



# City of Mesquite, Texas

## Minutes - Final City Council

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Monday, December 4, 2023

5:00 PM

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

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

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

#### **AGENDA REVIEW**

#### **STAFF PRESENTATIONS**

- 1                      Receive presentation regarding proposed changes to residential solid waste service.  
  
                            **Council directed staff to proceed with discussed changes to residential solid waste service.**
- 2                      Receive presentation regarding the City of Mesquite Housing Assessment.

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

Mayor Alemán announced that the City Council would meet in Executive Session pursuant to Section 551.071 of the Texas Government Code to conduct a private consultation with its attorney related to pending or contemplated litigation; a settlement offer; and issues in which there exists a duty of the City Attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas (Agenda Item Nos. 36 and 37); whereupon, the City Council proceeded to meet in the Council Conference Room. After the closed meeting ended at 7:02 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

### **REGULAR CITY COUNCIL MEETING - CITY COUNCIL CHAMBER - 7:06 P.M.**

#### **INVOCATION**

Pastor Jim Burt, Oates Drive Baptist Church, Mesquite, Texas.

**PLEDGE OF ALLEGIANCE**

Members of the Mesquite Metro AMBUCS.

Debbie Gandy, President of the Mesquite Metro AMBUCS, presented a check in the amount of \$2,500.00 in support of the Weather Activated Relief for Mesquite (WARM) program.

**SPECIAL ANNOUNCEMENTS**

1. Mr. Casper expressed appreciation to Director of Parks and Recreation Elizabeth Harrell for a very successful Christmas in the Park last weekend.
2. Mr. Casper stated that it's time to sign up for fun winter-break activities. Kids in Kindergarten through 5th grade can gather with friends, play games and sports, and make crafts through the Parks and Recreation Department's Winter Camps. The camps are offered in two sessions. Session 1 is Tuesday, December 26, 2023, to Friday, December 29, 2023. Session 2 is Tuesday, January 2, 2023, to Friday, January 5, 2023. The fee is \$20.00 per day for residents and \$30.00 per day for non-residents. The registration deadline is Thursday, December 21, 2023, for Session 1 and Thursday, December 28, 2023, for Session 2. Parents can register their kids for a few days or the entire week. Winter Camps will be held at Dunford Recreation Center from 7:00 a.m. to 6:00 p.m. Teen Winter Camps for students in 6th through 8th grades also will be held. Pricing, dates and locations are the same. Register online at [www.cityofmesquite.com/HolidayCamps](http://www.cityofmesquite.com/HolidayCamps).
3. Mr. Green stated that Historic Mesquite, Inc., invites citizens to Christmas at the Ranch. This event will be held at the Florence Ranch Homestead, 1424 Barnes Bridge Road, on Saturday, December 9, 2023, from 10:00 a.m. to 1:00 p.m., which will be decorated for a traditional Christmas with real greenery and old-fashioned garland. The Florence Ranch house was built in 1871 and will be available during this event and throughout the holiday season for photo opportunities.
4. Ms. Rodriguez-Ross stated that through its Hispanic community outreach program, the Mesquite Police Department is hosting the third annual Noche de Fiesta celebration. This free, family friendly event celebrates Latin American culture and the Christmas season. Come enjoy music, ballet folkórico, matachines, hot chocolate, Hispanic pastries and more. Santa Claus will make an appearance to distribute toys to children. Noche de Fiesta will be from 5:30 p.m. to 8:30 p.m., on Friday, December 15, 2023, at Mesquite High School, 300 East Davis Street.
5. Mr. Boroughs stated that this holiday season, help Mesquite business owners and the local economy by "shopping local." Sales tax revenue makes up more than 25 percent of the City's general fund, which provides the financial resources for most City services for residents and their families. The largest portion of the general fund goes toward public safety – our Police and Fire Departments and 911 Dispatch. The general fund also supports Mesquite Animal Services, the Parks and Recreation Department and a variety of quality-of-life programs. The City has provided a webpage to help with alternate driving directions to shoppers for key destinations in Mesquite, such as Town East Mall. Visit [www.cityofmesquite.com/ShoppingRoutes](http://www.cityofmesquite.com/ShoppingRoutes) so you can shop more and sit in traffic less. Learn more about Mesquite's variety of shopping options at [www.ShopMesquiteTX.com](http://www.ShopMesquiteTX.com).

