



# City of Mesquite, Texas

## Meeting Agenda

### City Council

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Monday, November 19, 2018

4:30 PM

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

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#### PRE-MEETING - TRAINING ROOMS A&B - 4:30 P.M.

#### AGENDA REVIEW

#### STAFF PRESENTATIONS

- 1 [18-3797](#) Receive briefing regarding upcoming Tax Increment Finance Reinvestment Zone (TIRZ) activity for the Rodeo City TIRZ No. One, Falcon's Lair TIRZ No. Four and Ridge Ranch TIRZ No. Five.
- 2 [18-3819](#) Receive report and presentation regarding redistricting including a discussion regarding the illustrative redistricting plan and alternate plan(s).
- 3 [18-3814](#) Receive presentation regarding results of 2018 Community Attitude and Satisfaction Survey.  
*Attachments:* [PowerPoint Presentation](#)  
[Findings Report](#)  
[Geocoded Maps](#)
- 4 [18-3822](#) Receive briefing regarding the potential donation of properties located at 3000 Lawson Road in Dallas County, TX; 7501 Shannon Loop, 7505 Shannon Loop, 7506 Shannon Loop, 7507 Shannon Loop, and 1301 Malloy Bridge Road in Seagoville, TX.  
*Attachments:* [Donation Request Letter](#)  
[Location Map](#)
- 5 [18-3823](#) Receive briefing regarding the potential donation of property located at 2920 Gus Thomasson Road.  
*Attachments:* [Location Map](#)
- 6 [18-3821](#) Receive briefing regarding the potential donation of property located at 300 West Cartwright Road in Mesquite, Texas.  
*Attachments:* [Donation Request Letter](#)  
[Location Map](#)
- 7 [18-3829](#) Discuss a moratorium regarding multi-family residential development.

**EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 4:30 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**

Dr. E. Jones Doughton, Pastor, First Presbyterian Church, Mesquite, Texas.

**PLEDGE OF ALLEGIANCE**

Downtown Mesquite Business Owners.

**PRESENTATIONS**

- 8      [18-3806](#)      Presentation of a plaque to Sheila Lynn in recognition of her service as a member of the Parks and Recreation Advisory Board and Tree Board.

**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 personnel matters, matters under litigation or matters concerning the purchase, exchange, lease or value of real property for a length of time not to exceed three minutes on a first-come, first-served basis. No Council action or discussion is to be taken until such matter is placed on the Agenda and posted in accordance with law.

**CONSENT AGENDA**

(All items on the Consent Agenda are routine items and may be approved with one motion; however, should any member of the City Council or any individual wish to discuss any item, said item may be removed from the Consent Agenda by motion of the City Council.)

- 9      [18-3799](#)      Minutes of the regular City Council meeting held November 5, 2018.

**Attachments:**      [11.05.2018m](#)

- 10      [18-3804](#)      An ordinance amending Ordinance No. 4610, by deleting Exhibit "C" and adding a new Exhibit "C," and by amending Section 9, thereby revising the pay plan for commissioned Police and Fire personnel of the City, effective

January 1, 2019.

**Attachments:** [Ordinance No. 4610](#)  
[Ordinance - Pay Plan C](#)

- 11**    [18-3815](#)    A resolution adopting the 2019 City of Mesquite Legislative Program.

**Attachments:**    [Resolution - Legislative Program](#)

- 12**    [18-3796](#)    A resolution authorizing the Mayor to execute the 2018 Homeland Security Grant Sub-Recipient Agreements with the Office of the Governor, Texas Homeland Security State Administrative Agency in the amount of \$143,713.30 and designating the Fire Chief as the responsible officer for the purpose of signing all subordinate documents associated with these grants.

