



# City of Mesquite, Texas

## Minutes - Final City Council

Monday, April 15, 2024

5:00 PM

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

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

Absent: Councilmember Tandy Boroughs

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

### **AGENDA REVIEW**

### **EXECUTIVE SESSION - COUNCIL CONFERENCE ROOM - 5:43 P.M.**

Mayor Alemán announced that the City Council would meet in Executive Session pursuant to Section 551.072 of the Texas Government Code to discuss the purchase, exchange, lease or value of real property (Item No. 18 - Discuss exchange of property on Faithon P. Lucas, Sr., Boulevard); whereupon the City Council proceeded to meet in the Council Conference Room. After the closed meeting ended at 6:06 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

### **CITY COUNCIL/STAFF WORK SESSION - CITY COUNCIL CHAMBER - 6:10 P.M.**

- 1 Receive presentation regarding the 2023 Meritorious Conduct Awards to Police Department employees.

**Police Chief David Gill introduced Sergeant Curtis Phillip who introduced the recipients of the 2023 Police Department Meritorious Conduct Awards.**

**Sergeant Phillip stated that the 2023 Police Department Meritorious Conduct Awards recognizes the achievement and outstanding service of members of the Mesquite Police Department and citizens of Mesquite.**

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

**Sergeant H. Kent Tyler Award (Officer of the Year) - Prudencio Solis**

**Civilian of the Year – Ellen Onorato**

**Life Saving Award – Mario Barrera, Chad Copeland, Jack Fyall, Steven Hood, Robert Keith, Dwayne King, Kody Martinez, Richard Ocnaschek, Mark Reinhart, Lance Thomas, Samuel Vasquez, Jerry Walzel, and Paul Wathen**

**Police Shield – Christopher Odom**

Certificate of Merit - Anthony Arredondo, Robert Carlson, Jack Fyall, Corey Horn, Robert Keith, Iman Khatib, Preston Moehring, Johnny Nance, Ryan Nielsen, Philip Offutt, Aaron Paredes, Robert Pruser, Prudencio Solis, and Joshua Troquille

Citizen's Certificate of Merit - Ebony Contreras, Karim Daya, Jessica Olguin, Tammi Payton, and Angel Jesus Colorado Vasquez

The work session ended at 6:46 p.m.

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

### **INVOCATION**

Kelly James, Pastor, Pathway of Life, Dallas, Texas.

### **PLEDGE OF ALLEGIANCE**

Dallas Children's Advocacy Center on behalf of the Mesquite Police Department.

### **SPECIAL RECOGNITION**

- 2 Recognize staff members from Pioneer Technology & Arts Academy.

Police Chief David Gill stated that this award was recommended by the Meritorious Conduct Board. Several Mesquite Police Officers, who serve on the Meritorious Conduct Board, responded to and investigated the February 19, 2024, incident at Pioneer Technology & Arts Academy on Oates Drive. Chief Gill presented Pioneer Technology & Arts Academy Principal Patrice Whitten, Assistant Principal Nija Higgins and Counselor Briana Williams with a Citizen's Certificate of Merit for their courage and leadership during this incident.

### **SPECIAL ANNOUNCEMENTS**

1. Mr. Casper invited citizens to attend Doggy Derby Day on Saturday, April 20, 2024, from 10:00 a.m. to 1:00 p.m., at Opal Lawrence Historical Park, 701 East Kearney Street. This free Kentucky Derby-themed event will include a doggy hat decorating station, best hat contest for dogs and treats for pets and humans. Mesquite Animal Services will be on-site offering pet adoptions along with \$10.00 microchipping for pets. All dogs must show proof of vaccination and be leashed at all times.
2. Mr. Casper invited citizens to attend a District 1 Neighborhood Meeting and Picnic on Saturday, April 27, 2024, at 12:30 p.m., at the Florence Ranch Homestead, 1424 Barnes Bridge Road.
3. Mr. Green encouraged citizens to sign up for Mesquite Alerts to receive real-time notifications with accurate, reliable information regarding emergencies, weather and news that pertains to particular neighborhoods. Citizens can choose to receive alerts via text message, recorded phone message or email.

