



City of Mesquite, Texas

Minutes - Final City Council

Monday, August 5, 2024

5:00 PM

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

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

Absent: Councilmember Elizabeth Rodriguez-Ross.

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

AGENDA REVIEW

STAFF PRESENTATIONS

- 1 Discuss the proposed budget for Fiscal Year 2024-25.

EXECUTIVE SESSION - COUNCIL CONFERENCE ROOM - 6:17 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 (Receive legal advice regarding enforcement of municipal ordinances against multifamily developments.); whereupon, the City Council proceeded to meet in the Council Conference Room. After the closed meeting ended at 6:32 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

EXECUTIVE SESSION - COUNCIL CONFERENCE ROOM - 6:32 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. 26 – Discuss economic development incentives for a development located near the intersection of Markout Central Drive and County Road 202 in the City's Extraterritorial Jurisdiction.); whereupon, the City Council proceeded to meet in Council Conference Room. After the closed meeting ended at 7:06 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

REGULAR CITY COUNCIL MEETING - CITY COUNCIL CHAMBER - 7:09 P.M.**INVOCATION**

Reginald Jefferson, Pastor, New Hope Baptist Church, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

City Staff.

SPECIAL RECOGNITION

- 2 Recognize Real. Texas. Service. Champions.

Cliff Keheley, City Manager, stated that this program is an opportunity to recognize employees for their excellent customer service to the organization and the Mesquite community. A brief video was shown highlighting each employee's contribution to the City of Mesquite. Mayor Alemán, City Councilmembers and Mr. Keheley presented Certificates of Appreciation to the following employees in honor of their service to the City of Mesquite: Benedicto (Benny) Fuentes, Arts Center Facility Attendant - Facility Maintenance Department; Charity Parker, Public Safety Dispatcher - Mesquite Police Department; Todd Clearman, District Park Supervisor - Parks and Recreation Department; and Eric Haake, Fire Captain - Mesquite Fire Department.

SPECIAL ANNOUNCEMENTS

1. Mr. Casper announced that Mesquite students will return to school this month and the entire City Council wishes everyone a great school year. To keep everyone safe, we are asking drivers to pay extra attention in school zones and at crosswalks. This means no texting while driving, no cellphone usage in crosswalks, watch for children when driving near schools, stop for school buses and please, "Drive Like Your Family Lives Here."
2. Mr. Green congratulated the Parks and Recreation Department for another successful Epic Summer Experience. Hundreds of teens, ages 12 to 17, participated in these free events during the month of July. He thanked City staff and all community volunteers who helped with this effort. During the school year, the Parks and Recreation Department offers Teen Turnout and the next event will be held from 6:00 p.m. to 8:00 p.m., on Saturday, August 10, 2024, at Dunford Recreation Center, 1015 Green Canyon Drive. There will be music, games, open gym, food, crafts and more. Teen Turnout and Epic Summer Experience are part of the City's Real. Texas. Teens. initiative to provide young people meaningful, fun-filled experiences that keep them positively engaged.
3. Mr. Boroughs stated that Summer is winding down but we can still help Mesquite kids during these last few weeks and give them a healthy start to the school year. We are asking residents and businesses to donate jars of jelly and nut butters or seed butters to the Spread the Love campaign through Labor Day. Many children rely on free or reduced lunches during the school year but don't have access to these programs over the summer. The City partners with Sharing Life to distribute food collected through this program to provide nutritious food kids can make at home by themselves. Visit www.cityofmesquite.com/SpreadTheLove to see details and where to drop off items or you can donate financially online at sharing.life/donate.

4. Mr. Smith stated that you can help make history come alive at Opal Lawrence Historical Park and Florence Ranch Homestead. Historic Mesquite, Inc., will host a Volunteer Open House next week for those interested in helping share history lessons and artifacts with visitors. One of the main roles for volunteers is to help with elementary school tours of both historical parks. The Volunteer Open House will be held at 10:00 a.m., on Wednesday, August 14, 2024, at Opal Lawrence Historical Park, 711 East Kearney Street.

