



# City of Mesquite, Texas

## Meeting Agenda

### City Council

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Monday, February 18, 2019

4:30 PM

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

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#### PRE-MEETING - TRAINING ROOMS A&B - 4:30 P.M.

##### AGENDA REVIEW

##### STAFF PRESENTATIONS

- 1      [19-3983](#)      Discuss homeless issues and challenges in the community.
- 2      [19-3985](#)      Receive briefing regarding draft multifamily residential standards.  
  
         Attachments:      [Draft - MultiFamily Zoning Changes](#)  
                              [Draft - Article III](#)
- 3      [19-3996](#)      Discuss possible residential and commercial developments along the  
                              IH-20 corridor in Kaufman County.

#### EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 4:30 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.

- 4      [19-3998](#)      Receive financial statement for period covering October 1, 2018, through  
                              December 31, 2018.  
  
         Attachments:      [December 31, 2018 Quarterly Financial Statements](#)  
                              [December 31, 2018 Quarterly Financial Statement Overview](#)

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

##### INVOCATION

Tom Briscoe, Vice President, Christian Care Center, Mesquite, Texas.

**PLEDGE OF ALLEGIANCE**

Members of the American Heart Association, Mesquite Chapter.

**PRESENTATIONS**

- 5      [19-3971](#)      Presentation by Dallas Regional Medical Center in support of the Mesquite Veterans Memorial campaign.
- 6      [19-4007](#)      Presentation in recognition of Jon V. Latimore as the first African-American police officer hired by the Mesquite Police Department.

**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.)

- 7      [19-3989](#)      Minutes of the regular City Council meeting held February 4, 2019.  
  
         Attachments:      [02.04.2019m](#)
- 8      [19-3982](#)      An ordinance amending Chapter 14 of the City Code thereby approving alternate residential collection pilot programs.  
  
         Attachments:      [Monday Thursday Pilot Pick Up Routes](#)  
                                      [Tuesday Friday Pilot Pick Up Routes](#)  
                                      [Ordinance - Pilot Program](#)
- 9      [19-3993](#)      A resolution supporting the Mesquite - Garland Trail Connector Project as nominated in the North Central Texas Council of Governments 2019 Transportation Alternatives Set-Aside Program.  
  
         Attachments:      [Resolution - Garland Connector Project](#)  
                                      [Location Map](#)
- 10     [19-4006](#)      A resolution authorizing the Mayor to provide a letter of support to the North Texas Municipal Water District to allow the City of Melissa, Texas, to

become a member city in the Regional Wastewater System and Upper East Fork Interceptor System.

Attachments:      [Request Letter from North Texas Municipal Water District](#)  
[Resolution - NTMWD](#)

- 11      [18-3751](#)      RFP No. 2017-050 - Health Permit and Inspection Software.  
(Authorize the City Manager to finalize and execute a contract with Hedgerow Software US, Inc., in the amount of \$90,000.00.)

- 12      [19-3984](#)      Bid No. 2019-032 - Annual Contract for Swimming Pool Water Management and Maintenance Services.  
(Authorize the City Manager to finalize and execute a contract with Sunbelt Pools, Inc., in the amount of \$70,000.00. The term of this contract is for a one-year period with four additional one-year renewal options, subject to annual appropriation of sufficient funds.)

Attachments:      [Bid Scoring Matrix](#)

- 13      [19-3990](#)      Bid No. 2019-056 - Purchase of Light Duty Pickups.  
(Staff recommends award to Caldwell Country, in Caldwell, Texas, through BuyBoard Contract No. 521-16, sponsored by the Texas Association of School Boards, in the amount of \$463,605.00.)

- 14      [19-3997](#)      Authorize the City Manager to finalize and execute a State and Local Task Force Agreement with the United States Department of Justice, Drug Enforcement Administration, Dallas Field Division for Task Force 1 activities.

Attachments:      [Executive Summary](#)

#### **PUBLIC HEARINGS**

- 15      [19-3986](#)      Conduct a public hearing and consider an ordinance for Application No. Z1218-0080, submitted by Stantec Consulting Services, on behalf of Market East Associates, LLC, for a change of zoning from Commercial and Town East Retail and Restaurant (TERRA) Overlay to Planned Development - Commercial and TERRA Overlay to establish revised sign regulations, located at 1505, 1515, 1519, 1601, 1645, 1649 and 1705 North Town East Boulevard.  
(Two 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 of the application with certain stipulations.)

