



# City of Mesquite, Texas

## Minutes - Final City Council

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Monday, June 3, 2019

4:30 PM

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

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Present: Mayor Stan Pickett and Councilmembers Tandy Boroughs, Robert Miklos, Greg Noschese, Bruce Archer, Jeff Casper, and Dan Aleman, City Manager Cliff Keheley and City Secretary Sonja Land.

### **PRE-MEETING - TRAINING ROOMS A&B - 4:30 P.M.**

#### **AGENDA REVIEW**

#### **STAFF PRESENTATIONS**

- 1                    Receive briefing regarding public transportation options and discuss proposed changes to COMPASS ROUTE 282.  
  
                         **It was Council consensus to enter into a new interlocal agreement with STAR transit and consolidate all public transportation services under STAR Transit.**
  
- 2                    Receive departmental strategy and budget presentations, as determined by City Management, related to City Council strategic goals and objectives.
  
- 3                    Receive briefing and provide direction regarding potential exchange of City-owned property with Mesquite Independent School District located at 1717 McKenzie Road and 4200 Faithon P. Lucas, Sr., Boulevard (formerly Mercury Road).  
  
                         **Council directed staff to proceed with the property exchange.**

### **EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 6:15 P.M.**

Mayor Pickett 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 (Discuss economic development incentives for a prospective commercial project in north Mesquite, located in the proximity of IH-30 and IH-635); whereupon, the City Council proceeded to meet in the Executive Conference Room. After the closed meeting ended at 6:36 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

**EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 6:36 P.M.**

Mayor Pickett 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 (Agenda Item No. 23); whereupon, the City Council proceeded to meet in the Executive Conference Room. After the closed meeting ended at 6:45 p.m., the City Council reconvened in Open Session.

See Agenda Item No. 23 for executive action taken.

**CITY COUNCIL/STAFF WORK SESSION - CITY COUNCIL CHAMBER - 6:48 P.M.**

- 4 Presentation regarding the Mesquite Veterans Memorial project.

Mayor Pickett stated that Randy Lawson had a vision of building a military veteran's memorial in Mesquite and has led the Heroes of Mesquite in raising funds for the memorial by selling t-shirts, presenting information and accepting donations at community events. The community has responded with donations from military veterans and their families, citizens of Mesquite, non-profit and civic associations, and the Mesquite corporate community. Mayor Pickett recognized Atmos Energy and its \$100,000 title sponsorship for the campaign and stated that tax-deductible donations are still being accepted through Historic Mesquite, Inc., or online at [www.MesquiteVeteransMemorial.org](http://www.MesquiteVeteransMemorial.org).

Cliff Keheley, City Manager, recognized Mr. Lawson, as well as Babbett Bradshaw and Thomas Latham, who worked on the community design committee. Mr. Keheley stated that the City Council fully supports the project by dedicating City resources to raise awareness and funds for the cause and by purchasing land near City Lake Park in 2018 for the memorial site. Mr. Keheley presented the official project renderings of the Mesquite Veterans Memorial and explained the key features of the Memorial.

Randy Lawson stated that the Heroes of Mesquite was established to honor those who were willing to pay the price for the freedoms we enjoy daily. Since the founding of Mesquite, 648,360 Americans have given their lives to defend our freedom, and 42 of those men are from Mesquite. David Melton read the names of the 42 men from Mesquite who were killed in action. Mr. Lawson expressed appreciation to the City Council for their support.

Mayor Pickett recognized two Gold Star Mothers, in attendance tonight, whose sons were killed in action - Marty Usry, mother of Dustin Vincent, and Debbie Emard, mother of Jonathan Emard.

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

Marq Toombs, Pastor, Christ Covenant Church, Mesquite, Texas.

**PLEDGE OF ALLEGIANCE**

Members of Team Mesquite Cheer.

**SPECIAL ANNOUNCEMENTS**

(1) Mr. Casper encouraged residents to complete an online survey, available on the City's website until June 7, 2019, regarding the services and programs provided by Mesquite Animal Services, which will help the City create a new strategic plan.

(2) Mr. Archer thanked all of the City's neighborhood leaders and encouraged more residents to get involved in our community.

(3) Mr. Boroughs stated that we are still in severe weather season and the City's Office of Emergency Management encourages citizens to be "weather aware." Outdoor warning sirens are only meant to warn the public when outdoors. He encouraged citizens to utilize mobile weather apps for severe weather warnings which are available on cell phones.

(4) Mr. Aleman reminded residents that school is out for the summer and to "Drive Like Your Family Lives Here."

(5) Mr. Noschese stated that the Economic Development Department will be hosting four Small Business Workshops on June 18, 2019, July 23, 2019, August 27, 2019, and October 15, 2019. For more details or to purchase tickets, call 972-216-6446.

(6) Mr. Miklos invited citizens to attend Summer Sizzle on Saturday, June 8, 2019, from 4:00 p.m. to 10:30 p.m., at Paschall Park. This free event includes Texas-sized yard games, food trucks, Kids Activity Zone, live music and a fireworks show at 10:00 p.m.

(7) Mr. Miklos stated that City employee Lorelei Melend, Animal Shelter & Rescue Coordinator, recently left the City for a job at the City of Ferris as an Animal Control Officer. He expressed appreciation for her service to the City of Mesquite and her tireless efforts in the rescue community. He wished her well in her future endeavors. He stated that over the next 1 ½ years, he will continue the vision of Lorelei and other animal advocates of expanding the Mesquite Animal Shelter and adding employees in an effort to save more animals lives.

(8) Mr. Pickett thanked the Finance Department employees for donating nearly 800 jars of peanut butter and jelly last Friday to the Spread the Love campaign. He encouraged citizens attending Council meetings this summer to bring jars of peanut butter and jelly to donate to this campaign.

**CONSENT AGENDA****Approval of the Consent Agenda**

**Mr. Archer moved to approve the items on the Consent Agenda, as follows. Motion was seconded by Mr. Aleman and approved unanimously.**

- 5** Minutes of the special City Council meeting held May 14, 2019, and the regular City Council meeting held May 20, 2019.

