



City of Mesquite, Texas

Minutes - Final City Council

Monday, December 18, 2017

5:00 PM

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

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

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

AGENDA REVIEW

STAFF PRESENTATIONS

- 1 Discuss proposed amendments to the City Charter.
- 2 Discuss the proposed The Verde Center at Peachtree project.

EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 6:30 P.M.

The City Council met in Executive Session pursuant to Section 551.087 of the Texas Government Code to consider commercial or financial information regarding business prospects or projects (Consider economic development incentives for a business expansion on East Kearney Street); whereupon, the City Council proceeded to meet in the Executive Conference Room. After the closed meeting ended at 6:36 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

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

INVOCATION

Chad Flowers, Pastor, Emmanuel Pentecostal Church, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

Teresa Jackson, Executive Director, Sharing Life Community Outreach, Mesquite, Texas.

SPECIAL ANNOUNCEMENTS

- (1) The Mayor and Councilmembers wished everyone a Merry Christmas and Happy New Year!

(2) Mr. Noschese invited everyone to attend "The Gift of Reading" event at the Mesquite Main Library on Wednesday, December 20, 2017, from 3:00 p.m. to 5:00 p.m. There will be guest readers, Police Chief Charles Cato and Fire Chief Mark Kerby, holiday treats and a craft table for children.

(3) Mr. Aleman expressed appreciation to everyone involved in the Santa Cop Toy Program.

(4) Mr. Aleman stated that he, Mayor Pickett and Mr. Miklos attended the Grand Opening of Peter Piper Pizza at Town East Mall and encouraged everyone to visit this family-friendly restaurant.

(5) Mr. Archer thanked the Mesquite Police Department, crime watch leaders and Mesquite Police Academy volunteers for their community work this time of year.

(6) Mr. Archer invited everyone to participate in Christmas caroling around the Arroyo Vista Apartments, 1600 Hickory Tree Road, and in the Edgemont Park neighborhood. Carolers will meet on Friday, December 22, 2017, at 7:00 p.m., in the McWhorter Elementary School parking lot.

(7) Mr. Miklos announced that a Rugel Neighborhood crime watch meeting will be held tomorrow night at 7:00 p.m. at Rugel Elementary School.

CITIZENS FORUM

(1) Yolanda Dancer, 2101 Silver Springs Drive, expressed appreciation to the firefighters and police officers who assisted her family during a recent emergency situation.

(2) Thomas Hubacek, 1324 Fernwood, expressed concerns regarding greenbelts and development in his neighborhood.

PRESENTATIONS

- 3** Presentation of a plaque to Marvin Haar in recognition of his service as a member of the Board of Adjustment and Automated Traffic Signal Enforcement Advisory Committee.

Mayor Pickett presented a plaque to Marvin Haar in recognition of his service as a member of the Board of Adjustment and Automated Traffic Signal Enforcement Advisory Committee from March 2016 to November 2017.

- 4** Recognize Real. Texas. Service. Employee Champions.

City Manager Cliff Keheley stated that the Real. Texas. Service. Champions program was created as an opportunity for employees to be recognized for their service to the organization and Mesquite community. A brief video was shown describing each employee's contributions to the City of Mesquite.

Mayor Pickett, City Councilmembers and City Manager Cliff Keheley presented Certificates of Appreciation to the following employees in honor of their service to the City of Mesquite: Officer Steven Contreras, Police Department; Melissa Osborne, Public Safety Operations Analyst, Fire Department; Jarrod Beck, Heavy Equipment Operator, Public Works Department; and Suzette Stone, GIS Senior Analyst, Public Works Department.

CONSENT AGENDA

Approval of the Consent Agenda

Mr. Miklos moved to approve Item Nos. 5, 7-9 and 11-17 on the Consent Agenda, as follows. Motion was seconded by Mr. Noschese and approved unanimously.

