



City of Mesquite, Texas

Meeting Agenda

City Council

Monday, December 4, 2017

5:00 PM

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

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

AGENDA REVIEW

STAFF PRESENTATIONS

- 1 [17-3123](#) Receive briefing regarding residential replats.
- 2 [17-3130](#) Review Final Report of Charter Review Committee.

EXECUTIVE SESSION - EXECUTIVE 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

Craig Christina, Senior Pastor, Shiloh Terrace Baptist Church, Dallas, Texas.

PLEDGE OF ALLEGIANCE

To be determined.

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 personnel matters, matters under litigation or matters concerning the purchase, exchange, lease or value of real property for a length of time not to exceed three minutes on a first-come, first-served basis. No Council action or discussion is to be taken until such matter is placed on the Agenda and posted in accordance with law.

CONSENT AGENDA

(All items on the Consent Agenda are routine items and may be approved with one motion; however, should any member of the City Council or any individual wish to discuss any item, said item may be removed from the Consent Agenda by motion of the City Council.)

- 3 [17-3113](#) Minutes of the special City Council meeting held November 13, 2017, and the regular City Council meetings held November 14, 2017, and November 20, 2017.

Attachments: [11.13.2017m](#)
 [11.14.2017m](#)
 [11.20.2017m](#)

- 4 [17-3129](#) An ordinance, on third and final reading, granting to Atmos Energy Corporation, Mid-Tex Division, a Texas and Virginia Corporation, its successors and assigns, a franchise to furnish, transport and supply natural gas to the general public in the City of Mesquite, Dallas County, Texas, to construct, maintain and operate pipelines and equipment for the transportation, delivery, sale and distribution of natural gas in, out of and through said City for all purposes, and providing for the payment of a fee or charge for the use of the public rights-of-ways.

Attachments: [Ordinance - Atmos](#)
 [Redline Version of Current Franchise Ordinance](#)

- 5 [17-3137](#) A resolution setting a public hearing under Section 311.003 of the Texas Tax Code to consider approving an amended Project Plan and Reinvestment Zone Financing Plan for Towne Centre Tax Increment Finance Reinvestment Zone No. Two, City of Mesquite, Texas ("the Zone"), enlarging the boundaries and increasing the geographic area of the Zone to include the following two tracts of land: (I) Tract 1: property generally located between East Gross Street, Norwood Street, City Lake Park and Cedar Drive on the south; Rodeo Center Boulevard and IH-635 on the west; Military Parkway, Gross Road, Kearney Street and Texas Street on the north; and Florence Street, E. H. Hanby Stadium and Bryan-Beltline Road on the east; and (II) Tract 2: property generally located between Poteet Drive, Towne Centre Drive and Town East Boulevard on the south; Towne Crossing Boulevard on the west; Brazoria Drive and Devonshire Lane on the north; and North Galloway Avenue on the east; and increasing the total estimated project costs for the Zone; and authorizing

the issuance of notice by the City Secretary of Mesquite, Texas, regarding the public hearing.

Attachments:

[Resolution - Towne Centre](#)

6 [17-3132](#)

A. An ordinance approving a Project Plan and Reinvestment Zone Financing Plan for the Gus Thomasson Tax Increment Finance Reinvestment Zone No. Eight, City of Mesquite, Texas, and making a finding regarding feasibility.

B. A resolution setting a public hearing to consider under Section 311.003 of the Texas Tax Code to consider approving an amended Project Plan and Reinvestment Zone Financing Plan for Gus Thomasson Tax Increment Finance Reinvestment Zone No. Eight, City of Mesquite, Texas ("the Zone"), enlarging the boundaries and increasing the geographic area of the Zone to include property generally located on both sides of IH-30, north of Action Drive, Topaz Drive, Sorrento Drive and Lou Ann Drive, east of Big Town Boulevard and La Prada Drive, south of John West Road, the north line of IH-30, Susan Drive and Rockne Lane, and west of Morgan Drive and Edgebrook Drive, and property generally located on both sides of Motley Drive, south of Lou Ann Drive, north of Bellhaven Drive, west of Tedlow Trail, and east of Viva Drive, and authorizing the issuance of notice by the City Secretary of Mesquite, Texas, regarding the public hearing.

