



# City of Mesquite, Texas

## Meeting Agenda

### City Council

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Monday, May 2, 2022

5:00 PM

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

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1. Members of the public desiring to comment during Citizens Forum may preregister as follows:

a. Send an email to the City Secretary on or before 3:00 p.m., on May 2, 2022. The email address is [sland@cityofmesquite.com](mailto:sland@cityofmesquite.com). The phone number is 972-216-6244.

b. Provide the City Secretary with your name and address.

2. Comments on agenda items may be made during the meeting or by submission on or before 3:00 p.m., on May 2, 2022, to the following email address: [sland@cityofmesquite.com](mailto:sland@cityofmesquite.com).

#### **PRE-MEETING - TRAINING ROOMS A&B - 5:00 p.m.**

#### **AGENDA REVIEW**

#### **STAFF PRESENTATIONS**

- 1 Receive briefing from STAR Transit regarding public transportation ridership numbers and future transit service opportunities.
- 2 Receive a briefing regarding ordinance amendments to Chapter 7 of the City Code, thereby updating and adding certain regulations regarding single-family rental properties.

(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 - 6:30 P.M.**

- 3 Receive financial statements for the period October 1, 2021, through March 31, 2022.

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

Jerry Brown, Pastor, Landmark 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.)

- 4 Minutes of the regular City Council meeting held April 18, 2022.
  
- 5 An ordinance amending Chapter 5 of the Mesquite City Code by revising Article XI - International Residential Code (I.R.C.) by making certain additions and deletions to the local amendments of the 2018 Edition of the International Code published by the International Code Council (I.C.C.) regarding removing the rental regulations from this article as they will be revised and placed in a new Chapter 7.

- 6** An ordinance amending the Mesquite City Code by repealing Chapter 7 titled "Housing" and replacing with new Chapter 7 titled "Housing and Minimum Property Standards," to provide regulations for (a) fair housing, (b) property maintenance, (c) substandard, dilapidated and dangerous buildings and other structures, (d) residential rental property - landlord and tenant regulations, (e) multi-family rental units, and (f) single-family rental units - long-term and short-term rentals.
- 7** An ordinance amending the Mesquite City Code by revising Chapter 2, Article III, Division 2 - Hotel Occupancy Tax, Sec. 2-76 - Definitions, regarding repealing and replacing the definition for "Hotel" to align with State law.
- 8** A resolution authorizing the City Manager to execute a one-year extension to the Dallas County New Directions in Public Safety Grant for a term beginning May 01, 2022, to April 30, 2023.
- 9** Bid No. 2022-074 - Clay Mathis Park: Construction.  
(Authorize the City Manager to finalize and execute a contract with PBS Construction LLC, in the amount of \$110,615.00.)
- 10** Bid No. 2022-088 - Annual Grinding of Brush.  
(Authorize the City Manager to finalize and execute a contract with low bidder GWG Wood Group Inc., in the amount of \$375,000.00. The term of this contract is for one year with four additional one-year renewal options. The City Manager is authorized to exercise the renewal options, subject to annual appropriation of sufficient funds.)
- 11** Bid No. 2022-094 - Purchase of Seven Flatbed Trailers for Transport of Heavy Equipment.  
(Staff recommends award to Interstate Trailers, Inc., through BuyBoard Contract No. 599-19, in the amount of \$173,801.95.)
- 12** Bid No. 2022-096 - Purchase of One Bobcat Skid Steer Loader with Attachments (Model S770).  
(Staff recommends award to Clark Equipment Company dba Bobcat of North Texas, through BuyBoard Contract No. 597-19, in the amount of \$128,708.26.)
- 13** Bid No. 2022-100 - Purchase of MPD Service Pistol Replacement.  
(Staff recommends award to GT Distributors, Inc., through BuyBoard Contract No. 603-20, in the amount of \$72,503.00.)
- 14** Bid No. 2022-101 - Purchase of One Utility Crew Truck for Utilities (Model F7D).  
(Staff recommends award to Sam Pack's Five Star Ford, LTD., through BuyBoard Contract No. 601-19, in the amount of \$100,973.11)

- 15** Bid No. 2022-102 - Purchase of a New Ford Transit Passenger Van for the Southeast Alliance Community CARE Team.  
(Staff recommends award to Sam Pack's Five Star Ford, LTD., through BuyBoard Contract 601-19, in the total amount of \$65,250.70.)
- 16** Bid No. 2022-107 - Annual Contract for Property Tax Cloud Subscription.  
(Authorize the City Manager to finalize and execute an agreement with Sole Source Provider Spindlemedia, Inc., for a Property Tax Cloud Subscription, in the amount of \$57,832.00. The term of this agreement is for a one-year period.)
- 17** Authorize the City Manager to finalize and execute Amendment No. 1 to Bid No. 2019-107, Annual Contract for Aviation Fuel - Mesquite Metro Airport, with Eastern Aviation Fuels, Inc., in the amount of \$40,400.00.