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- 5 Minutes of the regular City Council meetings held November 30, 2017, and December 4, 2017.
- Approved on the Consent Agenda.**
- 7 An ordinance amending Chapter 10 of the City Code thereby amending exemptions pertaining to handbills by providing an exemption for governmental entities.
- Approved on the Consent Agenda.**
- Ordinance No. 4526, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 10 OF THE CODE OF THE CITY OF MESQUITE, AS AMENDED, BY ADDING A NEW SECTION 10-45(d); THEREBY AMENDING EXEMPTIONS PERTAINING TO HANDBILLS THEREBY PROVIDING AN EXEMPTION FOR GOVERNMENTAL ENTITIES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED FIVE HUNDRED (\$500.00) DOLLARS FOR EACH OFFENSE; AND DECLARING AN EFFECTIVE DATE THEREOF. (Ordinance No. 4526 recorded in Ordinance Book No. 110.)**
- 8 A resolution authorizing the City Manager to finalize and execute an Interlocal Agreement with the North Texas Municipal Water District and other Member and Customer Cities of the North Texas Municipal Water District Regional Wastewater System for participation in a regional Capacity, Management, Operations and Maintenance program.
- Approved on the Consent Agenda.**
- Resolution No. 77-2017, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE CITY MANAGER TO FINALIZE AND EXECUTE AN INTERLOCAL AGREEMENT WITH THE NORTH TEXAS MUNICIPAL WATER DISTRICT ("NTMWD") AND OTHER MEMBER AND CUSTOMER CITIES OF THE NTMWD REGIONAL WASTEWATER SYSTEM FOR PARTICIPATION IN A REGIONAL CAPACITY, MANAGEMENT, OPERATIONS AND MAINTENANCE PROGRAM. (Resolution No. 77-2017 recorded in Resolution Book No. 52.)**
- 9 A resolution authorizing the Mayor to finalize and execute the Master Interlocal Agreement Governing Transportation Related Maintenance with Dallas County for future City/County maintenance projects.
- Approved on the Consent Agenda.**
- Resolution No. 78-2017, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE THE MASTER INTERLOCAL AGREEMENT GOVERNING TRANSPORTATION RELATED MAINTENANCE WITH DALLAS COUNTY FOR FUTURE CITY/COUNTY MAINTENANCE PROJECTS. (Resolution No. 78-2017 recorded in Resolution Book No. 52.)**
- 11 Bid No. 2018-007 - Annual Supply of Ammunition.
- (Staff recommends award to Precision Delta Corp - Group 1, Item Nos. 10 and 13 in the amount of \$1,165.00; Proforce Law Enforcement - Group 1, Item Nos. 1, 3, 4 and 5 in the amount of \$53,102.70; GT Distributors, Inc. - Group II, Item Nos. 1, 3, 4, 5, 6 and 9 in the amount of \$58,272.06, for a total amount of

\$112,539.76.)

Approved on the Consent Agenda.

- 12 Bid No. 2018-034 - Purchase of Bullet Recovery System.
(Staff recommends award to sole source provider Cybernational, Inc., in the amount of \$79,645.00.)

Approved on the Consent Agenda.

- 13 Bid No. 2018-036 - Purchase of Replacement Gas Masks and Cartridges.
(Staff recommends award to Safeware through US Communities Contract No. 4300001839 in the amount of \$63,487.20.)

Approved on the Consent Agenda.

- 14 Authorize the City Manager to execute a contract with the Mesquite Chamber of Commerce for the purpose of providing economic development services.

Approved on the Consent Agenda.

- 15 Authorize the Mayor to execute an amendment to the agreement dated October 1, 2016, between the City of Mesquite, Texas, and City Secretary Sonja Land.

Approved on the Consent Agenda.

- 16 Appoint Stan Pickett, Jeff Casper, Dan Aleman, Bruce Archer, Greg Noschese, Robert Miklos and Tandy Boroughs to the Mesquite Housing Finance Corporation for terms to expire December 31, 2019.

Approved on the Consent Agenda.

- 17 Appoint Stan Pickett, Jeff Casper, Dan Aleman, Bruce Archer, Greg Noschese, Robert Miklos and Tandy Boroughs to the Mesquite Health Facilities Development Corporation for terms to expire December 31, 2019.

Approved on the Consent Agenda.

CONSENT AGENDA ITEMS CONSIDERED SEPARATELY

- 6 An ordinance regarding local amendments to the 2015 International Residential Code, as amended, pertaining to non-owner occupied dwelling units, including but not limited to a requirement for pre-occupancy inspection, expiration, renewal and revocation of the certificate of occupancy for non-owner occupied dwelling units, fees for pre-inspection occupancy and reinspections, required compliance with the Mesquite Zoning Ordinance, connections of non-owner occupied dwelling units to water utilities, and definitions.

