



# City of Mesquite, Texas

## Meeting Agenda

### City Council

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Monday, December 4, 2023

5:00 PM

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

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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](mailto:sland@cityofmesquite.com) by 3:00 p.m., on December 4, 2023.

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

##### **AGENDA REVIEW**

##### **STAFF PRESENTATIONS**

- 1      [23-6918](#)      Receive presentation regarding proposed changes to residential solid waste service.
- 2      [23-6907](#)      Receive presentation regarding the City of Mesquite Housing Assessment.

(Any staff presentation not completed prior to the City Council Regular Meeting in the City Council Chamber at 7:00 p.m. may be presented and considered in the City Council Chamber following the Regular Meeting.)

#### **EXECUTIVE SESSION - COUNCIL CONFERENCE ROOM - 5:00 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**

Pastor Jim Burt, Oates Drive Baptist Church, Mesquite, Texas.

**PLEDGE OF ALLEGIANCE**

Members of the Mesquite Metro Ambucs.

**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.

**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      [23-6881](#)      Minutes of the regular City Council meeting held November 20, 2023.

**Attachments:**      [November 20, 2023, minutes](#)

- 4      [23-6875](#)      An ordinance regarding the City's Municipal Retirement System (TMRS) benefits adopting annually accruing updated service credits and an annuity increase, also referred to as cost of living adjustments (COLAs) for retirees and their beneficiaries.

**Attachments:**      [Ordinance](#)

- 5      [23-6873](#)      An ordinance establishing the classifications and total number of authorized positions in each classification of the Mesquite Fire Department as of January 1, 2024.

**Attachments:**      [Ordinance](#)

- 6      [23-6874](#)      An ordinance establishing the classifications and total number of authorized positions in each classification of the Mesquite Police Department as of January 1, 2024.

Attachments:      [Ordinance](#)

- 7      [23-6924](#)      A resolution authorizing the submission of the 2022 Community Development Block Grant Programs Consolidated Annual Performance and Evaluation Report (CAPER) to the U.S. Department of Housing and Urban Development (HUD).

Attachments:      [PY 22 Consolidated Annual Performance and Evaluation Report](#)  
[PY22 CDBG Program Overview](#)  
[Resolution](#)

- 8      [23-6953](#)      A resolution approving a First Amendment to Memorandum of Understanding between the City of Mesquite and Mesquite Police Association under Subchapter B of Chapter 142 of the Texas Local Government Code effective as of December 4, 2023, and remaining in effect through September 30, 2026; and authorizing the City Manager to execute the amendment and take all actions necessary or requested to carry out the terms and provisions of the amendment.

Attachments:      [Resolution and First Amendment](#)  
[Resolution No. 34-2022 and Memorandum of Understanding](#)

- 9      [23-6939](#)      Bid No. 2024-005 - Annual Contract for Emergency Equipment Installation.  
(Staff recommends authorizing the City Manager to finalize and execute a contract with Stolz Telecom, Inc., in an amount not to exceed \$600,000.00, and to finalize and execute a contract with Defender Supply, LLC, in an amount not to exceed \$600,000.00, through an Interlocal Cooperative Purchasing Agreement with Tarrant County. The term of each contract is for a one-year period, 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:      [Tarrant County Commissioners Court Communication](#)  
[Tarrant County Contract - Defender Supply, LLC](#)  
[Tarrant County Contract - Stolz Telecom, Inc.](#)

- 10      [23-6906](#)      Bid No. 2024-032 - Purchase of Replacement Enterprise Data Storage Solution.  
(Staff recommends the City Manager be authorized to finalize and execute a contract with Sequel Data Systems Incorporated, through Texas Department of Information Resources, Contract No. DIR-TSO-4331, for the purchase of quantity of two Pure Storage Flash Arrays and Evergreen Forever Subscriptions for up to 36 months support, in an amount not to exceed \$373,770.00.)

Attachments:      [Quote](#)

- 11      [23-6908](#)      Bid No. 2024-033 - Purchase of Replacement Enterprise Servers.

(Staff recommends the City Manager be authorized to finalize and execute a contract with Dell, Inc., through Texas Department of Information Resources Contract No. DIR-TSO-3763, for the purchase of seven Dell PowerEdge Servers with up to five years support, in an amount not to exceed \$115,000.00.)