6. Mr. Boroughs stated that Mesquite Firefighter Jody McPherson began his career with the Mesquite Fire Department (MFD) on May 30, 2006, and received his paramedic certification in February 2008. In his 17½ years with the MFD, Jody worked as a Firefighter/Paramedic on C Shift at Fire Stations 2 and 7. He was promoted to Driver-Engineer on September 17, 2017, and moved to A Shift at Fire Station 3 where he was assigned as a Driver. Jody grew up in Edgewood, Texas, and graduated from Edgewood High School in 1994. He went on to earn a Bachelor's Degree in Science and Mathematics Education from Southern Arkansas University in May 1999, with Magna cum Laude honors. He played in college basketball and was a high school Coach in Terrell and Wills Point, Texas, before becoming a Mesquite Firefighter. Jody and his wife, Brandi, have been married for 24 years and have 2 daughters, Brooklyn and Blair and son, Trey, who joined the Mesquite Fire Department in May 2023 and graduated from the Fire Academy last month. Jody began experiencing symptoms of unknown origin and was ultimately diagnosed with a variant of Creutzfeldt-Jakob-Disease (vCJD). There is no known treatment for this disease. In the last few weeks, Jody's health has declined very rapidly. He was released from UT Southwestern Medical Center on November 27, 2023, and was escorted by Fire Station 3 crew, fellow firefighters and officers of the Mesquite Police Department and Texas Department of Public Safety to a nursing facility close to his home. Mr. Boroughs stated that he worked with Jody for many years before retiring nine years ago. He thanked all of the Firefighters who stood on the bridges as they took Jody home. Mr. Boroughs stated that Jody may not make it through the end of this year. Garland and Richardson Fire Departments manned Mesquite Fire Stations so that Mesquite Firefighters could be with Jody. On the way home, they drove through Sunnyvale, who had their fire trucks on the bridges along with Terrell and several other East Texas Fire Departments. Mr. Boroughs asked that citizens keep Jody and his family in their prayers. Mr. Smith followed with a prayer for Jody and his family.

7. Mr. Smith stated that with colder weather setting in, wildlife oftentimes wanders into residential areas to find food. Mesquite Animal Services has received calls recently regarding coyote sightings. At your home, you can reduce encounters with coyotes by not setting your trash out until the morning of pick up, keeping bird feeders and pet-food containers indoors overnight and not letting your pets run loose, which is prohibited by City ordinance. Visit [www.cityofmesquite.com/Coyotes](http://www.cityofmesquite.com/Coyotes) for a list of tips and precautions. If you see a coyote that appears to be sick, injured or acting aggressively or if you know of a coyote living in your neighborhood, please report this through the myMesquite platform or call Mesquite Animal Services at 972-216-6283.

8. Mr. Smith invited citizens to attend a Rutherford Neighborhood Meeting on Thursday, December 7, 2023, at 7:00 p.m., at Rutherford Recreation Center, 900 Rutherford Drive.

9. Mr. Murden stated that the Mesquite Arts Theatre presents "It's a Wonderful Life: A Live Radio Play" through Sunday, December 17, 2023. The show is based on a classic holiday movie but staged as a live radio broadcast. Showtimes are 7:30 p.m., on Fridays and Saturdays, and 2:30 p.m., on Sundays. The Mesquite Community Band will present "Sounds of the Season" at 7:00 p.m., on Tuesday, December 9, 2023, at the Mesquite Arts Center, 1527 North Galloway Avenue. The concert is free and open to the public. Then on Tuesday, December 16, 2023, the Mesquite Symphony Orchestra, joined by the Sunnyvale and Poteet High School Choirs, will give two back-to-back performances of its annual holiday concert, "A Winter Celebration." The first show will be from 5:00 p.m. to 6:30 p.m. and the second show will be from 7:30 p.m. to 9:00 p.m.

10. Mayor Alemán stated that highway signs were installed last Friday, December 1, 2023, on Interstate 635 designating the highway section from LaPrada Drive to Cartwright Road and Bruton Road as the Officer Richard Houston II Memorial Highway. The timing of the sign installation is important. The Texas Department of Transportation installed the signs in time for the second anniversary of Officer Houston's death. Officer Houston, who was a 20-year veteran of the Mesquite Police Department, was slain in the line of duty on December 3, 2021. We are grateful to Mesquite Police Association Charities for all of their hard work raising the funds necessary to purchase the signs so that the community has a visual reminder of Officer Houston's sacrifice and legacy.

11. Mayor Alemán praised the efforts of Downtown Development Manager Beverly Abell and Director of

Parks and Recreation Elizabeth Harrell and staff for a successful Christmas on the Square and Christmas in the Park.

## **CITIZENS FORUM**

Ron Ward, 430, Running Brook Lane, expressed support for creating a youth advisory board and thanked the City Council and Director of Parks and Recreation Elizabeth Harrell for the recently approved Westlake Skate Park.

## **CONSENT AGENDA**

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

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

- 3 Minutes of the regular City Council meeting held November 20, 2023.

