



City of Mesquite, Texas

Minutes - Final City Council

Monday, August 19, 2019

4:00 PM

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

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

Absent: Councilmember Greg Noschese.

PRE-MEETING - TRAINING ROOMS A&B - 4:00 P.M.

AGENDA REVIEW

STAFF PRESENTATIONS

- 1 Receive Chamber of Commerce Strategic Plan Presentation.
- 2 Discuss the proposed budget for Fiscal Year 2019-20.

Council provided direction on additional considerations for the 2019-2020 budget.

EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 6:17 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); whereupon, the City Council proceeded to meet in the Executive Conference Room. After the closed meeting ended at 6:37 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

CITY COUNCIL/STAFF WORK SESSION - CITY COUNCIL CHAMBER - 6:44 P.M.

- 3 Receive financial statement for period covering October 1, 2018, through June 30, 2019.

Debbie Mol, Director of Finance, presented the financial statement for period covering October 1, 2018, through June 30, 2019.

The work session ended at 6:58 p.m.

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

Tony Rorie, President, The Men and Ladies of Honor.

PLEDGE OF ALLEGIANCE

Friends of the Mesquite Public Library.

PRESENTATIONS

- 4 Presentation of a plaque to David Burris in recognition of his service as a member of the Mesquite Quality of Life Corporation Board of Directors.

Mayor Pickett presented a plaque to David Burris in recognition of his service as a member of the Mesquite Quality of Life Corporation Board of Directors from September 2014 through June 2019.

SPECIAL ANNOUNCEMENTS

- (1) Mr. Miklos stated that the next Small Business Workshop, "Marketing and Sales Strategies," will take place at City Hall, 757 North Galloway Avenue, on Tuesday, August 27, 2019, from 4:30 p.m. to 7:30 p.m. Anyone interested in starting a small business is encouraged to attend.
- (2) Mr. Miklos invited residents to attend a Town East/Astronaut streets/Range neighborhood meeting on Tuesday, August 20, 2019, at Town East Baptist Church, 3117 Town East Boulevard, and a Skyline/Range neighborhood meeting on Tuesday, August 27, 2019, at 7:00 p.m., at Rugel Elementary School, 2701 Sybil Drive.
- (3) Mr. Miklos stated that his youngest son began his senior year at Poteet High School today.
- (4) Mr. Boroughs stated that he had the opportunity to welcome students back to school this morning at Hanby Elementary School, which is the school he attended. He reminded citizens that some students walk and bike to school so please Drive Like Your Family Lives Here.
- (5) Mr. Boroughs stated that he served as a judge for several competitions at the recent Doggie Splash Day held at Vanston Pool. Families and their dogs enjoyed a fun day at the pool.
- (6) Mr. Aleman encouraged citizens to attend the free Courtyard Concert Series featuring "Plunk Murray" at the Mesquite Arts Center on Thursday, September 12, 2019, from 7:00 p.m. to 9:00 p.m., and enjoy contemporary Irish folk music.
- (7) Mr. Aleman invited residents to attend a Creek Crossing neighborhood meeting on Thursday, August 22, 2019, at 7:00 p.m., at The Crossing Baptist Church, 1060 Clay Mathis Road.
- (8) Mr. Aleman encouraged residents to pick up a copy of the new Fun Guide containing activities offered by the Mesquite Parks and Recreation Department.
- (9) Mr. Archer invited citizens to attend the Marketplace in Downtown Mesquite on Saturday, August 24, 2019, from 9:00 a.m. to 2:00 p.m. The Marketplace takes place every second and fourth Saturday through November offering produce, crafts and culinary items from local vendors and merchants.
- (10) Mr. Archer invited residents to meet at the corner of Woodcrest Drive and Hickory Tree Road to participate in the Edgemont Park neighborhood trash pick-up on Saturday, August 24, 2019, at 9:30 a.m.
- (11) Mr. Archer stated that long-time resident, Jane Cole, recently passed away and asked citizens to keep the Cole family in their prayers.

(12) Mr. Casper announced that the Mesquite Public Health Clinic, 1616 North Galloway Avenue, is offering extended back to school hours through Friday, August 23, 2019, from 8:00 a.m. to 4:00 p.m. Vaccines are \$14.00 per child and parents are reminded to bring complete shot records with them.

(13) Mayor Pickett thanked Councilmembers for welcoming students back to school today.

(14) Mayor Pickett thanked the Mesquite Animal Shelter staff, volunteers and rescue partners for last Saturday's "Clear the Shelter" event, which was a huge success. A total of 89 pets were adopted including a guinea pig. August 2019 marks the 24th month that the Animal Shelter has achieved a 90 percent or higher save rate. Over 6,000 animals were taken in last year regardless of the animal's condition or situation. Animal Shelter Manager Jeanne Saadi and her team are to be commended for their continued dedication and excellent job performance.