Attachments: [Quote](#)

- 12     [23-6946](#)     Bid No. 2024-040 - Purchase of Five Dodge Chargers for Police Operations.  
(Staff recommends authorizing the City Manager to finalize and execute a contract with Cameron Country CDJR, in an amount not to exceed \$201,295.00, through an Interlocal Cooperative Purchasing Agreement with Tarrant County.)

Attachments: [Quote](#)

[Photo](#)

[Tarrant County Commissioners Court Communication 2023-016](#)

- 13     [23-6942](#)     Ratification of Change Order No. 4 to Bid No. 2020-011 - Matthew Holzapfel Pump Station.  
(Staff recommends ratification of Change Order No. 4 for the construction of an approximate 3,150 linear feet of 12-inch water main along Wisner Road from Matthew Holzapfel Pump Station to FM-740 in the amount of \$1,850,000.00 and to authorize the City Manager to finalize and execute all documents necessary to complete the ratification.)

Attachments: [Change Order No. 4](#)

[Location Map](#)

- 14     [23-6928](#)     Appoint Daniel Alemán, Jr., Tandy Boroughs, B.W. Smith, Jeff Casper, Kenny Green, Elizabeth Rodriguez-Ross and Brandon Murden to the Mesquite Industrial Development Corporation for terms to expire December 31, 2025.
- 15     [23-6927](#)     Appoint Daniel Alemán, Jr., Tandy Boroughs, B.W. Smith, Jeff Casper, Kenny Green, Elizabeth Rodriguez-Ross and Brandon Murden to the Mesquite Health Facilities Development Corporation for terms to expire December 31, 2025.
- 16     [23-6926](#)     Appoint Daniel Alemán, Jr., Tandy Boroughs, B.W. Smith, Jeff Casper, Kenny Green, Elizabeth Rodriguez-Ross and Brandon Murden to the Mesquite Housing Finance Corporation for terms to expire December 31, 2025.
- 17     [23-6929](#)     Appoint Daniel Alemán, Jr., Tandy Boroughs, B.W. Smith, Jeff Casper, Kenny Green, Elizabeth Rodriguez-Ross, and Brandon Murden to the Board of Directors of the Mesquite Rodeo City Reinvestment Zone Number One, City of Mesquite, Texas; Towne Centre Reinvestment Zone Number Two, City of Mesquite, Texas; Skyline Tax Increment Finance

Reinvestment Zone No. Seven, City of Mesquite, Texas; Gus Thomasson Tax Increment Finance Reinvestment Zone No. Eight, City of Mesquite, Texas; Reinvestment Zone Number Ten (Polo Ridge), City of Mesquite, Texas; Reinvestment Zone Number Eleven (Heartland Town Center), City of Mesquite, Texas; Reinvestment Zone Number Twelve (IH-20 Business Park), City of Mesquite, Texas; Reinvestment Zone Number Thirteen (Spradley Farms), City of Mesquite, Texas; Reinvestment Zone Number Fourteen (Alcott Logistics Station), City of Mesquite, Texas; and Reinvestment Zone Number Fifteen (Solterra), City of Mesquite Texas, for terms to expire December 31, 2025.

**18**     [23-6944](#)     Appoint Daniel Alemán, Jr.; Jeff Casper; Kenny Green; Elizabeth Rodriquez-Ross; Dan Montgomery, Fritz Industries; Susie Wurster, Elements International; and Tiffany Patterson, Senox Corporation, to the Town East/Skyline Tax Increment Finance Reinvestment Zone No. Nine Board of Directors for terms to expire December 31, 2025.

