



City of Mesquite, Texas

Minutes - Final City Council

Monday, April 4, 2022

5:30 PM

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

Present: Mayor Daniel Alemán, Jr., and Councilmembers Kenny Green, Tandy Boroughs, B. W. Smith, Jeff Casper, Jennifer Vidler and Debbie Anderson, City Manager Cliff Keheley and City Secretary Sonja Land.

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

AGENDA REVIEW

STAFF PRESENTATIONS

1. Receive presentation regarding a proposed electrical aggregate program for Mesquite residents and discuss the potential for implementing a Mesquite Power Switch program with iChoosr, LLC.

REGULAR CITY COUNCIL MEETING - CITY COUNCIL CHAMBER - 7:03 P.M.

INVOCATION

Tom Palmer, Pastor, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

National Elementary Honor Society members from McWhorter Elementary School, Mesquite, Texas.

SPECIAL ANNOUNCEMENTS

1. Ms. Anderson invited citizens to bring their family and friends to the Bunny Bash on Saturday, April 9, 2022, from 9:00 a.m. to Noon, at Evans Recreation Center, 1116 Hillcrest St. An egg hunt will be provided for children under 9 years of age. Arts and crafts will be offered, for a small fee, and pictures with the Easter Bunny will be available.
2. Mr. Smith stated that a Citizen Input Meeting regarding Council Redistricting will be held on Tuesday, April 5, 2022, at 7:00 p.m., at Rutherford Recreation Center, 900 Rutherford Drive, and invited residents to attend.
3. Mr. Smith encouraged citizens to attend a District 5 Neighborhood Meeting on Saturday, April 23, 2022, at Noon, at Rutherford Recreation Center, 900 Rutherford Drive, for hot dogs and discussions.

4. Mr. Boroughs stated that Keep Mesquite Beautiful, Inc., will be partnering with the City's Clean City Initiative, through the Adopt-A-Spot program, which provides opportunities for the entire community to help keep Mesquite litter-free by "adopting" a specific location and committing to keeping it clean. Locations can be adopted by any group, such as a business, church, neighborhood association, school, civic organization or family. Groups adopting a location will receive a sign posted at their designated area.
5. Ms. Vidler encouraged citizens to visit the Downtown Mesquite Farmer's Market at Front Street Station this Saturday, April 9, 2022, from 9:00 a.m. – 1:00 p.m. Food trucks will be on site along with a variety of vendors including fresh produce from local farmers and live music.
6. Mr. Green invited citizens to attend a District 2 Picnic and Neighborhood Meeting on Saturday, April 9, 2022, from 3:00 p.m. to 5:00 p.m., at the Pavilion at Town East Park, 2724 North Town East Boulevard, for hot dogs, snacks and discussions.
7. Mr. Casper recognized and expressed support for Myla Taylor and Katelyn McDonald, students at West Mesquite High School, who have organized a Community Outreach Club.
8. Mr. Casper stated that volunteers are essential to the City's ability to provide quality services to the community by participating in a variety of City programs and activities. Citizens interested in volunteering for the City may complete a Volunteer Application on the City's website.
9. Mayor Alemán recognized the City's Animal Services Officers for Animal Services Officers Appreciation Week. The officers are responsible for caring for the animals at the Mesquite Animal Shelter and Adoption Center and are on-call 24/7 to respond to animal related emergencies. They attend six months of training to learn all aspects of Animal Services, work in the kennels and coordinate adoptions, both onsite and offsite. Mayor Alemán stated that he is proud to announce that the Animal Services Division has maintained a Save Rate of over 90 percent. If you are interested in being a part of the Animal Services team, employment applications are being accepted through the City's website.
10. Councilmembers commended City Staff for organizing a very successful Rodeo Parade last Saturday, April 2, 2022, and for their help with the District Neighborhood Meetings.

