



City of Mesquite, Texas

Meeting Agenda

City Council

Tuesday, January 2, 2024

5:30 PM

City Hall | Council Chamber
757 N. Galloway Avenue | Mesquite, Texas

Present: Present: Mayor Daniel Alemán, Jr., and Councilmembers B. W. Smith, Tandy Boroughs, Kenny Green, Elizabeth Rodriguez-Ross and Brandon Murden, City Manager Cliff Keheley and City Secretary Sonja Land.

Absent: Councilmember Jeff Casper.

PRE-MEETING - TRAINING ROOMS A&B - 5:30 P.M.

AGENDA REVIEW

STAFF PRESENTATIONS

- 1 [23-6959](#) Receive departmental presentation, from Keep Mesquite Beautiful, related to City Council strategic goals and objectives.
- 2 [23-6974](#) Receive annual ethics training.

(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 - 5:30 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

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

INVOCATION

Doug Harrell, Pastor, Family Cathedral of Praise, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

City Staff.

SPECIAL ANNOUNCEMENTS

2. Ms. Rodriguez-Ross reminded citizens about the Weather Activated Relief for Mesquite program, also known as W.A.R.M. This program provides temporary shelter for individuals who are unsheltered during times of extreme weather conditions based on the National Weather Service forecast. By partnering with Sharing Life, we are able to provide shelter for those in need at hotels nearby until the weather is no longer at dangerous temperatures. W.A.R.M. is active when the National Weather Service expects overnight temperatures to be at freezing levels. Those include under 28 degrees or 32 degrees with a 20 percent chance of precipitation. For more information, visit www.sharing.life/WARM or call 972-285-5819. Donations to help fund the program are also needed and can be provided to Sharing Life by visiting the same link.
3. Mr. Boroughs stated that you can start off the new year right by recycling your real Christmas tree. Your tree can serve others long after it has left your living room. They can also become a fire risk if left in your home after they begin to dry out. Fir trees are biodegradable, when means they can be easily reused or recycled for mulch and other purposes. To recycle your tree, please remove all stands, lights, tinsel and ornaments and leave the tree in its natural state for recycling. Do not place it in a plastic bag and place your tree out for collection any Wednesday where you normally put your trash for collection or you can drop off your tree at the City's Convenience Center, 3550 Lawson Road.
4. Mr. Smith stated that in observance of Martin Luther King, Jr., Day, all City offices and facilities will be closed on Monday, January 15, 2024, with the exception of the Mesquite Metro Airport and the Compost Facility and Convenience Center. No commercial or residential recycling will be collected on January 15. Recycling collection will resume on the next scheduled collection day. However, commercial and residential trash will be collected.
5. Mr. Murden stated that on Saturday, February 17, 2024, the annual Daddy/Daughter Dance will be held at the Mesquite Convention Center, 1700 Rodeo Drive. The theme this year is "Disco" and tickets go on sale Wednesday, January 8, 2024. Tickets are \$20.00 per person, per session. Please remember that tickets are limited and will not be sold at the door. You can purchase tickets online at www.cityofmesquite.com/DaddyDaughterDance, at any recreation center or at the Parks and Recreation Administration Office, 1515 North Galloway Avenue. The dance is for all ages and includes light snacks, refreshments, live music, professional photography and themed selfie stations. Two sessions are available. Session 1 is from 4:00 p.m. to 6:00 p.m. and Session 2 is from 7:00 p.m. to 9:00 p.m.
6. Mayor Alemán stated that on January 13, 2023, the City of Mesquite, along with the Mesquite NAACP, will celebrate the life and legacy of Dr. Martin Luther King, Jr., with the annual MLK, Jr., Parade and Celebration. Festivities will begin at 10:00 a.m. with a parade through Downtown Mesquite, hosted by the Mesquite NAACP. Councilmember Brandon Murden will be the parade Grand Marshal. The celebration of Dr. King's achievements will continue at 1:00 p.m. with a community gathering co-hosted by the Mesquite Independent School District (MISD), City of Mesquite and Mesquite NAACP at the Mesquite Arts Center, 1527 North Galloway Avenue. The event includes performances by MISD students. There will also be a special dance performance and speeches by community leaders.
7. Mayor Alemán invited everyone to attend the 2024 State of the Community event on Thursday, January 25, 2023, at the Mesquite Arts Center, 1527 North Galloway Avenue. The event will begin at 6:00 p.m. with a panel discussion that will include the Mayor, MISD Superintendent Ángel Rivera and the Mesquite Chamber of Commerce President Alexander Helgar. Doors open at 5:30 p.m. and the evening will end with a short reception. The evening will also include special recognition of members of City Boards and Commission and others in the community.
8. Mayor Alemán announced a challenge for the new year for all Mesquite residents. We will be launching "Get Fit Mesquite" to get in shape mentally, physically and financially in 2024. This self-improvement program will help us practice health and wellness with events and opportunities such as mental health workshops, financial seminars, fitness challenges and discounts on fitness classes at recreation centers. Mental health is a big concern and we have so many great options now to improve our mental health. And I know financial concerns are on everyone's minds right now. Learn more at www.cityofmesquite.com/GetFitMesquite. Programming is ongoing and will continue all year long, so

visit often. We will also post tips and information on the City's social media accounts.

