



City of Mesquite, Texas

Meeting Agenda

City Council

Monday, June 3, 2024

4:30 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 June 3, 2024.

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

AGENDA REVIEW

STAFF PRESENTATIONS

- 1 [24-7206](#) Receive briefing from representatives of Godfrey's Associates, Inc. Library Planners & Consultants regarding Library System Strategic Plan.

 Attachments: [Library Strategic Plan Draft](#)
 [Library Strategic Plan Draft with Appendices](#)
- 2 [24-7156](#) Receive briefing from STAR Transit regarding public transportation ridership numbers and service modification options.
- 3 [24-7216](#) Review Building Inspection and Development Processes

(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 - 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 [24-7194](#) Receive financial statements for the period October 1, 2023, through March 31, 2024.

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

Archie Greer, Pastor, Trinity Christian Worship Church, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

City Staff.

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 [24-7201](#) Minutes of the regular City Council meeting held May 20, 2024.

Attachments: [May 20, 2024, minutes](#)

- 6 [24-7167](#) An ordinance amending the budget for Fiscal Year 2023-24.

Attachments: [Ordinance](#)

- 7 [24-7191](#) An ordinance amending Ordinance No. 2021 and Resolution No. 28-93 and authorizing the City Manager to finalize and execute an Interlocal Agreement with the City of Balch Springs for providing wholesale wastewater service to specific Balch Springs service areas through both

newly constructed and existing City of Mesquite wastewater systems.

Attachments: [Ordinance](#)

- 8 [24-7208](#) A resolution authorizing publication of Notice of Intention to issue Certificates of Obligation, approving the preparation of a preliminary official statement and a notice of sale, and providing for the effective date thereof.

Attachments: [Resolution](#)
[Proposed Bond Projects](#)

- 9 [24-7157](#) A resolution adopting STAR Transit Public Transportation Agency Safety Plan (PTASP), as may be amended, applicable to all City of Mesquite public transit services.

Attachments: [STAR Transit Public Transportation Agency Safety Plan](#)
[Resolution](#)

- 10 [24-7192](#) A resolution authorizing the City Manager to finalize and execute a Project Specific Agreement (PSA) amending the Master Interlocal Agreement with Dallas County pertaining to Road and Bridge Transportation-Related Maintenance, Repairs, and Improvements to be performed on Oates Drive (Galloway Avenue to Gus Thomasson Road) within the City of Mesquite.

Attachments: [Resolution](#)

- 11 [24-7212](#) A resolution approving the issuance of tax-exempt obligations by the Mesquite Housing Finance Corporation (MHFC) to finance the acquisition and construction of Wooded Lake Apartments by Wooded Lake Apartments, LTD.

Attachments: [Resolution](#)

- 12 [24-7213](#) A resolution approving the issuance of tax-exempt obligations by the Mesquite Housing Finance Corporation (MHFC) to finance the acquisition and construction of Palladium Carver Living by Palladium Bruton Road, LTD.

Attachments: [Resolution](#)

- 13 [24-7169](#) Bid No. 2024-113 - Purchase of Tactical Rifle Weapon Systems.
(Staff recommends award to ProForce Marketing, Inc. dba Proforce Law Enforcement, in an amount not to exceed \$178,611.89.)

Attachments: [Quote](#)

- 14 [24-7207](#) Authorize the City Manager to finalize and execute Change Order No. 6 to Bid No. 2023-082, Utility Relocation for CSJ: 0095-10-033 (U.S. Highway 80 from Interstate Highway 30 to Gus Thomasson Road), with ANA Site Construction, LLC for additional services required in the total amount of \$150,960.00.

Attachments: [Change Order No. 6](#)

- 15 [24-7202](#) Receive the January 2024 semiannual report for impact fees from the Capital Improvements Advisory Committee in accordance with Section 395.058(c)(4) of the Texas Local Government Code.

Attachments: [January 2024 CIAC report](#)
 [CIAC Minutes](#)

APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

- 16 [24-7203](#) Consider appointment of one Regular Member (Place No. 2) to the Historic Mesquite, Inc., Board of Directors for a term to expire December 31, 2026, and two Regular Members (Place Nos. 6 and 8) for terms to expire December 31, 2024.

Attachments: [List of Eligible Applicants](#)

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.)

- 17 [24-7200](#) Conduct a public hearing and consider an ordinance for Zoning Application No. Z0224-0344, submitted by Provident Realty Advisors for a Comprehensive Plan amendment from Commercial to High-Density Residential and a change of zoning from Planned Development - Light Commercial (Ordinance No. 2102) to Planned Development - Multifamily Residential to allow a multifamily development with modifications to the development standards, located at 900 and 1000 Windbell Circle.
(One response in favor and no responses 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](#)

- 18 [24-7199](#) Conduct a public hearing and consider an ordinance for Zoning Application No. Z0324-0351, submitted by Maxwell Fisher of ZoneDev on behalf of Palladium USA International, Inc., for a Comprehensive Plan amendment from Neighborhood Retail to High-Density Residential and a change of zoning from R-3, Single-family Residential within Sherwood Forest Overlay to Planned Development - Multifamily Residential within the Sherwood Forest Overlay to allow a multifamily development with modifications to the development standards, located at 2255 West Bruton Road.

(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](#)

- 19** [24-7198](#) Conduct a public hearing and consider an ordinance for Zoning Application No. Z0424-0359, submitted by Javier Ruiz, for a change of zoning from Central Business to Central Business with a Conditional Use Permit to allow used motor vehicle sales, located at 611 West Davis Street.
(One response in favor and two 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](#)

- 20** [24-7195](#) 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 Chapter 380 Agreement for such purposes with Harmon, Inc., for the lease and occupation of the industrial park facility located at 2614 Big Town Boulevard, in the City of 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](#)

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. 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. April Patton v. City of Mesquite, Cause No. DC-23-14996, Filed 09-13-2023
8. Danny Booker v. City of Mesquite Risk Management, Cause No. DC-23-18301 - Filed 10-25-2023
9. Elgin Singleton v. City of Mesquite, Cause No. DC-23-18152 - Filed 10-25-2023
10. Avery Fuentes v. City of Mesquite, Cause No. DC-23-19555 - Filed 11-20-2023
11. Bethany Hall and Antonio Holmes v. City of Mesquite, et al; Case No. DC-24-00034, Filed 01-02-2024
12. Dominick Green v. R. Rose, C. Pabst and the City of Mesquite, Texas, Cause No. 3:24-cv-00337-X, Filed 02-12-2024
13. Mesquite Asset Recovery Group, LLC, et al. v. City of Mesquite, Case No. DC-24-02668, filed in the 191st District Court, Dallas County, Texas, filed February 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, on March 28, 2024
14. Tijuana Richardson v. Mesquite Parks and Recreation, Cause No. DC-24-03958, filed March 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.

- Annual review of City Manager

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:

- | | | |
|-----------|----------------|--|
| 21 | 24-7209 | Discuss economic development incentives for a business expansion in the Trinity Pointe area of Mesquite in Kaufman County. |
| 22 | 24-7211 | Discuss economic development incentives for a business at IH-635 and Rodeo Center Boulevard. |

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.