CITIZENS FORUM

1. Three persons expressed concerns regarding national issues.
2. Ron Watkins, 800 John Peter Way, requested information regarding the Opal Lawrence Historical Park landmark designation.

APPOINTMENTS FOR PERSONAL APPEARANCE

- 2 Appointment - Representatives of Hilltop Securities, Inc.
(Representatives of Hilltop Securities, Inc., will review the 2022 issuance and sale of bonds.)

Ted Chinn, Assistant City Manager, introduced Jason Hughes, Managing Director, Hilltop Securities, Inc., who reviewed the process for the fiscal year 2022 bond sale. Mr. Hughes recommended that Council approve a list of parameters for City staff to approve pricing of the following bond sales: (1) \$39,500,000, Waterworks and Sewer System (WSS) Revenue Refunding and Improvement Bonds, Series

2022; (2) \$21,500,000, General Obligation (GO) Refunding and Improvement Bonds, Series 2022; and (3) \$4,250,000, Drainage Utility District (DUD) Revenue Bonds, Series 2022. The WSS, GO and DUD bonds are expected to be priced during the week of May 2, 2022. The Notice of Intention to issue Combination Tax and Revenue Certificates of Obligation (CO) in the combined maximum aggregate principal amount not to exceed \$32,000,000, which is a statutory requirement, will be published, and the CO bond parameter ordinance will be presented for Council approval on June 6, 2022, with pricing anticipated the following week of June 13, 2022. Mr. Hughes stated that pre-approval of the parameters will enable the bonds to be marketed and the debt sold before interest rates increase.

A brief recess was taken at 7:45 p.m.

The meeting resumed at 7:50 p.m.

- 3 A resolution authorizing publication of Notice of Intention to issue Certificates of Obligation, approving the preparation of a preliminary official statement and a notice of sale; and providing for the effective date thereof.

Mr. Green moved to approve Resolution No. 15-2022, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION; APPROVING THE PREPARATION OF A PRELIMINARY OFFICIAL STATEMENT AND A NOTICE OF SALE; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF. Motion was seconded by Ms. Vidler and approved unanimously. (Resolution No. 15-2022 recorded in Resolution Book No. 64.)

- 4 An ordinance of the City of Mesquite, Texas, authorizing the issuance and sale of City of Mesquite, Texas, Waterworks and Sewer System Revenue Refunding and Improvement Bonds, Series 2022, in the aggregate principal amount not to exceed \$39,500,000; approving an official statement; making provisions for the security thereof; authorizing the execution and delivery of a purchase agreement, a deposit agreement, and an escrow agreement; providing an effective date; approving and enacting other provisions relating thereto.

Mr. Green moved to approve Ordinance No. 4946, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE ISSUANCE OF CITY OF MESQUITE, TEXAS, WATERWORKS AND SEWER SYSTEM REVENUE REFUNDING AND IMPROVEMENT BONDS, SERIES 2022 IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$39,500,000 APPROVING AN OFFICIAL STATEMENT; MAKING PROVISIONS FOR THE SECURITY THEREOF; AUTHORIZING THE EXECUTION AND DELIVERY OF A PURCHASE AGREEMENT, A DEPOSIT AGREEMENT AND AN ESCROW AGREEMENT; PROVIDING AN EFFECTIVE DATE; APPROVING AND ENACTING OTHER PROVISIONS RELATING THERETO. Motion was seconded by Ms. Vidler and approved unanimously. (Ordinance No. 4946 recorded in Ordinance Book No. 126.)

- 5 An ordinance of the City of Mesquite, Texas, authorizing the issuance and sale of City of Mesquite, Texas, General Obligation Refunding and Improvement Bonds, Series 2022 in the aggregate principal amount not to exceed \$21,500,000; levying a tax in payment thereof; prescribing the form of said bonds; approving execution and delivery of a bond purchase agreement, a deposit agreement, and an escrow agreement; approving the official statement;

and enacting other provisions relating thereto.