5. Mr. Murden stated that the Mesquite Police Department has dedicated Public Safety Professionals certified by Safe Kids Worldwide who can help residents with the proper installation of child safety car seats. The team also can help with best practices for child passenger safety to help you ensure your kids are protected at every stage until they outgrow safety seats. To learn more or request a child safety seat inspection, call 972-216-6759 or visit www.cityofmesquite.com/ChildSafety.

6. Mayor Alemán thanked residents for their support and patience during the cleanup process after the May 28, 2024, storm. The City is in the final stretch of storm debris collection, as crews will be moving into the south part of the City this week. So far, crews have collected more than 11,000 tons of brush. To give you a visual, if that amount of brush was piled in a 10-foot-tall stack, it would take three and one-half football fields to contain it. Crews are on track to complete most storm pickups by Monday, August 12, 2024. After that time, Solid Waste will resume normal operations, which means bulk and brush pickups will take place on your normal collection day. Residents can find helpful tips to speed up the process and their bulk collection days at www.cityofmesquite.com/SolidWaste. The cleanup has been a massive effort and we greatly appreciate the dedication and hard work of our staff members from the Solid Waste, Parks and Recreation and Public Works Departments and the Golf Course.

7. Mayor Alemán congratulated all of the young readers who completed the Mayor's 1,000 Page Reading Challenge this summer. A gathering was held this past Saturday, August 3, 2024, at the Library to celebrate. Of the 750-plus kids who participated in the Summer Reading Club, more than 230 kids read 1,000 pages or more. We are so proud of them! He thanked the Library staff and volunteers who made this program possible and expressed appreciation to the Friends of the Mesquite Public Library for their financial support.

8. Mayor Alemán recognized Mesquite Independent School District Board of Trustee Kevin Carbo who is in attendance at tonight's meeting

CITIZENS FORUM

1. Monica Evans, 1758 Chandlers Landing, thanked Councilmember Brandon Murden and Police Chief David Gill for efforts made to decrease crime in her neighborhood and suggested implementation of a juvenile curfew and regulation of feral cats.

2. Mary Mitchell, 3412 Willow Glen Drive, expressed concerns regarding numerous accidents at the intersection at Town East Boulevard and Willow Glen Drive.

CONSENT AGENDA

Approval of the Consent Agenda

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

3 Minutes of the regular City Council meeting held July 15, 2024.

Approved on the Consent Agenda.

4 A resolution authorizing the City Manager to excute an application to the U.S.

Department of Energy for the Energy Efficiency and Conservation Block Grant (EECBG) Voucher Rebate Program for reimbursement in the sum of \$182,880.00 for the purchase and installation of an electric vehicle charging station and the purchase of three electric vehicles and to take such other actions as may be necessary to obtain and administer the grant and ratifying the prior acts of the City Manager.

Approved on the Consent Agenda.

Resolution No. 36-2024, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN APPLICATION TO THE U.S. DEPARTMENT OF ENERGY FOR THE ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT VOUCHER REBATE PROGRAM FOR REIMBURSEMENT IN THE SUM OF \$182,880.00 FOR THE PURCHASE AND INSTALLATION OF AN ELECTRIC VEHICLE CHARGING STATION AND THE PURCHASE OF THREE ELECTRIC VEHICLES AND TO TAKE SUCH OTHER ACTIONS AS MAY BE NECESSARY TO OBTAIN AND ADMINISTER THE GRANT, AND RATIFYING THE PRIOR ACTS OF THE CITY MANAGER. (Resolution No. 36-2024 recorded in Resolution Book No. 69.)

- 5 RFP 2024-096 - Purchase and Installation of Caging and Equipment for the Animal Shelter Expansion.
(Authorize the City Manager to finalize and execute a contract with OTTO ENVIRONM INC. in the amount of \$302,050.00.)

Approved on the Consent Agenda.

- 6 Bid No. 2024-118 - Annual Contract for Temporary Labor Services for Solid Waste and Streets.
(Authorize the City Manager to finalize and execute a contract with A & Associates, Inc., in an amount not to exceed \$400,000.00 annually, through an Interlocal Cooperative Purchasing Agreement with the City of Dallas. The term of the contract is for a one-year period, with four additional one-year renewal options. The City Manager is authorized to exercise the renewal options subject to the annual appropriation of sufficient funds.)