4. Mr. Green stated that the City of Mesquite Utility Billing Office will soon be adjusting in-person office hours and the cash handling policy. Beginning Monday, May 6, 2024, in-person hours will be 10:00 a.m. to 5:00 p.m., Monday through Friday. This change will allow employees to process online requests, which includes applications for new service, leak adjustment requests and requests to disconnect service. Also, the Utility Billing Office will no longer provide change in amounts less than one dollar. Any change due to the customer, less than one dollar, will be automatically applied as a credit to the residents' next bill. Cash customers may still pay with exact change. Making this change will provide efficiencies to save on costs.

5. Ms. Rodriguez-Ross announced that Trash Bash, hosted by Keep Mesquite Beautiful, Inc., will be held on Saturday, April 27, 2024, from 8:00 a.m. to Noon. This city-wide event provides families, neighbors and groups an opportunity to help beautify the community. Volunteers are requested to pre-register to help event organizers coordinate supplies and cleanup site locations.

6. Ms. Rodriguez-Ross congratulated Director of Library Services Virginia Mundt and the entire Library staff for receiving the 2023 Achievement of Library Excellence Award from the Texas Municipal Library Directors Association. This is the 8th consecutive year that Mesquite has received this award. Only 84 out of 545 Texas public library systems earned this prestigious honor for 2023.

7. Mr. Smith encouraged families to participate in Mesquite's Family Fish event on Saturday, April 20, 2024, from 9:00 a.m. to Noon, at City Lake Park, 200 Parkview Street. While supplies last, the first 100 kids will receive a free fishing rod. Fishing bait, hooks and other materials will not be provided. Family Fish attendees will have the opportunity to participate in the smallest and largest fish tournaments for prizes.

8. Mr. Smith invited citizens to attend a District 5 Neighborhood Meeting and Picnic on April 20, 2024, at 11:00 a.m., at Rutherford Recreation Center, 900 Rutherford Drive.

9. Mr. Murden announced that the Friends of the Mesquite Public Library will host the Spring Book Sale on Friday, April 26, 2024, from 9:00 a.m. to 5:00 p.m., and Saturday, April 27, 2024, from 9:00 a.m. to 3:00 p.m., at the Mesquite Main Library, 300 West Grubb Drive. This semi-annual sale benefits the Mesquite Public Library system and features gently used books and DVDs. Items may include children's books, fiction, cookbooks, popular movies and more, available at a reasonable cost. The book sales are vital to the Library because they pay for programs, prizes and giveaways, artwork at the Library and much more. Cash or checks are the only payment forms accepted.

10. Mayor Alemán thanked everyone who participated in the Solar Rodeo events. Thousands of visitors came to Mesquite to view the solar eclipse from countries including Spain, England, Scotland, Germany and Nicaragua as well as from 14 states. The Solar Rodeo began with the Rodeo Parade and Downtown Farmer's Market opening. Throughout the weekend, the City hosted concerts, dance parties, art events and many more activities. On the day of the solar eclipse, Monday, April 8, 2024, the City had multiple eclipse-watching parties around town. It took an army of people to coordinate these and everyone did a great job. Mayor Alemán thanked the Parks and Recreation Department, Downtown Mesquite, Mesquite Arts Center, Historic Mesquite, Inc., and Dallas College – Eastfield campus for hosting events. During the solar eclipse in Mesquite, there was an engagement and a wedding. Mesquite was the site of the Associated Press' eclipse live stream in Texas and more than 2.5 million people around the world watched. Special thanks goes to Javan Gonzalez with the Mesquite Convention and Visitors Bureau, Beverly Abell with Downtown Mesquite, and Kim Buttram with the Economic Development Department for coordinating and organizing the Solar Rodeo. He also thanked all Public Safety personnel for keeping everyone safe. This was truly a once-in-a-lifetime experience.

11. Mayor Alemán invited citizens to celebrate Cinco de Mayo in Downtown Mesquite at Front Street Station on Saturday, May 4, 2024, from Noon to 5:00 p.m. The festivities will include authentic Mexican food and artisanal vendors, folklórico dancers and live music including local singers, a kids activity area with free arts and crafts and piñata breaks, and a jalapeño-eating contest. Mayor Alemán recognized last year's jalapeño-eating contest winner, Millie Arnold, who was in attendance tonight. If you are interested in being a vendor at the event to sell food or merchandise, applications are open until 5:00

p.m., on Friday, April 26, 2024. He thanked the Hispanic Forum of Mesquite for partnering with the City for this fiesta.

