



City of Mesquite, Texas

Meeting Agenda

City Council

Monday, October 7, 2024

5:15 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 October 7, 2024.

PRE-MEETING - TRAINING ROOMS A&B - 5:15 P.M.

AGENDA REVIEW

EXECUTIVE SESSION - COUNCIL CONFERENCE ROOM - 5:15 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

Jeff Pereira, Pastor, True Life Church, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

Public Safety Officers in honor of Public Safety Appreciation Week.

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.)

- 1 [24-7369](#) Minutes of the regular City Council meeting held September 16, 2024.

 Attachments: [September 16, 2024, minutes](#)
- 2 [24-7376](#) An ordinance regarding the City's Texas Municipal Retirement System (TMRS) benefits authorizing: (1) Annually accruing updated service credits and transfer updated service credits and (2) An annuity increase, also referred to as cost of living adjustment (COLA), for retirees and their beneficiaries.

 Attachments: [Ordinance](#)
- 3 [24-7375](#) An ordinance adopting the 2024-25 Pay Plans for General Government Personnel with an effective date of October 1, 2024, and for Commissioned Police and Fire Personnel with an effective date of January 1, 2025.

 Attachments: [Ordinance](#)
- 4 [24-7374](#) An ordinance establishing the classifications and total number of authorized positions in each classification of the Mesquite Police Department as of October 1, 2024.

 Attachments: [Ordinance](#)
- 5 [24-7373](#) An ordinance establishing the classifications and total number of authorized positions in each classification of the Mesquite Fire Department as of October 1, 2024.

 Attachments: [Ordinance](#)

- 6 [24-7382](#) An ordinance amending Appendix D - Comprehensive Fee Schedule of the City Code by revising Article XV (Water and Sewer) for the purpose of updating the City's water and sewer rates, effective November 1, 2024.
- Attachments:* [Ordinance](#)
- 7 [24-7372](#) An ordinance approving and authorizing the issuance and sale of the City of Mesquite, Texas, Special Assessment Revenue Bonds, Series 2024 (Solterra Public Improvement District (PID) Improvement Area C-3 Project), approving and authorizing an Indenture of Trust, a Bond Purchase Agreement, Limited Offering Memorandum, a Continuing Disclosure Agreement, and other agreements and documents in connection therewith, making findings with respect to the issuance of such bonds, and providing an effective date.
- Attachments:* [Ordinance](#)
 [Bond Purchase Agreement](#)
 [Area C-3 Lot Type Map](#)
- 8 [24-7367](#) A resolution expressing intent to reimburse expenditures from proceeds of future obligations.
- Attachments:* [Resolution](#)
- 9 [24-7386](#) A resolution approving a First Amendment to the Solterra Public Improvement District (PID) Reimbursement Agreement (Improvement Area C-3).
- Attachments:* [Resolution](#)
 [Resolution No. 31-2023](#)
- 10 [24-7366](#) Bid No. 2024-148 - Purchase of the L3 TranSims CDL Driving Simulator. (Staff recommends award to Safeware, Inc., through Omnia Contract No. 4400008468, in an amount not to exceed \$126,882.00.)
- Attachments:* [Quote](#)
- 11 [24-7357](#) Authorize the City Manager to finalize and execute a Grant Agreement with the Texas Department of Transportation (TxDOT), Aviation Division, for participation in the Routine Airport Maintenance Program (RAMP) in the amount of \$100,000.00.
- 12 [24-7358](#) Authorize the City Manager to finalize and execute a Reimbursement Grant Agreement with the Texas Department of Transportation (TxDOT), Aviation Division, for the replacement of the Mesquite Metro Airport's Automated Weather Observation System, with a not to exceed amount of \$166,666.66.
- 13 [24-7378](#) Authorize the City Manager to finalize and execute a Consent to Assignment of Ground Lease with Comanche Group, Inc., and L3KSL4, LLC.

- 14 [24-7359](#) Authorize the City Manager to finalize and execute a Grant Agreement and all necessary documents with the Texas Department of Transportation (TxDOT), Aviation Division, for the design of a taxi lane and apron area in the amount of \$295,000.00.

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.)