Mr. Green moved to approve Ordinance No. 4947, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE ISSUANCE AND SALE OF CITY OF MESQUITE, TEXAS, GENERAL OBLIGATION REFUNDING AND IMPROVEMENT BONDS, SERIES 2022 IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$21,500,000; LEVYING A TAX IN PAYMENT THEREOF; PRESCRIBING THE FORM OF SAID BONDS; APPROVING EXECUTION AND DELIVERY OF A BOND PURCHASE AGREEMENT, A DEPOSIT AGREEMENT AND AN ESCROW AGREEMENT; APPROVING THE OFFICIAL STATEMENT; AND ENACTING OTHER PROVISIONS RELATING THERETO. Motion was seconded by Mr. Casper and approved unanimously. (Ordinance No. 4947 recorded in Ordinance Book No. 126.)

6

An ordinance of the City of Mesquite, Texas, authorizing the issuance and sale of City of Mesquite, Texas, Drainage Utility District Revenue Bonds, Series 2022, in the aggregate principal amount not to exceed \$4,250,000; approving an official statement; making provisions for the security thereof; authorizing the execution and delivery of a purchase agreement; providing an effective date; approving and enacting other provisions relating thereto.

Mr. Green moved to approve Ordinance No. 4948, AUTHORIZING THE ISSUANCE OF CITY OF MESQUITE, TEXAS MUNICIPAL DRAINAGE UTILITY SYSTEM REVENUE BONDS, SERIES 2022 IN THE NOT TO EXCEED AGGREGATE PRINCIPAL AMOUNT OF \$4,250,000, APPROVING AN OFFICIAL STATEMENT, APPROVING THE EXECUTION AND DELIVERY OF A PURCHASE AGREEMENT, MAKING PROVISIONS FOR THE SECURITY THEREOF; APPROVING AND ENACTING OTHER PROVISIONS RELATING THERETO. Motion was seconded by Ms. Vidler and approved unanimously. (Ordinance No. 4948 recorded in Ordinance Book No. 126.)

CONSENT AGENDA

Approval of the Consent Agenda

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

7

Minutes of the regular City Council meeting held March 21, 2022.

Approved on the Consent Agenda.

8

An Emergency Measure Ordinance of the City of Mesquite, Texas, authorized pursuant to Mesquite City Charter, Article IV, Section 18 and Section 19; continuing the Mayor's Declaration of Local State of Disaster for Public Health Emergency Related to COVID-19 issued on March 23, 2020, and as previously continued and authorized by the following 2020 ordinances, Ordinance No. 4773, No. 4781, No. 4784, No. 4793, No. 4804, and No. 4822; and 2021 ordinances, Ordinance No. 4836, No. 4844, No. 4858, No. 4879, No. 4902; and 2022 Ordinances, Ordinance No. 4933; confirming the continued activation of the City's Emergency Management Plans; adopting and approving certain rules and orders to protect the health and safety of persons in the City and to help abate the public health emergency; authorizing the City Manager or his designee to make certain decisions and to take necessary actions to meet city objectives to have city government remain functional while providing essential governmental services during this rapidly changing environment created by the

public health emergency; making various findings and provisions related to the subject; making it an offense to fail to comply with a state, local, or interjurisdictional emergency management plan or any rule, order, or ordinance adopted under the plan and providing a penalty in an amount not to exceed one thousand dollars (\$1,000.00) for each offense.

Approved on the Consent Agenda.