Mr. Miklos moved to strike the following language from Subsection (k) "unless the unit is approved as code compliant and the Building Official has issued a certificate of occupancy", and approve Ordinance No. 4527, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 5 OF THE CODE OF THE CITY OF MESQUITE, TEXAS, AS AMENDED, BY PROVIDING CERTAIN ADDITIONS AND DELETIONS TO THE INTERNATIONAL RESIDENTIAL CODE, 2015 EDITION, AS AMENDED, PERTAINING TO THE RENTAL CERTIFICATE OF OCCUPANCY

PROGRAM; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND DECLARING AN EFFECTIVE DATE. Motion was seconded by Mr. Archer and approved unanimously. (Ordinance No. 4527 recorded in Ordinance Book No. 110.)

10

A resolution authorizing the City Manager to finalize and execute a Master Development Agreement with the Skyline Tax Increment Finance Reinvestment Zone No. Seven, the Mesquite Medical Center Management District and HQZ Partners, L.P., regarding approximately 60.31 acres of land generally located south of the Gross Road intersection between IH-635 and Peachtree Road in the City of Mesquite, Texas, and being commonly referred to as the "Verde Center" or the "Verde Center at Peachtree" and authorizing the City Manager to administer the agreement on behalf of the City.

Mr. Noschese expressed concern regarding the agreement; however, he stated that he would support the agreement.

Mr. Miklos moved to amend the language in the Master Development Agreement, as follows: (1) assignment language has been adjusted; (2) requires a third-party administrator to handle property owner assessments; and (3) no reimbursement shall occur on the public infrastructure prior to commercial development pulling a building permit and commencing construction and approve Resolution No. 79-2017, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE CITY MANAGER TO FINALIZE AND EXECUTE A MASTER DEVELOPMENT AGREEMENT WITH THE SKYLINE TAX INCREMENT FINANCE REINVESTMENT ZONE NO. SEVEN, CITY OF MESQUITE, TEXAS, THE MESQUITE MEDICAL CENTER MANAGEMENT DISTRICT AND HQZ PARTNERS, LP, REGARDING APPROXIMATELY 60.31 ACRES OF LAND GENERALLY LOCATED SOUTH OF THE GROSS ROAD INTERSECTION BETWEEN IH-635 AND PEACHTREE ROAD IN THE CITY OF MESQUITE, TEXAS, AND BEING COMMONLY REFERRED TO AS THE "VERDE CENTER" OR THE "VERDE CENTER AT PEACHTREE" AND AUTHORIZING THE CITY MANAGER TO ADMINISTER THE AGREEMENT ON BEHALF OF THE CITY. Motion was seconded by Mr. Archer and approved unanimously. (Resolution No. 79-2017 recorded in Resolution Book No. 52.)

END OF CONSENT AGENDA

PUBLIC HEARINGS

18

Conduct a public hearing and consider an ordinance for Application No. Z1117-0016, submitted by Andrea Simpson Perez, for a change of zoning from Commercial and Military Parkway-Scyene Corridor Overlay to Commercial and Military Parkway-Scyene Corridor Overlay with a conditional use permit on property located at 1210 W. Scyene Road, Suite B, to allow Indoor Recreation. (No responses have been received from property owners within the statutory notification area. The Planning and Zoning Commission recommends approval of the application.)

A public hearing was held for Application No. Z1117-0016.

Jeff Armstrong, Assistant Director of Planning and Development Services, stated that the proposed Conditional Use Permit (CUP) is for an indoor recreation facility, which will include an office, gift shop, bounce houses, party tables with

additional seating and an arcade area. The proposed business caters to young children and meets the criteria for a CUP.

Applicant Andrea Simpson Perez stated that she currently operates the same type of business in Forney and this site will serve as a second location. The outside space, which is comprised of outdoor turf, may be utilized for other activities; however, according to staff, it must be considered under a separate CUP. Operating hours would be from 10:00 a.m. to 9:00 p.m.

Councilmembers expressed concerns regarding code enforcement issues with the outdoor area, including the tarped fence, and requested the applicant work with staff to address those concerns.

Mr. Noschese moved to postpone consideration of Application No. Z1117-0016, submitted by Andrea Simpson Perez, for a change of zoning from Commercial and Military Parkway-Scyene Corridor Overlay to Commercial and Military Parkway-Scyene Corridor Overlay with a conditional use permit on property located at 1210 W. Scyene Road, Suite B, to allow Indoor Recreation to the January 2, 2018, City Council meeting. Motion was seconded by Mr. Miklos and approved unanimously.