**Approved on the Consent Agenda.**

- 6** An ordinance providing for the partial abandonment of a fire lane easement, a utility easement, a fire lane and utility easement, a drainage easement and an access easement at Market East Shopping Center, otherwise known as Emporium Phase II, Block C, Lot 1R.

**Approved on the Consent Agenda.**

**Ordinance No. 4677, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, GRANTING THE PARTIAL ABANDONMENT OF A FIRE LANE EASEMENT, A UTILITY EASEMENT, A FIRE LANE AND UTILITY EASEMENT, A DRAINAGE EASEMENT AND AN ACCESS EASEMENT AT MARKET EAST SHOPPING CENTER, OTHERWISE KNOWN AS EMPORIUM PHASE II, BLOCK C, LOT 1R; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE. (Ordinance No. 4677 recorded in Ordinance Book No. 116.)**

- 7 RFP No. 2018-041 - Dedicated Outside Air Units.  
(Authorize the City Manager to finalize and execute the required documents with Berger Engineering Company, through Bid No. 2018-037, Annual Facility Maintenance, Time and Material, Repair and Remodeling Contract, in the amount of \$320,420.00.)  
**Approved on the Consent Agenda.**
- 8 Bid No. 2019-082 - Purchase 10 Trimble Ranger 3 XE with HR26501 Handheld Readers, 10 Trimble Ranger 3 Charging Cradles and One MRX920 V3 Mobile Data Collector.  
(Staff recommends award to sole source provider Core and Main, L.P. in the amount of \$71,562.50.)  
**Approved on the Consent Agenda.**
- 9 Bid No. 2019-091 - Municipal Court Interactive Voice Response (IVR) System.  
(Authorize the City Manager to finalize and execute a contract with sole source provider Selectron Technologies, Inc., in the amount of \$90,000.00. The term of this contract is for a one-year period with four additional one-year renewal options, subject to annual appropriation of sufficient funds.)  
**Approved on the Consent Agenda.**
- 10 Authorize the City Manager to finalize and execute a contract amendment to the Professional Engineering Services Contract with Kimley-Horn and Associates, Inc., for additional design and permitting services related to the pump station, ground storage tank and large diameter water transmission main to provide water to tracts of land within Kaufman County in the amount of \$92,900.00.  
**Approved on the Consent Agenda.**
- 11 Authorize the City Manager to negotiate and execute Change Order No. 3 to Bid No. E2016-002, Gus Thomasson Road Water, Sanitary Sewer, Paving and Drainage Reconstruction Project from Karla Drive to Moon Drive/Whitson Way, with Rebcon, Inc., for proposed franchise utility improvements in the amount of \$733,871.40.  
**Approved on the Consent Agenda.**

## OTHER BUSINESS

- 18 A. Conduct a public hearing under Chapter 311 of the Texas Tax Code to consider approving an amended Project Plan and Reinvestment Zone Financing Plan for Reinvestment Zone Number Ten, City of Mesquite, Texas, (Polo Ridge)

(the "Zone"), reducing the boundaries and geographic area of the Zone, and amending and restating the ordinance creating the Zone and other related matters.

B. An ordinance approving an Amended Project Plan and Reinvestment Zone Financing Plan for Reinvestment Zone Number Ten, City of Mesquite, Texas, (Polo Ridge) (the "Zone"), reducing the boundaries and geographic area of the Zone, and amending and restating Ordinance No. 4525 creating the Zone; the reduced boundaries and geographic area of the zone to consist of approximately 805.79 acres generally located south of FM 740, west of FM 2757 and north of Kelly Road in Kaufman County, Texas, and other related matters.

**Mr. Miklos left the meeting.**

**A public hearing was held to consider approving an amended Project Plan and Reinvestment Zone Financing Plan for Reinvestment Zone Number Ten, City of Mesquite, Texas (Polo Ridge TIRZ).**

**Ted Chinn, Assistant City Manager, stated that a public hearing is required by State law. In March 2019, the City Council approved a resolution reducing the boundaries of the Polo Ridge Public Improvement District No. 2 (PID). The Polo Ridge PID and Polo Ridge TIRZ boundaries must be contiguous; therefore, the proposed ordinance will reduce the TIRZ boundaries.**

**No one appeared regarding the amended Project Plan and Reinvestment Zone Financing Plan for Reinvestment Zone Number Ten, City of Mesquite, Texas.**

**Mr. Aleman moved to approve Ordinance No. 4678, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, APPROVING AN AMENDED PROJECT PLAN AND REINVESTMENT ZONE FINANCING PLAN FOR REINVESTMENT ZONE NUMBER TEN, CITY OF MESQUITE, TEXAS (POLO RIDGE) (THE "ZONE"); REDUCING THE BOUNDARIES AND GEOGRAPHIC AREA OF THE ZONE; AND AMENDING AND RESTATING ORDINANCE NO. 4525 CREATING THE ZONE; THE REDUCED BOUNDARIES AND GEOGRAPHIC AREA OF THE ZONE TO CONSIST OF APPROXIMATELY 805.79 ACRES GENERALLY LOCATED SOUTH OF FM 740, WEST OF FM 2757 AND NORTH OF KELLY ROAD IN KAUFMAN COUNTY, TEXAS; MAKING A FINDING OF FEASIBILITY; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE THEREOF. Motion was seconded by Mr. Archer. On call for a vote on the motion, the following votes were cast:**

**Ayes: Aleman, Archer, Pickett, Boroughs, Noschese, Casper**

**Nays: None**

**Abstentions: Miklos**

**Motion carried. (Ordinance No. 4678 recorded in Ordinance Book No. 116.)**

**19**

A. Conduct a public hearing under Chapter 311 of the Texas Tax Code to consider approving an amended Project Plan and Reinvestment Zone Financing Plan for Mesquite Rodeo City Reinvestment Zone Number One, City of Mesquite, Texas ("the Zone"), increasing the total estimated project costs for the Zone and other related matters.