CITIZENS FORUM

(1) Jane Edwards, 4303 Via Barcelona, expressed support for the proposed City of Mesquite Dispatcher pay plan.

(2) Bob Bishop, 2312 Warm Springs Road, expressed support for a future YMCA to be located in Mesquite.

CONSENT AGENDA

Approval of the Consent Agenda

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

- 5** Minutes of the regular City Council meeting held August 5, 2019.

Approved on the Consent Agenda.

- 6** An ordinance amending Chapter 5 of the City Code thereby updating the regulations regarding exterior building products, materials and aesthetic methods.

Approved on the Consent Agenda.

Ordinance No. 4699, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 5 OF THE MESQUITE CITY CODE, AS AMENDED, BY DELETING SECTIONS 5-31 AND 5-32 IN THEIR ENTIRETY AND ADDING A NEW SECTION 5-19 THEREBY PROHIBITING REGULATIONS REGARDING BUILDING PRODUCTS, MATERIALS OR AESTHETIC METHODS USED IN THE CONSTRUCTION OR RENOVATION OF RESIDENTIAL OR COMMERCIAL BUILDINGS; PROVIDING A REPEALER CLAUSE; AND DECLARING AN EFFECTIVE DATE. (Ordinance No. 4699 recorded in Ordinance Book No. 117.)

- 7** An ordinance amending Chapter 9 of the City Code to reference the most current edition of the Texas Manual on Uniform Traffic Control Devices and the City of Mesquite Engineering Design Manual.

Approved on the Consent Agenda.

Ordinance No. 4700, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 9 OF THE MESQUITE CITY CODE, AS AMENDED, BY DELETING SECTIONS 9-86(a), 9-87(b), 9-87(c) AND 9-87(d) IN THEIR ENTIRETY AND

ADDING NEW SECTIONS 9-86(a), 9-87(b) AND 9-87(c) TO REFERENCE THE MOST CURRENT EDITION OF THE TEXAS MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES AND THE CITY OF MESQUITE ENGINEERING DESIGN MANUAL; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED FIVE HUNDRED (\$500.00) DOLLARS FOR EACH OFFENSE; AND DECLARING AN EFFECTIVE DATE. (Ordinance No. 4700 recorded in Ordinance Book No. 117.)

- 8 An ordinance amending Chapters 1, 3, 4, 5, 6, 7, 7.5, 8, 9, 10, 11, 12, 13, 14, 15 and 16 of the Mesquite City Code, removing all fees from those chapters, and codifying all fees in a new Appendix D, "Comprehensive Fee Schedule."

Approved on the Consent Agenda.

Ordinance No. 4701, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE CITY CODE, AS AMENDED, BY MAKING CERTAIN ADDITIONS AND DELETIONS IN CHAPTERS 1, 3, 4, 5, 6, 7, 7.5, 8, 9, 10, 11, 12, 13, 14, 15 AND 16 TO REMOVE ALL CITY FEES FROM THOSE CHAPTERS AND TO REFER TO THEIR LOCATION IN A NEW APPENDIX D, "THE COMPREHENSIVE FEE SCHEDULE," WHICH IS CREATED BY A SEPARATE, COMPANION ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00; AND PROVIDING AN EFFECTIVE DATE. (Ordinance No. 4701 recorded in Ordinance Book No. 117.)

- 9 An ordinance creating Appendix D to the Mesquite City Code entitled "Comprehensive Fee Schedule," thereby establishing a place where all fees for municipal services are located.

Approved on the Consent Agenda.

Ordinance No. 4702, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, CREATING A NEW APPENDIX D TO THE MESQUITE CITY CODE, ENTITLED "THE COMPREHENSIVE FEE SCHEDULE," THEREBY ESTABLISHING A PLACE WHERE ALL FEES FOR CITY SERVICES ARE LOCATED; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00; AND PROVIDING AN EFFECTIVE DATE. (Ordinance No. 4702 recorded in Ordinance Book No. 117.)

- 10 A resolution endorsing and accepting the 2019-2020 Comprehensive Safety Grant for the Selective Traffic Enforcement Program (the "STEP" Program); approving the contribution of City funds in the amount of \$12,610.60 and authorizing the City Manager to execute the necessary documents with the Texas Department of Transportation in connection with such grant and STEP Program.

Approved on the Consent Agenda.