**Approved on the Consent Agenda.**

- 4 An ordinance regarding the City's Municipal Retirement System (TMRS) benefits adopting annually accruing updated service credits and an annuity increase, also referred to as cost of living adjustments (COLAs) for retirees and their beneficiaries.

**Approved on the Consent Agenda.**

**Ordinance No. 5084, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, REGARDING THE CITY'S MUNICIPAL RETIREMENT SYSTEM BENEFITS ADOPTING ANNUALLY ACCRUING UPDATED SERVICE CREDITS AND TRANSFER UPDATED SERVICE CREDITS AND AN ANNUITY INCREASE, ALSO REFERRED TO AS COST OF LIVING ADJUSTMENTS (COLAS) FOR RETIREES AND THEIR BENEFICIARIES; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE. (Ordinance No. 5084 recorded in Ordinance Book No. 131.)**

- 5 An ordinance establishing the classifications and total number of authorized positions in each classification of the Mesquite Fire Department as of January 1, 2024.

**Approved on the Consent Agenda.**

**Ordinance No. 5085, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, ESTABLISHING THE CLASSIFICATIONS AND TOTAL NUMBER OF AUTHORIZED POSITIONS IN EACH CLASSIFICATION OF THE MESQUITE FIRE DEPARTMENT AS OF JANUARY 1, 2024; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE. (Ordinance No. 5085 recorded in Ordinance Book No. 131.)**

- 6 An ordinance establishing the classifications and total number of authorized positions in each classification of the Mesquite Police Department as of January 1, 2024.

**Approved on the Consent Agenda.**

**Ordinance No. 5086, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, ESTABLISHING THE CLASSIFICATIONS AND TOTAL NUMBER OF AUTHORIZED POSITIONS IN EACH CLASSIFICATION OF THE MESQUITE POLICE DEPARTMENT AS OF JANUARY 1, 2024; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE. (Ordinance No. 5086 recorded in Ordinance Book No. 131.)**

7

A resolution authorizing the submission of the 2022 Community Development Block Grant Programs Consolidated Annual Performance and Evaluation Report (CAPER) to the U.S. Department of Housing and Urban Development (HUD).

**Approved on the Consent Agenda.**

**Resolution No. 60-2023, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE SUBMISSION OF THE 2022 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAMS CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER) TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD). (Resolution No. 60-2023 recorded in Resolution Book No. 68.)**

8

A resolution approving a First Amendment to Memorandum of Understanding between the City of Mesquite and Mesquite Police Association under Subchapter B of Chapter 142 of the Texas Local Government Code effective as of December 4, 2023, and remaining in effect through September 30, 2026; and authorizing the City Manager to execute the amendment and take all actions necessary or requested to carry out the terms and provisions of the amendment.

**Approved on the Consent Agenda.**

**Resolution No. 61-2023, A RESOLUTION OF THE CITY COUNNCIL OF THE CITY OF MESQUITE, TEXAS, APPROVING A FIRST AMENDMENT TO MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF MESQUITE AND MESQUITE POLICE ASSOCIATION UNDER SUBCHAPTER B OF CHAPTER 142 OF THE TEXAS LOCAL GOVERNMENT CODE EFFECTIVE AS OF DECEMBER 4, 2023, AND REMAINING IN EFFECT THROUGH SEPTEMBER 30, 2026; AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AMENDMENT AND TAKE ALL ACTIONS NECESSARY OR REQUESTED TO CARRY OUT THE TERMS AND PROVISIONS OF THE AMENDMENT. (Resolution No. 61-2023 recorded in Resolution Book No. 68.)**

9

**Bid No. 2024-005 - Annual Contract for Emergency Equipment Installation.**

(Staff recommends authorizing the City Manager to finalize and execute a contract with Stolz Telecom, Inc., in an amount not to exceed \$600,000.00, and to finalize and execute a contract with Defender Supply, LLC, in an amount not to exceed \$600,000.00, through an Interlocal Cooperative Purchasing Agreement with Tarrant County. The term of each contract is for a one-year period, with two additional one-year renewal options. The City Manager is authorized to exercise the renewal options subject to annual appropriation of sufficient funds).