19

Conduct a public hearing and consider an ordinance for Zoning Text Amendment No. 2017-03 amending Chapter 1A-200, Landscape Requirements; Chapter 1A-300, Screening and Buffering Requirements; Section 3-203, Schedule of Permitted Uses; Chapter 3-300, Development Standards; Chapter 3-400, Off-Street Parking and Loading; Chapter 3-500, Supplementary Use Regulations; Chapter 3-600, Outdoor Sales, Display and Storage Regulations; Chapter 4-930, Skyline Logistics Hub Overlay District; and Section 6-102, Definitions; all pertaining to new and revised regulations for development that includes the parking of heavy load vehicles as a principal or accessory use, prohibiting Truck Stops within the corporate limits of the City of Mesquite, and establishing minimum spacing and site development requirements for Heavy Load Vehicle Refueling Stations.

(This item was postponed at the September 18, 2017, October 16, 2017, and November 20, 2017, City Council meetings. The Planning and Zoning Commission recommends approval of the zoning text amendment. The public hearing on this item was continued at the December 4, 2017, City Council meeting.)

A public hearing was held for Zoning Text Amendment No. 2017-03.

Richard Gertson, Director of Planning and Development Services, stated that the proposed ordinance prohibits truck stops within the corporate limits of the City. Refueling stations for heavy load vehicles would be permitted only by conditional use permit in the Commercial and Industrial zoning districts and additional location restrictions include (1) frontage on a federal highway or a designated truck route; (2) separation of 1,000 feet from another refueling station for heavy load vehicles; (3) parcels not abutting property zoned or used for residential, elementary or secondary school purposes; (4) separation of at least 5,000 feet from any residentially zoned or used property along the same street right-of-way; and (5) compliance with anti-idling standards.

Teia Collier, 1420 Hermitage Drive, expressed appreciation to the Council for considering the concerns of the residents in the surrounding neighborhood

regarding the proposed truck stop regulations. No others appeared regarding the proposed amendment.

Councilmembers expressed appreciation to those citizens who expressed their concerns regarding the proposed amendment.

Mr. Miklos moved to strike the following language from Section 3-504D2: "that abuts the same street as the refueling station" and add the following language to the end of Section 3-504C. LIMITED FUEL SALES: "Refueling heavy load vehicles is not authorized by this Subsection C and is prohibited at such areas." and to approve Ordinance No. 4528, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE ZONING ORDINANCE ADOPTED ON SEPTEMBER 4, 1973, AND RECODIFIED ON NOVEMBER 21, 1988, BY MAKING CERTAIN DELETIONS AND ADDITIONS IN SECTIONS FOUND UNDER CHAPTERS 3-200, 3-500, 4-930 AND 6-100 THEREBY PROHIBITING TRUCK STOPS IN THE CORPORATE LIMITS OF THE CITY; CREATING NEW REGULATIONS FOR HEAVY LOAD VEHICLE REFUELING STATIONS; DECLARING CERTAIN EXISTING USES TO BE CONFORMING; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE THEREOF. Motion was seconded by Mr. Noschese and approved unanimously. (Ordinance No. 4528 recorded in Ordinance Book No. 110.)

20

Conduct a public hearing and consider possible action for Zoning Text Amendment No. 2017-05 amending Section 3-200, Use Regulations; Section 3-300, Development Standards; Section 3-400, Off-Street Parking and Loading; Section 3-500, Supplementary Use Regulations; and Section 6-102, Definitions; all pertaining to new and revised regulations for Amusement and Recreation Services including ballrooms and event centers.
(The Planning and Zoning Commission recommends denial of the zoning text amendment.)

Mr. Miklos moved to postpone consideration of possible action on Zoning Text Amendment No. 2017-05 amending Section 3-200, Use Regulations; Section 3-300, Development Standards; Section 3-400, Off-Street Parking and Loading; Section 3-500, Supplementary Use Regulations; and Section 6-102, Definitions; all pertaining to new and revised regulations for Amusement and Recreation Services including ballrooms and event centers to the January 16, 2018, City Council meeting. Motion was seconded by Mr. Casper and approved unanimously.

