



City of Mesquite, Texas

Meeting Agenda

City Council

Monday, February 19, 2024

5:45 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 February 19, 2024.

PRE-MEETING - TRAINING ROOMS A&B - 5:45 P.M.

AGENDA REVIEW

(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 - 5:45 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

Drew Hastings, Pastor, Family Cathedral of Praise, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

City of Mesquite Engineers.

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 [24-7056](#) Minutes of the regular City Council meeting held February 5, 2024.

Attachments: [February 5, 2024, minutes](#)

- 2 [24-7040](#) A resolution authorizing the City Manager to execute the 2022 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Funds Sharing and Fiscal Agency Agreement between Dallas County and the Cities of Balch Springs, Carrollton, Dallas, DeSoto, Duncanville, Garland, Grand Prairie, Irving, Lancaster, Mesquite and Richardson; authorizing an equitable redistribution of grant funds thereby reducing Mesquite's formula allocation to the revised amount of \$32,012.93, designating the City of Dallas as the applicant and fiscal agent and designating the Police Chief of the City of Mesquite as the responsible officer for the purpose of signing all documents associated with the grant.

Attachments: [Resolution](#)
 [2022 JAG Program Funds Sharing and Fiscal Agency Agreement](#)

- 3 [24-7041](#) A resolution authorizing the City Manager to execute the 2023 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Funds Sharing and Fiscal Agency Agreement between Dallas County and the Cities of Balch Springs, Carrollton, Dallas, DeSoto, Duncanville, Garland, Grand Prairie, Irving, Lancaster, Mesquite and Richardson; authorizing an equitable redistribution of grant funds thereby reducing Mesquite's formula allocation to the revised amount of \$36,554.95, designating the City of Dallas as the applicant and fiscal agent and designating the Police Chief of

the City of Mesquite as the responsible officer for the purpose of signing all documents associated with the grant.

Attachments:

[Resolution](#)

[2023 JAG Program Funds Sharing and Fiscal Agency Agreement](#)

- 4 [24-7048](#) RFP No. 2023-137 - Construction Manager-at-Risk (CMaR) Services for the Construction of New Fire Station No. 8.
(Authorize the City Manager to finalize and execute a contract with Crossland Construction Company, Inc., in connection with the design (Phase I) of New Fire Station No. 8 in the amount of \$20,000.00.)

Attachments:

[Evaluation Summary](#)

- 5 [24-7055](#) RFP No. 2023-138 - Construction Manager-at-Risk (CMaR) services for the Construction of a Public Safety Training Facility.
(Authorize the City Manager to finalize and execute a contract with Crossland Construction Company, Inc., in connection with the design (Phase I) of a Public Safety Training Facility in the amount of \$12,500.00.)

Attachments:

[Evaluation Summary](#)

- 6 [24-7054](#) RFP No. 2023-141- Construction Services for Construction of New Fire Station No. 2.
(Authorize the City Manager to finalize and execute a contract with AUI Partners, LLC, in the amount of \$9,649,220.00.)

Attachments:

[Best and Final Offer Letter \(BAFO\)](#)

- 7 [24-7051](#) RFP No. 2024-015 - Annual Contract for Paint and Body Services.
(Authorize the City Manager to finalize and execute a contract with Town East Ford, LLC, in the amount of \$215,100.00. The term of the contract is for a one-year period with four additional one-year renewal options, subject to annual appropriation of sufficient funds.)

Attachments:

[Scoring Matrix](#)

- 8 [24-7058](#) RFP No. 2024-019 - City Lake Aquatic Center Renovation: Site Amenities.
(Authorize the City Manager to finalize and execute a contract with PBS Construction LLC, in an amount not to exceed \$260,325.00.)

Attachments:

[Exhibit](#)

[Evaluation Scoring Matrix](#)

- 9 [23-6984](#) Bid No. 2024-030 - Annual Supply of 45-Gallon Edge Trash Carts.
(Authorize the City Manager to finalize and execute a contract with Duramax Holdings LLC, dba Otto Environmental Systems, through Houston-Galveston Area Council (H-GAC) Contract No. RC01-21, in the amount not to exceed \$346,256.00. The term for this contract is for a one-year period.)

Attachments:[Quote](#)[H-GAC Contract No. RC01-21](#)

- 10 [24-7047](#) RFQ No. 2024-039 - Architectural Services for the Design and Construction of New Fire Station No. 8.
(Authorize the City Manager to finalize and execute a contract with Brown Reynolds Watford Architects, Inc., for services in connection with the design of the new Fire Station No. 8 in an amount not to exceed \$1,297,400.00.)