B. An ordinance approving an amended Project Plan and Reinvestment Zone

Financing Plan for Mesquite Rodeo City Reinvestment Zone Number One, City of Mesquite, Texas, increasing the total estimated project costs for the Zone and other related matters.

A public hearing was held to consider approving an amended Project Plan and Reinvestment Zone Financing Plan for Mesquite Rodeo City Reinvestment Zone Number One, City of Mesquite, Texas (TIRZ).

Ted Chinn, Assistant City Manager, stated that the preliminary Service and Assessment Plan (SAP) determines the assessment methodology and allocation of property assessments. The estimated assessment for the general retail was apportioned based on the square footage of proposed retail space but the apportionment has been changed based on square footage of the property, as reflected in an independent appraisal. The updated TIRZ credit allocation has increased from \$16.5 million to \$18.3 million, still below the \$18.5 million capped by the Iron Horse Development Agreement. Mr. Chinn stated that a public hearing is required when increasing total expenditures of a TIRZ.

No one appeared regarding the amended Project Plan and Reinvestment Zone Financing Plan for Mesquite Rodeo City Reinvestment Zone Number One, City of Mesquite, Texas.

Mr. Boroughs moved to approve Ordinance No. 4679, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, APPROVING AN AMENDED PROJECT PLAN AND REINVESTMENT ZONE FINANCING PLAN FOR MESQUITE RODEO CITY REINVESTMENT ZONE NUMBER ONE, CITY OF MESQUITE, TEXAS (THE "ZONE"); INCREASING THE TOTAL ESTIMATED PROJECT COSTS FOR THE ZONE; MAKING A FINDING OF FEASIBILITY; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE THEREOF. Motion was seconded by Mr. Aleman. On call for a vote on the motion, the following votes were cast:

**Ayes:** Boroughs, Aleman, Pickett, Noschese, Archer, Casper

**Nays:** None

**Abstentions:** Miklos

**Motion carried. (Ordinance No. 4679 recorded in Ordinance Book No. 116.)**

20

Conduct a public hearing to consider testimony regarding the proposed assessments to be levied against assessable property within the Iron Horse Public Improvement District, pursuant to the provisions of Chapter 372 of the Texas Local Government Code. The property is approximately 58.213 acres of land generally located north of Rodeo Drive, south of Scyene Road (also known as State Highway 352), east of Stadium Drive and west of Rodeo Center Boulevard, within the corporate limits of the City of Mesquite.

A public hearing was held to consider testimony regarding the proposed assessments to be levied against assessable property within the Iron Horse Public Improvement District.

Ted Chinn, Assistant City Manager, stated that the City Council approved a resolution to accept a preliminary Service and Assessment Plan (SAP) for authorized improvements within the Iron Horse Public Improvement District (PID). A public hearing is required by State law to provide opportunity for property owners to provide comments to the proposed assessments identified in the SAP.

No one appeared regarding the proposed assessments to be levied against assessable property within the Iron Horse PID.

21

An ordinance approving a Service and Assessment Plan and Assessment Roll for Authorized Improvements for the Iron Horse Public Improvement District (the "District"), making a finding of Special Benefit to certain property in the District, levying assessments against certain property within the District and establishing a lien on such property, providing for payment of the assessment in accordance with Chapter 372, Texas Local Government Code, as amended, providing for the method of assessment and the payment of the assessments, providing penalties and interest on delinquent assessments, providing for severability and providing an effective date.

**Mr. Aleman moved to approve Ordinance No. 4680, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS APPROVING A SERVICE AND ASSESSMENT PLAN AND ASSESSMENT ROLL FOR AUTHORIZED IMPROVEMENTS FOR THE IRON HORSE PUBLIC IMPROVEMENT DISTRICT (THE "DISTRICT"); MAKING A FINDING OF SPECIAL BENEFIT TO CERTAIN PROPERTY IN THE DISTRICT; LEVYING ASSESSMENTS AGAINST CERTAIN PROPERTY WITHIN THE DISTRICT AND ESTABLISHING A LIEN ON SUCH PROPERTY; PROVIDING FOR PAYMENT OF THE ASSESSMENT IN ACCORDANCE WITH CHAPTER 372, TEXAS LOCAL GOVERNMENT CODE, AS AMENDED; PROVIDING FOR THE METHOD OF ASSESSMENT AND THE PAYMENT OF THE ASSESSMENTS; PROVIDING PENALTIES AND INTEREST ON DELINQUENT ASSESSMENTS; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE. Motion was seconded by Mr. Archer. On call for a vote on the motion, the following votes were cast:**

**Ayes: Aleman, Archer, Pickett, Boroughs, Noschese, Casper**

**Nays: None**

**Abstentions: Miklos**

**Motion carried. (Ordinance No. 4680 recorded in Ordinance Book No. 116.)**

22

An ordinance approving and authorizing the issuance and sale of the City of Mesquite Special Assessment Revenue Bonds, Series 2019 (Iron Horse Public Improvement District Project), approving and authorizing an Indenture of Trust, a Bond Purchase Agreement, Limited Offering Memorandum, Continuing Disclosure Agreement, and other agreements and documents in connection therewith, making findings with respect to the issuance of such bonds, and providing an effective date.