Approved on the Consent Agenda.

- 7 Bid No. 2024-142 - Annual Supply of Personal Computers.
(Authorize the City Manager to finalize and execute a contract and any required documents with Dell Marketing L.P., through the Texas Department of Information Resources Contract No. DIR-TSO-3763, in an amount not to exceed \$412,240.00.)

Approved on the Consent Agenda.

- 8 Bid No. 2024-144 - Rutherford Playground Replacement.
(Authorize the City Manager to finalize and execute a contract and any required documents with Whirlix Design, Inc., for the purchase and installation of playground equipment, through BuyBoard Purchasing Cooperative Contract No. 679-22, in an amount not to exceed \$286,266.00.)

Approved on the Consent Agenda.

- 9 Authorize the City Manager to execute an Interlocal Agreement for Mutual Aid for Fire Protection Services between the City of Rockwall and City of Mesquite.
- Approved on the Consent Agenda.**
- 10 Authorize the City Manager to finalize and execute a Professional Engineering Services Contract with Binkley & Barfield, Inc., for design and construction documents in the amount of \$256,300.00 for Utility Engineering for CSJ 0095-02-096 - U.S. Highway 80 at Beltline Road.
- Approved on the Consent Agenda.**
- 11 Authorize the City Manager to finalize and execute Change Order No. 4 to Bid No. 2022-067, Skyline Drive Paving and Drainage Reconstruction (Town East Boulevard to Peachtree Road) with McMahon Contracting, LP in the amount of \$582,674.37.
- Approved on the Consent Agenda.**
- 12 Approve the Memorandum of Understanding (MOU) between Texas Emergency Management Assistance Teams (TEMAT) state agency and Texas Division of Emergency Management (TDEM) and the Mesquite Fire Department and authorize the Fire Chief to execute the MOU.
- Approved on the Consent Agenda.**

END OF CONSENT AGENDA**OTHER BUSINESS**

- 13 Consider a leave of absence request by Councilmember B.W. Smith.
- Cliff Keheley, City Manager, stated that the City Charter addresses the attendance of the Mayor and City Council who are absent from three or more City Council meetings without a leave of absence request. Mr. Smith identified a potential absence that may affect this and is requesting approval of a leave of absence.
- Mr. Smith stated that due to a long awaited extended family vacation, he will be absent from the August 19, 2024, September 3, 2024, and possibly the September 16, 2024, City Council meetings. He reassured citizens that he will be accessible via phone and email during this time.
- Mr. Smith abstained from voting on this item.
- Mr. Boroughs moved to approve a leave of absence request by Councilmember B. W. Smith. Motion was seconded by Mr. Casper. On call for a vote on the motion, the following votes were cast:
- Ayes: Boroughs, Casper, Green, Alemán, Murden
Nays: None
Abstention: Smith
Absent: Rodriguez-Ross
- Motion carried.

**PUBLIC HEARING AND CONSIDER PASSAGE OF THE FOLLOWING ORDINANCES AND ITEMS
RELATING TO THE FISCAL YEAR 2024-25 BUDGET:**

- 14** Conduct a public hearing to receive input from citizens regarding the proposed Fiscal Year 2024-25 budget.

A public hearing was held to receive input from citizens regarding the proposed Fiscal Year 2024-25 budget.

Geneva Mendez, Manager of Budget and Treasury, stated that this is the third and final State-law-mandated public hearing on the proposed Fiscal Year 2024-25 budget that must be held before the date that the tax rate is adopted, since a city must levy taxes only in accordance with its budget. The City Council held two previous public hearings on July 1, 2024, and July 15, 2024.

Ms. Mendez stated that in accordance with State law, the City Council must take action on the budget at the conclusion of this public hearing, either to vote separately to adopt the budget and also vote to "ratify" the increase in property tax revenue or vote to postpone adoption of the budget and vote to postpone ratification of the increase in property tax revenue until the September 3, 2024, City Council meeting.