Attachments:

[Ordinance - Gus Thomasson Project Finance Plan](#)

[Resolution - Gus Thomasson TIRZ](#)

7 [17-3135](#)

A. An ordinance approving a Project Plan and Reinvestment Zone Financing Plan for the Town East/Skyline Tax Increment Finance Reinvestment Zone No. Nine, City of Mesquite, Texas, and making a finding regarding feasibility.

B. A resolution setting a public hearing under Section 311.003 of the Texas Tax Code to consider approving an amended Project Plan and Reinvestment Zone Financing Plan for Town East/Skyline Tax Increment Finance Reinvestment Zone No. Nine, City of Mesquite, Texas ("the Zone"), enlarging the boundaries and increasing the geographic area of the Zone to include property generally located between Samuell Boulevard and Highway 80 on the south, Buckner Boulevard and IH 30 on the west, south of Action Drive on the north and Bamboo Street on the east, and authorizing the issuance of notice by the City Secretary of Mesquite, Texas, regarding the public hearing.

Attachments:

[Ordinance - Town East-Skyline Project Finance Plan](#)

[Resolution - Setting PH - Town East.Skyline No. 9](#)

8 [17-3114](#)

A resolution authorizing the City Manager to finalize and execute an Interlocal Agreement with North Central Texas Council of Governments

for the period from October 1, 2017, to September 30, 2022, thereby authorizing the City's participation in the Regional Wet Weather Characterization Program.

Attachments: [Resolution - NCTCOG](#)

- 9 [17-3125](#) A resolution adopting a Long-Range Plan for the Mesquite Public Library System.

Attachments: [Resolution - Library Plan](#)

- 10 [17-3124](#) RFP No. 2017-113 - Annual Contract for Veterinary Services for Animals Impounded at Mesquite Animal Services.
(Authorize the City Manager to finalize and execute a contract with Hillside Veterinary Clinic, P.C., d/b/a Town East Animal Hospital.)

Attachments: [Scoring Matrix](#)

- 11 [17-3106](#) Bid No. 2018-029 - Purchase of Streets Rollers.
(Staff recommends award to Associated Supply Company, Inc., in Euless, Texas, through BuyBoard Contract No. 515-16, sponsored by the Texas Association of School Boards, in the amount of \$84,799.60.)

Attachments: [Photo - DV23 Roller2](#)
 [Photo - DV36 Roller2](#)

- 12 [17-3121](#) A resolution authorizing the City Manager to finalize and execute a development agreement with BDMR Development, LLC, and Polo Ridge Fresh Water Supply District of Kaufman County regarding approximately 822.1 acres of land generally located south of FM 740, west of FM 2757, and north of Kelly Road in Kaufman County, Texas, located within the extraterritorial jurisdiction of the City of Mesquite and being commonly referred to as "Polo Ridge" and authorizing the City Manager to administer the agreement on behalf of the City.
(This item was postponed at the November 6, 2017, and November 20, 2017, City Council meetings.)

Attachments: [Resolution - BDMR](#)
 [Concept Plan - 9.2017](#)

- 13 [17-3131](#) A resolution authorizing the City Manager to finalize and execute a development agreement with CADG Kaufman 146, LLC, and Kaufman County Fresh Water Supply District No. 5 regarding approximately 146.746 acres of land generally located south of Interstate Highway 20, east of FM 741 and north of Heartland Parkway in Kaufman County, Texas, located within the extraterritorial jurisdiction of the City and being commonly referred to as "Heartland Town Center" and authorizing the City Manager to administer the agreement on behalf of the City.

