



City of Mesquite, Texas

Meeting Agenda

City Council

Monday, June 17, 2024

5:00 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 June 17, 2024.

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

AGENDA REVIEW

STAFF PRESENTATIONS

- 1 [24-7234](#) Receive departmental strategy and budget presentations from the Airport, Solid Waste and Human Resources Departments related to City Council strategic goals and objectives.

(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

CITY COUNCIL/STAFF WORK SESSION - CITY COUNCIL CHAMBER - 6:30 P.M.

- 2 [24-7205](#) Receive Economic Development Department Council Update.

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

INVOCATION

Nathaniel Rainey, Pastor, Jireh's Tabernacle Worship Center, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

Graduates of the Leading 4 Success (L4S) Academy.

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 [24-7218](#) Minutes of the regular City Council meeting held June 3, 2024.

Attachments: [June 3, 2024, minutes](#)

4 [24-7223](#) An ordinance amending the City Code by revising certain sections in Chapter 9 (Motor Vehicles and Traffic), Article VI (Stopping, Standing and Parking), for the purpose of allowing angle parking in cul-de-sacs and knuckles unless otherwise prohibited, and updating provisions when parking may be strictly prohibited in said locations.

Attachments: [Ordinance](#)

5 [24-7239](#) An ordinance amending the budget for Fiscal Year 2023-24.

Attachments: [FY2024 Amended Document Memo 20240617](#)
[Ordinance](#)

6 [24-7228](#) Bid No. 2024-052 - Travis Williams Athletic Complex: Field Improvements.

(Authorize the City Manager to finalize and execute a contract and any required documents with Sports Field Solutions, LLC, in an amount not to exceed \$222,917.04.)

Attachments: [Exhibit](#)
[Scoring Matrix](#)

- 7 [24-7221](#) RFP 2024-084 - Evans Recreation Center: Entrance Improvements.
(Authorize the City Manager to finalize and execute a contract with JM Management LLC dba JM Construction Solutions in the amount of \$199,425.64.)

Attachments: [Exhibit](#)
[Scoring Matrix](#)

- 8 [24-7225](#) RFP No. 2024-085 - Westlake Skate Park: Site Improvements.
(Staff recommends rejecting all bids.)

Attachments: [Exhibit](#)

- 9 [24-7224](#) Bid No. 2024-101 - Wisser Road Reconstruction.
(Authorize the City Manager to finalize and execute a contract with CCGMG, LLC, Series B, in the amount of \$375,000.00.)

Attachments: [Recommendation Letter](#)
[Bid Tabulation](#)
[Location Map](#)

- 10 [24-7231](#) Authorize the City Manager to finalize and execute Change Order No. 1 to Bid No. 2023-095, Paving Improvements for Lee Street and Grubb Drive, with Texas Materials Group, Inc., d/b/a Texas Bit, in the amount of \$358,918.95.

Attachments: [Change Order No. 1](#)
[Location Map](#)

- 11 [24-7210](#) Authorize the City Manager to finalize and execute an Interlocal Agreement with the University Emergency Medical Response on behalf of University of Texas at Dallas to provide emergency medical services education and training in the classroom and through internship shifts to Mesquite Fire Department employees.

Attachments: [Interlocal Agreement](#)

- 12 [24-7240](#) Authorize the Fire Chief's execution of Amendment No 1 to the original executed Memorandum of Understanding (MOU) approved by Council April 15, 2024, between the City of Mesquite Fire Department and Texas A&M Engineering Service (TEEX).

Attachments: [Memorandum of Understanding](#)
[Amendment No. 1](#)

APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

- 13 [24-7219](#) Consider appointment of one Regular Member (Position No. 4) to the Planning and Zoning Commission/Capital Improvements Advisory Committee/Airport Zoning Commission for a term to expire December 31, 2024, and one Alternate Member (Alternate No. 1) for a term to expire December 31, 2025, or one Alternate Member (Alternate No. 2) for a term to expire December 31, 2024.
- Attachments:* [List of Eligible Applicants](#)
- 14 [24-7220](#) Consider appointment of one Regular Member (Position No. 4) and one Alternate Member (Alternate No. 2) to the Board of Adjustment/Airport Board of Adjustment for terms to expire December 31, 2024.
- Attachments:* [List of Eligible Applicants](#)
- 15 [24-7238](#) Consider appointment of principal and alternate members to the Regional Transportation Council for terms to expire June 30, 2026.
- Attachments:* [Letter - Regional Transportation Council Representation](#)

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 [24-7222](#) Conduct a public hearing and consider an ordinance for Zoning Application No. Z0524-0361, submitted by City of Mesquite, for a change of zoning to amend Planned Development Ordinance No. 2399 to modify sign regulations, located at 3201 East Cartwright Road.
(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.)
- Attachments:* [Staff report & maps](#)
 [P&Z minutes](#)
 [Ordinance](#)
- 17 [24-7217](#) Conduct a public hearing and consider an ordinance for Zoning Application No. Z0524-0362, submitted by Mark Seibold of Inventure Design, for a change of zoning from Truman Heights Neighborhood District to Truman Heights Neighborhood District with a Conditional Use Permit to allow a medical clinic, located at 1835 N. Galloway Avenue.
(No response 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).

Attachments: [Staff Report and Maps](#)
[P&Z Minutes](#)
[Ordinance](#)

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
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
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 Richardson v. Mesquite Parks and Recreation, Cause No. DC-24-03958, filed March 15, 2024
15. Keiarra Tolbert v. Koby Matthew Brooks and City of Mesquite, Cause No. DC-24-07173, Filed 05/15/2024

Consultation with Attorney

Pursuant to Section 551.071 of the Texas Government Code, the City Council will meet in closed session to conduct a private consultation with its attorney related to pending or contemplated litigation, a settlement offer, and/or a matter 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 that conflicts with Texas Government Code Chapter 551. The following subjects may be discussed:

- Discuss regulation of sober living houses.

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.

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 según el Sub-capítulo H, Capítulo 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 según el Sub-capítulo H, Capítulo 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.