**Approved on the Consent Agenda.**

- 10 Bid No. 2024-032 - Purchase of Replacement Enterprise Data Storage Solution.  
(Staff recommends the City Manager be authorized to finalize and execute a contract with Sequel Data Systems Incorporated, through Texas Department of Information Resources, Contract No. DIR-TSO-4331, for the purchase of quantity of two Pure Storage Flash Arrays and Evergreen Forever Subscriptions for up to 36 months support, in an amount not to exceed \$373,770.00.)  
**Approved on the Consent Agenda.**
- 11 Bid No. 2024-033 - Purchase of Replacement Enterprise Servers.  
(Staff recommends the City Manager be authorized to finalize and execute a contract with Dell, Inc., through Texas Department of Information Resources Contract No. DIR-TSO-3763, for the purchase of seven Dell PowerEdge Servers with up to five years support, in an amount not to exceed \$115,000.00.)  
**Approved on the Consent Agenda.**
- 12 Bid No. 2024-040 - Purchase of Five Dodge Chargers for Police Operations.  
(Staff recommends authorizing the City Manager to finalize and execute a contract with Cameron County CDJR, in an amount not to exceed \$201,295.00, through an Interlocal Cooperative Purchasing Agreement with Tarrant County.)  
**Approved on the Consent Agenda.**
- 13 Ratification of Change Order No. 4 to Bid No. 2020-011 - Matthew Holzapfel Pump Station.  
(Staff recommends ratification of Change Order No. 4 for the construction of an approximate 3,150 linear feet of 12-inch water main along Wiser Road from Matthew Holzapfel Pump Station to FM-740 in the amount of \$1,850,000.00 and to authorize the City Manager to finalize and execute all documents necessary to complete the ratification.)  
**Approved on the Consent Agenda.**
- 14 Appoint Daniel Alemán, Jr., Tandy Boroughs, B.W. Smith, Jeff Casper, Kenny Green, Elizabeth Rodriguez-Ross and Brandon Murden to the Mesquite Industrial Development Corporation for terms to expire December 31, 2025.  
**Approved on the Consent Agenda.**
- 15 Appoint Daniel Alemán, Jr., Tandy Boroughs, B.W. Smith, Jeff Casper, Kenny Green, Elizabeth Rodriguez-Ross and Brandon Murden to the Mesquite Health Facilities Development Corporation for terms to expire December 31, 2025.  
**Approved on the Consent Agenda.**
- 16 Appoint Daniel Alemán, Jr., Tandy Boroughs, B.W. Smith, Jeff Casper, Kenny Green, Elizabeth Rodriguez-Ross and Brandon Murden to the Mesquite Housing Finance Corporation for terms to expire December 31, 2025.  
**Approved on the Consent Agenda.**
- 17 Appoint Daniel Alemán, Jr., Tandy Boroughs, B.W. Smith, Jeff Casper, Kenny

Green, Elizabeth Rodriguez-Ross, and Brandon Murden to the Board of Directors of the Mesquite Rodeo City Reinvestment Zone Number One, City of Mesquite, Texas; Towne Centre Reinvestment Zone Number Two, City of Mesquite, Texas; Skyline Tax Increment Finance Reinvestment Zone No. Seven, City of Mesquite, Texas; Gus Thomasson Tax Increment Finance Reinvestment Zone No. Eight, City of Mesquite, Texas; Reinvestment Zone Number Ten (Polo Ridge), City of Mesquite, Texas; Reinvestment Zone Number Eleven (Heartland Town Center), City of Mesquite, Texas; Reinvestment Zone Number Twelve (IH-20 Business Park), City of Mesquite, Texas; Reinvestment Zone Number Thirteen (Spradley Farms), City of Mesquite, Texas; Reinvestment Zone Number Fourteen (Alcott Logistics Station), City of Mesquite, Texas; and Reinvestment Zone Number Fifteen (Solterra), City of Mesquite Texas, for terms to expire December 31, 2025.

**Approved on the Consent Agenda.**

- 18 Appoint Daniel Alemán, Jr.; Jeff Casper; Kenny Green; Elizabeth Rodriguez-Ross; Dan Montgomery, Fritz Industries; Susie Wurster, Elements International; and Tiffany Patterson, Senox Corporation, to the Town East/Skyline Tax Increment Finance Reinvestment Zone No. Nine Board of Directors for terms to expire December 31, 2025.

**Approved on the Consent Agenda.**

- 19 Appoint Daniel Alemán, Jr. as Chairman of the Board of Directors on the following boards: Mesquite Rodeo City Reinvestment Zone Number One, City of Mesquite, Texas; Towne Centre Reinvestment Zone Number Two, City of Mesquite, Texas; Skyline Tax Increment Finance Reinvestment Zone No. Seven, City of Mesquite, Texas; Gus Thomasson Tax Increment Finance Reinvestment Zone No. Eight, City of Mesquite, Texas; Town East/Skyline Tax Increment Finance Reinvestment Zone No. Nine, City of Mesquite, Texas; Reinvestment Zone Number Ten, City of Mesquite, Texas (Polo Ridge); Reinvestment Zone Number Eleven, City of Mesquite, Texas (Heartland Town Center); Reinvestment Zone Number Twelve, City of Mesquite, Texas (IH-20 Business Park); Reinvestment Zone Number Thirteen, City of Mesquite, Texas (Spradley Farms); Reinvestment Zone Number Fourteen, City of Mesquite, Texas (Alcott Logistics Station); and Reinvestment Zone Number Fifteen, City of Mesquite, Texas (Solterra), for a one-year term beginning January 1, 2024.