Ordinance No. 4949, AN EMERGENCY MEASURE ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AUTHORIZED PURSUANT TO MESQUITE CITY CHARTER, ARTICLE IV, SECTION 18 AND SECTION 19; CONTINUING THE MAYOR'S DECLARATION OF LOCAL STATE OF DISASTER FOR PUBLIC HEALTH EMERGENCY RELATED TO COVID-19 ISSUED ON MARCH 23, 2020, AND AS PREVIOUSLY CONTINUED AND AUTHORIZED BY THE FOLLOWING 2020 ORDINANCES, ORDINANCE NO. 4773, NO. 4781, NO. 4784, NO. 4793, NO. 4804, AND NO. 4822; AND 2021 ORDINANCES, ORDINANCE NO. 4836, NO. 4844, NO. 4858, NO. 4879, NO. 4902; AND 2022 ORDINANCES, ORDINANCE NO. 4933; CONFIRMING THE CONTINUED ACTIVATION OF THE CITY'S EMERGENCY MANAGEMENT PLANS; ADOPTING AND APPROVING CERTAIN RULES AND ORDERS TO PROTECT THE HEALTH AND SAFETY OF PERSONS IN THE CITY AND TO HELP ABATE THE PUBLIC HEALTH EMERGENCY; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO MAKE CERTAIN DECISIONS AND TO TAKE NECESSARY ACTIONS TO MEET CITY OBJECTIVES TO HAVE CITY GOVERNMENT REMAIN FUNCTIONAL WHILE PROVIDING ESSENTIAL GOVERNMENTAL SERVICES DURING THIS RAPIDLY CHANGING ENVIRONMENT CREATED BY THE PUBLIC HEALTH EMERGENCY; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; MAKING IT AN OFFENSE TO FAIL TO COMPLY WITH A STATE, LOCAL, OR INTERJURISDICTIONAL EMERGENCY MANAGEMENT PLAN OR ANY RULE, ORDER, OR ORDINANCE ADOPTED UNDER THE PLAN AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED ONE THOUSAND DOLLARS (\$1,000.00) FOR EACH OFFENSE; PROVIDING FOR PUBLICATION; PROVIDING A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; DECLARING AN EFFECTIVE DATE; AND DECLARING AN EXPIRATION DATE. (Ordinance No. 4949 recorded in Ordinance Book No. 126.)

9

An ordinance amending Chapter 5 of the Mesquite City Code by revising Article I, Division 1, making certain additions and deletions to Section 5-4 "Certain Regulations Regarding Building Products, Materials, or Aesthetic Methods Prohibited" to align with changes in State law; and amending Division 2, by making certain additions and deletions to Section 5-6 revising the title to "National Model Codes - Board and City Council Review and Adoption" and to clarify the process and procedures for adoption of International Model Codes, and any local amendments thereto, thereby aligning with changes made in State law.

Approved on the Consent Agenda.

Ordinance No. 4950, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 5 OF THE MESQUITE CITY CODE BY REVISING ARTICLE I, DIVISION 1, MAKING CERTAIN ADDITIONS AND DELETIONS TO SEC. 5-4 "CERTAIN REGULATIONS REGARDING BUILDING PRODUCTS, MATERIALS, OR AESTHETIC METHODS PROHIBITED" TO ALIGN WITH CHANGES IN STATE LAW; AND AMENDING DIVISION 2, BY MAKING CERTAIN ADDITIONS AND DELETIONS TO SEC. 5-6 REVISING THE TITLE TO "NATIONAL MODEL CODES - BOARD AND CITY COUNCIL REVIEW AND ADOPTION" AND TO CLARIFY THE PROCESS AND

PROCEDURES FOR ADOPTION OF INTERNATIONAL MODEL CODES, AND ANY LOCAL AMENDMENTS THERETO, THEREBY ALIGNING WITH CHANGES MADE IN STATE LAW; PROVIDING A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY CLAUSE WITH A FINE NOT TO EXCEED \$2,000; PROVIDING FOR PUBLICATION; AND DECLARING AN EFFECTIVE DATE. (Ordinance No. 4950 recorded in Ordinance Book No. 126.)

- 10 An ordinance amending the Mesquite City Code, Chapter 20 “Boards, Commissions, and Committees” adding new Division 4 “Economic Development Advisory Board” to Article V, thereby creating the Mesquite Economic Development Advisory Board (“MEDA Board”); and making certain other related additions or deletions.