21

A. Conduct a public hearing under Section 311.003 of the Texas Tax Code to consider approving an amended Project Plan and Reinvestment Zone Financing Plan for Towne Centre Tax Increment Finance Reinvestment Zone Number Two, City of Mesquite, Texas ("the Zone"), enlarging the boundaries and increasing the geographic area of the Zone to include the following two tracts of land: (I) Tract 1: property generally located between East Gross Street, Norwood Street, City Lake Park and Cedar Drive on the south; Rodeo Center Boulevard and IH-635 on the west; Military Parkway, Gross Road, Kearney Street and Texas Street on the north; and Florence Street, E. H. Hanby Stadium and Bryan-Beltline Road on the east; and (II) Tract 2: property generally located between Poteet Drive, Towne Centre Drive and Town East Boulevard on the south; Towne Crossing Boulevard on the west; Brazoria Drive and Devonshire Lane on the north; and North Galloway Avenue on the east and increasing the total estimated project costs for the Zone.

B. An ordinance approving an amended Project Plan and Reinvestment Zone Financing Plan for Towne Centre Tax Increment Finance Reinvestment Zone Number Two, City of Mesquite, Texas, enlarging the boundaries and increasing the geographic area of the Zone to include property generally described in Agenda Item No. 21A above, increasing the total estimated project costs for the Zone and amending Ordinance No. 3257, previously approved by the City Council on September 21, 1998, as amended, to enlarge the boundaries and increase the geographic area of the Zone.

A public hearing was held for an amended Project Plan and Reinvestment Zone Financing Plan for Towne Centre Tax Increment Finance Reinvestment Zone (TIRZ) Number Two, City of Mesquite, Texas.

No one appeared regarding the Towne Centre TIRZ.

Mr. Archer moved to approve Ordinance No. 4529, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, APPROVING AN AMENDED PROJECT AND FINANCING PLAN FOR TOWNE CENTRE REINVESTMENT ZONE NUMBER TWO, CITY OF MESQUITE, TEXAS (THE "ZONE"); ENLARGING THE BOUNDARIES AND INCREASING THE GEOGRAPHIC AREA OF THE ZONE TO INCLUDE THE FOLLOWING TWO TRACTS OF LAND: (I) TRACT 1: PROPERTY GENERALLY LOCATED BETWEEN E. GROSS STREET, NORWOOD STREET, CITY LAKE PARK, AND CEDAR DRIVE ON THE SOUTH; RODEO CENTER BOULEVARD AND I-635 ON THE WEST; MILITARY PARKWAY, GROSS ROAD, KEARNEY STREET, AND TEXAS STREET ON THE NORTH; AND FLORENCE STREET, E. H. HANBY STADIUM, AND BRYAN-BELTLINE ROAD ON THE EAST; AND (II) TRACT 2: PROPERTY GENERALLY LOCATED BETWEEN POTEET DRIVE, TOWN CENTRE DRIVE, AND TOWN EAST BOULEVARD ON THE SOUTH; TOWNE CROSSING BOULEVARD ON THE WEST; BRAZORIA DRIVE AND DEVONSHIRE LANE ON THE NORTH; AND NORTH GALLOWAY AVENUE ON THE EAST; INCREASING THE TOTAL ESTIMATED PROJECT COSTS FOR THE ZONE; AMENDING ORDINANCE NO. 3257, PREVIOUSLY APPROVED BY THE CITY COUNCIL ON SEPTEMBER 21, 1998, AS AMENDED, MAKING A FINDING OF FEASIBILITY; PROVIDING THAT THE ENLARGED ZONE TAKE EFFECT IMMEDIATELY UPON PASSAGE OF THE ORDINANCE; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE. Motion was seconded by Mr. Boroughs and approved unanimously. (Ordinance No. 4529 recorded in Ordinance Book No. 110.)

22

A. Conduct a public hearing under Section 311.003 of the Texas Tax Code to consider approving an amended Project Plan and Reinvestment Zone Financing Plan for Gus Thomasson Tax Increment Finance Reinvestment Zone No. Eight, City of Mesquite, Texas ("the Zone"), enlarging the boundaries and increasing the geographic area of the Zone to include property generally located on both sides of IH-30, north of Action Drive, Topaz Drive, Sorrento Drive and Lou Ann Drive, east of Big Town Boulevard and La Prada Drive, south of John West Road, the north line of IH-30, Susan Drive and Rockne Lane, and west of Morgan Drive and Edgebrook Drive, and property generally located on both sides of Motley Drive, south of Lou Ann Drive, north of Belhaven Drive, west of Tedlow Trail, and east of Viva Drive.

B. An ordinance approving an amended Project Plan and Reinvestment Zone Financing Plan for Gus Thomasson Tax Increment Finance Reinvestment Zone

No. Eight, City of Mesquite, Texas, enlarging the boundaries and increasing the geographic area of the Zone to include property generally described in Agenda Item No. 22A above, and amending Ordinance No. 4402, previously approved by the City Council on November 2, 2015, to enlarge the boundaries and increase the geographic area of the Zone.