**Attachments:**    [Resolution - Homeland Security Grant](#)  
[SOGAs - 2018 UASI Grant Projects](#)

- 13**    [18-3773](#)    A resolution setting a public hearing under Chapter 311 of the Texas Tax Code to consider approving an amended Project Plan and Reinvestment Zone Financing Plan for Mesquite Rodeo City Reinvestment Zone Number One, City of Mesquite, Texas (“the Zone”), enlarging the boundaries and increasing the geographic area of the Zone to include a tract of land consisting of approximately 28.0016 acres and being generally located at the northeast corner of New Market Road and Rodeo Center Boulevard in the corporate limits of the City of Mesquite, Texas; extending the term of the Zone for an additional thirty-one years to expire December 31, 2049; increasing the total estimated project costs for the Zone and amending the composition of the Board of Directors for the Zone; and authorizing the issuance of notice by the City Secretary of Mesquite, Texas, regarding the public hearing.

**Attachments:**    [Resolution - Rodeo City](#)

- 14**    [18-3781](#)    A resolution setting a public hearing under Chapter 311 of the Texas Tax Code to consider terminating the Falcon’s Lair Tax Increment Finance Reinvestment Zone Number Four, City of Mesquite, Texas, and authorizing the issuance of notice by the City Secretary of Mesquite, Texas, regarding the public hearing.

**Attachments:**    [Resolution - Falcons Lair](#)

- 15**    [18-3782](#)    A resolution setting a public hearing under Chapter 311 of the Texas Tax Code to consider terminating the Ridge Ranch Tax Increment Finance Reinvestment Zone No. Five, City of Mesquite, Texas, and dissolving the Board of Directors and Tax Increment Fund for the Zone, and authorizing the issuance of notice by the City Secretary of Mesquite, Texas, regarding the public hearing.

**Attachments:**    [Resolution - Ridge Ranch](#)

- 16     [18-3792](#)     A resolution authorizing the City Manager to finalize and execute a development agreement with MM Mesquite 50, LLC, regarding the development of approximately 56.11 acres of land generally located north of Rodeo Drive, south of Scyene Road (also known as Highway 352), east of Stadium Drive and west of Rodeo Center Boulevard within the corporate limits of the City of Mesquite, Texas, as a mixed use development consisting of retail, restaurant, office, residential components and other associated uses, and being commonly referred to as “Iron Horse Village”; authorizing the City Manager to take such actions and execute such documents as are necessary to consummate the transactions contemplated by the agreement and authorizing the City Manager to administer the agreement on behalf of the City.
- Attachments:*     [Resolution - Iron Horse Village](#)  
                          [Concept Plan](#)
- 17     [18-3793](#)     Bid No. 2019-028 - Annual Parts for International Trucks.  
(Staff recommends award to sole source provider Southwest International Trucks, Inc., in the amount of \$130,000.00.)
- Attachments:*     [Sole Source Letter](#)
- 18     [18-3787](#)     Bid No. 2019-035 - Purchase of Five Heavy Duty Trucks.  
(Staff recommends award to MHC Kenworth in Dallas, Texas, through BuyBoard Contract No. 521-16, in the amount of \$649,149.88.)
- Attachments:*     [Photo - Rear Loader](#)  
                          [Photo - 6yd Dump Truck](#)  
                          [Photo - Asphalt Patcher 1](#)  
                          [Photo - Asphalt Patcher 2](#)  
                          [Photo - Utility Bed Crew Truck](#)  
                          [Photo - Utility Bed Service Truck](#)
- 19     [18-3783](#)     Authorize the City Manager to finalize and execute an Interlocal Agreement with the Dallas County Community College District on behalf of El Centro College and the City of Mesquite on behalf of the Mesquite Fire Department (MFD) for the MFD to provide internship ambulance shifts for medical students of the College.
- Attachments:*     [ILA - El Centro](#)
- 20     [18-3802](#)     Authorize the City Manager to finalize and execute an amendment to a contract with Prime Time Group, Inc., for right-of-way acquisition consulting services in the amount of \$25,000.00.
- 21     [18-3811](#)     Authorize the City Manager to finalize and execute a change order with Oldcastle Materials Texas, Inc., dba TexasBit, for additional asphalt materials in the amount of \$12,000.00.