9. Mayor Alemán honored the memory for Donna Woodard who passed away on Wednesday, December 27, 2023. Donna was a long time resident of the City of Mesquite and was a very active member of our community. Over the years, Donna was involved in many organizations including the Mesquite Elks Lodge Ladies Auxiliary, Mesquite Chamber of Commerce, Historic Mesquite, Inc., Board of Directors and many other volunteer groups. Donna will be greatly missed. Please keep her family in your prayers.

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

Mr. Green moved to approve the items on the Consent Agenda as follows. Motion was seconded by Mr. Boroughs and approved unanimously.

- 3 [23-6967](#) Minutes of the regular City Council meeting held December 18, 2023.

Attachments: [December 18, 2023, minutes](#)

- 4 [23-6979](#) A resolution approving an Interlocal Agreement with the City of Forney, Texas, amending Mesquite's extra-territorial jurisdiction (ETJ) boundaries by reducing its ETJ in the area of Highway 80 and County Road 225 and expanding its ETJ in the area of Interstate 20 and High Country Lane and authorizing the City Manager to finalize and execute the Interlocal Agreement.

Attachments: [Resolution](#)

- 5 [23-6973](#) Bid No. 2024-017 - Annual Landscape Maintenance of the TxDOT IH 635/Town East/Towne Centre Interchange and Highway 80/Town East Interchange.

(Staff recommends award to SLM Landscaping and Maintenance and to authorize the City Manager to finalize and execute a contract in an amount not to exceed \$112,645.00. The term of this 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: [Best Value Matrix](#)
[Bid Tabulation](#)

- 6 [23-6972](#) RFP 2024-022 - Travis Williams Renovation: Construction.
(Authorize the City Manager to finalize and execute a contract with AUI Partners, LLC in the amount of \$1,039,430.00.)

Attachments: [Exhibit](#)
[Scoring Matrix](#)

- 7 [23-6971](#) Bid No. 2024-025 - Travis Williams Renovation: Playground.
(Authorize the City Manager to finalize and execute a contract and any required documents with Whirlix Design, Inc., for the purchase and installation of playground equipment, through BuyBoard Purchasing Cooperative Contract No. 679-22, in an amount not to exceed \$111,788.00.)

Attachments: [Exhibit](#)

- 8 [23-6970](#) Bid No. 2024-056 - Managed Detection and Response Service for Rapid7 Cybersecurity Renewal.
(Staff recommends purchase of Rapid7 Managed Detection and Response Service from SHI Government Solutions, through the Texas Department of Information Resources Contract No. DIR-TSO-4288, in an amount not to exceed \$148,500.00.)

Attachments: [Rapid7 Quote](#)
[Scope of Service](#)

- 9 [23-6969](#) Authorize the City Manager to finalize and execute an Office Lease Agreement with Ultimate Transportation, LLC, for office rental space at the Mesquite Metro Airport.

- 10 [23-6966](#) Approve Amendment No. 1 to the 2023-24 Police Federal Seizure Budget in accordance with Title 28, Section 524, of the United States Code and Chapter 59 of the Texas Code of Criminal Procedure in the amount of \$150,000.00.

Attachments: [Federal Seizure Amendment No. 1](#)

- 11 [23-6968](#) Ratify Memorandum of Understanding between the City of Mesquite and United States Marshals Service (USMS) for Mesquite Police partnership in Violent Offender Task Force and authorize the City Manager and Police Chief to execute United States Marshals Service Fugitive Task Force Addendum to Memorandum of Understanding Regarding Body-Worn Camera Use by Task Force Officers.

Attachments: [US Marshal Agreement 2019](#)
[BWC Addendum Mesquite](#)
[BWC DOJ Final Policy](#)
[BWC Addendum Appendix A](#)

APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

- 12 [23-6981](#) Consider appointment of one Alternate Member (Alternate No. 1) to the Planning and Zoning Commission/Capital Improvements Advisory Committee/Airport Zoning Commission 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](#)

ADJOURNMENT

NOTICE OF EXECUTIVE SESSION - COUNCIL CONFERENCE ROOM - 7:20 P.M.**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. City of Grand Prairie v. The State of Texas, Cause No. D-1-GN-23-007785, Travis County - Filed 10-25-23

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 Secretary

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.