A public hearing was held for an amended Project Plan and Reinvestment Zone Financing Plan for Gus Thomasson Tax Increment Finance Reinvestment Zone (TIRZ) No. Eight, City of Mesquite, Texas .

No one appeared regarding the Gus Thomasson TIRZ.

Mr. Miklos stated that the proposed ordinance allows an expansion of the TIRZ boundaries to revitalize other areas of the City.

Mr. Casper moved to approve ORDINANCE NO. 4530, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, APPROVING AN AMENDED PROJECT PLAN AND REINVESTMENT ZONE FINANCING PLAN FOR GUS THOMASSON TAX INCREMENT FINANCE REINVESTMENT ZONE NO. EIGHT, CITY OF MESQUITE, TEXAS (THE "ZONE"), ENLARGING THE BOUNDARIES AND INCREASING THE GEOGRAPHIC AREA OF THE ZONE TO INCLUDE PROPERTY GENERALLY LOCATED ON BOTH SIDES OF IH-30, NORTH OF ACTION DRIVE, TOPAZ DRIVE, SORRENTO DRIVE AND LOU ANN DRIVE, EAST OF BIG TOWN BOULEVARD AND LA PRADA DRIVE, SOUTH OF JOHN WEST ROAD, THE NORTH LINE OF IH-30, SUSAN DRIVE AND ROCKNE LANE, AND WEST OF MORGAN DRIVE AND EDGEBROOK DRIVE, AND PROPERTY GENERALLY LOCATED ON BOTH SIDES OF MOTLEY DRIVE, SOUTH OF LOU ANN DRIVE, NORTH OF BELHAVEN DRIVE, WEST OF TEDLOW TRAIL, AND EAST OF VIVA DRIVE; AMENDING ORDINANCE NO. 4402, PREVIOUSLY APPROVED BY THE CITY COUNCIL ON NOVEMBER 2, 2015, MAKING A FINDING OF FEASIBILITY; PROVIDING THAT THE ENLARGED ZONE TAKE EFFECT IMMEDIATELY UPON PASSAGE OF THE ORDINANCE; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE. Motion was seconded by Mr. Archer and approved unanimously. (Ordinance No. 4530 recorded in Ordinance Book No. 110.)

23

A. Conduct a public hearing under Section 311.003 of the Texas Tax Code to consider approving an amended Project Plan and Reinvestment Zone Financing Plan for Town East/Skyline Tax Increment Finance Reinvestment Zone No. Nine, City of Mesquite, Texas ("the Zone"), enlarging the boundaries and increasing the geographic area of the Zone to include property generally located between Samuell Boulevard and US Highway 80 on the south, Buckner Boulevard and IH 30 on the west, south of Action Drive on the north and Bamboo Street on the east.

B. An ordinance approving an amended Project Plan and Reinvestment Zone Financing Plan for Town East/Skyline Tax Increment Finance Reinvestment Zone No. Nine, City of Mesquite, Texas, enlarging the boundaries and increasing the geographic area of the Zone to include property generally described in Agenda Item No. 23A above, and amending Ordinance No. 4466, previously approved by the City Council on December 19, 2016, to enlarge the boundaries and increase the geographic area of the Zone.

A public hearing was held for an amended Project Plan and Reinvestment Zone Financing Plan for Town East/Skyline Tax Increment Finance Reinvestment Zone

(TIRZ) No. Nine, City of Mesquite, Texas.

No one appeared regarding the Town East/Skyline TIRZ.

Mr. Casper moved to approve ORDINANCE NO. 4531, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, APPROVING AN AMENDED PROJECT PLAN AND REINVESTMENT ZONE FINANCING PLAN FOR TOWN EAST/SKYLINE TAX INCREMENT FINANCE REINVESTMENT ZONE NO. NINE, CITY OF MESQUITE, TEXAS (THE "ZONE"), ENLARGING THE BOUNDARIES AND INCREASING THE GEOGRAPHIC AREA OF THE ZONE TO INCLUDE PROPERTY GENERALLY LOCATED BETWEEN SAMUELL BLVD. AND US HIGHWAY 80 ON THE SOUTH, BUCKNER BLVD. AND IH 30 ON THE WEST, SOUTH OF ACTION DRIVE ON THE NORTH AND BAMBOO STREET ON THE EAST; AMENDING ORDINANCE NO. 4466, PREVIOUSLY APPROVED BY THE CITY COUNCIL ON DECEMBER 19, 2016, MAKING A FINDING OF FEASIBILITY; PROVIDING THAT THE ENLARGED ZONE TAKE EFFECT IMMEDIATELY UPON PASSAGE OF THE ORDINANCE; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.. Motion was seconded by Mr. Aleman and approved unanimously. (Ordinance No. 4531 recorded in Ordinance Book No. 110.)