Attachments: [Resolution - Heartland TC Development Agmt](#)
 [Concept Plan](#)

PUBLIC HEARINGS

- 14 [17-3058](#) Conduct a public hearing and consider a resolution approving the terms and conditions of a program (Chapter 380 Agreement) to promote local economic development and stimulate business and commercial activity in the City and authorizing the City Manager to finalize and execute an agreement for such purposes with Industrial Developments International (Texas), L.P., (IDI), for a proposed industrial building in the Skyline Industrial District at 2250 Skyline Dr., Mesquite, Texas.
- Attachments:* [Resolution](#)
 [Executive Summary](#)
- 15 [17-3081](#) Conduct a public hearing and consider a resolution approving the terms and conditions of a program (Chapter 380 Agreement) to promote local economic development and stimulate business and commercial activity in the City and authorizing the City Manager to finalize and execute an agreement for such purposes with Latin Life, Inc., for a proposed new restaurant at 3855 West Emporium Circle, Mesquite, Texas.
- Attachments:* [Resolution](#)
 [Executive Summary](#)
- 16 [17-3083](#) Conduct a public hearing and consider a resolution approving the terms and conditions of a program (Chapter 380 Agreement) to promote local economic development and stimulate business and commercial activity in the City and authorizing the City Manager to finalize and execute an agreement for such purposes with Ocampo Brothers, LLC, for a proposed new restaurant at 717 N. Bryan-Belt Line Road, Mesquite, Texas.
- Attachments:* [Resolution](#)
 [Executive Summary](#)
- 17 [17-3127](#) Conduct a public hearing and consider possible action on Zoning Text Amendment No. 2017-03 amending Chapter 1A-200, Landscape Requirements; Chapter 1A-300, Screening and Buffering Requirements; Section 3-203, Schedule of Permitted Uses; Chapter 3-300, Development Standards; Chapter 3-400, Off-Street Parking and Loading; Chapter 3-500, Supplementary Use Regulations; Chapter 3-600, Outdoor Sales, Display and Storage Regulations; Chapter 4-930, Skyline Logistics Hub Overlay District; and Section 6-102, Definitions; all pertaining to new and revised regulations for Truck Stops and other development that includes the parking of heavy load vehicles as a principal or accessory use.
(The Planning and Zoning Commission recommends approval. This item was postponed at the September 18, 2017, October 16, 2017, and November 20, 2017, City Council meetings.)

Attachments: [Redline Comparison](#)
 [Map of Truck Routes and Zoning](#)
 [Ordinance - ZTA 2017-03](#)

- 18 [17-3134](#) Conduct a public hearing and consider an ordinance designating a contiguous geographic area within the extraterritorial jurisdiction of the City of Mesquite as a reinvestment zone, to be known as Polo Ridge Tax Increment Reinvestment Zone (TIRZ) No. 10, establishing the boundaries and establishing a Board of Directors.

Attachments: [Ordinance - Polo Ridge TIRZ](#)

- 19 [17-3136](#) Conduct a public hearing and consider a resolution authorizing and creating the Polo Ridge Public Improvement District (PID) to include approximately 822.1 acres of land generally located south of FM 740, west of FM 2757 and north of Kelly Road in Kaufman County, Texas, located within the extraterritorial jurisdiction of the City of Mesquite, Texas, in accordance with Chapter 372 of the Texas Local Government Code.

Attachments: [Resolution - Polo Ridge PID](#)

APPOINTMENTS TO BOARDS AND COMMISSIONS

- 20 [17-3122](#) Consider appointment of four regular members and one alternate member to the Building Standards Board for terms to expire January 1, 2020.
- 21 [17-3118](#) Consider appointment of two members to the Keep Mesquite Beautiful, Inc., Board of Directors for terms to expire December 31, 2020, and one member for a term to expire December 31, 2018.

Attachments: [Personal Data Form - Vroonland](#)

- 22 [17-3120](#) Consider appointment of three regular members to the Municipal Library Advisory Board for terms to expire December 4, 2019, and two alternate members for terms to expire December 4, 2018.