Resolution No. 58-2019, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, ENDORSING AND ACCEPTING THE 2019-2020 TXDOT COMPREHENSIVE SAFETY GRANT (THE "GRANT") FOR THE SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (THE "STEP PROGRAM"); AUTHORIZING THE FILING OF THE APPLICATION FOR THE GRANT; APPROVING THE CONTRIBUTION OF CITY FUNDS IN THE AMOUNT OF \$12,610.60; DESIGNATING THE CITY MANAGER AS THE OFFICIAL REPRESENTATIVE OF THE CITY IN CONNECTION WITH THE GRANT; AND AUTHORIZING THE CITY MANAGER TO TAKE ALL ACTIONS AND

EXECUTE ALL DOCUMENTS IN CONNECTION WITH SUCH GRANT AND STEP PROGRAM. (Resolution No. 58-2019 recorded in Resolution Book No. 58.)

- 11 Bid No. 2019-098 - Town East 2.0 MG Elevated Water Tank Office Space Finish Out.
(Authorize the City Manager to finalize and execute a contract with low bidder Concord Commercial Services, Inc., in the amount of \$137,487.00.)
Approved on the Consent Agenda.
- 12 Bid No. 2019-101 - Annual Supply of Concrete.
(Staff recommends all bids be rejected.)
Approved on the Consent Agenda.
- 13 Authorize the City Manager to execute a Memorandum of Understanding with the University of California-Irvine for a research-practitioner partnership to evaluate the effectiveness and efficiency of the Mesquite Police Department's (MPD) deployment of personnel and strategic assets in the City of Mesquite.
Approved on the Consent Agenda.
- 14 Authorize the City Manager to execute a Memorandum of Understanding with the University of Texas at Dallas for a research-practitioner partnership to evaluate the effectiveness and efficiency of the Mesquite Police Department's (MPD) deployment of personnel and strategic assets in the City of Mesquite.
Approved on the Consent Agenda.
- 15 Authorize the City Manager to finalize and execute an Interlocal Agreement with the City of Ferris, Texas, to permit the transfer of animals.
Approved on the Consent Agenda.
- 16 Authorize the City Manager to finalize and execute Contract Amendment No. 2 to a contract with Prime Time Group, Inc., for right-of-way acquisition professional services in the amount of \$40,000.00.
Approved on the Consent Agenda.
- 17 Authorize the City Manager to finalize and execute a Third Amendment to Renew Interlocal Agreement with the Dallas County Hospital District d/b/a Parkland Health & Hospital System for Biomedical Online and Offline Medical Supervision in an amount not to exceed \$67,334.19 for Fiscal Year 2019-20, effective October 1, 2019, through September 30, 2020.
Approved on the Consent Agenda.
- 18 Approve Amendment No. 6 to the 2018-19 Police State Seizure Budget in accordance with Title 28, Section 524 of the United States Code and Chapter 59 of the Texas Code of Criminal Procedure in the amount of \$335,000.
Approved on the Consent Agenda.

OTHER BUSINESS

- 19 Consider calling a public hearing for September 3, 2019, 7:00 p.m., at City Hall, Council Chamber, 757 N. Galloway Ave., Mesquite, Texas 75149, and ordering the required public notice for the public hearing be given of the date, time and location of the hearing for the proposed 2019-20 budget.

Mr. Archer moved to call a public hearing for September 3, 2019, 7:00 p.m., at City Hall, Council Chamber, 757 N. Galloway Ave., Mesquite, Texas 75149, and order the required public notice for the public hearing be given of the date, time and location of the hearing for the proposed 2019-20 budget. Motion was seconded by Mr. Boroughs and approved unanimously.

PUBLIC HEARINGS

- 20 Conduct a public hearing to receive citizen input on the proposed Fiscal Year 2019-20 budget.

A public hearing was held to receive citizen input on the proposed 2019-20 annual municipal budget.

Debbie Mol, Director of Finance, stated that this is the second of three public hearings to allow citizen input regarding the proposed 2019-20 budget which is posted on the City's website and available to view in the City Secretary's Office. The City annually budgets for 34 different funds totaling \$254 million. The final public hearing on the budget will be held at the September 3, 2019, City Council meeting.

No one appeared regarding the proposed 2019-20 annual municipal budget.

- 21 Conduct a public hearing regarding the proposed fiscal year 2019-20 ad valorem tax rate of \$0.734 per \$100 valuation.

A public hearing was held regarding the proposed Fiscal Year 2019-20 ad valorem tax rate of \$0.734 per \$100 valuation.

Debbie Mol, Director of Finance, stated that this is the first public hearing for the tax rate and there is no proposed tax rate increase.