Ms. Mendez stated that State law requires a separate vote to ratify any increase in property tax revenue as reflected in the budget. Next year's proposed budget estimates an increase of \$13,694,672.00 (15.43 percent) in property tax revenue and thus requires a separate vote to ratify the increase in property tax revenue. This vote to ratify the property tax revenue increase is separate and apart from any vote to adopt the budget or vote to adopt the tax rate. The vote to adopt the tax rate (tax levy) is scheduled for the September 3, 2023, City Council meeting.

No one appeared regarding the proposed Fiscal Year 2024-25 budget.

- 15** An ordinance providing funds for the 2024-25 Fiscal Year by adopting and approving the budget for said period and appropriating and setting aside the necessary funds out of the general and other revenues of the City for said fiscal year for the maintenance and operation of various departments and activities of the City, for capital and other improvements of the City and for all other expenditures included in said budget.

Mr. Smith stated "I move to postpone consideration of an ordinance providing funds for the 2024-25 Fiscal Year by adopting and approving the budget for said period and appropriating and setting aside the necessary funds out of the general and other revenues of the City for said fiscal year for the maintenance and operation of various departments and activities of the City, for capital and other improvements of the City and for all other expenditures included in said budget to the September 3, 2024, City Council meeting, at 7:00 p.m., in the Council Chamber at City Hall, 757 North Galloway Avenue, Mesquite, Texas." Motion was seconded by Mr. Casper and approved unanimously.

- 16** An ordinance ratifying the property tax revenue increase reflected in the 2024-25 Fiscal Year budget for said period.

Mr. Smith stated "I move to postpone consideration of an ordinance ratifying the property tax revenue increase reflected in the 2024-25 Fiscal Year budget to the September 3, 2024, City Council Meeting, at 7:00 p.m., in the Council Chamber at

City Hall, 757 North Galloway Avenue, Mesquite, Texas." Motion was seconded by Mr. Murden and approved unanimously.

17

Consider and act on a proposed ad valorem tax rate for Fiscal Year 2024-25 and call a public hearing for September 3, 2024, on the proposed Fiscal Year 2024-25 ad valorem tax rate.

Mr. Smith stated "I move that, upon proper notice and final adoption after the public hearing is held, property taxes be increased by the adoption of a tax rate for Fiscal Year 2024-25 of \$0.690000 per \$100 of valuation. The public hearing to consider this rate will be held on September 3, 2024, at 7:00 p.m. The public hearing will be held in the Council Chamber at City Hall, 757 North Galloway Avenue, Mesquite, Texas." Motion was seconded by Mr. Green and approved unanimously.

PUBLIC HEARINGS

18

Conduct a public hearing and consider a resolution authorizing the City Manager to finalize and execute an agreement for the collection of delinquent taxes with Linebarger Goggan Blair & Sampson, LLP.

(The proposed agreement has no financial impact on the City of Mesquite and the cost associated with the professional services is borne and paid from the penalty authorized by the applicable provisions of the Texas Property Tax Code.)

A public hearing was held to consider a resolution authorizing the City Manager to finalize and execute an agreement for the collection of delinquent taxes with Linebarger Goggan Blair & Sampson, LLP.

Suzy Cluse, Assistant City Manager, stated that the City has been utilizing Attorney Gary Grimes' services for the collection of delinquent taxes for many years. Approximately four years ago, Mr. Grimes merged with Linebarger Goggan Blair & Sampson, LLP and continued his services for the City under that firm. Mr. Grimes will be retiring soon and in order to continue service with Linebarger Goggan Blair & Sampson, LLP, a public hearing must be held for a new agreement to be executed.

Edward Lopez, Jr. with Linebarger Goggan Blair and Sampson, LLP introduced Mary Sue Daniels. Mr. Lopez and Ms. Daniels expressed gratitude for their partnership with the City and for the opportunity to continue representing the City.

Vivian Johnson, 4538 Live Oak Drive, expressed concerns regarding the filing requirements for property taxes.

No others appeared regarding the proposed resolution.