- 15 [24-7370](#) Conduct a public hearing and consider an ordinance for Zoning Application No. Z0824-0367, submitted by the City of Mesquite, for a zoning change to amend Planned Development - Industrial Ordinance No. 4785 to allow additional manufacturing and industrial uses in addition to other uses allowed in the Industrial Zoning District with modifications located at 20 East Trinity Pointe (284-acre industrial park generally located south of IH-20, southwest of FM 2932, and northwest of Griffin Lane), located at 12875, 12905, 12935, 12955, and 12995 FM 2932.
(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 [24-7371](#) Conduct a public hearing and consider an ordinance for Zoning Application No. Z0624-0364, submitted by Jackson Walker LLP on behalf of FRHP Lincolnshire LLC., for a comprehensive plan amendment to change the future land use designation from the Gus Thomasson Special Planning Area to Commercial and for a zoning change from Commercial and North Gus Thomasson Corridor (NGTC) to Planned Development - Commercial with modified development standards to allow an outdoor display lot selling recreational vehicles and trailers in addition to other uses permitted in the Commercial Zoning District located at 4201 Gus Thomasson Road, 2713 IH 30, 2749 IH 30, and 2779 IH 30.
(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 with certain stipulations.)

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

- 17 [24-7384](#) Conduct a public hearing and consider a resolution approving a Second

Amendment to TIRZ No. 12 Reimbursement Agreement, Repurchase Option Agreement and City Chapter 380 Incentive and Performance Agreement (Second Amendment) with IH 20 IP, LLC (Developer) and the Board of Directors of Reinvestment Zone No. 12, City of Mesquite, Texas (IH-20 Business Park) (TIRZ) regarding the developer's construction of an approximately 210.026-acre Class A Industrial Park in the TIRZ located at 925 McKenzie Road, 3400 McKenzie Road, 2700 McKenzie Road, 4800 Lasater Road and 4900 Lasater Road, Mesquite, Texas, and the acquisition from the City and by the Developer of approximately 100.264 acres of land in the TIRZ and located at 925 McKenzie Road and 3400 McKenzie Road, Mesquite, Texas, and the granting to the Developer of certain TIRZ reimbursements and economic development incentives and authorizing the City Manager to finalize and execute the Second Amendment and take such actions and execute such documents as are necessary or advisable to consummate the transactions contemplated by the Second Amendment and administer the Second Amendment on behalf of the City.

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. State of Texas v. Villa, Cause No. 05-22-00220-CR, pending in the Court of Criminal Appeals, Cause No. PD-0756-23 - Filed 12-10-2021
5. Danny Booker v. City of Mesquite Risk Management, Cause No. DC-23-18301 - Filed 10-25-2023
6. Avery Fuentes v. City of Mesquite, Cause No. DC-23-19555 - Filed 11-20-2023
7. Bethany Hall and Antonio Holmes v. City of Mesquite, et al.; Case No. DC-24-00034 - Filed 01-02-2024
8. Dominick Green v. R. Rose, C. Pabst and the City of Mesquite, Texas, Cause No. 3:24-cv-00337-X - Filed 02-12-2024
9. Mesquite Asset Recovery Group, LLC, et al. v. City of Mesquite, Case No. DC-24-02668, 191st District Court, Dallas County, Texas - Filed 02-15-2024; removed to the U.S. District Court for the Northern District of Texas, Dallas Division, Civil Action No. 3:24-cv-00740-D - Filed 03-28-2024
10. Keiarra Tolbert v. City of Mesquite, Cause No. DC-24-07173 - Filed 05-15-2024
11. Alexander Reyes Serrano v. City of Mesquite, Cause No. CC-24-05058A - Filed 07-10-2024
12. Shamsa Alshilbi v. City of Mesquite, et al., Cause No. 3:24-cv-02000-L - Filed 08-06-2024
13. City of Mesquite v. Residence at Tradewind Apartments LLC, et al, Cause No. DC-24-12338 - Filed 08-09-2024

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.

Economic Development

Pursuant to Section 551.087 of the Texas Government Code, the City Council will meet in closed session to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations or to deliberate the offer of a financial or other incentive to such a business prospect. The following subjects may be discussed:

- 18 24-7383** Discuss an amendment to an economic development agreement for a project at IH-20 and Lawson Road.
- 19 24-7395** Discuss an economic development project on Gus Thomasson Road near Oates Drive.
- 20 24-7347** Discuss an economic development redevelopment project at the corner of Town East Boulevard and IH-635.

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 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.