**Ted Chinn, Assistant City Manager, stated that Public Improvement District (PID) bonds will never constitute an indebtedness or general obligation of the City, but are special obligations of the City payable solely from the assessments on each property. The City has no legal or moral obligation to repay the bonds from any source other than these pledged revenues.**

**Mr. Chinn introduced Jason Hughes, representing Hilltop Securities, who reviewed the pricing summary for the bond sale and stated that the bond term is for 30 years with a 6.14 percent interest rate.**

**Mr. Casper moved to approve Ordinance No. 4681, AN ORDINANCE APPROVING AND AUTHORIZING THE ISSUANCE AND SALE OF THE CITY OF MESQUITE**

SPECIAL ASSESSMENT REVENUE BONDS, SERIES 2019 (IRON HORSE PUBLIC IMPROVEMENT DISTRICT PROJECT); APPROVING AND AUTHORIZING AN INDENTURE OF TRUST, A BOND PURCHASE AGREEMENT, LIMITED OFFERING MEMORANDUM, A CONTINUING DISCLOSURE AGREEMENT, AND OTHER AGREEMENTS AND DOCUMENTS IN CONNECTION THEREWITH; MAKING FINDINGS WITH RESPECT TO THE ISSUANCE OF SUCH BONDS; AND PROVIDING AN EFFECTIVE DATE. Motion was seconded by Mr. Boroughs. On call for a vote on the motion, the following votes were cast:

**Ayes:** Casper, Boroughs, Pickett, Noschese, Archer, Aleman

**Nays:** None

**Abstentions:** Miklos

**Motion carried. (Ordinance No. 4681 recorded in Ordinance Book No. 116.)**

23

Conduct a public hearing and consider a resolution approving the terms and conditions of a program (Chapter 380 Agreement) to promote local economic development and stimulate business and commercial activity in the City and authorizing the City Manager to finalize and execute an agreement for such purposes with MM Mesquite 50, LLC (the "Developer"), a Texas limited liability company, providing a grant to reimburse the developer for certain costs and expenses incurred by the developer in connection with the design and reconstruction of a portion of Peachtree Road, located within Mesquite Rodeo City Reinvestment Zone, Number One, City of Mesquite, Texas, as part of a mixed use development containing retail, restaurant, office, residential components and other associated uses in accordance with City Ordinance No. 4595 (the "Iron Horse Project") in the City of Mesquite, Texas, and authorizing the City Manager to administer the agreement on behalf of the City.

A public hearing was held to consider a Chapter 380 agreement with MM Mesquite 50, LLC, providing a grant to reimburse the developer for certain costs and expenses incurred by the developer in connection with the design and reconstruction of a portion of Peachtree Road.

Ted Chinn, Assistant City Manager, stated that the proposed Chapter 380 agreement allows for the Developer to be reimbursed for the costs of the widening of a portion of Peachtree Road as well as the replacement of an existing traffic signal mast arm located at the intersection of Peachtree Road and Scyene Road.

No one appeared regarding the proposed Chapter 380 agreement.

Mr. Noschese moved to authorize the City Manager to negotiate, finalize and execute the Chapter 380 Agreement and to approve Resolution No. 43-2019, 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 NEGOTIATE, FINALIZE AND EXECUTE AN AGREEMENT FOR SUCH PURPOSES WITH MM MESQUITE 50, LLC, A TEXAS LIMITED LIABILITY COMPANY (THE "DEVELOPER") PROVIDING A GRANT TO REIMBURSE THE DEVELOPER FOR CERTAIN COSTS AND EXPENSES INCURRED BY THE DEVELOPER IN CONNECTION WITH THE DESIGN AND RECONSTRUCTION OF A PORTION OF PEACHTREE ROAD LOCATED WITHIN MESQUITE RODEO CITY REINVESTMENT



ZONE NUMBER ONE, CITY OF MESQUITE TEXAS, AS PART OF A MIXED USE DEVELOPMENT CONTAINING RETAIL, RESTAURANT, OFFICE, RESIDENTIAL COMPONENTS, AND OTHER ASSOCIATED USES IN ACCORDANCE WITH CITY ORDINANCE NO. 4595 (THE "IRON HORSE PROJECT") IN THE CITY OF MESQUITE, TEXAS; AND AUTHORIZING THE CITY MANAGER TO ADMINISTER THE AGREEMENT ON BEHALF OF THE CITY. Motion was seconded by Mr. Boroughs. On call for a vote on the motion, the following votes were cast:

**Ayes:** Noschese, Boroughs, Pickett, Archer, Casper, Aleman

**Nays:** None

**Abstentions:** Miklos

**Motion carried. (Resolution No. 43-2019 recorded in Resolution Book No. 58.)**

24

Conduct a public hearing and consider a resolution authorizing the sale by the City of Mesquite, Texas, (the "City") of an approximately 5.315 acre tract of City-owned property located within the Mesquite Rodeo City Reinvestment Zone Number One, City of Mesquite, Texas, (the "City tract") to MM Mesquite 50, LLC, a Texas limited liability company (the "Developer"), authorizing the City Manager to negotiate, finalize and execute a contract of sale, deed and all other documents necessary or advisable to complete the sale of the City tract to the developer, approving the terms and conditions of a program (Chapter 380 Agreement) to promote local economic development and stimulate business and commercial activity in the City and authorizing the City Manager to finalize and execute an agreement for such purposes with the developer providing a grant to the developer in the amount of the purchase price of the City tract, the City tract to be developed as part of a mixed use development containing retail, restaurant, office, residential components and other associated uses in accordance with City Ordinance No. 4595 (the "Iron Horse Project") in the City of Mesquite, Texas, and authorizing the City Manager to administer the agreement on behalf of the City.

**A public hearing was held to consider authorizing the sale of an approximately 5.315-acre tract of City-owned property and providing a grant to the developer for the City tract to be developed as part of a mixed-use development containing retail, restaurant, office, residential components and other associated uses.**

**Ted Chinn, Assistant City Manager, stated that the proposed Chapter 380 agreement is a requirement of the Iron Horse Development Agreement which specifies the manner in which the five-acre, City-owned tract is conveyed to the developer in consideration of public improvements constructed in the Iron Horse Village development.**

**No one appeared regarding the proposed Chapter 380 agreement.**

**Mr. Noschese moved to authorize the City Manager to negotiate, finalize and execute the terms and conditions of the Chapter 380 Agreement with such revisions as the City Manager deems advisable and to approve Resolution No. 44-2019, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE SALE BY THE CITY OF MESQUITE, TEXAS (THE "CITY") OF AN APPROXIMATELY 5.315 ACRE TRACT OF CITY-OWNED PROPERTY LOCATED WITHIN THE MESQUITE RODEO CITY REINVESTMENT ZONE NUMBER ONE, CITY OF MESQUITE, TEXAS (THE "CITY TRACT") TO MM MESQUITE 50, LLC, A TEXAS LIMITED LIABILITY COMPANY (THE "DEVELOPER"); AUTHORIZING THE**