No one appeared regarding the proposed Fiscal Year 2019-20 ad valorem tax rate of \$0.734 per \$100 valuation.

Mayor Pickett announced "The vote on the tax rate will tax place on September 16, 2019, at 7:00 p.m., in the City Council Chamber, 757 North Galloway Avenue, Mesquite, Texas."

- 22 Conduct a public hearing and consider an ordinance for Application No. Z0519-0096 submitted by Pat Akins, Tack Team Investments, LLC, for a change of zoning from Agricultural to Planned Development - Single-family Residential to allow a single-family residential subdivision located at 6401 Shannon Road.

(No responses in favor or in opposition to the application have been received from property owners within the statutory notification area. The Planning and

Zoning Commission recommends approval with certain stipulations.)

A public hearing was held for Application No. Z0519-0096.

Jeff Armstrong, Director of Planning and Development Services, stated that the applicant proposes to construct a new single-family residential neighborhood located in the Cities of Mesquite, Dallas and Seagoville. The Mesquite portion will consist of 36 residential lots with three acres of green space to include a trail system and playground. The homes will start at \$300,000.00 with a minimum of 2,000 square feet.

Applicant Pat Atkins stated that the entire project is located within the Mesquite Independent School District's boundaries. K. Hovnanian Homes has committed to construct 100 percent of the project. The builder will comply with the City's current building standards which is 90 percent masonry. Mr. Atkins anticipates construction to begin January 2020. A mandatory homeowner's association will maintain the open spaces and screening wall.

No one appeared regarding the proposed amendment.

Mr. Miklos moved to approve Application No. Z0519-0096, as recommended by the Planning and Zoning Commission, with the following stipulations, adding Stipulation No. 5, as follows:

1. Except as provided herein, the plat and site plan for the Property shall conform substantially to the Concept Plan, attached to the ordinance as Exhibit "B."
2. The minimum living area for homes shall be 2,000 square feet.
3. A six-foot masonry wall and a 10-foot landscape buffer shall be provided along Shannon Road.
4. No home shall be of the same front elevation design as any other home within an eight-home/lot distance to each side nor across the street.
5. A mandatory homeowner's association shall be created and utilized to maintain the open space and the screening wall.

And to approve Ordinance No. 4703, AN ORDINANCE AMENDING THE MESQUITE ZONING ORDINANCE BY APPROVING A CHANGE OF ZONING FROM AGRICULTURE TO PLANNED DEVELOPMENT - SINGLE FAMILY RESIDENTIAL WITH AN UNDERLYING ZONING DISTRICT OF R2-A ON PROPERTY LOCATED AT 6401 SHANNON ROAD TO ALLOW FOR THE DEVELOPMENT OF A SINGLE-FAMILY SUBDIVISION 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. Boroughs and approved unanimously. (Ordinance No. 4703 recorded in Ordinance Book No. 117.)

23

Conduct a public hearing and consider an ordinance amending the Mesquite Subdivision Ordinance, thereby amending regulations related to the submittal and approval processes for plats.

(The Planning and Zoning Commission recommends approval of the subdivision text amendment.)

A public hearing was held for amending the Mesquite Subdivision Ordinance, thereby amending regulations related to the submittal and approval processes

for plats.

Jeff Armstrong, Director of Planning and Development Services, stated that Senate Bill (SB) 3167, known as the "Shot Clock" Bill, establishes very strict timelines on when the City must review and act on plats submitted to the City. Mr. Armstrong reviewed the proposed amendments established by SB 3167, which becomes effective September 1, 2019.

No one appeared regarding the proposed amendment.

Mr. Miklos moved to approve amending the Mesquite Subdivision Ordinance, as recommended by the Planning and Zoning Commission, and to approve Ordinance No. 4704, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING APPENDIX B OF THE MESQUITE CITY CODE, THE MESQUITE SUBDIVISION ORDINANCE, AS AMENDED, BY DELETING THE DEFINITION OF DIRECTOR OF COMMUNITY DEVELOPMENT IN ARTICLE II, DELETING ARTICLE III AND SECTION L IN ARTICLE V IN THEIR ENTIRETY, RENUMBERING SECTION M IN ARTICLE V TO SECTION N IN ARTICLE V AND ADDING A NEW DEFINITION FOR DIRECTOR OF PLANNING AND DEVELOPMENT SERVICES IN ARTICLE II, A NEW ARTICLE III AND NEW SECTIONS L AND M TO ARTICLE V THEREBY AMENDING REGULATIONS RELATED TO THE SUBMITTAL AND APPROVAL PROCESSES FOR PLATS; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE NOT TO EXCEED \$2,000.00 FOR EACH OFFENSE; AND DECLARING AN EFFECTIVE DATE. Motion was seconded by Mr. Archer and approved unanimously. (Ordinance No. 4704 recorded in Ordinance Book No. 117.)