12. Mayor Alemán recognized Dallas County Commissioner Teresa Daniels who was in attendance at tonight's meeting.

### **CITIZENS FORUM**

1. Henry Brown, 211 Athel Drive, announced that April is Minority Health Month. The Mesquite NAACP, along with the Hispanic Forum of Mesquite, will host a Mesquite Minority Awareness Health Fair on Saturday, April 27, 2024, from 11:00 a.m. to 3:00 p.m., at Goodbar Recreation Center, 3000 Concord Drive. The public is invited to attend.

2. Sam Hylton, 1713 Chapman Drive, expressed support for the implementation of public transportation in Mesquite, improvement of City streets and removal or renovation of dilapidated buildings.

### **CONSENT AGENDA**

#### **Approval of the Consent Agenda**

**Mr. Casper 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 April 1, 2024.

**Approved on the Consent Agenda.**

- 4 A resolution supporting passage of the Railway Safety Act of 2023 (S.576/H.R.1674) to support America's first responders and keep trains moving safely in communities.

**Approved on the Consent Agenda.**

**Resolution No. 17-2024, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, SUPPORTING PASSAGE OF THE RAILWAY SAFETY ACT OF 2023 (S.576/H.R.1674) TO SUPPORT AMERICA'S FIRST RESPONDERS AND KEEP TRAINS MOVING SAFELY IN COMMUNITIES. (Resolution No. 17-2024 recorded in Resolution Book No. 69.)**

- 5 Bid No. 2024-055 - Lakeside Addition Sanitary Sewer.  
(Authorize the City Manager to finalize and execute a contract with low bidder Douglas Dailey Construction, LLC in the amount of \$1,472,416.00.)

**Approved on the Consent Agenda.**

- 6 Bid No. 2024-099 - Purchase of One Backhoe for Utilities.  
(Staff recommends award to RDO Equipment Company, through Sourcewell Contract No. 011723-JDC, in an amount not to exceed \$129,657.27.)

**Approved on the Consent Agenda.**

- 7 Bid No. 2024-100 - Annual Lease Agreement for Accuriopress C4080 Color Printer with Booklet Maker.  
(Authorize the City Manager to finalize and execute a contract and any required documents with Konica Minolta Business Solutions U.S.A., Inc., through

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Sourcewell Contract No. 030321-KON, in an amount not to exceed \$216,569.20. The term of this lease is for 60 months, subject to annual appropriation of sufficient funds.)

**Approved on the Consent Agenda.**

- 8 Bid No. 2024-103 - Purchase of Two Roll-Off Trucks for Commercial Solid Waste.  
(Staff recommends award to Bruckner Truck Sales, through HGAC Contract No. HT06-20, in an amount not to exceed \$446,989.00.)

**Approved on the Consent Agenda.**

- 9 Authorize the Mesquite Fire Department's participation in the Texas Task Force 1 and 2, approve the Texas Task Force Memorandum of Understanding (MOU) between the City of Mesquite and Texas A&M Engineering Extension Service (TEEX), and authorize the Fire Chief's execution of the MOU.

**Approved on the Consent Agenda.**

- 10 Authorize the City Manager to finalize and execute Change Order Nos. 4 and 5 to Bid No. 2023-082, Utility Relocation for CSJ: 0095-10-033 (U.S. Highway 80 from Interstate Highway 30 to Gus Thomasson Road), with ANA Site Construction, LLC for additional services required in the total amount of \$518,985.90.

**Approved on the Consent Agenda.**

- 11 Authorize the Police Chief to finalize and execute a Task Force Agreement Pertaining to Use of Mesquite Police Department Body-Worn Cameras by Deputized Task Force Officers between the Mesquite Police Department and Drug Enforcement Administration.