24

Conduct a public hearing and consider an ordinance designating a contiguous geographic area consisting of approximately 146.746 acres of land generally located south of Interstate Highway 20, East of FM 741 and North of Heartland Parkway, in Kaufman County, Texas, and being commonly referred to as Heartland Town Center, located within the extraterritorial jurisdiction of the City of Mesquite as a Reinvestment Zone pursuant to Chapter 311 of the Texas Tax Code, to be known as Reinvestment Zone Number Eleven, City of Mesquite, Texas (Heartland Town Center TIRZ), describing the boundaries of the Zone, creating a Board of Directors for the Zone, establishing a tax increment fund for the Zone, containing findings related to the creation of the Zone, providing a date of termination of the Zone, providing that the Zone take effect immediately upon passage of the ordinance.

Mr. Miklos left the meeting.

A public hearing was held to consider an ordinance for designating a contiguous geographic area within the extraterritorial jurisdiction (ETJ) of the City of Mesquite as a Reinvestment Zone pursuant to Chapter 311 of the Texas Tax Code, to be known as Reinvestment Zone Number Eleven, City of Mesquite, Texas (Heartland Town Center TIRZ), describing the boundaries of the Zone and creating a Board of Directors.

City Manager Cliff Keheley stated that a preliminary project and financing plan has been prepared and includes infrastructure improvements needed for the development of the residential subdivision and is consistent with costs associated with this type of development. A notice of public hearing on creation of the proposed zone was published in a newspaper of general circulation in the city and in a newspaper of general circulation in the ETJ before December 11, 2017. Notices of the public hearing were mailed to property owners to provide reasonable opportunity to protest their inclusion in the Zone.

Mr. Keheley stated that the following findings have been made in relation to this project: (1) the proposed zone will result in benefits to the city, its residents and property owners and to the residents and property owners within the Zone; (2) the

Zone meets the criteria for creation of a reinvestment zone; (3) it is within the ETJ; (4) it is predominately open, unproductive land and lacks the necessary public improvements for sound growth; (5) less than 30 percent of the property is currently used for public purposes; (6) the total appraised value of the proposed reinvestment zone together with the total appraised value of other zones within the City of Mesquite do not exceed 25 percent of the current total appraised value of the city; (7) improvements in the Zone will enhance the value of taxable real property in the Zone and will be of general benefit to the City of Mesquite; (8) development of the property will not occur solely through private investment in the foreseeable future; and (9) the proposed reinvestment zone will promote development of the economy and will expand activity in the Zone. The Zone will be in effect for 30 years.

No one appeared regarding the Heartland Town Center TIRZ.

Mr. Aleman moved to approve Ordinance No. 4532, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, DESIGNATING A CONTIGUOUS GEOGRAPHIC AREA CONSISTING OF APPROXIMATELY 146.746 ACRES OF LAND GENERALLY LOCATED SOUTH OF INTERSTATE HIGHWAY 20, EAST OF FM 741 AND NORTH OF HEARTLAND PARKWAY IN KAUFMAN COUNTY, TEXAS, LOCATED WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF MESQUITE AS A REINVESTMENT ZONE PURSUANT TO CHAPTER 311 OF THE TEXAS TAX CODE, TO BE KNOWN AS REINVESTMENT ZONE NUMBER ELEVEN, CITY OF MESQUITE, TEXAS (HEARTLAND TOWN CENTER); DESCRIBING THE BOUNDARIES OF THE ZONE; CREATING A BOARD OF DIRECTORS FOR THE ZONE; ESTABLISHING A TAX INCREMENT FUND FOR THE ZONE; CONTAINING FINDINGS RELATED TO THE CREATION OF THE ZONE; PROVIDING A DATE FOR THE TERMINATION OF THE ZONE; PROVIDING THAT THE ZONE TAKE EFFECT IMMEDIATELY UPON PASSAGE OF THE ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE. Motion was seconded by Mr. Boroughs. On call for a vote on the motion, the following votes were cast:

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

Nays: None

Abstentions: Miklos

Motion carried. (Ordinance No. 4532 recorded in Ordinance Book No. 110.)