24

Conduct a public hearing and consider an ordinance amending Chapter 13 of the City Code thereby updating regulations pertaining to the removal of an allowed existing billboard sign structure.

A public hearing was held for amending Chapter 13 of the City Code thereby updating regulations pertaining to the removal of an allowed existing billboard sign structure.

Jeff Armstrong, Director of Planning and Development Services, stated that the proposed ordinance is a repeal of the current billboard replacement ordinance.

No one appeared regarding the proposed amendment.

Mr. Casper moved to approve Ordinance No. 4705, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 13 OF THE MESQUITE CITY CODE, AS AMENDED, BY DELETING SECTION 13-73(d)(6) IN ITS ENTIRETY AND ADDING A NEW SECTION 13-73(d)(6) THEREBY UPDATING REGULATIONS PERTAINING TO THE REMOVAL OF AN ALLOWED EXISTING BILLBOARD SIGN STRUCTURE; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED \$500.00 DOLLARS FOR EACH OFFENSE; AND DECLARING AN EFFECTIVE DATE. Motion was seconded by Mr. Aleman and approved unanimously. (Ordinance No. 4705 recorded in Ordinance Book No. 117.)

25

Conduct a public hearing and consider possible action for Zoning Text Amendment No. 2019-03 amending Chapter 8 of the City Code by adding Article XIV entitled "Special Events and Parades" thereby establishing regulations pertaining to special events and parades; amending Chapters 3, 8, 9, 10 and

10.5 of the City Code pertaining to special events and amending Chapter 1 of the Mesquite Zoning Ordinance pertaining to special events.
(The Planning and Zoning Commission recommends approval of the zoning text amendment.)

Mr. Casper moved to postpone consideration of Zoning Text Amendment No. 2019-03 amending Chapter 8 of the City Code by adding Article XIV entitled "Special Events and Parades" thereby establishing regulations pertaining to special events and parades; amending Chapters 3, 8, 9, 10 and 10.5 of the City Code pertaining to special events and amending Chapter 1 of the Mesquite Zoning Ordinance pertaining to special events to the September 3, 2019, City Council meeting. Motion was seconded by Mr. Aleman and approved unanimously.

26

Conduct a public hearing and consider a resolution repealing Resolution No. 44-2019 and approving a Chapter 380 Agreement with MM Mesquite 50, LLC, (the "Developer"), authorizing the City Manager to negotiate, finalize and execute all documents necessary or advisable to complete the sale of an approximately 5.315-acre tract of City-owned property located within the Mesquite Rodeo City Reinvestment Zone Number One, to the Developer, providing a grant to the Developer, the City tract to be developed as part of the Iron Horse Project and authorizing the City Manager to administer the agreement on behalf of the City.

(This item was postponed at the July 15, 2019, and August 5, 2019, City Council meetings.)

Mr. Miklos left the meeting.

A public hearing was held to consider a Chapter 380 agreement with MM Mesquite 50, LLC, for the sale of an approximately 5.315-acre tract of City-owned property to be developed as part of the Iron Horse Project.

Ted Chinn, Assistant City Manager, stated that the proposed Chapter 380 Agreement is part of the Master Development Agreement for the Iron Horse Village development and defines the terms and conditions of the conveyance of the City-owned tract.

No one appeared regarding the proposed Chapter 380 agreement.

Mr. Aleman moved to approve Resolution No. 59-2019, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, REPEALING RESOLUTION NO. 44-2019; APPROVING THE TERMS AND CONDITIONS OF A PROGRAM TO PROMOTE LOCAL ECONOMIC DEVELOPMENT AND STIMULATE BUSINESS AND COMMERCIAL ACTIVITY IN THE CITY; 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; 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. Archer. On call for a vote on the motion, the following votes were cast:

Ayes: Aleman, Archer, Pickett, Boroughs, Casper

Nays: None

Absent: Noschese

Abstentions: Miklos

Motion carried. (Resolution No. 59-2019 recorded in Resolution Book No. 58.)

ADJOURNMENT

Mr. Casper moved to adjourn the meeting. Motion was seconded by Mr. Aleman. On call for a vote on the motion, the following votes were cast:

Ayes: Casper, Aleman, Pickett, Boroughs, Archer

Nays: None

Absent: Noschese

Abstentions: Miklos

Motion carried. The meeting adjourned at 8:00 p.m.

Attest:

Approved:

Sonja Land, City Secretary

Stan Pickett, Mayor