Mr. Green moved to approve Resolution No. 37-2024, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE CITY MANAGER TO FINALIZE AND EXECUTE AN AGREEMENT FOR THE COLLECTION OF DELINQUENT TAXES WITH LINEBARGER GOGGAN BLAIR & SAMPSON, LLP; PROVIDING FOR CERTAIN FINDINGS; AND PROVIDING AN EFFECTIVE DATE. Motion was seconded by Mr. Smith and approved unanimously. (Resolution No. 37-2024 recorded in Resolution Book No. 69.)

19

A. Conduct a public hearing to receive citizen input regarding the proposed 2024-2025 Community Development Block Grant Program (CDBG) budget and adopt the Annual Action Plan.

B. Consider a resolution approving the Community Development Block Grant Program Year 2024-2025 Budget, authorizing the filing of an application for an amount not to exceed \$1,055,228.00 for federal funds under the Housing and Community Development Act and designating the City Manager as Chief Executive Officer and authorized representative for the purpose of giving required assurances and acting in connection with said application.

A public hearing was held regarding the proposed 2024-2025 Community Development Block Grant Program (CDBG) budget and Annual Action Plan.

Anthony Cao, Director of Housing and Community Services, stated that the United States Department of Housing and Urban Development (HUD) requires entitlement communities to prepare an Annual Action Plan in order to receive federal housing and community development funding. The entitlement grant for program year 2024-25 is \$1,055,228.00. The Action Plan designates the City's proposal on how to spend the grant funds in a given program year to meet the priorities and needs identified in the Consolidated Plan. The 2024-2025 Annual Action Plan states how the City plans to allocate the CDBG funds for Fiscal Year 2025. The Annual Action Plan reflects staff's original funding recommendation. If the City Council approves an alternate option, staff will update the Annual Action Plan to reflect the approved funding recommendation.

This is the second and final required public hearing to provide opportunity for resident input regarding the proposed 2024-2025 CDBG budget. The first public hearing was conducted on July 1, 2024.

(1) Krista Varney, representing The Family Place, stated that The Family Place is a family violence agency that has been in the Dallas area for approximately 45 years. They provide holistic services for family violence survivors starting with prevention, educational services, non-residential services for survivors that may need counseling but do not want to go to a shelter. There are three shelter locations in the Dallas area, one of which is a men's shelter. There are also two transitional housing locations serving survivors for an extended period of time. The funding requested will be used for non-residential counseling services. Last year, The Family Place served over 1,491 women, 427 children and 84 men through their counseling services.

(2) Megan Valdez, representing Hope's Door New - Beginning Center, stated that Hope's Door is a domestic violence program with offices located in Garland. Hope's Door serves over 1,500 clients at any given time. They have two emergency shelters and outreach services to provide survivors with counseling, legal support and housing. They provide a community education program that reaches thousands of individuals per year and educates them on the dynamics of domestic violence. With CDBG funding, last year they were able to serve 42 Mesquite residents.

(3) Teresa Jackson, representing Sharing Life, was unable to attend tonight's meeting due to an illness. However, Mayor Alemán read an email from Ms. Jackson who stated that the funds awarded to Sharing Life will be used to support Mesquite residents in need of food, clothing, rent assistance, utilities

assistance, financial coaching, school supplies, medical supplies, holiday meals and Christmas toys.

No others appeared regarding the proposed 2024-25 CDBG budget and Annual Action Plan.

Mr. Green moved to approve Resolution No. 38-2024, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, APPROVING THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM YEAR 2024-2025 BUDGET; AUTHORIZING THE FILING OF AN APPLICATION FOR AN AMOUNT NOT TO EXCEED \$1,055,228.00 FOR FEDERAL FUNDS UNDER THE HOUSING AND COMMUNITY DEVELOPMENT ACT; AND DESIGNATING THE CITY MANAGER AS CHIEF EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE FOR THE PURPOSE OF GIVING REQUIRED ASSURANCES AND ACTING IN CONNECTION WITH SAID APPLICATION. Motion was seconded by Mr. Boroughs and approved unanimously. (Resolution No. 38-2024 recorded in Resolution Book No. 69.)

