provides the following updated terms:

- Minimum combined square footage of buildings: 32,500
- One building to be completed prior to June 31, 2024
- Subsequent improvements (remaining buildings) to be completed prior to December 31, 2031
- Deadline to earn 50 percent reimbursement of Roadway Impact Fees extended from July 31, 2031, to December 31, 2031

Developer Seth Grubstein, owner of Cypress Capital, presented an overview of the proposed development, Shadow Creek Crossing. He stated that McDonald’s and Dominos have executed leases for the development, and they have leases out for signature with Donuts and a full-service nail salon. Letters of intent are being negotiated with Starbucks, Urgent Care and a yoga studio.

No one appeared regarding the proposed resolution.

Mr. Murden moved to approve Resolution No. 66-2023, 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 A FIRST AMENDMENT TO AN ECONOMIC DEVELOPMENT PROGRAM CHAPTER 380 AGREEMENT ("380 AGREEMENT") WITH LF GATEWAY LP, REGARDING THE CONSTRUCTION AND DEVELOPMENT OF THE PROPERTY LOCATED AT 3201 EAST CARTWRIGHT ROAD, IN THE CITY OF MESQUITE, TEXAS; AND AUTHORIZING THE CITY MANAGER TO FINALIZE, EXECUTE AND ADMINISTER THE FIRST AMENDMENT TO THE AGREEMENT ON BEHALF OF THE CITY. Motion was seconded by Mr. Green and approved unanimously. (Resolution No. 66-2023 recorded in Resolution Book No. 68.)

14

Conduct a public hearing and consider a resolution providing no objection for Wooded Lake Apartments, Ltd.'s application (through developer The NRP Group, LLC) to the Texas Department of Housing and Community Affairs (TDHCA) for Non-Competitive 4% Housing Tax Credits for the construction of an approximately 300-unit affordable multi-family rental housing development to be located at or about 1410 Wooded Lake Drive, 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 to consider a resolution providing no objection for Wooded Lake Apartments, Ltd.'s application (through developer The NRP Group, LLC) to the Texas Department of Housing and Community Affairs.

Cindy Smith, Director of Finance, stated that representatives from The NRP Group, LLC will present information regarding a proposed 300-unit affordable housing project. The applicant intends to apply for 4% Non-Competitive Housing Tax Credits (HTC) through the Texas Department of Housing and Community Affairs (TDHCA). An approved resolution is a pre-requisite to the application to TDHCA.

Ms. Smith stated that rezoning of the property would be required for multifamily development of the parcel. Support of the requested resolution would not bind the City Council to any future rezoning decision.

Nick Walsh, Vice President of Development with NRP Group, LLC, stated that NRP will be the developer, general contractor and property manager of this development. He stated that this will be an affordable workforce housing development containing 30 one-bedroom units, 126 two-bedroom units, 108 three-bedroom units and 24 four-bedroom units. All of the units will be rent and income restricted at various median income levels. He reviewed the property details and amenities.

No one appeared regarding the proposed resolution.

Mr. Casper moved to approve Resolution No. 67-2023, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, PROVIDING NO OBJECTION FOR WOODED LAKE APARTMENTS LTD.'S APPLICATION TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (THE "TDHCA") FOR

NON-COMPETITIVE 4% HOUSING TAX CREDITS FOR THE CONSTRUCTION OF AN APPROXIMATELY 300-UNIT AFFORDABLE MULTI-FAMILY RENTAL HOUSING DEVELOPMENT TO BE LOCATED AT OR ABOUT 1410 WOODED LAKE DRIVE, IN ACCORDANCE WITH CHAPTER 2306 OF THE TEXAS GOVERNMENT CODE; AND AUTHORIZING THE CITY SECRETARY TO CERTIFY THE RESOLUTION TO THE TDHCA. Motion was seconded by Mr. Green and approved unanimously. (Resolution No. 67-2023 recorded in Resolution Book No. 68.)

ADJOURNMENT

Mr. Green moved to adjourn the meeting. Motion was seconded by Mr. Boroughs and approved unanimously. The meeting adjourned at 8:24 p.m.

Attest:

Approved:

DocuSigned by:
Sonja Land
C2518005973E46A

Sonja Land, City Secretary

DocuSigned by:
Daniel Aleman Jr.
D999585317D142B

Daniel Alemán, Jr., Mayor