**Approved on the Consent Agenda.**

## **END OF CONSENT AGENDA**

## **APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES**

- 20 Consider appointment of five Regular Members (Position Nos. 1, 3, 5, 7 and 9) to the Animal Services Advisory Committee for terms to expire December 31, 2025.

Mr. Casper moved to appoint Dr. Mark Pirrung (Position No. 1– Licensed Veterinarian), Hugo Espinoza (Position No. 3– Responsible for Daily Operation of Animal Shelter), MaryAnne Chiarelli (Position No. 5– Representative of Animal Rescue Organization), Pamela Miller (Position No. 7– Qualified Mesquite Voter

and Resident) and Karen McLeod-Ellis (Position No. 9 – Qualified Mesquite Voter and Resident) to the Animal Services Advisory Committee for terms to expire December 31, 2025. Motion was seconded by Mr. Murden and approved unanimously.

- 21 Consider appointment of three Regular Members (Position Nos. 1, 3 and 5) and one Alternate Member (Alternate No. 1) to the Board of Adjustment/Airport Board of Adjustment for terms to expire December 31, 2025.

Mr. Casper moved to appoint Jack Akin (Position No. 5) to the Board of Adjustment/Airport Board of Adjustment, change the appointment of Kourtne Airheart from an alternate member (Alternate No. 1) to a regular member (Position No. 1) and change the appointment of David Burris an alternate member (Alternate No. 2) to a regular member (Position No. 3) for terms to expire December 31, 2025. Motion was seconded by Mr. Boroughs and approved unanimously.

- 22 Consider appointment of four Regular Members (Position Nos. 1, 3, 5 and 7) and one Alternate Member (Alternate No. 1) to the Building Standards Board for terms to expire December 31, 2025, and two Regular Members (Position Nos. 2 and 6) for terms to expire December 31, 2024.

Mr. Boroughs moved to appoint Edward Nichols V (Position No. 1 – Master Electrician), Scott Gibb (Position No. 3 – Registered Homebuilder) and George Valdez (Position No. 5 – Mechanical Contractor) to the Building Standards Board for terms to expire December 31, 2025. Motion was seconded by Mr. Smith and approved unanimously.

- 23 Consider appointment of four Regular Members (Position Nos. 2, 5, 8 and 11) to the Downtown Development Advisory Board for terms to expire December 31, 2026, and one Regular Member (Position No. 6) for a term to expire December 31, 2024.

Mr. Casper moved to appoint Julie Greer (Position No. 2), Bradley Brandt (Position No. 5), Helen Ethridge (Position No. 8) and Dustin Palmer (Position No. 11) to the Downtown Development Advisory Board for terms to expire December 31, 2026, and Jennifer Vidler (Position No. 6) for a term to expire December 31, 2024. Motion was seconded by Mr. Boroughs. On call for a vote on the motion, the following votes were cast:

Ayes: Casper, Boroughs, Alemán, Green, Smith, Murden

Nays: Rodriguez-Ross

Motion carried.

- 24 Consider appointment of three Regular Members (Place Nos. 1, 2 and 3) to the Historic Mesquite, Inc., Board of Directors for terms to expire December 31, 2026, and one Regular Member (Place No. 8) for a term to expire December 31, 2024.

Mr. Boroughs moved to appoint Christian Jaynes (Place 1) and Helen Ethridge (Place 3) to the Historic Mesquite, Inc., Board of Directors for terms to expire December 31, 2026. Motion was seconded by Mr. Casper and approved unanimously.