#### **APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES**

- 18** Consider appointment of two members (Places 5 and 9) to the Historic Mesquite, Inc., Board of Directors for terms to expire December 31, 2022, two members (Places 1 and 2) for terms to expire December 31, 2023, and two members (Places 7 and 8) for terms to expire December 31, 2024.
- 19** Consider appointment of two representatives to attend the Annual City/School Joint Tax Office Advisory Board meeting on Wednesday, June 1, 2022, at 1:30 p.m.

#### **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.)

- 20** Conduct a public hearing and consider an ordinance for Zoning Application No. Z0122-0233, submitted by Natasha Williams, for a change of zoning from General Retail to General Retail with a Conditional Use Permit to allow child daycare services with modifications to the Special Conditions for loading/unloading, located at 1935 Faithon P. Lucas, Sr., Boulevard.  
(One response in favor and three 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.)
- 21** A. Conduct a public hearing to receive and discuss public input and comments on redistricting and the proposed redistricting plan establishing new district boundary lines for Mesquite City Council elections based on 2020 Census data.
- B. An ordinance approving the redistricting of the City's Single-Member Council Districts and establishing new district boundary lines for Mesquite City Councilmember elections based on 2020 Census data.

**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. City of Allen, et al v. Time Warner Cable Texas, LLC d/b/a Spectrum and Charter Communications, Cause No. 6:19-cv-345-ADA-JCM – Filed 10-19-18
2. Tejas Motel, LLC v. City of Mesquite, acting by and through its Board of Adjustment, Cause No. DC-18-16933 – Filed 11-8-18
3. Patricia Brennan and Alyssa Sanders, Individually and as Heirs of Natalie Sanders v. City of Mesquite, et al, Cause No. 3:19-CV-01263-L – Filed 5-24-19
4. Corey Reynolds and Molly Reynolds v. The City of Mesquite, et al, Cause No. DC-20-07209 – Filed 5-22-20
5. Tejas Motel, L.L.C. v. City of Mesquite, Acting by and through its Board of Adjustment, Civil Action No. 3:20-cv-20-01982-X – Filed 7-27-20
6. City of Mesquite v. Ulises Rivera, Jessica Rivera and 3509 Byrd Drive, Mesquite, Texas 75150 in rem, Cause No. DC-20-12465 – Filed 9-3-20
7. Vault Ventures, LLC v. City of Mesquite and Cliff Keheley, in his Official Capacity as Mesquite City Manager, Cause No. DC-20-19115 – Filed 12-28-20, on Appeal to the Fifth Court of Appeals, Case No. 05-21-00986-CV
8. Kasia Varsak v. Jeremy Thomas Meeks and the City of Mesquite, Texas, Cause No. CC-21-00813-B – Filed 3-4-21
9. John Alexander v. City of Mesquite and Emilio F. Henry, Cause No. DC-21-06832 - Filed 5-28-21
10. Raina Naomi Brechbiel v. Danielle Larrison and Christopher Odom, Cause No. 3:21-cv-01563-E - Filed 7-7-21
11. Landon Harris v. City of Mesquite, Cause No. DC-21-08418 - Filed 6-30-21
12. Daniel Gonzales v. City of Mesquite, Cause No. CC-21-05087-D - Filed 11-22-21
13. City of Mesquite v. CC Hillcrest, LLC, Summit Hillcrest Apartments, Ltd, Hillcrest GP, LLC and 2119 Hillcrest St., Mesquite, Texas 75149 in rem, Cause No. DC-22-01764 - Filed 2-14-22
14. Anthony Wagner v. City of Mesquite, Texas, Cause No. DC-22-02864 - Filed 3-14-22

**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 según el Sub-capítulo H, Capítulo 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 según el Sub-capítulo H, Capítulo 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.