



*****AMENDED*****

DeSoto City Council Meeting Agenda

City Council Chambers
Jim Baugh Government Center
DeSoto City Hall 211 E. Pleasant Run Road
DeSoto, TX 75115 (972) 230-9646

Mayor Rachel L. Proctor
Mayor Pro Tem Andre' Byrd, Sr.
Councilmember Patricia Ledbetter
Councilmember Nicole Raphiel
Councilmember Dinah Marks
Councilmember Crystal Chism
Councilmember Letitia Hughes

DATE: Tuesday, May 2, 2023

WORK SESSION: 6:00pm Council Chambers

REGULAR SESSION: 7:00pm Council Chambers
(Executive Session immediately following Regular Session)

As authorized by Section 551.071(2) of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed herein. Pursuant to Texas Government Code 551.127, one or more members of the governing body may appear via videoconference call. The presiding officer and a quorum of the City Council will be physically present at this meeting.

DeSoto City Council Meetings are open to the public; however, since space is limited and citizens are encouraged to view the meetings online rather than in person due to concerns related to the spread of COVID-19. Citizens attending in-person are asked to maintain a distance of at least 6-feet from other members of the public, City Council and staff. The meeting will be live-streamed on DeSoto's website at www.desototexas.gov for those wanting to view the meeting online.

Time limit is 3 minutes per speaker.

A. WORK SESSION

1. Review of Master Calendar of Events and Special Meetings
2. Review of Regular Agenda items
3. Presentation and continued discussion of results and recommendations from the Wolf Creek Drainage Analysis

B. REGULAR SESSION - CALL TO ORDER

1. Invocation by: Pastor Curt Krohn, Faith Bible Church
2. Pledge of Allegiance led by: Cadet Mariah Bozeman, DeSoto High School
3. Student Ambassador: Cadet Mariah Bozeman, DeSoto High School

C. ITEMS OF COMMUNITY INTEREST

1. Pursuant to Texas Government Code Section 551. 0415 the City Council may report on the following items: (1) expression of thanks, congratulations or condolences; (2) information about holiday schedules; 3) recognition of individuals; (4) reminders about upcoming City Council events; (5) information about community events; and (6) announcements involving imminent threat to public health and safety.

2. Liaison Updates

D. **LEGISLATIVE UPDATES**

1. Discuss pending legislation that is being considered by the 88th Legislature and provide guidance to City staff and City Attorney

E. **CITIZEN APPEARANCES**

The City Council invites citizens to address the Council on any topic not already scheduled for Public Hearing. Citizens wishing to speak should complete a "Citizen Comment Card" and present it to the City Secretary or return to the Ambassador table prior to the meeting. In accordance with the Texas Open Meetings Act, the City Council cannot take action on items not listed on the agenda. However, your concerns may be addressed by City Staff, placed on a future agenda, or responded to by some other course.

Time limit is 3 minutes per speaker.

F. **PRESENTATIONS**

1. Presentation of Top 20 DeSoto Graduates
2. Presentation of Proclamation honoring Teacher Appreciation Week
3. Presentation of proclamation honoring Economic Development Week
4. Presentation of proclamation honoring Police Week and Peace Officers Memorial Day
5. Presentation of proclamation honoring Mental Health Awareness Month

G. **CONSENT AGENDA**

Items are listed on the Consent Agenda by the City Manager and are recommended to the City Council for single vote approval. An item(s) may be removed from the Consent Agenda for separate vote at the request of a Councilmember, the Mayor, or the City Manager.

1. **Other Items**

- a. Recognition of proclamation honoring Public Service Recognition Week
- b. Recognition of proclamation honoring Municipal Clerks Week
- c. Recognition of proclamation honoring Asian Pacific American Heritage Month
- d. Recognition of proclamation honoring Older Americans Month
- e. Recognition of proclamation honoring National Small Business Week
- f. Recognition of proclamation honoring Building Safety Month
- g. Confirmation of appointment of Latonya Sneed to the Cultural Arts Foundation
- h. Confirmation of appointment of Janice E. Garrett to the Cultural Arts Foundation
- i. Confirmation of appointment of Roslyn Young to the Cultural Arts Foundation
- j. Confirmation of appointment of Willie Adams to the Cultural Arts Foundation
- k. Confirmation of appointment of James Adams to the Cultural Arts Foundation
- l. Confirmation of appointment of Latosha Herron Bruff to the DeSoto Development Corporation.
- m. Confirmation of appointment of Mark Jones to the DeSoto Development Corporation
- n. Consider authorizing the City Manager to negotiate and execute Amendment No. 1 of the Agreement for Professional Services with Halff Associates, Inc. in an amount not to exceed \$322,500 for additional design services associated with the Hampton Road Redevelopment Project
- o. Consider authorizing the City Manager to negotiate and execute Amendment No. 2 of the Agreement for Professional Services with Halff Associates, Inc. in an amount not to exceed \$44,500 for additional consulting services associated with the Hampton Road Character Based Zoning District Project
- p. Consider authorizing the City Manager to negotiate and execute a purchase contract in the amount of \$138,687 with GeoComm to complete GIS work for the transition to Next Generation 911
- q. Consider authorizing the City Manager to negotiate and execute an Interlocal Agreement with the City of Lancaster for Fourth of July Celebrations

