



# City of Mesquite, Texas

## Meeting Agenda

### City Council

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Monday, June 20, 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 June 20, 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 June 20, 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 departmental strategy and budget presentations, as determined by City Management, related to City Council strategic goals and objectives.

(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.**

- 2 Receive Economic Development Department Council Update.

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

Fred Bacon, Pastor, First Christian 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.)

- 3 Minutes of the regular City Council Meeting held June 6, 2022.
- 4 An ordinance amending Chapter 9 "Motor Vehicle and Traffic" of the Mesquite City Code thereby adding additional authorized City enforcement agents related to parking violations and revising presumptions.
- 5 A resolution authorizing the City Manager to finalize and execute an Interlocal Agreement between the City of Mesquite, Mesquite Independent School District and Dallas College for the Use, Renovation, Operation and Maintenance of the pool at Eastfield Campus.

- 6 Bid No. 2019-076 - Ratification of Renewal of Annual Landscape Maintenance of the TxDOT High Visibility Interchanges.  
(Staff recommends ratification of the first and second of four contract renewal options with Greener Pastures Landscaping, LLC dba Yellowstone Landscape - Central, Inc., in the amount of \$80,535.08 and authorizing the City Manager to exercise the remaining two one-year renewal options, subject to annual appropriation of sufficient funds.)
- 7 Bid No. 2022-114 - Ceramic Body Armor Replacement.  
(Staff recommends award to ROE Tactical LLC, through BuyBoard Contract No. 603-20, in the amount of \$138,305.30.)
- 8 Bid No. 2022-116 - Annual Supply of Vehicle and Equipment Batteries.  
(Staff recommends award to O'Reilly Auto Enterprises LLC dba O'Reilly Auto Parts, through Sourcewell Contract No. 032521-ORA, in the amount of \$60,000.00. 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.)
- 9 Bid No. 2022-121 - Purchase of Two 1500 GPM Pumper Trucks.  
(Staff recommends the purchase of two Pierce Enforcer Pumper Trucks offered by Siddons Martin Emergency Group, LLC., through Houston-Galveston Area Council of Governments Cooperative Purchasing Program (HGAC Buy) Contract No. FS12-19, in the amount of \$1,676,799.52.)
- 10 Bid No. 2022-123 - Supplemental Landscape Maintenance of City Medians and Right-of-Ways.  
(Authorize the City Manager to finalize and execute a contract with Greener Pastures Landscaping, LLC dba Yellowstone Landscape - Central, Inc., through Choice Partners Cooperative Contract No. 20/030MR-04, in an amount not to exceed \$175,000.00. The term of this contract is for one year, with one additional one-year renewal option. The City Manager is authorized to exercise the renewal options, subject to annual appropriation of sufficient funds.)

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

- 11 Consider appointment of principal and alternate members to the Regional Transportation Council for a term to expire June 30, 2024.

#### **OTHER BUSINESS**

- 12 Consider an application to allow fee in lieu of parkland dedication for the subdivision of a parcel from three lots to four lots resulting in a net increase of one lot, located at 1409 and 1427 Oriole Street.

**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** Conduct a public hearing and consider an ordinance for Zoning Application No. Z0322-0238 submitted by Ted Murday, Langan Engineering and Environmental Services, Inc., on behalf of Leon Capital Group for a Zoning Change to amend Planned Development - Industrial Ordinance No. 4753 by adding two parcels to the approved Planned Development to allow an industrial business park on approximately 48.356 acres subject to certain stipulations, thereby approving a change of zoning from R-3, Single Family Residential, to Planned Development - Industrial, located at 380 State Highway 352 and from R-1, Single Family Residential, to Planned Development - Industrial, located at 180 Long Creek Road and incorporating the following properties into the Planned Development: 300 East Main Street, 1500 McLead Drive, and 200, 270 and 300 Long Creek Road.  
(No responses in favor and one in opposition to the application has been received from property owners within the statutory notification area. The Planning and Zoning Commission recommends approval with certain stipulations.)

**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. 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
5. 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
6. 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

7. Kasia Varsak v. Jeremy Thomas Meeks and the City of Mesquite, Texas, Cause No. CC-21-00813-B – Filed 3-4-21
8. John Alexander v. City of Mesquite and Emilio F. Henry, Cause No. DC-21-06832 - Filed 5-28-21
9. Raina Naomi Brechbiel v. Danielle Larrison and Christopher Odom, Cause No. 3:21-cv-01563-E - Filed 7-7-21
10. Landon Harris v. City of Mesquite, Cause No. DC-21-08418 - Filed 6-30-21
11. Daniel Gonzales v. City of Mesquite, Cause No. CC-21-05087-D - Filed 11-22-21
12. 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
13. Anthony Wagner v. City of Mesquite, Texas, Cause No. DC-22-02864 - Filed 3-14-22
14. Clement Bernard v. City of Mesquite, Texas, Civil Action No. 3:22-cv-00928 - Filed 4-26-22

### **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.

### **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:

- 14** Discuss economic development incentives for a prospective company considering locating at Alcott Logistics Station on Scyene Road near Clay Mathis Road.

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.