



City of Mesquite, Texas

Meeting Agenda

City Council

Monday, March 20, 2023

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 March 20, 2023.

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

AGENDA REVIEW

STAFF PRESENTATIONS

- 1 [23-6483](#) Receive briefing regarding the Gus Thomasson corridor and the North Gus Thomasson Corridor zoning district.
- 2 [23-6486](#) Receive briefing from Toyia Pointer, Manager of Historic Preservation, regarding historic preservation activities and upcoming projects.

(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 - 6:00 P.M.

- 3 [23-6450](#) Receive Economic Development Department Council Update.

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

Keith Lough, Pastor, Vertical Life Church, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

Members of the Historic Mesquite, Inc. Board of Directors and the Mesquite Elks Lodge Auxiliary.

SPECIAL RECOGNITION

- 4 [23-6493](#) 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.

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.)

- 5 [23-6410](#) Minutes of the regular City Council meeting held March 6, 2023.

Attachments: [March 6, 2023, minutes](#)

- 6 [23-6471](#) An ordinance, on second reading, granting to Farmers Electric Cooperative, Inc., its successors and assigns, the nonexclusive right to use and occupy rights-of-way within the City of Mesquite for the construction

and operation of an electric transmission and distribution system, prescribing conditions governing the use of the public rights-of-way, providing for compensation; therefore, providing for an effective date and a term of said franchise, providing for written acceptance of this franchise and finding that the meeting at which this ordinance is passed is open to the public.

Attachments:[Ordinance](#)[Farmers Distribution Line Location Map](#)[Farmers Electric Cooperative Service Area Map](#)

- 7 [23-6479](#) An ordinance amending Ordinance No. 4983 and the 2022-23 Civil Service Police and Fire Pay Plans to increase the starting pay for Police Officers and Firefighters with an effective date of April 1, 2023.

Attachments:[Ordinance](#)

- 8 [23-6478](#) A resolution authorizing the City Manager to execute an agreement with the Texas Department of Transportation for the temporary closure of State Highway 352 on April 1, 2023, for the City of Mesquite Rodeo Parade, commemorating the 65th Anniversary of the Mesquite Championship Rodeo.

Attachments:[Resolution](#)[Rodeo Parade Route Map](#)

- 9 [23-6482](#) A resolution approving the form and authorizing the distribution of a Preliminary Limited Offering Memorandum for the City of Mesquite, Texas, Special Assessment Revenue Bonds, Series 2023 (Heartland Town Center Public Improvement District Phase #2 Specific Improvements Project), and resolving other matters incident and related thereto.

Attachments:[Resolution](#)[Hilltop Securities Memorandum](#)

- 10 [23-6474](#) RFP No. 2023-038 - Annual Marketing Services for the Mesquite Convention and Visitors Bureau.
(Staff recommends award to Camp Profiles LLC dba 829 Studios and to authorize the City Manager to finalize and execute a contract in the amount of \$84,000.00. The term of the contract is for a one-year period, with four additional one-year renewals. The City Manager is authorized to exercise the renewal options, subject to the annual appropriation of sufficient funds).

Attachments:[Scoring Matrix](#)

- 11 [23-6469](#) Bid No. 2023-040 - Construction Manager at Risk (CMaR) Services for the Construction of Mesquite Animal Shelter and Adoption Center Addition.
(Staff recommends award to Falkenberg Construction Company, Inc., and to authorize the City Manager to finalize and execute a contract in an

amount not to exceed \$2,500.00 for CMaR services in connection with the design (Phase I) of the Mesquite Animal Shelter and Adoption Center Addition.)

Attachments: [CMaR Evaluation Criteria and Scoring Summary](#)

- 12 [23-6464](#) Bid No. 2023-052 - Lease Agreement for Golf Carts and Golf Maintenance Equipment.
(Authorize the City Manager to finalize and execute a contract and any required documents with Textron, Inc., dba E-Z-GO, through BuyBoard Contract No. 611-20, in an amount not to exceed \$544,355.04. The term of the contract is for a four-year period.)

Attachments: [Lease Proposal](#)

- 13 [23-6488](#) Bid No. 2023-069 - Annual Microsoft Enterprise Agreement and Office 365 Maintenance.
(Authorize the City Manager to finalize and execute a contract and any required documents with SHI/Government Solutions, Inc. for the purchase of licenses to host, support and expand use of all Microsoft products utilized within the City's environment through Texas Department of Information Resources, Contract No. DIR-TSO-4092, in an amount not to exceed \$268,838.22. 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).