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. James H. Watson and Others Similarly Situated v. City of Allen, City of Amarillo, City of Arlington, City of Austin, City of Balch Springs, City of Balcones Heights, City of Bastrop, City of Baytown, City of Bedford, City of Burleson, City of Cedar Hill, City of Cleveland, City of Conroe, City of Coppell, City of Corpus Christi, City of Dallas, City of Denton, City of Diboll, City of Duncanville, City of El Paso, City of Elgin, City of Farmers Branch, City of Fort Worth, City of Frisco, City of Garland, City of Grand Prairie, City of Haltom City, City of Humble, City of Hurst, City of Hutto, City of Irving, City of Jersey Village, City of Killeen, City of League City, City of Little Elm, City of Longview, City of Lufkin, City of Magnolia, City of Marshall, City of Mesquite, City of North Richland Hills, City of Plano, City of Port Lavaca, City of Richardson, City of Richland Hills, City of Roanoke, City of Round Rock, City of Southlake, City of Sugar Land, City of Tomball, City of University Park, City of Watauga, City of Willis, Redflex Traffic Systems, Inc., American Traffic Solutions, Inc., American Traffic Solutions, LLC, Xerox State & Local Solutions, Inc., f/k/a ACS State & Local Solutions, Inc., and the State of Texas – Filed 4-28-15
2. Kathy Dyer and Robert Dyer, Individually and as Representative of the Estate of Graham Dyer v. City of Mesquite, Texas; Jack Fyall; Richard Houston; Alan Gafford; Zachary Scott; William Heidelberg; Paul Polish; Joe Baker; Bill Hedgpeth – Filed 8-12-15
3. Kavin Rhodes v. Mesquite Police Department, Officers M. B. Winters, D. L. Boykin, J. P. Vassilakos, G. W. Hensley, E. A. Sparling, W. D. Mosley – Filed 1-27-16
4. Petition of the Cities of Garland, Mesquite, Plano, and Richardson appealing wholesale rates implemented by the North Texas Municipal Water District, PUC Docket No. 46662 – Filed 12-14-16
5. Govind Group Corporation; Sorrent, LLC; Hannuman Holdings, LLC; OM SRI SAI Krishna Investment Properties, Inc.; Shiv Alpha Strip Corporation; Tejas Motel, LLC; and SAI JDV Hotels, LLC v. The City of Mesquite, Texas; and Cliff Keheley, City Manager of the City of Mesquite, Texas – Filed 1-5-17
6. Scott Damon Richardson v. Darren Marsack and County of Dallas a.k.a., d.b.a. Dallas County, Inc., Dallas, Texas 75042 and John Doe 1 – 5 As yet to be discovered and Jane Doe 1 – 5 As yet to be discovered – Filed 2-6-17
7. Jojoba Assets, LLC v. City of Mesquite – Filed 5-5-17
8. Luna Properties LLC & F & M Properties Inc. v. City of Mesquite – Filed 6-8-17
9. Matthew Dunlap v. Jose Alcala and the City of Mesquite - Filed 7-17-17
10. Scott Damon Richardson v. Stephen Crane – Filed 8-10-17
11. Scott Damon Richardson v. Detra Hill – Filed 8-10-17
12. Scott Damon Richardson v. Darren Marsack – Filed 8-10-17
13. Christopher Acoff v. City of Mesquite – Filed 8-25-17
14. Mohamed Bedran v. City of Mesquite – Filed 9-26-17
15. The State of Texas ex rel. Kaufman County, Texas v. The City of Mesquite, Texas – Filed 11-9-17
16. State of Texas Ex Rel. Kaufman County, Texas, Intervenors v. City of Mesquite, Texas – Filed 11-9-17
17. Victor Davis v. City of Mesquite and Glenn A. Evans, Individually - Filed 11-9-17
18. Marcy Davis (Trustee) for Lanny and Beverly Edwards Living Trust, James Allen Gould, Edwin Henry and Patricia Dumas, Billy M. Benson, Kim Singleton, Vonnie and Tynette Lunday, Stan and Rhonda Michelle Singleton v. City of Mesquite, Texas - Filed 11-13-17

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.

- Annual review of City Manager

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.