20

Conduct a public hearing and consider an ordinance for Zoning Application No. Z0224-0346, submitted by Maxwell Fisher of ZoneDev on behalf of Palladium USA International, Inc., for a change of zoning from General Retail to Planned Development - Multifamily Residential with modifications to the development standards to allow an age-restricted multifamily development, located at 2910 Motley Drive.

(One response in favor and two in opposition to the application have been received from property owners within the statutory notification area. The Planning and Zoning Commission recommends approval with certain stipulations. This item was postponed at the July 15, 2024, City Council meeting.)

A public hearing was held for Zoning Application No. Z0224-0346.

Jeff Armstrong, Director of Planning and Development Services, stated that the applicant proposes to develop a 133-unit age-restricted multifamily development on the subject property. Residents will be restricted to those 62 years of age and older. This is a project approved for 9% tax credits by the Texas Department of Housing and Community Affairs (TDHCA). In February 2024, the City Council provided a resolution of support for the project.

Mr. Armstrong stated that amenities include a great room/hospitality room, fitness room, business center, multi-purpose theater, multi-purpose library, outdoor courtyards and a community garden.

Applicant Maxwell Fisher of ZoneDev, on behalf of Palladium USA International, Inc., presented an overview of the project. Additional amenities include an outdoor pool with accessibility, pickleball court, community garden with raised planters, and a covered dog park with a pet wash station. A community meeting was held at on June 20, 2024, to address citizen concerns. During the meeting, they addressed the 10-foot buffer between the project and the adjacent property, added a pet wash station, and a walk-in shower for every unit.

No one appeared regarding the proposed application.

Mr. Green moved to approve Zoning Application No. Z0224-0346, as recommended by the Planning and Zoning Commission, and to approve

Ordinance No. 5118, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE ZONING ORDINANCE BY CHANGING THE ZONING FROM GENERAL RETAIL TO PLANNED DEVELOPMENT – MULTIFAMILY WITH MODIFIED DEVELOPMENT STANDARDS TO ALLOW A 133-UNIT AGE-RESTRICTED MULTIFAMILY DEVELOPMENT ON PROPERTY LOCATED AT 2910 MOTLEY DRIVE; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING FOR PUBLICATION OF THE CAPTION HEREOF; AND PROVIDING AN EFFECTIVE DATE. Motion was seconded by Mr. Boroughs and approved unanimously. (Ordinance No. 5118 recorded in Ordinance Book No. 131.)

21

Conduct a public hearing and consider an ordinance for Zoning Application No. Z0324-0354, submitted by Naresh Patel, for a Comprehensive Plan amendment from Office to Light Industrial and a change of zoning from Planned Development - Light Commercial (Ordinance No. 2124) to Planned Development - Industrial to allow a flex office and warehouse development, located at 1202 Interstate Highway 30.

(No responses in favor or in opposition to the application have been received from property owners within the statutory notification area. The Planning and Zoning Commission recommends approval with certain stipulations. This item was postponed at the July 15, 2024, City Council meeting.)

A public hearing was held for Zoning Application No. Z0324-0354.

Jeff Armstrong, Director of Planning and Development Services, stated that the applicant proposes the development of a 22,040-square-foot building on the 2.52-acre tract. The intent of the development is to provide small to medium-sized spaces that are not available in the adjacent Urban Park 30 development. The proposed building could be leased by one tenant or divided into smaller spaces for multiple tenants. The applicant will be responsible for keeping the underbrush of the wooded areas of the property clear and maintained.

Applicant Naresh Patel stated that the property is located adjacent to an existing industrial facility. They are proposing a smaller industrial facility to allow office and warehouse spaces. No tenants have been identified at this time. However, they are working with a leasing broker to confirm a potential tenant for the property.

No one appeared regarding the proposed application.

