



City of Mesquite, Texas

Meeting Agenda

City Council

Monday, April 1, 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 April 1, 2024.

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

AGENDA REVIEW

STAFF PRESENTATIONS

- 1 [24-7121](#) Receive departmental strategies and presentation from Historic Mesquite, Inc. related to City Council strategic goals and objectives.
- 2 [24-7120](#) Receive briefing regarding possible changes to requirements for multifamily parking.

(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 [24-7097](#) Receive Economic Development Department Council Update.

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

Jarrold Baker, Pastor, Peace Church, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

Members of Project LEAD class.

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

- 4 [24-7096](#) Receive presentation regarding the Fiscal Year 2022-2023 Annual Report from the Mesquite Quality of Life Corporation Board of Directors.

Attachments: [MQOL FY 2022-2023 Annual Report](#)

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 [24-7124](#) Minutes of the regular City Council meeting held March 18, 2024.

Attachments: [March 18, 2024. minutes](#)

- 6 [24-7068](#) An ordinance amending the City Code by revising certain sections in

Chapter 10 (Offenses - Miscellaneous), Article V (Condition of Premises) for the purpose of updating the provisions related to high weeds, high grass, and edging requirements, landscaping and vegetation maintenance requirements and tree maintenance requirements.

Attachments: [Ordinance](#)

- 7 [24-7084](#) An ordinance amending the City Code by revising certain sections in Chapter 10 (Offenses - Miscellaneous), Article VI (Nuisances) for the purpose of updating the City's junked and abandoned vehicle requirements and updating provisions regarding nuisance parties thereby ensuring the City's ordinance is aligned with recent changes in State law, and providing for other miscellaneous updates as needed.

Attachments: [Ordinance](#)

- 8 [24-7116](#) A resolution authorizing the City Manager to execute an Interlocal Agreement with the City of Crandall to provide wholesale wastewater service to Crandall through the Lower East Fork Wastewater Interceptor System (LEFIS), also known as Mustang Creek Interceptor.

Attachments: [Resolution](#)

- 9 [24-7129](#) Bid No. 2024-097 - Purchase of Office Furniture for New Field Services Building.
(Authorize the City Manager to finalize and execute the necessary documents with Preferred Business Solutions, through The Interlocal Purchasing System (TIPS) Contract No. 220303, for the Phase Two furniture purchase in the amount of \$120,960.50 and to ratify the Phase One purchase in the amount of \$92,142.55.)

Attachments: [Quote](#)
[Building Furniture Layout - Buildings A & B](#)

- 10 [24-7125](#) Authorize the City Manager to finalize and execute Amendment No. 5 to the 2017 Sanitary Sewer Replacement Project, Phase 2, with Binkley & Barfield, Inc., for additional design and preparation of construction documents in an amount not to exceed \$20,157.50.

Attachments: [Proposal](#)
[Amendment No. 5](#)

- 11 [24-7063](#) Authorize the City Manager to finalize and execute a First Amendment to Mesquite Metro Airport Lease and Indemnity Agreement with ATP USA, INC.

- 12 [24-7133](#) Authorize the Mayor to execute a Second Amendment to an Employment Agreement between the City of Mesquite, Texas, and City Manager Cliff Keheley.

- 13 [24-7126](#) Approve Amendment No. 2 to the 2023-24 Police State Seizure Budget in accordance with Title 28, Section 524, of the United States Code and

Chapter 59 of the Texas Code of Criminal Procedure in the amount of \$56,931.00.

Attachments: [State Seizure Amendment No. 2](#)

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.)

- 14** [24-7010](#) 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 Greenliner, LLC, for the lease and occupation of the industrial park facility located at 2700 East Scyene Road, 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](#)

- 15** [24-7132](#) Conduct a public hearing and consider an ordinance for Zoning Application No. Z0224-0349, submitted by IH 20 IP, LLC, for a Comprehensive Plan amendment from Light Industrial to Commercial and High Density Residential and a change of zoning to amend Planned Development - GR, General Retail (Ordinance No. 4969) to allow multi-family residential uses in addition to retail uses, located at 4300 Lawson 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 & Maps](#)

[P&Z Minutes](#)

[Ordinance](#)

- 16** [24-7119](#) Conduct a public hearing and consider an ordinance for Zoning 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 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; 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. 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 09-28-2023
8. April Patton v. City of Mesquite, Cause No. DC-23-14996, Filed 09-13-2023
9. Danny Booker v. City of Mesquite Risk Management, Cause No. DC-23-18301 - Filed 10-25-2023
10. Elgin Singleton v. City of Mesquite, Cause No. DC-23-18152 - Filed 10-25-2023
11. Avery Fuentes v. Jeffery Holland and City of Mesquite, Cause No. DC-23-19555 - Filed 11-20-2023
12. 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
13. Dominick Green v. R. Rose, C. Pabst and the City of Mesquite, Texas, Cause No. 3:24-cv-00337-X, Filed 02-12-2024
14. Mesquite Asset Recovery Group, LLC; Verde Center Partners, LLC; HQZ Partners, L .P.; Lang and Company, LLC; and MCG-124, LLC v. City of Mesquite, Texas, Cause No. DC-24-02668, Filed 02-15-2024

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.