Approved on the Consent Agenda.

Ordinance No. 4951, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE CITY CODE, CHAPTER 20 “BOARDS, COMMISSIONS, AND COMMITTEES” ADDING NEW DIVISION 4 “ECONOMIC DEVELOPMENT ADVISORY BOARD” TO ARTICLE V, THEREBY CREATING THE MESQUITE ECONOMIC DEVELOPMENT ADVISORY BOARD (“MEDA BOARD”); AND MAKING CERTAIN OTHER RELATED ADDITIONS OR DELETIONS; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE. (Ordinance No. 4951 recorded in Ordinance Book No. 126.)

- 11 A resolution approving a repeal of the “SECOND BYLAWS” of the Mesquite Quality of Life Corporation (“MQOLC”) and replacing said bylaws with the “THIRD BYLAWS” as identified herein.

Approved on the Consent Agenda.

Resolution No. 16-2022, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, APPROVING A REPEAL OF THE “SECOND BYLAWS” OF THE MESQUITE QUALITY OF LIFE CORPORATION (“MQOLC”), AND REPLACING SAID BYLAWS WITH THE “THIRD BYLAWS” AS IDENTIFIED HEREIN; AND DECLARING AN EFFECTIVE DATE THEREOF. (Resolution No. 16-2022 recorded in Resolution Book No. 64.)

- 12 Bid No. 2022-076 - MPD Fixed License Plate Readers Installation.
(Authorize the City Manager to finalize and execute a contract with sole source provider Trinity Innovative Solutions, LLC, in the amount of \$133,375.00)

Approved on the Consent Agenda.

- 13 Bid No. 2022-090 - Annual Supply of Fuels - Unleaded Gasoline and Diesel Fuel.
(Staff recommends authorizing the City Manager to finalize and execute a contract award to Jack Ray Oil Company, as the primary vendor, and Douglass Distributing Company, as the secondary vendor, through an Interlocal Cooperative Purchasing Agreement with Tarrant County based on the Oil Price Information Service daily rack average the day of delivery in an amount not to exceed \$2,818,932 each fiscal year. The term of the contract is for a one-year period, with three additional one-year options. The City Manager is authorized to exercise the renewal options, subject to annual appropriation of sufficient

funds.)

Approved on the Consent Agenda.

- 14** Consider appointment of Matthew Holzapfel (Position No. 1) to the Personnel/Trial Board for a term to expire December 31, 2024, and confirmation of appointment by the City Manager of Matthew Holzapfel to serve as a member of the City of Mesquite Firefighters' and Police Officers' Civil Service Commission for a term to expire December 31, 2024.

Approved on the Consent Agenda.

END OF CONSENT AGENDA

PUBLIC HEARINGS

- 15** Conduct a public hearing and consider possible action regarding a request from Ha Quyen Thuc of Peachtree Apartments, to substitute the requirement of an eight-foot-tall, long-span precast concrete screening wall for an eight or six-foot-tall wall constructed of a different material on property located at 1402 South Peachtree Road.

(This item was postponed at the February 7, 2022, City Council meeting.)

A public hearing was held to consider possible action regarding a request from Ha Quyen Thuc of Peachtree Apartments to substitute the requirement of an eight-foot-tall, long-span precast concrete screening wall for an eight or six-foot-tall wall constructed of a different material on property located at 1402 South Peachtree Road.

Garrett Langford, Manager of Planning and Zoning, stated that the applicant appeared before the City Council in 2019 and requested the substitution of the screening wall requirement to allow an unpermitted metal fence to remain in place rather than constructing the required long-span precast concrete decorative screening wall. At that time, Council denied the request, but allowed the applicant two years to install the required wall. The applicant came before Council on February 7, 2022, but the item was postponed to this meeting to allow the applicant to consider other fence materials and to reach out to adjacent property owners.