Mr. Casper moved to approve Zoning Application No. Z0324-0354 as recommended by the Planning and Zoning Commission, and to approve Ordinance No. 5119, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE DESIGNATION FROM OFFICE TO LIGHT INDUSTRIAL AND AMENDING THE MESQUITE ZONING ORDINANCE BY CHANGING THE ZONING FROM PLANNED DEVELOPMENT – LIGHT COMMERCIAL ORDINANCE NO. 2124 TO PLANNED DEVELOPMENT – INDUSTRIAL TO ALLOW A FLEX OFFICE AND WAREHOUSE DEVELOPMENT ON PROPERTY LOCATED AT 1202 IH-30; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING PUBLICATION OF THE CAPTION HEREOF; AND PROVIDING AN EFFECTIVE DATE. Motion was seconded by Mr.

Green. On call for a vote on the motion, the following votes were cast:

Ayes: Casper, Green, Alemán, Boroughs, Smith

Nays: Murden

Absent: Rodriguez-Ross

Motion carried. (Ordinance No. 5119 recorded in Ordinance Book No. 131.)

22

Conduct a public hearing and consider an ordinance for Zoning Application No. Z0424-0356, submitted by Rob Pennington of Kimley-Horn, for a change of zoning to amend Planned Development - Industrial (Ordinance No. 5057) to modify development standards and the concept plan, located at 2732, 2800 and 3200 East U.S. Highway 80.

(No responses in favor and one in opposition to the application have been received from property owners within the statutory notification area. The Planning and Zoning Commission recommends approval with certain stipulations.)

A public hearing was held for Zoning Application No. Z0424-0356.

Jeff Armstrong, Director of Planning and Development Services, stated that the applicant proposes amendment of the concept plan to construct one 206,460-square-foot industrial building instead of two buildings totaling 169,600 square feet. All truck parking and docks would be located on the west side of the building away from the residential neighborhood. No tenants have been identified for the property. There are no proposed changes to the self-storage facility proposed to be located at the front of the property. In addition to amending the concept plan, proposed changes to the development standards include reducing the maximum building height from 75 feet to 50 feet and changing the required parking from one space per 1,000 square feet of floor area to 1 space per 1,500 square feet of floor area. Certain other changes to the ordinance were initiated by staff to provide clarity and consistency, but do not change substantive requirements.

Applicant Jonathan Vinson, representing Calvary Real Estate, presented an overview of the project. The amended concept plan will allow the building height to be reduced from 75 feet to 50 feet on Lot 2 to lessen the visual impact of the building and increase the distance from the nearest residential property to 80 feet. The amended concept plan also proposes an 8-foot masonry screening wall along with a 30-foot landscape buffer. The service dock will be located at the rear of the building away from the adjacent residential properties.

No one appeared regarding the proposed application.

Mr. Green moved to approve Zoning Application No. Z0424-0356, as recommended by the Planning and Zoning Commission, and to approve Ordinance No. 5120, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE ZONING ORDINANCE BY AMENDING PLANNED DEVELOPMENT - INDUSTRIAL ORDINANCE NO. 5057 TO MODIFY THE DEVELOPMENT STANDARDS AND THE CONCEPT PLAN FOR THE PROPERTY LOCATED AT 2732, 2800, AND 3200 EAST US HIGHWAY 80; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING PUBLICATION OF THE CAPTION HEREOF; AND PROVIDING AN EFFECTIVE DATE. The motion was seconded by Mr. Boroughs and approved unanimously. (Ordinance No. 5120 recorded in Ordinance Book No. 131.)

23

Conduct a public hearing and consider an ordinance revising the City Code by making a Zoning Ordinance Text Amendment, ZTA No. 2024-01, thereby revising Appendix C - Zoning Ordinance, Parts 2 and 6, for the purpose of updating the City's ordinances regarding revising and establishing regulations for residential care facilities.

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

A public hearing was held regarding Zoning Ordinance Text Amendment No. 2024-01.

Jeff Armstrong, Director of Planning and Development Services, stated that staff proposes amendments to the regulations related to residential care facilities for the purpose of consistency with State standards and the Federal Fair Housing Act. Mr. Armstrong reviewed the amendments which includes the definition of families, community homes, group homes and residential care facilities, changes made to the number of residents allowed in a community home (two per room, with a maximum of eight people) and clarification as to when a certificate of occupancy is required.