CITY MANAGER TO NEGOTIATE, FINALIZE AND EXECUTE A CONTRACT OF SALE, DEED AND ALL OTHER DOCUMENTS NECESSARY OR ADVISABLE TO COMPLETE THE SALE OF THE CITY TRACT TO THE DEVELOPER; 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 NEGOTIATE, FINALIZE AND EXECUTE AN AGREEMENT FOR SUCH PURPOSES WITH THE DEVELOPER PROVIDING A GRANT TO THE DEVELOPER IN THE AMOUNT OF THE PURCHASE PRICE OF THE CITY TRACT, THE CITY TRACT TO BE DEVELOPED AS PART OF A MIXED USE DEVELOPMENT CONTAINING RETAIL, RESTAURANT, OFFICE, RESIDENTIAL COMPONENTS, AND OTHER ASSOCIATED USES IN ACCORDANCE WITH CITY ORDINANCE NO. 4595 (THE "IRON HORSE PROJECT") IN THE CITY OF MESQUITE, TEXAS; AND AUTHORIZING THE CITY MANAGER TO ADMINISTER THE AGREEMENT ON BEHALF OF THE CITY. Motion was seconded by Mr. Casper. On call for a vote on the motion, the following votes were cast:

**Ayes:** Noschese, Casper, Pickett, Boroughs, Archer, Aleman

**Nays:** None

**Abstentions:** Miklos

**Motion carried. (Resolution No. 44-2019 recorded in Resolution Book No. 58.)**

25

A resolution authorizing the City Manager to finalize and execute a Second Amendment to the Iron Horse Development Agreement to amend Section 3.03 "Distribution of PID Bond Proceeds" for the development of property commonly referred to as "Iron Horse Village," and being generally located north of Rodeo Drive, south of Scyene Road (also known as State Highway 352), east of Stadium Drive and west of Rodeo Center Boulevard within the corporate limits of the City of Mesquite in Dallas County, Texas.

Ted Chinn, Assistant City Manager, stated the proposed amendment allows the developer the flexibility to seek reimbursement for authorized improvements while grading and other authorized improvements, such as water, sewer and drainage utilities are simultaneously underway and will help speed up construction of the improvements.

Mr. Aleman moved to approve Resolution No. 45-2019, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE CITY MANAGER TO FINALIZE AND EXECUTE A SECOND AMENDMENT TO THE IRON HORSE DEVELOPMENT AGREEMENT TO AMEND SECTION 3.03 "DISTRIBUTION OF PID BOND PROCEEDS" FOR THE DEVELOPMENT OF PROPERTY COMMONLY REFERRED TO AS "IRON HORSE VILLAGE" AND BEING GENERALLY LOCATED NORTH OF RODEO DRIVE, SOUTH OF SCYENE ROAD (ALSO KNOWN AS STATE HIGHWAY 352), EAST OF STADIUM DRIVE AND WEST OF RODEO CENTER BOULEVARD WITHIN THE CORPORATE LIMITS OF THE CITY OF MESQUITE IN DALLAS COUNTY, TEXAS. Motion was seconded by Mr. Archer. On call for a vote on the motion, the following votes were cast:

**Ayes:** Aleman, Archer, Pickett, Boroughs, Noschese, Casper

**Nays:** None

**Abstentions:** Miklos

**Motion carried. (Resolution No. 45-2019 recorded in Resolution Book No. 58.)**

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**PUBLIC HEARINGS**

- 12** Conduct a public hearing and consider an ordinance for Application No. Z0918-0066, submitted by Alex Avagh, for a change of zoning from Commercial to Commercial with a Conditional Use Permit to allow the sale of used tires, located at 2532 East US Highway 80.

(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 of the application. This item was postponed at the June 3, 2019, City Council meeting.)

**Mr. Miklos entered the meeting.**

**A public hearing was held for Application No. Z0918-0066.**

**Garrett Langford, Manager of Planning and Zoning, stated that the applicant has agreed to postponing the application to August 5, 2019.**

**No one appeared regarding the proposed application.**

**Mr. Miklos moved to postpone Application No. Z0918-0066 to the August 5, 2019, City Council meeting. Motion was seconded by Mr. Noschese and approved unanimously.**

- 13** Conduct a public hearing and consider an ordinance for Application No. Z0419-0090, submitted by Mike Tolleson, on behalf of Cici's Pizza, for a change of zoning from General Retail to General Retail with a Conditional Use Permit to allow a coin operated amusement game room, located at 1200 E. Davis Street, Suite 122.

(One response in favor and one both in favor and in opposition to the application have been received from property owners within the statutory notification area. The Planning and Zoning Commission recommends approval of the application.)

**Mr. Archer left the meeting.**

**A public hearing was held for Application No. Z0419-0090.**

**Garrett Langford, Manager of Planning and Zoning, stated that the applicant proposes to remodel the existing restaurant and expand the game room, with up to 50 game machines, into a 3,850-square-foot adjacent suite.**

**Applicant Mike Tolleson stated that in 1987, he opened the first Cici's Pizza restaurant in Mesquite on Pioneer Road, where it remained for six years. He then relocated to the current site where it has been the number one sales volume Cici's Pizza in the United States for 25 years. Mr. Tolleson recently renewed his lease for an additional 21 years. The plan is to remodel the existing restaurant with granite countertops, new flooring and furniture, and to expand the restaurant by adding a 3,850-square-foot game room with approximately 43 games for a total project budget of \$850,000-\$900,000. The amusement games that will be installed will utilize a card system with points and users will be able to redeem the points earned for prizes. The expansion will create an additional 10-12 full-time jobs. Mr. Tolleson agreed to working with the property owner in**

addressing the screening wall condition.

No one appeared regarding the proposed application.

