



City of Mesquite, Texas

Meeting Agenda

City Council

Tuesday, January 3, 2023

5:00 PM

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

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 January 3, 2023. The email address is 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 January 3, 2023, to the following email address: sland@cityofmesquite.com.

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

AGENDA REVIEW

STAFF PRESENTATIONS

1. Receive training regarding trending topics on the Texas Open Meetings Act, and the Public Information Act.

(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

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

INVOCATION

Sam Pendyala, Pastor, Inspiration 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.)

- 2 Minutes of the regular City Council meeting held December 19, 2022.

- 3 Bid No. 2023-028 - Purchase of Twenty-Three Dodge Chargers for the Police Department.
(Staff recommends purchase of twenty-three Dodge Chargers for the Police Department from Grapevine Chrysler Dodge Jeep, Inc., through the BuyBoard Contract No. 601-19, in an amount not to exceed \$841,832.00.)

- 4 Bid No. 2023-045 - Purchase of Commercial Solid Waste Containers.
(Staff recommends the purchase of commercial solid waste containers from Roll-Offs of America, Inc., through the Houston-Galveston Area Council of Governments Cooperative Purchasing Program (HGAC Buy) Contract No. RH08-20, in an amount not to exceed \$3,960,842.00.)

- 5 Approve on-call compensation for members of the Mesquite Fire Department who are assigned to perform the duty of Fire Investigator at the rate of three and three-tenths (3.3) hours per month or partial month covering an on-call duty assignment, to be granted in addition to any overtime payable for hours actually worked outside a regular working assignment.

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. Tejas Motel, LLC v. City of Mesquite, acting by and through its Board of Adjustment, Cause No. DC-18-16933 – Filed 11-8-18
2. 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
3. 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
4. John Alexander v. City of Mesquite and Emilio F. Henry, Cause No. DC-21-06832 - Filed 5-28-21
5. Landon Harris v. City of Mesquite, Cause No. DC-21-08418 - Filed 6-30-21
6. Daniel Gonzales v. City of Mesquite, Cause No. CC-21-05087-D - Filed 11-22-21
7. 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; and In re CC Hillcrest, LLC, Case No. 22-31362-swe11 – Filed 7-29-22
8. Anthony Wagner v. City of Mesquite, Texas, Cause No. DC-22-02864 - Filed 3-14-22
9. Clement Bernard v. City of Mesquite, Texas, Civil Action No. 3:22-cv-00928 - Filed 4-26-22
10. City of Dallas, City of Mesquite, et al., v. Disney DTC, LLC, et al., Cause No. DC-22-09128 - Filed 8-3-22
11. Cesar Nunez-Solis v. The City of Mesquite, Texas, Cause No. DC-22-11631 - Filed 9-6-22

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. The following subjects may be discussed:

- Annual review of Municipal Court Judge.
- Annual review of City Secretary.

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.