Attachments: [Quote](#)

- 14 [23-6490](#) Bid No. 2023-078 - Purchase Equipment to Update Irrigation System at Mesquite Golf Club.
(Staff recommends award to Longhorn, Incorporated, through BuyBoard Contract No. 611-20, in an amount not to exceed \$372,043.23.)

Attachments: [Quote](#)

- 15 [23-6489](#) Authorize the City Manager to finalize and execute a ground lease renewal with Classic Flight, L.P., for a 10-year extension for Aircraft Hangar D4, located at 910 Airport Boulevard, Mesquite, Texas.

- 16 [23-6481](#) Appointment of Mike Hunt (Position No. 8) and Tommy Moore (Position No. 9) as members of the Board of Directors of Reinvestment Zone Number Thirteen, City of Mesquite, Texas (Spradley Farms), representing Kaufman County, for two-year terms to expire March 1, 2025.

Attachments: [Amendment to Tax Participation Agreement](#)

- 17 [23-6507](#) Appointment of Warren Nystrom as Municipal Court Associate Judge and authorize the City Manager to negotiate, finalize and execute an Employment Agreement with Mr. Nystrom.

APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

- 18 [23-6508](#) Consider appointment of one member to the North Texas Municipal Water District Board of Directors for an unexpired term set to expire May 31, 2023, and appointment for a full term to expire May 31, 2025.

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.)

- 19 [23-6491](#) A. Conduct a public hearing regarding the Parks and Recreation Department Youth Programs Standards of Care.
- B. Consider an ordinance adopting Standards of Care associated with the City's recreation programs titled "2023 Youth Programs Standards of Care" and repealing Ordinance No 4943.

Attachments:[Ordinance](#)[Redlined Standards of Care](#)

- 20 [23-6426](#) 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, execute, and administer an Economic Development Program Chapter 380 Agreement, a developer participation agreement establishing City participation in a waterline project, and a waiver of park land dedication requirements, for such purposes with S16 Texas Hold-Em Mesquite, LLC, an Idaho Limited Liability Company, for the construction and development of a self-storage facility, age-restricted single-family rental community and waterline located at 435 Clay Mathis Road and 2235 East Glen Boulevard in Mesquite, Texas.

Attachments:[Resolution](#)

- 21 [23-6480](#) Conduct a public hearing and consider an ordinance for Zoning Application No. Z0123-0283, submitted by James McCoy of McCoy Law Firm, for a change of zoning from General Retail to General Retail with a Conditional Use Permit to allow an alternative financial establishment with modifications to permit it to (1) be located within 200 feet of any lot zoned or used for residential purposes, (2) be co-located within the same structure as other uses, and (3) be located within 1,000 feet of any lot containing another alternative financial establishment, located at 3301 Gus Thomasson Road.

(No responses 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. Tejas Motel, LLC v. City of Mesquite, acting by and through its Board of Adjustment, Cause No. DC-18-16933 – Filed 11-8-18; and Civil Action 3:20-cv-20-01982-X – Filed 7-27-20, and on appeal, Cause No. 22-10321 - Filed 3-24-22
2. John Alexander v. City of Mesquite and Emilio F. Henry, Cause No. DC-21-06832 - Filed 5-28-21
3. Landon Harris v. City of Mesquite, Cause No. DC-21-08418 - Filed 6-30-21
4. Daniel Gonzales v. City of Mesquite, Cause No. CC-21-05087-D - Filed 11-22-21
5. Anthony Wagner v. City of Mesquite, Texas, Cause No. DC-22-02864 - Filed 3-14-22
6. City of Dallas, City of Mesquite, et al., v. Disney DTC, LLC, et al., Cause No. DC-22-09128 - Filed 8-3-22
7. Cesar Nunez-Solis v. The City of Mesquite, Texas, Cause No. DC-22-11631 - Filed 9-6-22

Real Property

Pursuant to Section 551.072 of the Texas Government Code, the City Council will meet in closed session to consider the purchase, exchange, lease or value of real property. The following subjects may be discussed:

- 22 23-6495 Discuss purchase of property on Lawson Road.**

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.

- 23 23-6509 Discuss appointment of Municipal Court Associate Judge.**

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.