Mr. Noschese moved to approve Application No. Z0419-0090, as recommended by the Planning and Zoning Commission, and to approve Ordinance No. 4682, AN ORDINANCE AMENDNG THE MESQUITE ZONING ORDINANCE BY APPROVING A CONDITIONAL USE PERMIT (“CUP”) TO ALLOW THE EXPANSION OF A COIN-OPERATED AMUSEMENT GAME ROOM WITH UP TO 50 GAME MACHINES AND TO ALLOW A COIN-OPERATED GAME ROOM WITHIN 100 FEET OF A RESIDENTIAL DISTRICT ON PROPERTY CURRENTLY ZONED GENERAL RETAIL WITH A CUP ALLOWING UP TO 25 COIN-OPERATED GAME MACHINES AND LOCATED AT 1200 EAST DAVIS STREET, SUITE 122 SUBJECT TO CERTAIN STIPULATIONS; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND DECLARING AN EFFECTIVE DATE. Motion was seconded by Mr. Miklos. On call for a vote on the motion, the following votes were cast:

**Ayes:** Noschese, Miklos, Pickett, Boroughs, Casper, Aleman

**Nays:** None

**Abstentions:** Archer

**Motion carried. (Ordinance No. 4682 recorded in Ordinance Book No. 116.)**

14

Conduct a public hearing and consider an ordinance for Application No. Z0419-0091, submitted by Dan Warfield of Halff Associates, Inc., for a change of zoning from Light Commercial to Planned Development - Industrial to allow an industrial multi-tenant business park, located at 1201 Republic Parkway and 1200 Interstate Highway 30.

(Three 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.)

**Mr. Archer entered the meeting.**

**A public hearing was held for Application No. Z0419-0091.**

Garrett Langford, Manager of Planning and Zoning, stated that the applicant is proposing to construct five multi-tenant industrial buildings, containing a total of just under one million square feet. Parc 30 North, located north of Republic Parkway, will consist of three multi-tenant industrial buildings totaling approximately 680,000 square feet. Parc 30 South, located south of Republic Parkway, will consist of two multi-tenant industrial buildings totaling approximately 310,000 square feet. The natural tree line would serve as a living screen between Dallas Christian School and the proposed industrial buildings. Mr. Langford reviewed the stipulations for the application.

Jason Nunley, representing the applicant, stated that the proposed project is a \$70 million master-planned business park with detailed attention given to building orientation, site lines, landscaping, lighting, colors and textures. They work to attract relocating corporations and retain existing growing businesses

with approximately 900 jobs. The site presents numerous challenges such as a 60-foot elevation change requiring heavy earthwork and retaining walls, 75-foot high pressure gas line running through the property and jurisdiction waters controlled by the U.S. Army Corps of Engineers.

Dr. Chris King, representing Dallas Christian School, spoke in favor of the application.

No others appeared regarding the proposed application.

Mr. Casper moved to approve Application No. Z0419-0091, as recommended by the Planning and Zoning Commission, adding Stipulation No. 13, as follows:

1. Except as provided herein, the site plan for the Property shall conform substantially to the Concept Plan, shown as Exhibit "1" of the ordinance. The façade of all buildings shall conform substantially to the Elevations, shown as Exhibit "2" of the ordinance. In the event of a conflict between the provisions of this ordinance and Exhibits "1" and "2," the provisions of this ordinance control.

2. All uses permitted in the Industrial District are allowed on the Property except as modified in Subsections "a" and "b" of this paragraph. The uses permitted in the Industrial District are subject to the same requirements applicable to the uses in the Industrial District, as set out in the Mesquite Zoning Ordinance. For example, a use permitted in the Industrial District only by conditional use permit ("CUP") is permitted in this district only by CUP.

a. The following uses are prohibited on the Property:

178 Well Water Drilling

40 Railroad Passenger Terminal

5194 Tobacco, Tobacco Products

554 Limited Fuel Sales

593 Used Merchandise

5947 Gift, Novelty Stores

5993 Tobacco Stores

61 Nondepository Institutions, including Alternative Financial Institutions

72 Personal Services

738(c) Bail Bond Services

7992 Golf Course

7997(b) Country Clubs

842 Arboreta, Botanical Gardens

b. The following use may be permitted on the Property by CUP:

75 Automotive Repair Services by CUP

3. The development shall comply with the adopted City of Mesquite Engineering Design Manual.

4. A Traffic Impact Analysis ("TIA") is required. The TIA shall include recommended measures to minimize and/or mitigate the anticipated impacts and determine the adequacy of the development's planned access points. Mitigation measures must be approved by the City Engineer and may include, but are not limited to, the following: an access management plan; transportation demand management measures; street improvements on or off the site; placement of pedestrian, bicycle or transit facilities on or off the site; or other capital improvements projects such as traffic calming infrastructure or capacity improvements. The improvements recommended by the TIA and approved the Manager of Traffic Engineering shall be completed prior to the issuance of a Certificate of Occupancy.

5. No Certificate of Occupancy shall be issued for any use requiring heavy truck

traffic, including but not limited to a multi-tenant industrial business park, on the Property until the following improvements are completed in compliance with all applicable City standards:

a. Columbia Parkway shall be reconstructed to the standards of a Collector Street as identified in the City of Mesquite Engineering Design Manual.

b. For the portion of Republic Parkway adjacent to the Property, a road condition analysis shall be completed. Street panels (12 feet wide by 20 feet in length) identified with two or more failing elements by the road condition analysis shall be repaired and/or replaced in accordance with the recommendation of the analysis. The analysis shall be based on ASTM Standard Practice for Roads and Parking Lots Condition Index Surveys. A failing element is where it has a severity level of Medium or higher. Rating shall be per panel for the following elements:

- (1) Corner Break
- (2) Divided Slab
- (3) Faulting
- (4) Linear Cracking
- (5) Patching (Large)
- (6) Punchout
- (7) Spalling – Corner
- (8) Spalling – Joint

6. An internal traffic and truck circulation plan shall be provided with and subject to approval with the PD site plan. The internal traffic plan shall show how all heavy load vehicles will egress and ingress the site without using the portion of Republic Parkway from North Galloway Avenue to the western property line of the Property.

