



City of Mesquite, Texas

Meeting Agenda

City Council

Monday, May 6, 2024

5:30 PM

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

Members of the public desiring to speak during Citizens Forum may complete a registration card, which is available at the entrance to the City Council Chamber, and present it to the City Secretary prior to the meeting or pre-register by sending an email, including name, address and subject to be discussed, to the City Secretary at sland@cityofmesquite.com by 3:00 p.m., on May 6, 2024.

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

AGENDA REVIEW

EXECUTIVE SESSION - COUNCIL CONFERENCE ROOM - 5:30 P.M.

In accordance with Chapter 551 of the Texas Government Code, the City Council reserves the right to adjourn into executive session to discuss any of the following:

- Pending and/or Contemplated Litigation
- Purchase, Exchange, Lease or Value of Real Property
- Personnel Matters
- Economic Development

REGULAR CITY COUNCIL MEETING - CITY COUNCIL CHAMBER - 7:00 P.M.

INVOCATION

Fred Bacon, Pastor, First Christian Church, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

Members of the Small Business Community, Business Retention Task Force and other business leaders

SPECIAL RECOGNITION

- 1 [24-7178](#) Recognize Real. Texas. Service. Champions.

SPECIAL ANNOUNCEMENTS

This time is reserved for special announcements and recognition of individuals or groups.

CITIZENS FORUM

At this time a number of citizens not to exceed 10 shall be allowed to speak on any matter other than items on the agenda, personnel matters, matters under litigation or matters concerning the purchase, exchange, lease or value of real property for a length of time not exceeding three minutes on a first-come, first-served basis. Citizens addressing the Council through a translator will be allowed six minutes. No Council action or discussion is to be taken until such matter is placed on the Agenda and posted in accordance with law.

CITIZENS COMMENTS

At this time, any individual wishing to discuss any matter on the agenda shall be allowed to speak for a length of time not exceeding three minutes on a first-come, first-served basis. Citizens addressing the Council through a translator will be allowed six minutes. Anyone desiring to speak on an item scheduled for a public hearing is requested to hold their comments until the public hearing on that item.

APPOINTMENTS FOR PERSONAL APPEARANCE

- 2 [24-7166](#) Receive update from representatives of Linebarger Goggan Blair & Sampson, LLP regarding the property tax assessor and collection transition to Dallas County.

CONSENT AGENDA

(All items on the Consent Agenda are routine items and may be approved with one motion; however, should any member of the Council or any individual wish to discuss any item, said item may be removed from the Consent Agenda upon request by a City Councilmember.)

- 3 [24-7161](#) Minutes of the regular City Council meeting held April 15, 2024.

Attachments: [April 15, 2024, minutes](#)

- 4 [24-7159](#) An ordinance amending Chapter 16 of the City Code to adopt a revised 2024 Water Conservation, and Water Resource and Emergency Management Plan as required by the Texas Commission on Environmental Quality and Texas Water Development Board.

Attachments: [Ordinance](#)

- 5 [24-7173](#) An ordinance amending Appendix D - Comprehensive Fee Schedule, Article XIV (Public Works) of the City Code revising fees regarding Public Works Engineering Inspections.

Attachments: [Ordinance](#)

- 6 [24-7153](#) RFP No. 2024-031 - City of Mesquite Convention Center Roof Repair and

Replacement.

(Authorize the City Manager to finalize and execute a contract with SL Nabors Construction Management LLC, a Texas limited liability company, in the amount of \$280,000.00.)

Attachments:

[Proposal](#)

[Proposal Evaluation Grading](#)

- 7 [24-7177](#) Bid No. 2024-073 - Annual Landscape Maintenance of the TxDOT High Visibility Interchanges.

(Authorize the City Manager to finalize and execute a contract with Yellowstone Landscaping Company in amount not to exceed \$205,343.80. The term of this 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 annual appropriation of sufficient funds).

Attachments:

[Bid Tabulation](#)

[Bid Evaluation Form](#)

- 8 [24-7152](#) Bid No. 2024-075 - Annual Supply of OEM Kenworth Parts and Labor.
(Authorize the City Manager to finalize and execute a contract and any required documents with Texas Kenworth Company, LLC, dba MHC Kenworth, through BuyBoard Contract No. 723-23, in an amount not to exceed \$300,000.00. The term of the contract is for a one-year period, with two additional one-year renewals. The City Manager is authorized to exercise the renewal options, subject to the annual appropriation of sufficient funds.)

- 9 [24-7149](#) Bid No. 2024-089 - Annual Supply of Goodyear Tires, Tubes, Supplies and Equipment.
(Staff recommends award to The Goodyear Tire and Rubber Company, through BuyBoard Contract No. 729-24, in the amount of \$245,000.00. The term of this contract is for one year, with two additional one-year renewal options. The City Manager is authorized to exercise the renewal options, subject to annual appropriation of sufficient funds.)