- 25** Consider appointment of three Regular Members (Position Nos. 1, 3 and 5) and one Alternate Member (Alternate No. 1) to the Housing Board for terms to expire December 31, 2025.
- Mr. Casper moved to appoint Brian Perry (Position No. 1) and Brandy Baxter (Position No. 3) to the Housing Board for terms to expire December 31, 2025. Motion was seconded by Mr. Green and approved unanimously.**
- 26** Consider appointment of two Regular Members (Place Nos. 2 and 5) to the Keep Mesquite Beautiful, Inc., Board of Directors for terms to expire December 31, 2026; one Regular Member (Place No. 4) for a term to expire December 31, 2024; and two Regular Members (Place Nos. 3 and 6) for terms to expire December 31, 2025.
- Mr. Boroughs moved to appoint Aaron Arias (Position No. 2) and Meris Gonzalez (Position No. 5) to the Keep Mesquite Beautiful, Inc., Board of Directors for terms to expire December 31, 2026, and Sametria Lyons (Position No. 3) for a term to expire December 31, 2025. Motion was seconded by Mr. Murden and approved unanimously.**
- 27** Consider appointment of four Regular Members (Position Nos. 1, 3, 5 and 7) and one Alternate Member (Alternate No. 1) to the Landmark Commission for terms to expire December 31, 2025, and one Alternate Member (Alternate No. 2) for a term to expire December 31, 2024.
- Mr. Casper moved to appoint Kelly Baird (Position No. 3 – Historian), Phyllis Prycer (Position No. 5 – Resident of the City), Christian Jaynes (Position No. 7 – Historic Mesquite, Inc., board member) and Peggy Akins (Alternate No. 1 – Resident of the City) to the Landmark Commission for terms to expire December 31, 2025. Motion was seconded by Mr. Green and approved unanimously.**
- 28** Consider appointment of four Regular Members (Position Nos. 1, 3, 5 and 7) to the Library Advisory Board for terms to expire December 31, 2025.
- Mr. Green moved to appoint Angel Blackstock (Position No. 1), Julie Shelton (Position No. 3), Tammy Jo Strong (Position No. 5) and June Chambers (Position No. 7) to the Library Advisory Board for terms to expire December 31, 2025. Motion was seconded by Mr. Boroughs and approved unanimously.**
- 29** Consider appointment of four Regular Members (Position Nos. 1, 3, 5 and 7) to the Mesquite Quality of Life Corporation Board of Directors for terms to expire December 31, 2025, who will also serve on the Mesquite Economic Development Advisory Board.
- Mr. Boroughs moved to appoint Lisa Theriot (Position No. 1), Gilberto Prado (Position No. 3), Debbie Anderson (Position No. 5) and Ron Ward (Position No. 7) to the Mesquite Quality of Life Corporation Board of Directors for terms to expire December 31, 2025, who will also serve on the Mesquite Economic Development Advisory Board. Motion was seconded by Mr. Green. On call for a vote on the motion, the following votes were cast:**
- Ayes: Boroughs, Green, Alemán Casper, Smith, Murden**  
**Nayes: Rodriguez-Ross**
- Motion carried.**

- 30** Consider appointment of four Regular Members (Position Nos. 1, 3, 5 and 7) to the Parks and Recreation Advisory Board/Tree Advisory Board and one Alternate Member (Alternate No. 1) for terms to expire December 31, 2025.
- Mr. Green moved to appoint Steve Bragg (Position No. 3), Debbie Coolidge (Position No. 5), Fred Poe (Position No. 7), change the appointment of Lara Nix from an alternate member (Alternate No. 1) to a regular member (Position No. 1) and appoint Joseph Jergovic as an alternate member (Alternate No. 1) to the Parks and Recreation Advisory Board/Tree Advisory Board for terms to expire December 31, 2025. Motion was seconded by Mr. Boroughs and approved unanimously.
- 31** Consider appointment of one Regular Member (Position No. 3) to the Personnel/Trial Board for a term to expire December 31, 2026, and confirmation of appointment by the City Manager to serve as a member of the City of Mesquite Firefighters' and Police Officers' Civil Service Commission for a term to expire December 31, 2026.
- Mr. Green moved to appoint Yolanda Shepard (Position No. 3) to the Personnel/Trial Board for a term to expire December 31, 2026, and confirm appointment by the City Manager of Yolanda Shepard to serve as a member of the City of Mesquite Firefighters' and Police Officers' Civil Service Commission. Motion was seconded by Mr. Boroughs and approved unanimously.
- 32** Consider appointment of four Regular Members (Position Nos. 1, 3, 5 and 7) and one Alternate Member (Alternate No. 1) to the Planning and Zoning Commission/Capital Improvements Advisory Committee/Airport Zoning Commission for terms to expire December 31, 2025, and one Regular Member (Position No. 4) for a term to expire December 31, 2024.
- Mr. Boroughs moved to appoint Nellapali Dharmarajan (Position No. 1), Roger Melend (Position No. 3), Debbie Screws (Position No. 7) and change the appointment of Rick Cumby from an alternate member (Alternate No. 1) to a regular member (Position No. 5) to the Planning and Zoning Commission/Capital Improvements Advisory Committee/Airport Zoning Commission for terms to expire December 31, 2025, and change the appointment of Dr. Michael Fulton from an alternate member (Alternate No. 2) to a regular member (Position No. 4) for a term to expire December 31, 2024. Motion was seconded by Mr. Smith and approved unanimously.
- 33** Consider appointment of a principal member to the STAR Transit Board of Directors for a term to expire on August 31, 2026.
- Mr. Green moved to appoint Elizabeth Rodriguez-Ross as a principal member of the STAR Transit Board of Directors for a term to expire August 31, 2026. Motion was seconded by Mr. Boroughs and approved unanimously.