7. No heavy load vehicles shall use Republic Parkway accessed from North Galloway Avenue for egress or ingress to the Property.

8. The truck court (including truck parking, overhead doors or loading docks) shall not face a public right-of-way without screening. Where not screened by a building, the truck court shall be screened with an eight-foot masonry wall or a living screen pursuant to Section 1A-303.D of the Mesquite Zoning Ordinance. Wood or chain link screening is prohibited. Said screening shall be provided prior to the issuance of a Certificate of Occupancy.

9. No owner of a premises, or operator or manager-on-duty of any use within the district, shall allow any unmounted trailer to be parked or stored on the premises, or suffer or permit the owner or driver of a heavy load vehicle to park or store an unmounted trailer on the premises, unless the parking storage of unmounted vehicles is expressly authorized on the certificate of occupancy and the parking or storage is in compliance with any conditions therein, or unless the parking or storage is incidental to a use authorized on the certificate of occupancy.

10. Buildings 1, 2 and 3 as identified on the Concept Plan in Exhibit "1" are intended to be built in one phase. Building 3 will provide screening for the truck court associated with Building 1. To ensure proper screening, Building 3 shall be constructed prior to a Certificate of Occupancy being issued for Building 1.

11. The minimum number of off-street parking spaces shall be provided per Section 3-400 of the Mesquite Zoning Ordinance except as provided herein: Uses classified as distribution, warehousing or storage shall provide 20 spaces plus one space per 5,000-square feet. Reduction in this requirement may be provided per Section 3-403 of the Mesquite Zoning Ordinance.

12. The development will have cohesive landscaping to create a harmonious streetscape edge that will contain native plant materials and drought tolerant shrubs and trees. Near the shared property line with Dallas Christian School, a

retaining wall (where required) with six-foot wrought iron fence will be installed by the site developer. District screening will not be required provided that the existing tree line area along the west property line is preserved as shown on the Concept Plan in Exhibit "1."

13. If no application for a building permit has been made by May 31, 2022, staff shall provide a report to the City Council for consideration of initiating a rezoning application on the property.

And to approve Ordinance No. 4683, AN ORDINANCE AMENDING THE MESQUITE ZONING ORDINANCE BY APPROVING A CHANGE OF ZONING FROM LIGHT COMMERCIAL TO PLANNED DEVELOPMENT - INDUSTRIAL ON PROPERTY LOCATED AT 1200 IH-30 AND 1201 REPUBLIC PARKWAY TO ALLOW AN INDUSTRIAL MULTI-TENANT BUSINESS PARK 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. Miklos and approved unanimously. (Ordinance No. 4683 recorded in Ordinance Book No. 116.)

15

Conduct a public hearing and consider an ordinance for Application No. Z0419-0092, submitted by Dan Warfield of Halff Associates, Inc., for a change of zoning from Planned Development - Commercial Ordinance No. 2067 to Planned Development - Industrial to allow an industrial multi-tenant business park, located at 1650 Republic Parkway.

(Two 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.)

**A public hearing was held for Application No. Z0419-0092.**

Garrett Langford, Manager of Planning and Zoning, stated that the applicant is proposing to construct five multi-tenant industrial buildings, containing a total of just under one million square feet. Parc 30 North, located north of Republic Parkway, will consist of three multi-tenant industrial buildings totaling approximately 680,000 square feet. Parc 30 South, located south of Republic Parkway, will consist of two multi-tenant industrial buildings totaling approximately 310,000 square feet. The natural tree line would serve as a living screen between Dallas Christian School and the proposed industrial buildings. Mr. Langford reviewed the stipulations for the application.

Jason Nunley, representing the applicant, stated that the proposed project is a \$70 million master-planned business park with detailed attention given to building orientation, site lines, landscaping, lighting, colors and textures. They work to attract relocating corporations and retain existing growing businesses with approximately 900 jobs. The site presents numerous challenges such as a 60-foot elevation change requiring heavy earthwork and retaining walls, 75-foot high pressure gas line running through the property and jurisdiction waters controlled by the U.S. Army Corps of Engineers.

Dr. Chris King, representing Dallas Christian School, spoke in favor of the application.

**No others appeared regarding the proposed application.**

Mr. Aleman moved to approve Application No. Z0419-0092, as recommended by the Planning and Zoning Commission, adding Stipulation No. 12, as follows:

1. Except as provided herein, the site plan for the Property shall conform substantially to the Concept Plan, shown as Exhibit "1" of the ordinance. The façade of all buildings shall conform substantially to the Elevations, shown as Exhibit "2" of the ordinance. In the event of a conflict between the provisions of this ordinance and Exhibits "1" and "2," the provisions of this ordinance control
2. All uses permitted in the Industrial District are allowed on the Property except as modified in Subsections "a" and "b" of this paragraph. The uses permitted in the Industrial District are subject to the same requirements applicable to the uses in the Industrial District, as set out in the Mesquite Zoning Ordinance. For example, a use permitted in the Industrial District only by conditional use permit ("CUP") is permitted in this district only by CUP.
  - a. The following uses are prohibited on the Property:
    - 178 Well Water Drilling
    - 40 Railroad Passenger Terminal
    - 5194 Tobacco, Tobacco Products
    - 554 Limited Fuel Sales
    - 593 Used Merchandise
    - 5947 Gift, Novelty Stores
    - 5993 Tobacco Stores
    - 61 Nondepository Institutions, including Alternative Financial Institutions
    - 72 Personal Services
    - 738(c) Bail Bond Services
    - 7992 Golf Course
    - 7997(b) Country Clubs
    - 842 Arboreta, Botanical Gardens
  - b. The following use may be permitted on the Property by CUP:
    - 75 Automotive Repair Services by CUP
3. Outdoor storage as defined in Section 3-600 of the Mesquite Zoning Ordinance shall be prohibited unless approved by CUP.
4. The development shall comply with the adopted City of Mesquite Engineering Design Manual.
5. A Traffic Impact Analysis ("TIA") is required. The TIA shall include recommended measures to minimize and/or mitigate the anticipated impacts and determine the adequacy of the development's planned access points. Mitigation measures must be approved by the City Engineer and may include, but are not limited to, the following: an access management plan; transportation demand management measures; street improvements on or off the site; placement of pedestrian, bicycle or transit facilities on or off the site; or other capital improvements projects such as traffic calming infrastructure or capacity improvements. The improvements recommended by the TIA and approved the Manager of Traffic Engineering shall be completed prior to the issuance of a Certificate of Occupancy.
6. No Certificate of Occupancy shall be issued for a multi-tenant industrial business park on the subject property until the following improvements are completed in compliance with all applicable City standards:
  - a. Columbia Parkway shall be reconstructed to the standards of a Collector Street as identified in the City of Mesquite Engineering Design Manual.
  - b. For the portion of Republic Parkway adjacent to the Property, a road condition analysis shall be completed. Street panels (12 feet wide by 20 feet in length) identified with two or more failing elements by the road condition



