



City of Mesquite, Texas

Meeting Agenda

City Council

Monday, March 18, 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 March 18, 2024.

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

AGENDA REVIEW

STAFF PRESENTATIONS

- 1 [24-7107](#) Receive proposed changes to the Utility Billing Office operations.

(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.

- 2 [24-7108](#) Receive presentation of 2023 Meritorious Awards to Fire Department employees.

Attachments: [List of Award Recipients](#)

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

INVOCATION

Harry Sewell, Pastor, Family Cathedral, Forney, Texas.

PLEDGE OF ALLEGIANCE

Members of Texas Tarheels National Flag Football Champions.

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.)

- 3 [24-7104](#) Minutes of the regular City Council meeting held March 4, 2024.

Attachments: [March 4, 2024, minutes](#)

- 4 [24-7102](#) Bid No. 2024-029 - Annual Contract for Emergency Vehicle Equipment Installation.
(Authorize the City Manager to finalize and execute a contract with MAL Technologies Fleet, LLC, through BuyBoard Contract No. 698-23, in an amount not to exceed \$600,000.00. The term of the contract is for a one-year period, with two additional one-year renewal options. The City Manager is authorized to exercise the renewal options subject to annual appropriation of funds.)

Attachments: [Contract](#)

- 5 [23-6980](#) RFP No. 2024-046 - Annual Contract for High-Performance Network & Specialty Care Management Services.
(Authorize the City Manager to finalize and execute a contract with

Employer Direct Health in an amount not to exceed \$300,000.00. The term of the contract is for a one-year period, with four additional one-year renewal options. The City Manager is authorized to exercise the renewal options, subject to the annual appropriation of sufficient funds.)

Attachments: [Scoring Matrix](#)

- 6 [24-7088](#) Bid No. 2024-087 - Purchase of Fire Protective Clothing for Fire Operations Personnel.
(Staff recommends award to Municipal Emergency Services, Inc., through Sourcewell Purchasing Cooperative Contract No. 032620, in an amount not to exceed \$270,000.00.)

Attachments: [Quote](#)

- 7 [24-7114](#) Bid No. 2024-095 - Facility Assessment and Management Software.
(Authorize the City Manager to finalize and execute a subscription agreement and necessary addendums with Brightly Software Inc., through Sourcewell Cooperate Purchasing Contract No. 090320-SDI, in an amount not to exceed \$192,675.48.)

Attachments: [Brightly Quote and Statement of Work](#)

- 8 [24-7099](#) Authorize the City Manager to execute a Lease Agreement with Texas A&M Engineering Extension Service (TEEX) for a 33.2-acre site located at IH-20 and Lumley Road to be utilized as TEEX's North Texas Regional Training Center.

Attachments: [Lease Agreement](#)

- 9 [24-7100](#) Authorize the City Manager to finalize and execute an Agreement for Award of Transportation Development Credits between the Regional Transportation Council (RTC) and City of Mesquite.

Attachments: [Agreement](#)

- 10 [24-7103](#) Authorize the City Manager to finalize and execute a contract with Data Transfer Solutions, LLC, to prepare a pavement assessment in the amount of \$225,992.00.

- 11 [24-7110](#) Authorize the City Manager to finalize and execute a Professional Services Agreement with Kimley-Horn and Associates, Inc., for development of Traffic Signal Design Plans in the amount of \$250,000.00.

Attachments: [Recommendation Letter](#)

[Intersection Map 1](#)

[Intersection Map 2](#)

[Intersection Map 3](#)

[Intersection Map 4](#)

[Intersection Map 5](#)

- 12 [24-7106](#) Authorize the City Manager to execute a Professional Services Contract

with On Duty Health - Texas, PLLC, to provide annual medical and physical assessment services for City of Mesquite employees in an amount not to exceed \$250,000.00, for a one-year term.

APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

- 13 [24-7112](#) Consider appointment of one Regular Member (Position No. 7) to the Planning and Zoning Commission/Capital Improvements Advisory Committee/Airport Zoning Commission for a term to expire December 31, 2025, one Alternate Member (Alternate No. 1) for a term to expire December 31, 2025, and one Alternate Member (Alternate No. 2) for a term 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.)

- 14 [24-7105](#) A. Conduct a public hearing regarding the Parks and Recreation Department Youth Programs Standards of Care.
- B. Consider an ordinance adopting Standards of Care associated with the City's recreation programs titled "2024 Youth Programs Standards of Care" and repealing Ordinance No. 5012.

Attachments: [Ordinance](#)
 [Redlined Standards of Care](#)

- 15 [24-7098](#) Conduct a public hearing and consider an ordinance for Zoning Application No. Z0124-0343, submitted by Jose Vazquez, for a change of zoning from Commercial to Commercial with a Conditional Use Permit to allow a body art/decoration business with a modification to allow the use within 1,000 feet of a parcel that is zoned residential, located at 3501 Gus Thomasson Road, Suite 31.
- (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.)

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

- 16 [24-7092](#) 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 Town East Shopping Center, LLC, a Texas limited liability company, for the major renovation and redevelopment of the property located at 3301 North Town East Boulevard, 2937 Motley Drive, and 2945 Motley Drive, Mesquite, Texas 75150, in the City of Mesquite, Texas, and authorizing the City Manager to 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; 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.

- 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:

- 17 24-7113** Discuss economic development incentives for a business relocation on Scylene Road in 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 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.