## OTHER BUSINESS

- 34** Consider a resolution casting a vote for the fourth member of the Board of Directors of the Dallas Central Appraisal District.
- Mr. Casper moved to cast a vote for Michael Hurtt as the fourth member of the Board of Directors of the Dallas Central Appraisal District, and to approve Resolution No. 62-2023, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF

MESQUITE, DALLAS COUNTY, TEXAS, CASTING ITS VOTE FOR THE FOURTH MEMBER OF THE BOARD OF DIRECTORS OF THE DALLAS CENTRAL APPRAISAL DISTRICT. Motion was seconded by Mr. Murden and approved unanimously. (Resolution No. 62-2023 recorded in Resolution Book No. 68.)

- 35 Consider appointment of a Mayor Pro Tem and Deputy Mayor Pro Tem for one-year terms.

Mr. Green moved to appoint B. W. Smith as Mayor Pro Tem and Jeff Casper as Deputy Mayor Pro Tem to serve one year terms. Motion was seconded by Mr. Boroughs and approved unanimously.

## PUBLIC HEARINGS

- 36 Conduct a public hearing and consider a resolution approving the terms and conditions of a program to promote local economic development and stimulate business and commercial activity in the City, authorizing the City Manager to finalize and execute an Amended and Restated Economic Development Program Agreement (Chapter 380 Agreement) and related Amended and Restated Lease Agreement for such purposes with ADJ Restaurant Group, LLC, for the continued development and operation of a restaurant in a City-owned building located in Downtown Mesquite at 117 West Main Street, Mesquite, Texas (the "Premises") and to terminate the existing agreements with the company for the same purposes, providing for the lease of the Premises with an option to purchase the Premises for such price and upon such terms and conditions as set forth in the Agreement and Lease, and authorizing the City Manager to administer the Agreement and Lease on behalf of the City.

A public hearing was held to consider a resolution for an Economic Development Program Agreement (Chapter 380 Agreement) with ADJ Restaurant Group, LLC.

Beverly Abell, Downtown Development Manager, stated that in 2018, the City of Mesquite purchased the property located at 117 West Main Street in Downtown Mesquite with the goal of utilizing the property for downtown development purposes. In 2019, the City issued a Request for Qualifications to seek respondents interested in developing a restaurant at the property.

Ms. Abell stated that ADJ Restaurant Group was selected to partner with the City of Mesquite for the restaurant project. Through a Chapter 380 Agreement and Lease Agreement executed on September 15, 2019, terms and obligations necessary for the development of a restaurant at 117 West Main Street included:

1. ADJ Restaurant Group to provide all tenant finishes in addition to all fixtures, equipment, fittings and furnishings as detailed in Exhibit E of the Lease.
2. ADJ Restaurant Group to operate full-service restaurant with bar, indoor and outdoor dining and live entertainment.
3. ADJ Restaurant Group to receive a Certificate of Occupancy and be in operation on or before Jan. 31, 2021.

Ms. Abell stated that the lease agreement also provided for ADJ Restaurant Group to operate a restaurant at the site for an initial lease period of five years. The first installment of rent due 10 days after achieving a Certificate of Occupancy or January 31, 2021, whichever occurred first.

Ms. Abell stated that due to the unforeseen nature of the COVID pandemic and resulting supply chain issues, the construction completion of the project was delayed approximately two-years. Additionally, renegotiation of the terms and conditions ensued which allowed an additional year for the market to reset and stabilize after the restaurant officially opened in fourth quarter 2022.

Ms. Abell stated that the proposed Amended and Restated Chapter 380 Agreement and Amended and Restated Lease Agreement provides for monthly rent to begin January 1, 2024, which increases year-over-year during the lease and lease options, as well as benchmarks necessary for ADJ to qualify to purchase the property at 117 West Main Street after five-years in operation. The City of Mesquite is provided a first-right-of-refusal should ADJ purchase the property and subsequently put it on the market for sale.

Applicant Jason Feinglas stated that the current hours of operation for Alejandro's at Front Street Station are Tuesday, Wednesday and Thursday - Noon to 9:00 p.m., Friday and Saturday - Noon to 10:00 p.m., Sunday - Noon to 7:00 p.m., and closed on Monday.

No one appeared regarding the proposed resolution.