Attachments:

[Goodyear Quote](#)

[Goodyear Pricelist](#)

- 10 [24-7162](#) Bid No. 2024-091 - Annual Supply of Firestone Tires.
(Staff recommends award to Southern Tire Mart, LLC, through BuyBoard Contract No. 729-24, in the amount of \$175,000.00. The term of this contract is for one year, with two additional one-year renewal options. The City Manager is authorized to exercise the renewal options, subject to annual appropriation of sufficient funds.)

Attachments:

[Southern Tire Mart Quote](#)

[Discounted Pricing List](#)

- 11 [24-7171](#) Bid No. 2024-121 - Purchase of Explosive Ordnance Disposal (EOD) Bomb

Squad Robot Replacement.

(Staff recommends award to ICOR Technology, Inc., through GSA's Cooperative Purchasing Program Contract No. GS-07F-0430V, in an amount not to exceed \$145,915.67.)

Attachments: [ICOR Quote](#)

- 12 [24-7179](#) Authorize the City Manager to finalize, execute and administer an agreement with the Federal Highway Administration for Safe Street for All (SS4A) Grant to the City in the amount of \$256,000.00 for the purpose of traffic safety improvements, and approve the contribution of City funds for this project in the amount of \$64,000.00.

- 13 [24-7184](#) Authorize the City Manager to finalize and execute an Interlocal Agreement between the City of Dallas and the Mesquite Police Department for participation in the Internet Crimes Against Children (ICAC) Task Force.

Attachments: [Interlocal Agreement](#)

OTHER BUSINESS

- 14 [24-7165](#) Consider an application to allow fee in lieu of parkland dedication for the Wooded Lake Apartments, located at 1410 Wooded Lake Drive.

Attachments: [Request letter](#)
 [Aerial Map and Concept Plan](#)

- 15 [24-7180](#) Consideration of a motion to reconsider City Council action taken on April 1, 2024, denying Application No. Z0823-0321, submitted by Tierra Carter-Simmons of Inspiring You to Greatness, for a Comprehensive Plan amendment from Commercial to Low Density Residential and a change of zoning from Agricultural to Planned Development - R-3, Single-Family Residential to allow a 16-lot single-family subdivision, located at 10079 South Belt Line Road.

(No responses in favor and one in opposition were received from property owners within the statutory notification area. The Planning and Zoning Commission recommends approval with certain stipulations. This item was denied at the April 1, 2024, City Council meeting.)

Attachments: [Request for Reconsideration](#)
 [Revised Concept Plan](#)

PUBLIC HEARINGS

(City Council may approve a different zoning district than the one requested, except that the different district may not (1) have a maximum structure height or density that is higher than the one requested; or (2) change the uses to include nonresidential when the request is for solely residential uses or vice versa.)

- 16 [24-7158](#) Conduct a public hearing and consider an ordinance for Zoning

Application No. Z0324-0355, submitted by Sharing Life, for a change of zoning from Commercial within the Town East Retail and Restaurant Area Overlay District to Commercial within the Town East Retail and Restaurant Area Overlay District with a Conditional Use Permit to allow outdoor storage and metal screening material, located at 3795 West Emporium Circle.

(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.)

Attachments:

[Staff Report and Maps](#)

[P&Z Minutes](#)

[Ordinance](#)

17 [24-7163](#)

Conduct a public hearing and consider an ordinance for Zoning Application No. Z0224-0345, submitted by Emily Zoellner of Manhard Consulting, for a change of zoning from Commercial and R-2 Single-Family Residential to Planned Development - Commercial to allow an office warehouse development with modified development standards, located at 21900, 22000 and 22100 Interstate Highway 635.

(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 April 15, 2024, City Council meeting.)

Attachments:

[Staff Report and Maps](#)

[P&Z Minutes](#)

[Ordinance](#)

18 [24-7164](#)

Conduct a public hearing and consider an ordinance revising the City Code by making a Zoning Ordinance Text Amendment, ZTA No. 2024-02, thereby revising Appendix C - Zoning Ordinance, Part 2 (Residential Districts) for the purpose of updating the City's ordinances regarding parking requirements for multifamily residential development.

(The Planning and Zoning Commission recommends approval of the zoning text amendment. This item was postponed at the April 15, 2024, City Council meeting.)

Attachments:

[Staff Memo](#)

[P&Z Minutes](#)

[Ordinance](#)

19 [24-7183](#)

Conduct a public hearing and consider a resolution of no objection for Palladium Bruton Road, LTD's application to the Texas Department of Housing and Community Affairs (the "TDHCA") for 2024 Non-Competitive 4% Housing Tax Credits for the construction of an approximately 288-unit

affordable multifamily rental housing development located at 2255 West Bruton Road and authorizing the City Secretary to certify the resolution to the TDHCA.