Attachments:[Proposal](#)

- 11 [24-7067](#) RFQ No. 2024-039 - Architectural Services for the Design and Construction of the New Public Safety Training Facility.
(Authorize the City Manager to finalize and execute a contract with Brown Reynolds Watford Architects, Inc., for services in connection with the design of the New Public Safety Training Facility in an amount not to exceed \$509,625.00.)

Attachments:[Proposal](#)

- 12 [24-7029](#) Bid No. 2024-063 - Annual Supply of Duplicating Papers.
(Staff recommends award to low bidder Western BRW Paper Company in the amount of \$138,151.75. The term 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 annual appropriation of sufficient funds.)

Attachments:[Bid Tabulation](#)

- 13 [24-7044](#) Bid No. 2024-077 - Purchase of Five Dodge Chargers.
(Staff recommends award to Grapevine Dodge Chrysler Jeep, through the BuyBoard Contract No. 724-23, in an amount not to exceed \$193,326.00.)

Attachments:[Quote](#)[Photo](#)

- 14 [24-7046](#) Bid No. 2024-078 - Purchase of Two Replacement Ford Interceptors.
(Staff recommends award to Silsbee Ford, Inc., through The Interlocal Purchasing System (TIPS) Contract No. 210907, in an amount not to exceed \$108,502.00.)

Attachments:[Quote](#)[Photo](#)

- 15 [24-7050](#) Bid No. 2024-080 - Purchase of Three Ford Explorers.
(Staff recommends award to Silsbee Ford, Inc., through The Interlocal Purchasing System (TIPS) Contract No. 210907, in an amount not to exceed \$119,056.50.)

Attachments: [Quote](#)
[Photo](#)

16 [24-7032](#) Authorize the City Manager to finalize and execute an Office and Hangar Lease with Marcus Air, LLC, for space at the Mesquite Metro Airport.

17 [24-7049](#) Authorize the City Manager to finalize and execute a Professional Engineering Services Contract with Freeman-Millican, Inc., for the Trinity Pointe Mesquite Elevated Tank in the City of Mesquite within Kaufman County, in the amount of \$654,500.00.

Attachments: [Location Map](#)

18 [24-7043](#) Authorize the City Manager to finalize and execute Change Order Nos. 1, 2 and 3 to Bid No. 2023-057, Utility Relocation for IH-635 at US Highway 80 Interchange, with BRCT, LLC dba Black Rock Construction for additional services required in the total amount of \$162,317.21.

Attachments: [Change Order No. 1](#)
[Change Order No. 2](#)
[Change Order No. 3](#)

19 [24-7064](#) Authorize the Mayor to execute a Second Amendment to an Employment Agreement between the City of Mesquite, Texas, and City Attorney David Paschall.

20 [24-7053](#) Ratify the purchase of Four Ford Pickups included in Bid No. 2024-048, Purchase of Seven Ford Pickups, from Sam Pack's Five Star Ford, through Texas Smart Buy Contract No. 070M1, in the amount of \$172,469.25.

Attachments: [Revised Quotes](#)

PUBLIC HEARINGS

21 [24-7060](#) A. Conduct a public hearing under Chapter 311 of the Texas Tax Code to consider approving a Third Amended Project Plan and Reinvestment Zone Financing Plan for Reinvestment Zone Number Twelve, City of Mesquite, Texas (IH-20 Business Park) (the "Zone") and increasing the total estimated project costs for the Zone.

B. Consider an ordinance approving a Third Amended Project Plan and Reinvestment Zone Financing Plan for Reinvestment Zone Number Twelve, City of Mesquite, Texas (IH-20 Business Park) (the "Zone") and increasing the total estimated project costs for the Zone.

Attachments: [Ordinance](#)

22 [24-7007](#) Conduct a public hearing and consider a resolution approving a First Amendment to TIRZ No. 12 Reimbursement Agreement and Performance Agreement with MSAP 216, LLC, and 42 BP, LP (Collectively the Developer) and the Board of Directors of Reinvestment Zone No. 12, City of Mesquite,

Texas (IH-20 Business Park) (TIRZ) and the City of Mesquite, Texas, regarding the Developer's construction of an approximately 217-acre Class A Industrial Development in the TIRZ located at 229, 231, and 1600 Lawson Road, Mesquite, Texas, and the granting to the Developer of certain TIRZ reimbursements, 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 First Amendment, and administer the First Amendment on behalf of the City.