**19**     [23-6930](#)     Appoint Daniel Alemán, Jr. as Chairman of the Board of Directors on the following boards: Mesquite Rodeo City Reinvestment Zone Number One, City of Mesquite, Texas; Towne Centre Reinvestment Zone Number Two, City of Mesquite, Texas; Skyline Tax Increment Finance Reinvestment Zone No. Seven, City of Mesquite, Texas; Gus Thomasson Tax Increment Finance Reinvestment Zone No. Eight, City of Mesquite, Texas; Town East/Skyline Tax Increment Finance Reinvestment Zone No. Nine, City of Mesquite, Texas; Reinvestment Zone Number Ten, City of Mesquite, Texas (Polo Ridge); Reinvestment Zone Number Eleven, City of Mesquite, Texas (Heartland Town Center); Reinvestment Zone Number Twelve, City of Mesquite, Texas (IH-20 Business Park); Reinvestment Zone Number Thirteen, City of Mesquite, Texas (Spradley Farms); Reinvestment Zone Number Fourteen, City of Mesquite, Texas (Alcott Logistics Station); and Reinvestment Zone Number Fifteen, City of Mesquite, Texas (Solterra), for a one-year term beginning January 1, 2024.

#### **APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES**

**20**     [23-6923](#)     Consider appointment of five Regular Members (Position Nos. 1, 3, 5, 7 and 9) to the Animal Services Advisory Committee for terms to expire December 31, 2025.

**21**     [23-6931](#)     Consider appointment of three Regular Members (Position Nos. 1, 3 and 5) and one Alternate Member (Alternate No. 1) to the Board of Adjustment/Airport Board of Adjustment for terms to expire December 31, 2025.

**22**     [23-6936](#)     Consider appointment of four Regular Members (Position Nos. 1, 3, 5 and 7) and one Alternate Member (Alternate No. 1) to the Building Standards Board for terms to expire December 31, 2025, and two Regular Members (Position Nos. 2 and 6) for terms to expire December 31, 2024.

Attachments:      [List of Eligible Applicants](#)

- 23      [23-6945](#)      Consider appointment of four Regular Members (Position Nos. 2, 5, 8 and 11) to the Downtown Development Advisory Board for terms to expire December 31, 2026, and one Regular Member for a term to expire December 31, 2024.

Attachments:      [List of Eligible Applicants](#)

- 24      [23-6934](#)      Consider appointment of three Regular Members (Place Nos. 1, 2 and 3) to the Historic Mesquite, Inc., Board of Directors for terms to expire December 31, 2026, and one Regular Member (Place No. 8) for a term to expire December 31, 2024.

- 25      [23-6925](#)      Consider appointment of three Regular Members (Position Nos. 1, 3 and 5) and one Alternate Member (Alternate No. 1) to the Housing Board for terms to expire December 31, 2025.

- 26      [23-6940](#)      Consider appointment of two Regular Members (Place Nos. 2 and 5) to the Keep Mesquite Beautiful, Inc., Board of Directors for terms to expire December 31, 2026; one Regular Member (Place No. 4) for a term to expire December 31, 2024; and two Regular Members (Place Nos. 3 and 6) for terms to expire December 31, 2025.

Attachments:      [List of Eligible Applicants](#)

- 27      [23-6933](#)      Consider appointment of four Regular Members (Position Nos. 1, 3, 5 and 7) and one Alternate Member (Alternate No. 1) to the Landmark Commission for terms to expire December 31, 2025, and one Alternate Member (Alternate No. 2) for a term to expire December 31, 2024.

- 28      [23-6901](#)      Consider appointment of four Regular Members (Position Nos. 1, 3, 5 and 7) to the Library Advisory Board for terms to expire December 31, 2025.

- 29      [23-6893](#)      Consider appointment of four Regular Members (Position Nos. 1, 3, 5 and 7) to the Mesquite Quality of Life Corporation Board of Directors for terms to expire December 31, 2025, who will also serve on the Mesquite Economic Development Advisory Board.

Attachments:      [List of Eligible Applicants](#)

- 30      [23-6941](#)      Consider appointment of four Regular Members (Position Nos. 1, 3, 5 and 7) to the Parks and Recreation Advisory Board/Tree Advisory Board and one Alternate Member (Alternate No. 1) for terms to expire December 31, 2025.

Attachments:      [List of Eligible Applicants](#)

- 31      [23-6860](#)      Consider appointment of one Regular Member (Position No. 3) to the Personnel/Trial Board for a term to expire December 31, 2026, and confirmation of appointment by the City Manager to serve as a member of the City of Mesquite Firefighters' and Police Officers' Civil Service

Commission for a term to expire December 31, 2026.