Mr. Langford stated that the applicant has revised the request and is seeking approval to utilize composite fencing or wrought iron fencing rather than a long-span precast concrete screening wall. The applicant has reached out to the adjacent property owners. However, they have no interest in selling their property or providing access to their property and have no preference regarding fencing material. He stated that a long-span precast concrete screening wall, along the east property line, will adversely affect the existing parking and/or fire lane.

Applicant Ha Quyen Thuc requested approval for either composite fencing or wrought iron fencing.

No one appeared regarding a request from Ha Quyen Thuc of Peachtree Apartments.

Mr. Boroughs moved that the screening wall requirements for this property be modified by allowing a substitute screening wall. The screening requirement for this property will be better served by allowing the following type of screening wall as a substitution. An eight-foot tall, precast screening wall with no columns that is between eight and six-inches in width. This type of substitute screening wall is depicted in the photograph that I am providing to the City Secretary to be made part of the minutes (Exhibit "A") and to evidence the substitute screening wall required by this motion. I further move that this substitute screening wall modification be good for a period of six months from today and the allowance automatically expires after six months if the substitute screening wall is not completed by then. Motion was seconded by Mr. Casper and approved unanimously.

16

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) for such purposes with SRPF C/Trinity Pointe Phase I, L.P., for the development of approximately 283 acres of real property located at 12855 FM 2932, 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 SRPF C/Trinity Pointe Phase I, L.P., for the development of approximately 283 acres of real property located at 12855 FM 2932.

Kim Buttram, Director of Economic Development, presented an overview of a proposed development, Twenty East at Trinity Pointe Business Park, located at IH-20 and FM 2932, in Kaufman County, which is being developed by Stream Realty.

Ms. Buttram stated that the proposed valuation of the buildings will add approximately \$11 million within ten years to the City's property tax base, real property only, and a 20-year value of approximately \$26 million. The agreement requires the developer to construct a minimum \$200 million capital investment with a minimum of 1.6 million square feet within three buildings in Phase One to be completed by December 31, 2023, and a minimum of 1.4 million square feet with flexibility in the number of buildings in Phase Two to be completed by December 31, 2028. Also, \$10.5 million will be invested to upgrade FM 2932 from the IH-20 service road to the southern entrance of the business park.

She stated that the development will receive water services from Talty Water Supply Corporation and sewer services from Heartland and therefore, will not be obligated to pay water and sewer impact fees to the City of Mesquite. The development directly impacts Texas Department of Transportation (TxDOT) roads and does not connect to any City of Mesquite roads; however, the developer is obligated to pay City of Mesquite Roadway Impact Fees.

Grayson Hughes, Director of Stream Realty Partners, presented an overview of the site plan and aerial and building renderings.

No one appeared regarding a Chapter 380 Agreement with SRPF C/Trinity Pointe Phase I, L.P.

Ms. Anderson moved to approve Resolution No. 17-2022, 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 FOR SUCH PURPOSES WITH SRPF C/TRINITY POINTE PHASE I, L.P., FOR THE DEVELOPMENT OF APPROXIMATELY 283 ACRES OF REAL PROPERTY LOCATED AT 12855 FM 2932 IN THE CITY OF MESQUITE, TEXAS; AND AUTHORIZING THE CITY MANAGER TO FINALIZE, EXECUTE, AND ADMINISTER THE AGREEMENT ON BEHALF OF THE CITY. Motion was seconded by Mr. Casper and approved unanimously. (Resolution No. 17-2022 recorded in Resolution Book No. 64.)