- r. Consider authorizing the City Manager to negotiate and execute an Interlocal Agreement with the Cities of Lancaster, Cedar Hill, and Duncanville for the Juneteenth Celebration

H. **PUBLIC HEARINGS**

- 1. Conduct a Public Hearing and consider an Ordinance for applicant's request to appeal the Planning & Zoning Commission's recommendation of denial on April 11, 2023 for the zoning of property legally described as being Tracts 9D and 10 in the Eagle Office Park (1507 Kestrel Avenue) from existing General Retail (GR) to Planned Development (PD) with a base zoning of General Retail (GR) with one (1) deviation. The applicant is Permitted Development, LLC and the property owner is Lyons Equities Inc. TR. (Case #Z-1496-23)
- 2. Conduct a Public Hearing and consider an Ordinance amending Planned Development-105 (PD-105) to allow for a parking lot amendment to accommodate drive-up parking and addition of regular spaces on a property located at the northeast corner of N. Elerson Road and W. Belt Line Road. The property is addressed as 951 W. Belt Line Road. The applicant is Carolyn Koch with Kimley-Horn and Associates, Inc. and the owner is Walmart Real Estate Business Trust. (Case # Z-1493-23)

I. **REGULAR AGENDA - New Business**

- 1. Consider an Ordinance amending the Fiscal Year 2022-2023 Adopted Budget related to utilizing excess reserve funds as identified by DeSoto's Fund Balance Policy
 - i. \$4,383,193 Public Utilities Fund transfer to the Capital Improvements-Public Utilities Fund for water and sewer utility costs associated with the Westmoreland, Pleasant Run, and Daniieldale road reconstruction projects

J. **EXECUTIVE SESSION AND RESULTING POTENTIAL ACTION**

- 1. The City Council will convene into Executive Session pursuant to Section 551.074, Personnel Matters, of the Texas Government Code, to discuss roles and responsibilities related to the City Manager, City Attorney, and City Secretary
- 2. Action as a result of Executive Session

K. **ADJOURNMENT OF REGULAR SESSION**

- k. Confirmation of appointment of Willie Adams to the Cultural Arts Foundation

NOTICE OF ASSISTANCE AT THE PUBLIC MEETING

The building in which the above meeting will be conducted is wheelchair accessible. Person with disabilities who plan to attend this meeting and may require auxiliary aid or services such as readers or large print, or interpreters for persons who are deaf or hearing impaired, are requested to contact the Office of City Secretary at 972-230-9646 or by E-mail at athomas@desototexas.gov or by calling through a T.D.D. (Telecommunication Device for the Deaf) to Relay Texas 800-732-2989.

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted in accordance with the regulations of the Texas Open Meetings Act on the bulletin board located at the entrance to the City of DeSoto's Jim Baugh Government Center, a place convenient and readily accessible to the general public as well as to the City's website www.desototexas.gov and said Notice was posted on the following date and time: **Friday, April 28, 2023 by 5:00 P.M.** and remained so posted at least two (2) hours after said meeting was convened.



Alicia Thomas, City Secretary



DeSoto City Council Meetings are broadcast live in their entirety on DeSoto's City Website www.desototexas.gov Government Access Channel 16 available to Spectrum subscribers and Channel 99 available to AT&T U-verses subscribers on the first and third Tuesday of each month at 7:00 p.m. A taped broadcast is aired each day on Channel 16 and Channel 99 at 10:00 a.m., 2:00 p.m., 7:00 p.m., and 11:00 p.m. following the live broadcast. Questions regarding the broadcast schedules or internet viewing should be directed to Kathy Jones, Community Relations Manager, at 972-230-9648. These taped broadcasts are also available to view on the City's website (www.desototexas.gov) at your convenience.