- 22     [18-3824](#)     Authorize an increase in the fee agreement between the City and Bickerstaff Heath Delgado Acosta LLP for legal and GIS services provided in connection with redistricting the City into six single member districts in the amount not to exceed an additional \$18,000.00, for a total contract amount not to exceed \$68,000.00, and authorize the City Attorney to execute a supplemental agreement to the original fee agreement in connection therewith.

*Attachments:*     [Supplemental Agreement](#)

- 23     [18-3803](#)     Approve Amendment No. 2 to the 2018-19 Police Seizure Budget in accordance with Title 28, Section 524 of the United States Code and Chapter 59 of the Texas Code of Criminal Procedures in the amount of \$15,500.00.

*Attachments:*     [Seizure Amendment 2](#)

#### **PUBLIC HEARINGS**

- 24     [18-3818](#)     A. Conduct a public hearing to receive and discuss public input and comments on redistricting, the proposed illustrative redistricting plan and alternate plan(s).

B. Consideration and possible action to revise the designated illustrative redistricting plan and/or propose a final redistricting plan for a vote and final adoption at the December 3, 2018, City Council meeting.

- 25     [18-3813](#)     Conduct a public hearing and consider an ordinance for Application No. Z1018-0069, submitted by Pettitt Barraza, LLC, on behalf of DR Horton - Texas, Ltd., for a change of zoning from Agriculture to Planned Development-Single Family Residential to allow a single family subdivision, on approximately 110.971 acres located south of Interstate Highway 20, east of FM 741 and north of Heartland Parkway.

(No responses in favor or 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:*     [Case Summary](#)  
                          [Staff Report & Maps](#)  
                          [P&Z Minutes](#)  
                          [Ordinance - Z1018-0069](#)

#### **CONSIDERATION OF RESOLUTION**

- 26     [18-3817](#)     Consider a resolution authorizing the City Manager to finalize and execute a Second Amendment to the Heartland Town Center Development Agreement to amend the Concept Plan and the residential fencing, street right-of-way width, pavement width and alley requirements of a

development commonly known as "Trailwind" and being generally located south of Interstate Highway 20, east of FM 741 and north of Heartland Parkway in the corporate limits of the City of Mesquite in Kaufman County, Texas.

**Attachments:** [Resolution - Heartland](#)

#### **APPOINTMENTS TO BOARDS AND COMMISSIONS**

- 27     [18-3798](#)     Consider appointment of two representatives to attend the City/School Joint Tax Office Advisory Board meeting on Wednesday, December 5, 2018, at 1:30 p.m.

**Attachments:** [History of Appointments](#)

- 28     [18-3808](#)     Consider appointment of one regular member to the Planning and Zoning Commission/Capital Improvements Advisory Committee for a term to expire September 30, 2020, and two alternate members for terms to expire November 19, 2020.

**Attachments:** [Personal Data Form – Jerome Geisler](#)  
[Personal Data Form – Sheila Lynn](#)  
[Personal Data Form – Claude McBride](#)

#### **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. James H. Watson and Others Similarly Situated v. City of Allen, City of Amarillo, City of Arlington, City of Austin, City of Balch Springs, City of Balcones Heights, City of Bastrop, City of Baytown, City of Bedford, City of Burleson, City of Cedar Hill, City of Cleveland, City of Conroe, City of Coppell, City of Corpus Christi, City of Dallas, City of Denton, City of Diboll, City of Duncanville, City of El Paso, City of Elgin, City of Farmers Branch, City of Fort Worth, City of Frisco, City of Garland, City of Grand Prairie, City of Haltom City, City of Humble, City of Hurst, City of Hutto, City of Irving, City of Jersey Village, City of Killeen, City of League City, City of Little Elm, City of Longview, City of Lufkin, City of Magnolia, City of Marshall, City of Mesquite, City of North Richland Hills, City of Plano, City of Port Lavaca, City of Richardson, City of Richland Hills, City of Roanoke, City of Round Rock, City of Southlake, City of Sugar Land, City of Tomball, City of University Park, City of Watauga, City of Willis, Redflex Traffic Systems, Inc., American Traffic Solutions, Inc., American Traffic Solutions, LLC, Xerox State & Local Solutions, Inc., f/k/a ACS State & Local Solutions, Inc., and the State of Texas – Filed 4-28-15
2. Kathy Dyer and Robert Dyer, Individually and as Representative of the Estate of Graham Dyer v. City of Mesquite, Texas; Jack Fyall; Richard Houston; Alan Gafford; Zachary Scott; William Heidelberg; Paul Polish; Joe Baker; Bill Hedgpeth – Filed 8-12-15
3. Kavin Rhodes v. Mesquite Police Department, Officers M. B. Winters, D. L. Boykin, J. P. Vassilakos, G. W. Hensley, E. A. Sparling, W. D. Mosley – Filed 1-27-16
4. Petition of the Cities of Garland, Mesquite, Plano, and Richardson appealing 2017 wholesale rates implemented by the North Texas Municipal Water District, PUC Docket No. 46662 – Filed 12-14-16