analysis shall be repaired and/or replaced in accordance with the recommendation of the analysis. The analysis shall be based on ASTM Standard Practice for Roads and Parking Lots Condition Index Surveys. A failing element is where it has a severity level of Medium or higher. Rating shall be per panel for the following elements:

- (1) Corner Break
- (2) Divided Slab
- (3) Faulting
- (4) Linear Cracking
- (5) Patching (Large)
- (6) Punchout
- (7) Spalling - Corner
- (8) Spalling - Joint

7. An internal traffic and truck circulation plan shall be provided with and subject to approval with the PD site plan. The internal traffic plan shall show how all heavy load vehicles will egress and ingress the site without using the portion of Republic Parkway from North Galloway Avenue to the western property line of the Property.

8. No heavy load vehicles shall use Republic Parkway accessed from North Galloway Avenue for egress or ingress to the Property.

9. The truck court (including truck parking, overhead doors or loading docks) shall not face a public right-of-way without screening. Where not screened by a building, the truck court shall be screened with an eight-foot masonry wall or a living screen pursuant to Section 1A-303.D of the Mesquite Zoning Ordinance. Wood or chain link screening is prohibited. Said screening shall be provided prior to the issuance of a Certificate of Occupancy.

10. No owner of a premises, or operator or manager-on-duty of any use within the district, shall allow any unmounted trailer to be parked or stored on the premises, or suffer or permit the owner or driver of a heavy load vehicle to park or store an unmounted trailer on the premises, unless the parking storage of unmounted vehicles is expressly authorized on the certificate of occupancy and the parking or storage is in compliance with any conditions therein, or unless the parking or storage is incidental to a use authorized on the certificate of occupancy.

11. The minimum number of off-street parking spaces shall be provided per Section 3-400 of the Mesquite Zoning Ordinance except as provided herein: Uses classified as distribution, warehousing or storage shall provide 20 spaces plus one space per 5,000-square feet. Reduction in this requirement may be provided per Section 3-403 of the Mesquite Zoning Ordinance.

12. If no application for a building permit has been made by May 31, 2022, staff shall provide a report to the City Council for consideration of initiating a rezoning application on the property.

And to approve Ordinance No. 4684, AN ORDINANCE AMENDING THE MESQUITE ZONING ORDINANCE BY APPROVING A CHANGE OF ZONING FROM PLANNED DEVELOPMENT – COMMERCIAL ORDINANCE NO. 2067 TO PLANNED DEVELOPMENT – INDUSTRIAL ON PROPERTY LOCATED AT 1650 REPUBLIC PARKWAY TO ALLOW AN INDUSTRIAL MULTI-TENANT BUSINESS PARK 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. Noschese and approved unanimously. (Ordinance No. 4684 recorded in Ordinance Book No. 116.)

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

- 16 Consider appointment of one regular member to the Board of Adjustment for a term to expire January 1, 2020, and two alternate members for terms to expire January 1, 2020, and January 1, 2021, who will also serve on the Automated Traffic Signal Enforcement Advisory Committee.

**Mr. Miklos moved to appoint Wana Alwalee as a regular member to the Board of Adjustment for a term to expire January 1, 2020, who will also serve on the Automated Traffic Signal Enforcement Advisory Committee by designation of City Councilmember, Place 2. Motion was seconded by Mr. Archer and approved unanimously.**

- 17 Consider appointment of one member to the Keep Mesquite Beautiful, Inc., Board of Directors for a term to expire December 31, 2020.

**Mr. Archer moved to appoint Andrew Kwart as a member to the Keep Mesquite Beautiful, Inc., Board of Directors for a term to expire December 31, 2020. Motion was seconded by Mr. Aleman and approved unanimously.**

**EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 8:57 P.M.**

Mayor Pickett 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 (Petition of the Cities of Garland, Mesquite, Plano, and Richardson appealing 2017 wholesale rates implemented by the North Texas Municipal Water District, PUC Docket No. 46662 - Filed 12-14-16; Petition of the Cities of Garland, Mesquite, Plano and Richardson appealing 2018 Wholesale Water Rates implemented by North Texas Municipal Water District, PUC Docket No. 47863 [Appealing Wholesale Water Rates for 2018] Filed 12-15-17; and Patricia Brennan and Alyssa Sanders, Individually and as Heirs of Natalie Sanders v. City of Mesquite, Texas; Victor Palascios; Kyle Stone; Layton Winters; Peter Velasquez; Michael Kelly; Sherry Green; Marcelet Martin - Filed 5-24-19); whereupon, the City Council proceeded to meet in the Executive Conference Room. After the closed meeting ended at 9:22 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

**ADJOURNMENT**

**Mr. Miklos moved to adjourn the meeting. Motion was seconded by Mr. Noschese and approved unanimously. The meeting adjourned at 9:22 p.m.**

Attest:

Approved:

\_\_\_\_\_  
Sonja Land, City Secretary

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Stan Pickett, Mayor