Attachments:      [Z1218-0080, Case Summary - Market East Shopping Center Signage](#)  
[Staff report & maps](#)  
[PZ Minutes](#)  
[Ordinance - Z1218-0080](#)

- 16     [19-3987](#)     Conduct a public hearing and consider an ordinance for Application No. Z1218-0082, submitted by Nancy Juarez, on behalf of Dhaliwal Pharmaceutical Labs, for a change of zoning from Industrial and Skyline Logistics Hub Overlay to Industrial and Skyline Logistics Hub Overlay with a Conditional Use Permit to allow manufacturing of over-the-counter drugs and cosmetic supplies, located at 4400 U.S. Highway 80, Suite 100. (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 of the application.)

Attachments:     [Case Summary](#)  
                         [Staff Report & Maps](#)  
                         [P&Z minutes](#)  
                         [Ordinance - Z1218-0082](#)

#### OTHER BUSINESS

- 17     [19-3988](#)     Consideration and possible action on a request from Aaron Katz of Katz Parkridge, LLC, for a waiver from the multifamily residential moratorium to submit applications for improvements to an existing multifamily development, located at 2453 U.S Highway 80.

Attachments:     [Request for waiver](#)  
                         [Location map](#)

#### RECEIPT OF RESIGNATION

- 18     [19-3992](#)     Receive resignation from Jack Love as a member of the Keep Mesquite Beautiful, Inc., Board of Directors.

Attachments:     [Resignation Letter - Love](#)

#### 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. Petition of the Cities of Garland, Mesquite, Plano, and Richardson appealing 2017 wholesale rates implemented by the North Texas Municipal Water District, PUC Docket No. 46662 – Filed 12-14-16
4. Scott Damon Richardson v. Stephen Crane – Filed 8-10-17
5. Scott Damon Richardson v. Darren Marsack – Filed 8-10-17
6. Christopher Acoff v. City of Mesquite – Filed 8-25-17
7. Mohamed Bedran v. City of Mesquite – Filed 9-26-17
8. Victor Davis v. City of Mesquite and Glenn A. Evans, Individually – Filed 11-9-17
9. Petition of the Cities of Garland, Mesquite, Plano and Richardson appealing 2018 Wholesale Water Rates implemented by North Texas Municipal Water District, PUC Docket No. 47863 (Appealing Wholesale Water Rates for 2018) – Filed 12-15-17
10. Lyndo Jones v. City of Mesquite, Texas, and Derrick Wiley – Filed 1-18-18
11. City of Mesquite v. Govind Group Corp., and 3629 E. US Highway 80, Mesquite, Texas 75150 in rem – Filed 3-1-18
12. Ex Parte North Texas Municipal Water District – Filed 5-7-18
13. City of Mesquite v. Govind Group Corp. – Filed 8-31-18
14. City of Allen, City of Arlington, City of Bedford, City of Belton, City of Carrollton, City of Cedar Hill, City of Colleyville, City of Coppell, City of Dalworthington Gardens, City of Euless, City of Fort Worth, City of Garland, City of Grand Prairie, City of Harker Heights, City of Hutto, City of Irving, City of Killeen, City of Lewisville, City of Mesquite, City of Rockwall, City of Rowlett, City of Waco and City of Wichita Falls, Texas v. Time Warner Cable Texas, LLC d/b/a Spectrum and Charter Communications – Filed 10-19-18
15. City of Mesquite v. NPRodeo Holdings, LLC – Filed 10-31-18
16. James Murphy v. Officer Eric Zimmerman, Officer Nicholas Sierra, Officer Colton Ables, Officer Alex Berg, Officer C. M. Copeland, Officer B. S. Smith, and the City of Mesquite, Texas – Filed 11-2-18
17. Tejas Motel, LLC v. City of Mesquite, acting by and through its Board of Adjustment – Filed 11-8-18
18. Julia Y. Hodges and Yamileth Hodges v. City of Mesquite – Filed 12-4-18
19. Tony Hobbs v. Kyle Warren, City of Garland and City of Mesquite – Filed 1-7-19
20. Gregory Von Lee v. City of Mesquite – Filed 1-15-19

### **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.

### **Economic Development**

Pursuant to Section 551.087 of the Texas Government Code, the City Council will meet in closed session to consider commercial or financial information regarding business prospects or projects. The following subject may be discussed:

- 19     19-3977**     Consider economic development incentives for a prospective business in the Skyline Industrial District.
- 20     19-3994**     Consider economic development incentives for a retail prospect seeking to locate in south Mesquite, south of Clay Mathis Road, north of IH-20, west of Lawson Road, and east of Pioneer Road in the City of Mesquite, Texas.

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.