Mr. Boroughs moved to approve Resolution No. 63-2023, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF A PROGRAM TO PROMOTE LOCAL ECONOMIC DEVELOPMENT AND STIMULATE BUSINESS AND COMMERCIAL ACTIVITY IN THE CITY; AUTHORIZING THE CITY MANAGER TO FINALIZE AND EXECUTE AN AMENDED AND RESTATED ECONOMIC DEVELOPMENT PROGRAM AGREEMENT (CHAPTER 380 AGREEMENT) AND RELATED AMENDED AND RESTATED LEASE AGREEMENT FOR SUCH PURPOSES WITH ADJ RESTAURANT GROUP, LLC (THE "COMPANY"), FOR THE CONTINUED DEVELOPMENT AND OPERATION OF A RESTAURANT IN A CITY-OWNED BUILDING LOCATED IN DOWNTOWN MESQUITE AT 117 WEST MAIN STREET, MESQUITE, TEXAS (THE "PREMISES") AND TO TERMINATE THE EXISTING AGREEMENTS WITH THE COMPANY FOR THE SAME PURPOSES; PROVIDING FOR THE LEASE OF THE PREMISES WITH AN OPTION TO PURCHASE THE PREMISES FOR SUCH PRICE AND UPON SUCH TERMS AND CONDITIONS AS SET FORTH IN THE AGREEMENT AND LEASE; AND AUTHORIZING THE CITY MANAGER TO ADMINISTER THE AGREEMENT AND LEASE ON BEHALF OF THE CITY. Motion was seconded by Mr. Green and approved unanimously. (Resolution No. 63-2023 recorded in Resolution Book No. 68.)

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Conduct a public hearing and consider a resolution approving the terms and conditions of a program to promote local economic development and stimulate business and commercial activity in the City, authorizing the City Manager to finalize and execute an Economic Development Program Agreement (Chapter 380 Agreement) with Matco Investments, for the major renovation and redevelopment of the property located at 1835 North Galloway Avenue, 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 resolution for an Economic Development Program Agreement (Chapter 380 Agreement) with Matco Investments.

Kim Buttram, Director of Economic Development, stated that In 2022, a majority of the Northridge Shopping Center, 1805 North Galloway Avenue, underwent

major renovation and redevelopment which resulted in a new tenant-mix for the center, doubling the property valuation on the tax rolls and adding new sales tax receipts to the City of Mesquite's revenue.

Ms. Buttram stated that since the ownership of the shopping center changed in 2020, real property value has doubled, rent rates have doubled and the center is 100 percent leased as of this month. Under a separate ownership but including one of the partners in the Northridge project, Matco Investments obtained additional facilities connected to the Northridge Shopping Center, at 1835 North Galloway Avenue. This portion of the center is in severe decline and disrepair, hindering the appearance and ability to improve the tenant-mix of the center as a whole.

Ms. Buttram stated that Matco requested economic development incentives from the City of Mesquite to aid in the rehabilitation and appearance of the property. The proposed Chapter 380 Agreement provides the developer a one-time grant payment of \$50,000.00, should Matco complete a minimum of \$150,000.00 in capital improvements - including new façades and signage that coordinates with the recent Northridge Shopping Center façade and redevelopment - by July 31, 2024.

Applicant Mark Cohen, representing CenterPoint Commercial Properties, presented aerial views of the shopping center and a schematic design of the proposed project. He stated that upon completion, the entire shopping center will have a unified façade and new signage.

No one appeared regarding the proposed resolution.

Mr. Boroughs moved to approve Resolution No. 64-2023, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF A PROGRAM TO PROMOTE LOCAL ECONOMIC DEVELOPMENT AND STIMULATE BUSINESS AND COMMERCIAL ACTIVITY IN THE CITY; AUTHORIZING THE CITY MANAGER TO FINALIZE AND EXECUTE AN ECONOMIC DEVELOPMENT PROGRAM CHAPTER 380 AGREEMENT ("AGREEMENT") WITH MATCO INVESTMENTS FOR THE MAJOR RENOVATION AND REDEVELOPMENT OF THE PROPERTY LOCATED AT 1835 NORTH GALLOWAY AVENUE, 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 and approved unanimously. (Resolution No. 64-2023 recorded in Resolution Book No. 68.)

#### **NOTICE OF EXECUTIVE SESSION - COUNCIL CONFERENCE ROOM - 8:16 P.M.**

Mayor Alemán announced that the City Council would meet in Executive Session pursuant to Section 551.087 of the Texas Government Code to consider commercial or financial information regarding business prospects or projects (Item No. 38 - Discuss economic development incentives for a project at I-20 and FM 2932); whereupon, the City Council proceeded to meet in Council Conference Room. After the closed meeting ended at 8:44 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

**ADJOURNMENT**

Mr. Green moved to adjourn the meeting. Motion was seconded by Mr. Smith and approved unanimously. The meeting adjourned at 8:44 p.m.

Attest:

Approved:

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Sonja Land, City Secretary

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Daniel Alemán, Jr., Mayor