**Approved on the Consent Agenda.**

- 12 Authorize the City Manager to finalize and execute Amendment No. 1 to the Consulting Services Contract with Nathan James Tyler, dba Tin Can Golf Instruction, to provide golf lessons at the Mesquite Golf Club and authorizing four additional one-year renewal options with fees for each renewal year not to exceed \$49,500.00, subject to the annual appropriation of sufficient funds.

**Approved on the Consent Agenda.**

- 13 Approve Amendment No. 3 to the 2023-24 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 \$323,500.00.

**Approved on the Consent Agenda.**

## **PUBLIC HEARINGS**

- 14 Conduct a public hearing to gather input from residents on the proposed changes regarding an update to the Water Conservation Plan and Water Resource and Emergency Management Plan as required by the Texas

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Commission on Environmental Quality (TCEQ) and the Texas Water Development Board.

A public hearing was held regarding an update to the Water Conservation Plan and Water Resource and Emergency Management Plan.

Joey Arriaga, Manager of Utilities, stated that in conjunction with the North Texas Municipal Water District (NTMWD) and all Member Cities, Mesquite is updating the existing Water Conservation Plan and Water Resource and Emergency Management Plan with standardized drought response designations and water conservation measures designed to enhance the sustainability of the region's water resources.

Proposed changes include:

**Water Conservation Plan**

- 2.01 Description of the Service Area - include the Markout Water System that was taken over by the City of Mesquite in August of 2022.
- 2.02 Water Utility Profile - include the purchase of treated water from the City of Forney.
- 4.01 Metering Program - include the replacement of all 43,000+ meters with an AMI system and Neptune Mach 10 R900i Ultrasonic meters.

**Water Resource and Emergency Management Plan - No Changes**

At the May 6, 2024, City Council meeting, staff will present an ordinance for consideration adopting the revised Water Conservation Plan and Water Resource and Emergency Management Plan.

No one appeared regarding an update to the Water Conservation Plan and Water Resource and Emergency Management Plan.

15

Conduct a public hearing and consider a resolution supporting Town East Trails Realty, LP's application to the Federal Home Loan Bank of Dallas for a grant that supports affordable housing for the construction of a 76-unit, senior-restricted affordable multi-family rental housing development to be located at 1220 North Town East Boulevard on the northeast corner of Poteet Drive and Independence Drive and authorizing the City Secretary to certify the Resolution to the Federal Home Loan Bank Board.

A public hearing was held to consider a resolution supporting Town East Trails Realty, LP's application to the Federal Home Loan Bank of Dallas.

Jeff Armstrong, Director of Planning and Development Services, stated the applicant received an award for 9% tax credits from the Texas Department of Housing and Community Affairs in 2023. The City Council approved a resolution of support for the project in February 2023. In August 2023, the City Council approved rezoning of the property to entitle the 76-unit senior-restricted multifamily project. The Federal Home Loan Bank of Dallas recently announced a grant program to assist affordable housing projects in the area. The applicant is applying for a grant which also requires a resolution of support from the City. The grant application is due to the Federal Home Loan Bank of Dallas by the end of April.

Applicant Alan Naul, representing The Javelin Group, stated that the grant award

will help provide more programming for the senior residents and will allow for them to bring in outside experts to develop the programs.

No one appeared regarding the proposed resolution.

Mr. Green moved to approve Resolution No. 18-2024, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, SUPPORTING TOWN EAST TRAILS REALTY, LP'S APPLICATION TO THE FEDERAL HOME LOAN BANK OF DALLAS FOR A GRANT THAT SUPPORTS AFFORDABLE HOUSING FOR THE CONSTRUCTION OF A 76-UNIT, SENIOR-RESTRICTED AFFORDABLE MULTI-FAMILY RENTAL HOUSING DEVELOPMENT TO BE LOCATED AT 1220 NORTH TOWN EAST BOULEVARD ON THE NORTHEAST CORNER OF POTEET DRIVE AND INDEPENDENCE DRIVE; AND AUTHORIZING THE CITY SECRETARY TO CERTIFY THE RESOLUTION TO THE FEDERAL HOME LOAN BANK BOARD. Motion was seconded by Mr. Casper and approved unanimously. (Resolution No. 18-2024 recorded in Resolution Book No. 69.)