- 32     [23-6937](#)     Consider appointment of four Regular Members (Position Nos. 1, 3, 5 and 7) and one Alternate Member (Alternate No. 1) to the Planning and Zoning Commission/Capital Improvements Advisory Committee/Airport Zoning Commission for terms to expire December 31, 2025, and one Regular Member (Position No. 4) for a term to expire December 31, 2024.

Attachments:     [List of Eligible Applicants](#)

- 33     [23-6952](#)     Consider appointment of a principal member to the STAR Transit Board of Directors for a term to expire on August 31, 2027.

#### OTHER BUSINESS

- 34     [23-6915](#)     Consider a resolution casting a vote for the fourth member of the Board of Directors of the Dallas Central Appraisal District.

Attachments:     [Resolution](#)

- 35     [23-6919](#)     Consider appointment of a Mayor Pro Tem and Deputy Mayor Pro Tem for one-year terms.

Attachments:     [History of Mayor Pro Tem and Deputy Mayor Pro Tem](#)

#### 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.)

- 36     [23-6579](#)     Conduct a public hearing and consider a resolution approving the terms and conditions of a program to promote local economic development and stimulate business and commercial activity in the City, authorizing the City Manager to finalize and execute an Amended and Restated Economic Development Program Agreement (Chapter 380 Agreement) and related Amended and Restated Lease Agreement for such purposes with ADJ Restaurant Group, LLC, for the continued development and operation of a restaurant in a City-owned building located in Downtown Mesquite at 117 West Main Street, Mesquite, Texas (the "Premises") and to terminate the existing agreements with the company for the same purposes, providing for the lease of the Premises with an option to purchase the Premises for such price and upon such terms and conditions as set forth in the Agreement and Lease, and authorizing the City Manager to administer the Agreement and Lease on behalf of the City.

Attachments:     [Resolution](#)

- 37     [23-6855](#)     Conduct a public hearing and consider a resolution approving the terms and conditions of a program to promote local economic development and stimulate business and commercial activity in the City, authorizing the City

Manager to finalize and execute an Economic Development Program Agreement (Chapter 380 Agreement) with Matco Investments, for the major renovation and redevelopment of the property located at 1835 North Galloway Avenue, in the City of Mesquite, Texas, and authorizing the City Manager to administer the agreement on behalf of the City.

**Attachments:**

[Resolution](#)

**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. John Alexander v. City of Mesquite and Emilio F. Henry, Cause No. DC-21-06832 - Filed 5-28-21
2. Anthony Wagner v. City of Mesquite, Texas, Cause No. DC-22-02864 - Filed 3-14-22; appeal to 5th District Court of Appeals, Dallas, Cause No. 05-22-00826-CV - Filed 8-10-2022
3. City of Dallas, City of Mesquite, et al., v. Disney DTC, LLC, et al., Cause No. DC-22-09128 - Filed 8-3-22; appeal to 5th District Court of Appeals, Dallas, Cause no. 05-23-00485-CV - Filed 5-19-2023
4. Cesar Nunez-Solis v. The City of Mesquite, Texas, Cause No. DC-22-11631 - Filed 9-6-22
5. J'Mei Walker, II v. City of Mesquite. Cause No. DC-23-04762 - Filed 4-11-23
6. State of Texas v. Villa, Cause No. 05-22-00220-CR, pending in the Court of Appeals, Fifth District of Texas at Dallas, filed in Court of Appeals on March 16, 2022
7. David Briones v. City of Mesquite and Steven Pierce, Cause No. CC-23-05044-E - Filed 8-4-23
8. Michael L. Fogarty, April M.C, Gomez and Victor Gomez v. City of Mesquite/Fire Dept, Mesquite EMTS, Kris Kyle; South Mesquite Regional Hospital, Cause No. DC-23-16587, filed September 28, 2023
9. April Patton v. City of Mesquite, Cause No. DC-23-14996, Filed September 13, 2023
10. Danny Booker v. City of Mesquite Risk Management, Cause No. DC-23-18301 - Filed 10-25-2023
11. Elgin Singleton v. City of Mesquite, Cause No. DC-23-18152 - Filed 10-25-2023

**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:

- 38      23-6954      Discuss economic development incentives for a project at I-20 and FM 2932.**

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.