Attachments: [Resolution](#)

- 23 [24-7033](#) Conduct a public hearing and consider a resolution supporting Northwest Drive Senior Living Mesquite, Ltd.'s application to the Texas Department of Housing and Community Affairs (TDHCA) for 2024 Competitive 9% Housing Tax Credits Program for the construction of an approximately 90-unit senior restricted affordable multi-family rental housing development to be located at 1100 Interstate Highway 30, in accordance with Chapter 2306 of the Texas Government Code and authorizing the City Secretary to certify the resolution to the TDHCA.

Attachments: [Location Map and Overview of Project](#)
 [Resolution](#)

- 24 [24-7035](#) Conduct a public hearing and consider a resolution supporting Collins Villas Investments, LP's application to the Texas Department of Housing and Community Affairs (TDHCA) for 2024 Competitive 9% Housing Tax Credits Program for the construction of an approximately 131-unit senior affordable multi-family rental housing development to be located at 705 State Highway 352, in accordance with Chapter 2306 of the Texas Government Code and authorizing the City Secretary to certify the resolution to the TDHCA.

Attachments: [Location Map and Overview of Project](#)
 [Resolution](#)

- 25 [24-7036](#) Conduct a public hearing and consider a resolution supporting CSH Windbell Senior Village, Ltd.'s application to the Texas Department of Housing and Community Affairs (TDHCA) for 2024 Competitive 9% Housing Tax Credits Program for the construction of an approximately 88-unit senior restricted affordable multi-family rental housing development to be located at 915 Windbell Circle, in accordance with Chapter 2306 of the Texas Government Code and authorizing the City Secretary to certify the resolution to the TDHCA.

Attachments: [Location Map and Overview of Project](#)
 [Resolution](#)

- 26 [24-7037](#) Conduct a public hearing and consider a resolution supporting 930 Military Parkway Living, Ltd.'s application to the Texas Department of Housing and Community Affairs (TDHCA) for 2024 Competitive 9% Housing Tax Credits

Program for the construction of an approximately 111-unit affordable multi-family rental housing development to be located at 930 Military Parkway, in accordance with Chapter 2306 of the Texas Government Code and authorizing the City Secretary to certify the resolution to the TDHCA.

Attachments: [Location Map and Overview of Project](#)
[Resolution](#)

- 27 [24-7038](#) Conduct a public hearing and consider a resolution supporting 2910 Motley Senior Living, Ltd.'s application to the Texas Department of Housing and Community Affairs (TDHCA) for 2024 Competitive 9% Housing Tax Credits Program for the construction of an approximately 133-unit senior restricted affordable multi-family rental housing development to be located at 2910 Motley Drive, in accordance with Chapter 2306 of the Texas Government Code and authorizing the City Secretary to certify the resolution to the TDHCA.

Attachments: [Location Map and Overview of Project](#)
[Resolution](#)

- 28 [24-7039](#) Conduct a public hearing and consider a resolution supporting SDTX Mesquite Limited Partnership's application to the Texas Department of Housing and Community Affairs (TDHCA) for 2024 Competitive 9% Housing Tax Credits Program for the construction of an approximately 88-unit affordable multi-family rental housing development to be located at 445 State Highway 352, in accordance with Chapter 2306 of the Texas Government Code and authorizing the City Secretary to certify the resolution to the TDHCA.

Attachments: [Location Map and Overview of Project](#)
[Resolution](#)

- 29 [24-7069](#) Conduct a public hearing and consider a resolution supporting Waterside Village Mesquite, LLC's application to the Texas Department of Housing and Community Affairs (TDHCA) for 2024 Competitive 9% Housing Tax Credits Program for the construction of an approximately 102-unit senior restricted affordable multi-family rental housing development to be located at 2700 Motley Drive, in accordance with Chapter 2306 of the Texas Government Code and authorizing the City Secretary to certify the resolution to the TDHCA.

Attachments: [Location Map and Overview of Project](#)
[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 Appeals, Fifth District of Texas at Dallas, filed in Court of Appeals on 03-16-2022
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 v. City of Mesquite, Cause No. DC-24-00034, Filed 01-02-2024
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, Filed in Dallas County District Court

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.

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.