16

Conduct a public hearing and consider an ordinance for Zoning Application No. Z0224-0345, submitted by Emily Zoellner of Manhard Consulting, for a change of zoning from Commercial and R-2 Single-Family Residential to Planned Development - Commercial to allow an office warehouse development with modified development standards, located at 21900, 22000 and 22100 Interstate Highway 635.

(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 regarding Zoning Application No. Z0224-0345.

Jeff Armstrong, Director of Planning and Development Services, stated that the applicant proposes to develop an office-warehouse development consisting of three buildings on the subject property. The three buildings would range in size from 58,000 to 95,000 square feet in area. The total site is approximately 51 acres, but only 14 acres are buildable. The remaining acreage is located in the floodplain. The applicant intends to request reclamation of approximately one acre of the floodplain for development from the Federal Emergency Management Agency (FEMA). Mr. Armstrong stated that his office received 16 letters in opposition from property owners outside of the statutory notification area.

Applicant Taylor Mitcham, representing Creation RE, LLC, presented an overview of the proposed development. He stated that the building design is intended for smaller users such as showrooms, retail and offices that also have a distribution component and because of this, there will not be as many trucks and trailers coming and going from the property.

The following persons expressed opposition to the proposed application: (1) Susan Cumby, 1027 South Beltline Road; (2) J.D. Butcher, 1021 South Beltline Road; (3) Terri White, 505 Riggs Circle; (4) Daniel Merrill, 1101 Tosch Lane; (5) John Cawthon, 1304 Majors Drive; (6) Ron Smith, 622 Creekbend Drive; and (7) Georgianna Connell, 524 Kathy Drive.

Dennis W. Connell, 524 Kathy Drive, submitted a registration card expressing opposition to the proposed application but did not wish to speak.

Mr. Green moved to keep the public hearing open and to postpone consideration of Zoning Application No. Z0224-0345 to the May 6, 2024, City Council meeting. Motion was seconded by Mr. Casper and approved unanimously.

17

Conduct a public hearing and consider an ordinance revising the City Code by making a Zoning Ordinance Text Amendment, ZTA No. 2024-02, thereby revising Appendix C - Zoning Ordinance; Part 2 (Residential Districts) for the purpose of updating the City's ordinances regarding parking requirements for multifamily residential development.

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

**A public hearing was held regarding Zoning Text Amendment No. 2024-02.**

Jeff Armstrong, Director of Planning and Development Services, stated that staff proposes amendments to the parking requirements for multifamily residential uses. The proposed amendments would base parking on the number of bedrooms in each unit and require additional spaces when within proximity to single-family homes, schools, and parks. The proposed amendments would also set a parking standard of 1.25 spaces per unit for age-restricted multifamily communities.

No one appeared regarding the proposed Zoning Text Amendment.

Ms. Rodriguez-Ross moved to approve Zoning Text Amendment No. 2024-02, as recommended by the Planning and Zoning Commission, with the following modification:

The number of parking spaces for standard multifamily developments shall be provided based on the number of bedrooms in each dwelling unit as follows:

(a) Studio/Efficiency: 1.5 spaces per unit.

Motion was seconded by Mr. Murden. On call for a vote on the motion, the following votes were cast:

**Ayes: Rodriguez-Ross, Murden**

**Nayes: Alemán, Smith, Casper, Green**

**Absent: Boroughs**

**Motion failed.**

Mr. Green moved to approve Zoning Text Amendment No. 2024-02, as recommended by the Planning and Zoning Commission. Motion was seconded by Mr. Casper. On call for a vote on the motion, the following votes were cast:

**Ayes: Green, Casper, Alemán**

**Nayes: Smith, Rodriguez-Ross, Murden**

**Abstent: Boroughs**

**Motion failed.**

Mr. Green moved to postpone consideration of Zoning Text Amendment No. 2024-02 until the May 6, 2024, City Council Meeting. Motion was seconded by Mr. Casper and approved unanimously.

**ADJOURNMENT**

Mr. Green moved to adjourn the meeting. Motion was seconded by Ms. Rodriguez-Ross and approved unanimously. The meeting adjourned at 8:36 p.m.

Attest:

Approved:

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Sonja Land, City Secretary

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Daniel Alemán, Jr., Mayor