Tammy Strong, 1713 Cool Springs Drive, expressed support for the zoning text amendment.

No others appeared regarding the proposed Zoning Ordinance Text Amendment No. 2024-01.

Mr. Green moved to approve Ordinance No. 5121, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, REVISING THE MESQUITE CITY CODE BY MAKING A MESQUITE ZONING ORDINANCE TEXT AMENDMENT, ZTA NO. 2024-01, THEREBY REVISING APPENDIX C – ZONING ORDINANCE, PART 2 (RESIDENTIAL DISTRICTS), 2-200 (USE REGULATIONS), SECTION 2-203 “RESIDENTIAL DISTRICTS: SCHEDULE OF PERMITTED USES,” 2-800 (RESIDENTIAL CARE FACILITIES), SECTION 2-801 “CERTIFICATE OF OCCUPANCY,” PART 3 (NONRESIDENTIAL DISTRICTS), 3-200 (USE REGULATIONS), SECTION 3-203 “NONRESIDENTIAL DISTRICTS: SCHEDULE OF PERMITTED USES,” AND PART 6 (DEFINITIONS), 6-100 (DEFINITIONS AND INTERPRETATION OF TERMS), SECTION 6-102 “DEFINITIONS” FOR THE PURPOSE OF REVISING AND ESTABLISHING REGULATIONS FOR RESIDENTIAL CARE FACILITIES; PROVIDING CONFLICTS RESOLUTION, SAVINGS, AND SEVERABILITY CLAUSES; PROVIDING A PENALTY CLAUSE WITH A FINE NOT TO EXCEED \$2,000; PROVIDING FOR PUBLICATION OF THE CAPTION HEREOF; AND DECLARING AN EFFECTIVE DATE. Motion was seconded by Mr. Murden and approved unanimously. (Ordinance No. 5121 recorded in Ordinance Book No. 131.)

24

Conduct a public hearing and consider an ordinance revising the City Code by making a Zoning Ordinance Text Amendment, ZTA No. 2024-03, thereby revising Appendix C - Zoning Ordinance, Parts 2, 3, and 6, for the purpose of updating the City's ordinances regarding revising and establishing regulations for accessory electric vehicle charging stations.

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

A public hearing was held regarding Zoning Ordinance Text Amendment No.

2024-03.

Jeff Armstrong, Director of Planning and Development Services, stated that currently, the Zoning Ordinance does not address electric vehicle (EV) charging. Staff is proposing an amendment that would establish regulations for EV charging that is accessory to other permitted uses. Issues addressed include permitted locations, setback requirements and signage.

No one appeared regarding the proposed Zoning Ordinance Text Amendment No. 2024-03.

Mr. Green moved to postpone consideration of Zoning Text Amendment No. 2024-03 to a date uncertain. Motion was seconded by Mr. Casper and approved unanimously.

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Conduct a public hearing and consider an ordinance revising the City Code by making a Zoning Ordinance Text Amendment, ZTA No. 2024-04, thereby revising Appendix C - Zoning Ordinance, Parts 3 and 6, for the purpose of updating the City's ordinances regarding revising and establishing regulations for drone delivery services.

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

A public hearing was held regarding Zoning Ordinance Text Amendment No. 2024-04.

Jeff Armstrong, Director of Planning and Development Services, stated that the Zoning Ordinance does not currently include provisions for drone delivery services. Staff proposes regulations for drone delivery as a primary use of property and drone delivery accessory to established permitted uses. Proposed regulations include location standards, fencing and separation from residential and park uses.

No one appeared regarding the proposed Zoning Ordinance Text Amendment No. 2024-04.

Mr. Green moved to postpone consideration of Zoning Text Amendment No. 2024-04 to the August 19, 2024, City Council Meeting. Motion was seconded by Mr. Murden and approved unanimously.

ADJOURNMENT

Mr. Green moved to adjourn the meeting. Motion was seconded by Mr. Murden and approved unanimously. The meeting adjourned at 8:59 p.m.

Attest:

Approved:

Sonja Land, City Secretary

Daniel Alemán, Jr., Mayor