Attachments: [Resolution of No Objection](#)

ADJOURNMENT

NOTICE OF EXECUTIVE SESSION

Pending and Contemplated Litigation

Pursuant to Section 551.071 of the Texas Government Code, the City Council will meet in closed session to consider pending or contemplated litigation subjects or settlement offers. The following cases/subjects may be discussed:

1. Anthony Wagner v. City of Mesquite, Texas, Cause No. DC-22-02864 - Filed 03-14-2022; appeal to 5th District Court of Appeals, Dallas, Cause No. 05-22-00826-CV - Filed 08-10-2022
2. City of Dallas, City of Mesquite, et al., v. Disney DTC, LLC, et al., Cause No. DC-22-09128 - Filed 08-03-2022; appeal to 5th District Court of Appeals, Dallas, Cause No. 05-23-00485-CV - Filed 05-19-2023
3. Cesar Nunez-Solis v. The City of Mesquite, Texas, Cause No. DC-22-11631 - Filed 09-06-2022
4. J'Mei Walker, II v. City of Mesquite. Cause No. DC-23-04762 - Filed 04-11-2023
5. State of Texas v. Villa, Cause No. 05-22-00220-CR, pending in the Court of Criminal Appeals, Cause No. PD-0756-23
6. David Briones v. City of Mesquite and Steven Pierce, Cause No. CC-23-05044-E - Filed 08-04-2023
7. April Patton v. City of Mesquite, Cause No. DC-23-14996, Filed 09-13-2023
8. Danny Booker v. City of Mesquite Risk Management, Cause No. DC-23-18301 - Filed 10-25-2023
9. Elgin Singleton v. City of Mesquite, Cause No. DC-23-18152 - Filed 10-25-2023
10. Avery Fuentes v. City of Mesquite, Cause No. DC-23-19555 - Filed 11-20-2023
11. Bethany Hall and Antonio Holmes v. City of Mesquite, et al; Case No. DC-24-00034, Filed 01-02-2024; removed to the United States District Court for the Northern District of Texas, Dallas Division, Case No. 3:24-cv-00231-B, on 01-30-2024
12. Dominick Green v. R. Rose, C. Pabst and the City of Mesquite, Texas, Cause No. 3:24-cv-00337-X, Filed 02-12-2024
13. Mesquite Asset Recovery Group, LLC, et al. v. City of Mesquite, Case No. DC-24-02668, filed in the 191st District Court, Dallas County, Texas, filed February 15, 2024; removed to the U.S. District Court for the Northern District Of Texas, Dallas Division, Civil Action No. 3:24-cv-00740-D, on March 28, 2024
14. Tijuana Richards v. Mesquite Parks and Recreation, Cause No. DC-24-03958, filed March 15, 2024

Personnel Matters

Pursuant to Section 551.074 of the Texas Government Code, the City Council may 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 employees. A complete list of the members of the City boards and commissions is on file in the City Secretary's office.

Economic Development

Pursuant to Section 551.087 of the Texas Government Code, the City Council will meet in closed session to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations or to deliberate the offer of a financial or other incentive to such a business prospect. The following subjects may be discussed:

- 20 24-7174** Discuss economic development incentives for a business expansion at Samuell Boulevard.
- 21 24-7181** Discuss economic development incentives for a business considering expansion to Oates Drive and IH-635.
- 22 24-7182** Discuss economic development incentives for a prospective development on Bruton Road.

Following discussions in executive session, the City Council will reconvene in open session where any final action regarding executive session items will be taken.

The City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters posted on this agenda, when such executive session is authorized by Texas Government Code Section 551.071 (Consultation with Attorney), 551.072 (Deliberations regarding Real Property), 551.073 (Deliberations regarding Gifts or Donations), 551.074 (Personnel Matters), 551.076 (Deliberations regarding Security Devices or Security Audits) and 551.087 (Economic Development); Texas Tax Code Section 321.3022 (Sales Tax Information) and Texas Government Code Section 418.183(f) (Emergency Management).

The City Hall is wheelchair accessible. Any requests for sign interpretive services must be made 48 hours in advance of the meeting. To make arrangements, call the City Secretary's office at 972-216-6244 or TDD 1-800-735-2989.

Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun.

Conforme a la Sección 30.06 del Código Penal (entrada ilegal de persona titular de licencia con arma de fuego oculta), personas con licencia segun el Sub-capitulo H, Capitulo 411, Código de Gobierno (ley de permiso para portar arma de fuego), no deben entrar a esta propiedad portando un arma de fuego oculta.

Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly.

Conforme a la Sección 30.07 del Código Penal (entrada ilegal de persona titular de licencia con arma de fuego a la vista), personas con licencia segun el Sub-capitulo H, Capitulo 411, Código de Gobierno (ley de permiso para portar arma de fuego), no deben entrar a esta propiedad portando una arma de fuego a la vista.

Pursuant to Section 551.007(c) of the Texas Local Government Code, any member of the public wishing to address the City Council through the use of a translator is granted at least twice the amount of time as a member of the public who does not require the assistance of a translator.

