



City of Mesquite, Texas

Meeting Agenda

City Council

Tuesday, January 16, 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 January 16, 2024.

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

AGENDA REVIEW

STAFF PRESENTATIONS

1 [24-7013](#) Discuss Police Communications.

(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

Archie Greer, Pastor, Trinity Life Church, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

Members of Leadership Mesquite.

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 [24-7003](#) Minutes of the regular City Council meeting held January 2, 2024.

 Attachments: [January 2, 2024, minutes](#)

- 3 [24-7006](#) An ordinance amending the City's Extraterritorial Jurisdiction (ETJ) boundaries pursuant to an Interlocal Agreement with the City of Forney, Texas, reducing the City's 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.

 Attachments: [Ordinance](#)

- 4 [23-6990](#) An ordinance amending the City Code by making certain additions and deletions under Chapter 10 (Miscellaneous), Article VI (Nuisances), Division 1 (Generally) for the purpose of adding a violation for "Solid Waste - Repeated Violations" and amend Chapter 14 (Solid Waste), Article II (Residential Collection) for the purpose of providing updated driveway service residential collection regulations, and other related general revisions.

 Attachments: [Ordinance](#)

- 5 [23-6997](#) An ordinance amending Chapter 14 (Solid Waste), Article III (Commercial Collection), of the City Code by revising Section 14-45 (Charges for Collection) to add the authorization to charge a late fee for past due payments of Commercial and Industrial invoices and amending Appendix

D (Comprehensive Fee Schedule), Article XIV (Public Works), by revising various sections for the purpose of adding Commercial and Industrial recycling rates and late fees for past due payments of Commercial and Industrial invoices.

Attachments: [Ordinance](#)

- 6 [23-6998](#) A resolution authorizing the City Manager to execute an agreement with the Texas Department of Transportation for the temporary closure of State Highway 352 on April 6, 2024, for the City of Mesquite Rodeo Parade, commemorating the 66th Anniversary of the Mesquite Championship Rodeo.

Attachments: [Resolution](#)
[Rodeo Parade Route Map](#)

- 7 [23-7001](#) A resolution authorizing the City Manager to execute an Interlocal Agreement with the North Central Texas Council of Governments and other member government participants in a Trinity River Corridor Interlocal Agreement in pursuit of a common vision for the addition of East Fork Trinity Communities.

Attachments: [Resolution](#)

- 8 [23-6989](#) A resolution casting its vote in the runoff election for the fourth member of the Board of Directors of the Dallas Central Appraisal District.

Attachments: [Resolution](#)

- 9 [24-7005](#) Bid No. 2024-043 - Precast Fence at Service Center.
(Authorize the City Manager to finalize and execute a contract with Future Outdoors, LLC, through an Interlocal Agreement with the City of Grand Prairie Contract No. 20069, in an amount not to exceed \$253,760.50.)

Attachments: [Site Plan](#)
[RhinoRock Brochure](#)

- 10 [23-6976](#) Bid No. 2024-050 - Purchase of Four Rear Loaders and One Grapple Truck.
(Staff recommends award to Rush Truck Centers of Texas, LP, through the BuyBoard Contract No. 723-23, in an amount not to exceed \$1,515,280.60).

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

- 11 [23-6995](#) Bid No. 2024-062 - Purchase of Two Transfer Trucks for Solid Waste.
(Staff recommends award to Rush Truck Centers of Texas, LP, through the BuyBoard Contract No. 723-23, in an amount not to exceed \$424,033.04.)

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

- 12 [23-6988](#) Bid No. 2024-064 - Annual Supply of Police Department Uniforms and Clothing.
(Staff recommends award to G T Distributors, Inc., in Austin, Texas, in an amount not to exceed \$90,000.00 and award to Galls, LLC, in Lexington, Kentucky, in an amount not to exceed \$60,000.00, through an Interlocal Cooperative Purchasing Agreement with the North Central Texas Council of Governments (NCTCOG), through Contract No. 2021-073, for a total amount not to exceed \$150,000.00.)

Attachments: [MSA 2021-073 Police and First Responder Uniforms G T Distributors](#)
[MSA 2021-073 Police and First Responder Uniforms Galls LLC](#)

- 13 [24-7004](#) Bid No. 2024-068 - APX 6500 Enhanced Series Mobile Radio Upgrade.
(Staff recommends award to sole source provider Motorola Solutions, Inc., in an amount not to exceed \$1,259,097.82.)

Attachments: [Sole Source Letter](#)
[Motorola Quote 2473890](#)

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.)

- 14 [23-6985](#) Conduct a public hearing and consider an ordinance for Zoning Application No. Z0821-0215, submitted by Amerco Real Estate Company (U-Haul), for a change of zoning from Commercial to Planned Development - Commercial to allow self-storage, moving truck rental, and a warehouse facility, located at 2300 Gross Road.
(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.)

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

- 15 [23-6986](#) 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.)

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

- 16** [23-6987](#) Conduct a public hearing and consider an ordinance for Zoning Application No. Z1023-0329, submitted by Allan Ross of WaaL Architecture on behalf of Meadow Oaks Academy and Pioneer Technology and Arts Academy, for a change of zoning from Planned Development Ordinance No. 1434 to Planned Development - General Retail to allow a daycare and expansion of a private school, located at 1412 South Belt Line Road.
- (One response in favor and one 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.)

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

- 17** [23-6983](#) 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 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.)

Attachments: [Staff Report and Maps](#)
[PZ Minutes-12-11-2023](#)

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. 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.

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:

- 18 23-7002** Discuss economic development incentives for a project at IH-635 and Rodeo Center Boulevard.

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.