17

Conduct a public hearing and consider an ordinance for Zoning Application No. Z0222-0235, submitted by the City of Mesquite as the applicant, for a change of zoning making a map amendment to the official Zoning Map of the City of Mesquite by adding the designation "ML" for an individually designated local Mesquite Landmark, located at 701 East Kearney Street, the Lawrence Farmstead (Opal Lawrence Historical Park), and making a Zoning Text Amendment No. 2022-01, to the Mesquite Zoning Ordinance, amending Part 8, Section 8-200 "Mesquite Landmarks" by adding the property located at 701 East Kearney Street, the Lawrence Farmstead (Opal Lawrence Historical Park), as a designated local Mesquite Landmark ("ML") to the City of Mesquite, Texas, Landmark Register of Historic Places.

(Six responses in favor and none in opposition to the application have been received from property owners within the statutory notification area. The Landmark Commission recommends approval.)

A public hearing was held for Zoning Application No. Z0222-0235.

Jeff Armstrong, Director of Planning and Development Services, stated that in 2019, the City Council approved the creation of a Landmark Commission and new overlays for historic landmarks and historic districts. In 2021, the City Council approved the first proposed designation of a Mesquite Landmark, which was the Florence Ranch Homestead. The second property proposed for local designation is the Lawrence Farmstead (Opal Lawrence Historical Park) at 701 East Kearney Street. Mr. Armstrong presented photographs of the home and a brief history of the Lawrence Farmstead. He stated the Lawrence Farmstead is the only site in Mesquite that is listed on the National Register of Historic Places (1999), is a Recorded Texas Historic Landmark (1998), and is a recognized Centennial Family Farm by the Texas Department of Agriculture.

Mr. Armstrong stated that he does not anticipate this designation having any effect on the adjacent property owners.

Tom Palmer, 720 John Peter Court, expressed support for the proposed application.

No others appeared regarding the proposed application.

Ms. Vidler moved to approve Zoning Application No. Z0222-0235, as recommended by the Landmark Commission, and to approve Ordinance No. 4952, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, APPROVING

APPLICATION NO. 20222-0235, SUBMITTED BY THE CITY AS THE APPLICANT, FOR A CHANGE OF ZONING, MAKING A MAP AMENDMENT TO THE OFFICIAL ZONING MAP OF THE CITY OF MESQUITE, BY ADDING THE DESIGNATION "ML" FOR AN INDIVIDUALLY DESIGNATED LOCAL MESQUITE LANDMARK, LOCATED AT 701 EAST KEARNEY STREET, THE LAWRENCE FARMSTEAD (OPAL LAWRENCE HISTORICAL PARK); AND MAKING A ZONING TEXT AMENDMENT NO. 2022-01 TO THE MESQUITE ZONING ORDINANCE, AMENDING PART 8, SECTION 8-200 "MESQUITE LANDMARKS" BY ADDING THE ABOVE NAMED PROPERTY AS A DESIGNATED LOCAL MESQUITE LANDMARK ("ML"), TO THE CITY OF MESQUITE, TEXAS LANDMARK REGISTER OF HISTORIC PLACES; PROVIDING A REPEALING CLAUSE; PROVIDING A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE IN AN AMOUNT NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000); PROVIDING FOR PUBLICATION; AND DECLARING AN EFFECTIVE DATE. Motion was seconded by Mr. Smith and approved unanimously. (Ordinance No. 4952 recorded in Ordinance Book No. 126.)

EXECUTIVE SESSION - COUNCIL CONFERENCE ROOM - 8:30 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 (To seek legal advice regarding a matter on the agenda); whereupon, the City Council proceeded to meet in the Council Conference Room. After the closed meeting ended at 8:35 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

EXECUTIVE SESSION - COUNCIL CONFERENCE ROOM - 8:35 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. 18 – Discuss potential lease of property at 1035 Military Parkway; and Item No. 19 – Discuss purchase of property on Ebrite Street); whereupon the City Council proceeded to meet in Council 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. Smith moved to adjourn the meeting. Motion was seconded by Mr. Green and approved unanimously. The meeting adjourned at 9:22 p.m.

Attest:

Approved:

Sonja Land, City Secretary

Daniel Alemán, Jr., Mayor

EXHIBIT "A"