25

Conduct a public hearing and consider a resolution authorizing and creating the Heartland Town Center Public Improvement District (PID) to include approximately 121.282 acres of land generally located south of Interstate Highway 20, East of FM 741 and north of Heartland Parkway, in Kaufman County, Texas, located within the extraterritorial jurisdiction of the City of Mesquite, Texas, in accordance with Chapter 372 of the Texas Local Government Code.

A public hearing was held to consider a resolution authorizing and creating the Heartland Town Center Public Improvement District (PID) to include approximately 121.282 acres of land generally located south of Interstate Highway 20, East of FM 741 and north of Heartland Parkway, in Kaufman County, Texas, located within the extraterritorial jurisdiction of the City of Mesquite, Texas, in accordance with Chapter 372 of the Texas Local Government Code.

City Manager Cliff Keheley stated that the Heartland PID encompasses the residential development.

Mr. Casper moved to approve Resolution No. 80-2017, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING AND CREATING THE HEARTLAND TOWN CENTER PUBLIC IMPROVEMENT DISTRICT TO INCLUDE APPROXIMATELY 121.282 ACRES OF LAND GENERALLY LOCATED SOUTH OF INTERSTATE HIGHWAY 20, EAST OF FM 741 AND NORTH OF HEARTLAND PARKWAY IN KAUFMAN COUNTY, TEXAS, LOCATED WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF MESQUITE, TEXAS, IN ACCORDANCE WITH CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE; PROVIDING FOR RELATED MATTERS; AND PROVIDING AN EFFECTIVE DATE. Motion was seconded by Mr. Aleman. On call for a vote on the motion, the following votes were cast:

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

Nays: None

Abstentions: Miklos

Motion carried. (Resolution No. 80-2017 recorded in Resolution Book No. 52.)

APPOINTMENTS TO BOARDS AND COMMISSIONS

26

Consider appointment of two regular members to the Board of Adjustment for terms to expire January 1, 2020, and one regular member for a term to expire January 1, 2019, who will also serve on the Automated Traffic Signal Enforcement Advisory Committee, and one reserve alternate member to the Board of Adjustment for a term to expire January 1, 2020.

Mr. Miklos entered the meeting.

Mr. Archer moved to reappoint Fernando Rojas as a regular member and to change the appointment of Donna Adams from an alternate member to a regular member of the Board of Adjustment (BOA) for terms to expire January 1, 2020, who will also serve on the Automated Traffic Signal Enforcement Advisory Committee (ATSEAC) by designation of Councilmembers Place 1 and 4, respectively, and to change the appointment of Wes McClure from an alternate member to a regular member and Bryan Odom from a reserve alternate member to an alternate member of the BOA for terms to expire January 1, 2019, who will also serve on the ATSEAC by designation of the Mayor and Councilmember Place 2, respectively. Motion was seconded by Mr. Casper and approved unanimously.

27

Consider appointment of four members to the Falcon's Lair Tax Increment Finance Reinvestment Zone No. Four Board of Directors for terms to expire December 31, 2019, and appoint a Chairperson to serve a one-year term beginning January 1, 2018.

Mr. Aleman moved to appoint Dan Aleman, Stan Pickett, Debbie Mol and Bruce Archer to the Falcon's Lair Tax Increment Finance Reinvestment Zone No. Four Board of Directors for terms to expire December 31, 2019, and appoint Stan Pickett as Chairperson to serve a one-year term beginning January 1, 2018. Motion was seconded by Mr. Archer and approved unanimously.

EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 9:25 P.M.

The City Council met in Executive Session pursuant to Section 551.074 of the Texas Government Code to consider the appointment, evaluation, employment, reassignment, duties, discipline or dismissal of the City Manager, City Attorney, Municipal Court Judge, City Secretary, members of the various City boards and commissions, and City officers or other City employees (Discuss annual review of City Attorney); whereupon, the City Council proceeded to meet in the Executive Conference Room. After the closed meeting ended at 10:20 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

ADJOURNMENT

Mr. Miklos moved to adjourn the meeting. Motion was seconded by Mr. Casper and approved unanimously. The meeting adjourned at 10:20 p.m.

Attest:

Approved:

Sonja Land, City Secretary

Stan Pickett, Mayor