5. Scott Damon Richardson v. Darren Marsack and County of Dallas a.k.a., d.b.a. Dallas County, Inc., Dallas, Texas 75042 and John Doe 1 – 5 As yet to be discovered and Jane Doe 1 – 5 As yet to be discovered – Filed 2-6-17
6. Matthew Dunlap v. Jose Alcala and the City of Mesquite – Filed 7-17-17
7. Scott Damon Richardson v. Stephen Crane – Filed 8-10-17
8. Scott Damon Richardson v. Darren Marsack – Filed 8-10-17
9. Christopher Acoff v. City of Mesquite – Filed 8-25-17
10. Mohamed Bedran v. City of Mesquite – Filed 9-26-17
11. Victor Davis v. City of Mesquite and Glenn A. Evans, Individually – Filed 11-9-17
12. TRBP, Limited v. Stan Pickett in his Official Capacity as Mayor of Mesquite; Robert Miklos in his Official Capacity as a City Councilman of Mesquite; Jeff Casper in his Official Capacity as a City Councilman of Mesquite; Bruce Archer in his Official Capacity as a City Councilman of Mesquite; Dan Aleman in his Official Capacity as a City Councilman; Greg Noschese in his Official Capacity as a City Councilman of Mesquite; Tandy Boroughs in his Official Capacity as a City Councilman of Mesquite – Filed 11-30-17
13. Petition of the Cities of Garland, Mesquite, Plano and Richardson appealing 2018 Wholesale Water Rates implemented by North Texas Municipal Water District, PUC Docket No. 47863 (Appealing Wholesale Water Rates for 2018) – Filed 12-15-17
14. Lyndo Jones v. City of Mesquite, Texas, and Derrick Wiley – Filed 1-18-18
15. City of Mesquite v. Govind Group Corp., and 3629 E. US Highway 80, Mesquite, Texas 75150 in rem – Filed 3-1-18
16. Ex Parte North Texas Municipal Water District – Filed 5-7-18
17. Leonard Warren v. City of Mesquite – Filed 6-18-18
18. Gregory Von Lee v. City of Mesquite – Filed 6-22-18
19. City of Mesquite v. Govind Group Corp. – Filed 8-31-18
20. City of Allen, City of Arlington, City of Bedford, City of Belton, City of Carrollton, City of Cedar Hill, City of Colleyville, City of Coppell, City of Dalworthington Gardens, City of Euless, City of Fort Worth, City of Garland, City of Grand Prairie, City of Harker Heights, City of Hutto, City of Irving, City of Killeen, City of Lewisville, City of Mesquite, City of Rockwall, City of Rowlett, City of Waco and City of Wichita Falls, Texas v. Time Warner Cable Texas, LLC d/b/a Spectrum and Charter Communications – Filed 10-19-18
21. Bob Bishop v. City of Mesquite – Filed 10-23-18
22. City of Mesquite v. NPRodeo Holdings, LLC – Filed 10-31-18

### **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 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.**