



City of Mesquite, Texas

Meeting Agenda

City Council

Monday, July 15, 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 July 15, 2024.

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

AGENDA REVIEW

STAFF PRESENTATIONS

- 1 [24-7257](#) Receive departmental strategy and budget presentations from the Housing and Community Services, Economic Development, Solid Waste, Library and Finance 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

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

INVOCATION

Jamie Starrett, Pastor, Lakepointe Church, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

Members of 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.)

- 2 [24-7261](#) Minutes of the regular City Council meeting held July 1, 2024.

Attachments: [July 1, 2024. minutes](#)

- 3 [24-7252](#) A resolution authorizing the City Manager to finalize and execute an Agreement with the State of Texas through the Texas Department of Transportation (TxDOT) for the furnishing of traffic signal equipment by a municipality at the intersection of US Highway 80 at Belt Line Road and providing for a maximum reimbursement by the State to the City in the sum of \$48,760.00.

Attachments: [Resolution](#)

- 4 [24-7232](#) RFP No. 2024-024 - Annual Billing Services for False Alarms.
(Authorize the City Manager to execute a contract with CentralSquare Technologies, LLC, utilizing the CryWolf False Alarm Management Solution, for a revenue share percentage of 14 percent of total alarm revenue. The term of the 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 the annual appropriation of sufficient funds.)

- 5 [24-7265](#) RFP No. 2024-127 - Westlake Skate Park: Site Improvements.
(Authorize the City Manager to finalize and execute a contract with PBS Construction, LLC, in the amount of \$297,737.14.)
- Attachments:* [Exhibit](#)
 [Evaluation Matrix](#)
- 6 [24-7264](#) Bid No. 2024-130 - Purchase of 8240FF 75 P-Tier Excavator with Bucket for Streets Division.
(Staff recommends award to RDO Equipment Company, through Sourcewell Contract No. 011723-JDC, in an amount not to exceed \$109,505.80.)
- Attachments:* [Quote](#)
 [Photo](#)
- 7 [24-7270](#) Authorize the City Manager to finalize and execute Change Order Nos. 1 and 2 to Bid No. 2023-040, Construction Manager-at-Risk Services for the Construction of the Mesquite Animal Shelter and Adoption Center Addition, with Falkenberg Construction Company, Inc., for additional services required in the total amount of \$249,643.44.
- Attachments:* [Change Order No. 1](#)
 [Change Order No. 2](#)
- 8 [24-7266](#) Ratification for the total expenditure of \$1,340,652.00, without competitive bidding, for the emergency repair and replacement of the sewer trunk line that serves Peachtree Plaza and authorizing payment to North Texas Contracting, Inc. for such repairs.

CONSIDERATION OF RESOLUTION

- 9 [24-7253](#) Consider a resolution approving the Mesquite Quality of Life Corporation budget for Fiscal Year 2024-25.
- Attachments:* [Resolution](#)
 [MOOLC Resolution No. 2024-08](#)

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.)

- 10 [24-7255](#) Conduct a public hearing to receive citizen input on the proposed Fiscal Year 2024-25 budget.
- 11 [24-7011](#) 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 Chapter 380 Agreement for such purposes by and between the City of Mesquite and Hithium Tech USA, Inc., and authorizing the City Manager to take such actions and execute such documents as are necessary or advisable to consummate the transactions contemplated by the agreement and administer the agreement on behalf of the City.

Attachments: [Resolution](#)

- 12 [24-7254](#) 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 Chapter 380 Agreement for such purposes by and between the City of Mesquite and United Parcel Service, Inc., (UPS) for building improvements and equipment upgrades to the industrial facility located at 4200 Samuell Boulevard, in the City of Mesquite, Texas, and authorizing the City Manager to take such actions and execute such documents as are necessary or advisable to consummate the transactions contemplated by the agreement and administer the agreement on behalf of the City.

Attachments: [Resolution](#)

- 13 [24-7272](#) 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 and Economic Development Program Chapter 380 Agreement for such purposes by and between the City of Mesquite and Palladium Bruton Road, Ltd., for the construction of an approximately 288-unit affordable multifamily rental housing complex to be located at 2255 West Bruton Road in Mesquite, Texas, and authorizing the City Manager to take such actions and execute such documents as are necessary or advisable to consummate the transactions contemplated by the agreement and administer the agreement on behalf of the City.

Attachments: [Resolution](#)

- 14 [24-7259](#) 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 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](#)

- 15 [24-7263](#) 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.)

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

- 16 [24-7262](#) Conduct a public hearing and consider an ordinance for Zoning Application No. Z0424-0358, submitted by Majed Khalaf, for a change of zoning from Commercial to Commercial with a Conditional Use Permit to allow a towing company with primary outdoor storage, located at 2425 Edinburgh Street.

(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.)

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. Danny Booker v. City of Mesquite Risk Management, Cause No. DC-23-18301 - Filed 10-25-2023
8. Elgin Singleton v. City of Mesquite, Cause No. DC-23-18152 - Filed 10-25-2023
9. Avery Fuentes v. City of Mesquite, Cause No. DC-23-19555 - Filed 11-20-2023
10. Bethany Hall and Antonio Holmes v. City of Mesquite, et al; Case No. DC-24-00034, Filed 01-02-2024
11. Dominick Green v. R. Rose, C. Pabst and the City of Mesquite, Texas, Cause No. 3:24-cv-00337-X, Filed 02-12-2024
12. 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
13. Keiarra Tolbert v. Koby Matthew Brooks and City of Mesquite, Cause No. DC-24-07173, Filed 05/15/2024

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.

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.