



City of Mesquite, Texas

Meeting Agenda

City Council

Monday, February 5, 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 February 5, 2024.

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

AGENDA REVIEW

STAFF PRESENTATIONS

- 1 [24-7023](#) Discuss options for youth program.

(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 [24-7021](#) Receive Police Department Council Update.

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

INVOCATION

Sam Pendyala, Pastor, Inspiration Church, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

Members of the Mesquite Heart Board.

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 [24-7017](#) Minutes of the regular City Council meeting held January 16, 2024.

Attachments: [January 16, 2024, minutes](#)

- 4 [24-7025](#) A resolution authorizing continued participation with the Steering Committee of Cities served by ONCOR and authorizing the payment of 10 cents per capita to the Steering Committee to fund regulatory and legal proceedings and activities related to ONCOR Electric Delivery Company, LLC.

Attachments: [Invoice No. 24-99](#)
 [Resolution](#)

- 5 [24-7014](#) Bid No. 2024-053 - Owner's Representative Services for the Administration of a Construction Manager-at-Risk Contract for the Construction of New Fire Station No. 8 and New Public Safety Training Facility.
 (Authorize the City Manager to finalize and execute a contract with Fitzpatrick Design Construction Services Group LLC, for Owner's Representative Services in connection with the design and construction of New Fire Station No. 8 and New Public Safety Training Facility in an

amount not to exceed \$288,000.00, inclusive of reimbursables.)

Attachments: [Contract](#)

- 6 [23-6978](#) Bid No. 2024-057 - Purchase of Two Ford F-150 Police Responders.
(Staff recommends award to Silsbee Ford, Inc., through The Interlocal Purchasing System (TIPS) Contract No. 210907, in an amount not to exceed \$114,114.50.)

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

- 7 [23-6994](#) Bid No. 2024-058 - Purchase of One Rubber Tire Loader for Solid Waste.
(Staff recommends award to National Equipment Dealers, LLC, through the Sourcewell Contract No. 032119-HCE, in an amount not to exceed \$247,225.30.)

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

- 8 [23-6993](#) Bid No. 2024-059 - Purchase of Ten Police Interceptors.
(Staff recommends award to Sam Pack's Five Star Ford, Ltd., through the Texas SmartBuy Contract No. 070-M1, in an amount not to exceed \$522,010.40.)

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

- 9 [23-6996](#) Bid No. 2024-060 - Purchase of One Refuse Trailer for Solid Waste.
(Staff recommends award to Wilkens Industries, Inc., through the BuyBoard Contact No. 686-22, in an amount not to exceed \$157,269.00.)

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

- 10 [24-7020](#) Authorize the City Manager to finalize and execute a Consent to Assignment of Ground Lease with Colmet Aviation, LLC.

- 11 [24-7026](#) Authorize the Mayor to execute a Second Amendment to an Employment Agreement between the City of Mesquite, Texas, and Municipal Court Judge Detra Hill.

- 12 [24-7027](#) Authorize the Mayor to execute a Second Amendment to an Employment Agreement between the City of Mesquite, Texas, and City Secretary Sonja Land.

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.)

- 13 [24-7019](#) Conduct a public hearing and consider an ordinance for Zoning Application No. Z1023-0328, submitted by MM Mesquite 6, LLC, for a Comprehensive Plan amendment from Commercial to High Density Residential and a change of zoning from Planned Development - Commercial - Gateway within the Mesquite Arena/Rodeo Entertainment Overlay District (MARE) to Planned Development - Multifamily - Gateway within the MARE to allow a multifamily development with modifications, located at 410 Rodeo Center Boulevard.

(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. This item was postponed from the January 16, 2024, City Council meeting.)

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

- 14 [24-7018](#) Conduct a public hearing and consider an ordinance for Zoning Application No. Z1023-0331, submitted by Coreen Robertson on behalf of James Kalakkattu, for a change of zoning from General Retail to Planned Development - General Retail to allow the construction of office warehouses, located at 1511 East Kearney Street.

(No responses 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 denial of the application. This item was postponed from the January 16, 2024, City Council meeting.)

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

- 15 [24-7016](#) Conduct a public hearing and consider an ordinance for Zoning Application No. Z1123-0336, submitted by Masterplan on behalf of Mesquite Community Development, LLC, for a Comprehensive Plan amendment to change the future land use designation from Office to High-Density Residential on Tract 1 and for a change of zoning from Planned Development - Retirement Housing Ordinance No. 3821 and Planned Development - Light Commercial Ordinance No. 2124 to Planned Development - Multifamily and Light Commercial to allow an approximate 300-unit multifamily development on Tract 1 and light commercial uses on Tract 2, located at 5201 Northwest Drive.

(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](#)

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 3-14-22; appeal to 5th District Court of Appeals, Dallas, Cause No. 05-22-00826-CV - Filed 8-10-2022
2. City of Dallas, City of Mesquite, et al., v. Disney DTC, LLC, et al., Cause No. DC-22-09128 - Filed 8-3-22; appeal to 5th District Court of Appeals, Dallas, Cause No. 05-23-00485-CV - Filed 5-19-2023
3. Cesar Nunez-Solis v. The City of Mesquite, Texas, Cause No. DC-22-11631 - Filed 9-6-22
4. J'Mei Walker, II v. City of Mesquite. Cause No. DC-23-04762 - Filed 4-11-23
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 March 16, 2022
6. David Briones v. City of Mesquite and Steven Pierce, Cause No. CC-23-05044-E – Filed 8-4-23
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 September 28, 2023
8. April Patton v. City of Mesquite, Cause No. DC-23-14996, Filed September 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

Real Property

Pursuant to Section 551.072 of the Texas Government Code, the City Council will meet in closed session to consider the purchase, exchange, lease or value of real property. The following subjects may be discussed:

- 16 24-7031 Discuss purchase of property at Berry Road and Lawson Road.**

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. The following subject may be discussed:

- Annual review of City Attorney

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.