



# City of Mesquite, Texas

## Meeting Agenda

### City Council

---

Monday, April 17, 2023

5:30 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](mailto:sland@cityofmesquite.com) by 3:00 p.m., on April 17, 2023.

#### **PRE-MEETING - TRAINING ROOMS A&B - 5:30 P.M.**

#### **AGENDA REVIEW**

#### **EXECUTIVE SESSION - COUNCIL CONFERENCE ROOM - 5:30 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

#### **CITY COUNCIL/STAFF WORK SESSION - CITY COUNCIL CHAMBER - 6:30 P.M.**

- 1 [23-6456](#) Receive presentation regarding the 2022 Meritorious Conduct Awards to Police Department employees.

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

#### **INVOCATION**

Stanley Viquez, Pastor, Mundo De Fe, Mesquite, Texas.

#### **PLEDGE OF ALLEGIANCE**

Members of the McWhorter Elementary School National Honor Society.

#### **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      [23-6530](#)      Minutes of the regular City Council meeting held April 3, 2023.
- Attachments:*      [April 3, 2023, Minutes](#)
- 3      [23-6521](#)      An ordinance amending Chapter 9, Section 9-150, of the City Code by revising the speed limits on East Glen Boulevard beginning with the intersection at Smokey Mountain Trail.
- Attachments:*      [Location Map](#)  
                                 [Ordinance](#)
- 4      [23-6514](#)      Bid No. 2023-055 - Annual Supply of Water Parts.  
(Staff recommends award to low bidders: Groups I, III, and IV to Core & Main LP in an amount not to exceed \$584,353.11, and Group II to Ferguson US Holdings, Inc., in an amount not to exceed \$192,846.31, for a total bid amount not to exceed \$777,199.42. The term of each contract is for a one-year period, with four additional one-year renewal options. The City Manager is authorized to exercise the renewal options, subject to annual appropriation of sufficient funds.)
- Attachments:*      [Bid Tabulation](#)
- 5      [23-6525](#)      Bid No. 2023-074 - Annual Purchase to Provide Motor Vehicle Hydraulic Parts.  
(Staff recommends purchase from Herco Equipment Company, Inc., and to authorize the City Manager to finalize and execute a contract in an amount not to exceed \$85,257.70. The term of this contract is for a one-year period, with four additional one-year renewal options. The City Manager is

authorized to exercise the renewal options, subject to the annual appropriation of sufficient funds.)

**Attachments:** [Bid Tabulation](#)

- 6 [23-6484](#) Bid No. 2023-076 - Annual Supply of OEM Kenworth Parts and Labor.  
(Staff recommends purchase from sole source provider Murphy-Hoffman Company dba MHC Kenworth, in an amount not to exceed \$200,000.00)

**Attachments:** [Sole Source Letter](#)

- 7 [23-6520](#) Bid No. 2023-080 - Purchase of One Caterpillar Skid Steer with Attachments.  
(Staff recommends purchase from Holt Texas, Ltd., through Sourcewell Contract No. 032119, in an amount not to exceed \$103,433.00.)

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

[Photo](#)

- 8 [23-6535](#) Bid No. 2023-084 - Supervisory Control and Data Acquisition (SCADA) Upgrade Project.  
(Staff recommends award to sole source provider Prime Controls, L.P., and to authorize the City Manager to finalize and execute a contract in an amount not to exceed \$78,969.00 for the upgrade of City of Mesquite's SCADA System to improve cybersecurity of the system.)

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

[Resolution No. 45-2022](#)

[Sole Source Letter](#)

- 9 [23-6534](#) Bid No. 2023-086 - Purchase of One Ford F750 Utility Crew Truck.  
(Staff recommends purchase from Sam Pack's Five Star Ford, through BuyBoard Contract No. 601-19, in an amount not to exceed \$96,467.84.)

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

[Photo](#)

- 10 [23-6544](#) Bid No. 2023-088 - Revised Architectural Services Contract for the Design and Construction of New Fire Station No. 2.  
(Authorize the City Manager to finalize and execute a revised architectural services design contract with Eikon Consulting Group, LLC, for services in connection with the design of the new Fire Station No. 2, increasing the contract amount by \$30,200.00, for a new not to exceed amount of \$551,825.00.)

**Attachments:** [Proposal \(Contract Exhibit B\)](#)

- 11 [23-6505](#) Authorize the City Manager to finalize and execute an Office Lease Agreement with MiLoC Corporation d/b/a Griswold Home Care for operating and maintaining an office on City-owned property located at 617 North Ebrite Street, Mesquite, Texas.

Attachments:      [Proposed Office Lease Agreement](#)

- 12      [23-6531](#)      Authorize the City Manager to finalize and execute a Memorandum of Understanding between the City of Balch Springs and the City of Mesquite for the provision of sanitary sewer service to a portion of the City of Balch Springs.

Attachments:      [Memorandum of Understanding](#)

- 13      [23-6533](#)      Receive the January 2023 semiannual report for impact fees from the Capital Improvements Advisory Committee in accordance with Section 395.058(c)(4) of the Texas Local Government Code.

Attachments:      [January 2023, CIAC report](#)

[March 27, 2023, CIAC Minutes](#)

## **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      [23-6529](#)      Conduct a public hearing and consider an ordinance for Zoning Application No. Z0223-0292, submitted by Vasquez Engineering, on behalf of MM Mesquite 50, LLC and Gulf Coast Hotel Development, Inc., for a change of zoning to amend Planned Development Ordinance Nos. 4595 and 4799 to allow hotels as a conditional use on Tract 1A and to remove the requirement for senior living residential dedicated to adults 55 and over on Tract 2A, located southwest of Rodeo Center Boulevard and West Scyene Road.

(No responses in favor and ten in opposition to the application have been received from property owners within the statutory notification area. The Planning and Zoning Commission recommends denial.)

Attachments:      [Staff report & maps](#)

[P&Z Minutes](#)

[Ordinance](#)

- 15      [23-6416](#)      Conduct a public hearing and consider a resolution approving the terms and conditions of a program to promote local economic development and stimulate business and commercial activity in the City, authorizing the City Manager to finalize and execute an Economic Development Program Agreement (Chapter 380 Agreement) with William C. Christensen III, Independent Executor on behalf of the Estate of Betty C. Bowie, for the construction and development of the property located at 19400 Interstate Highway 635, the 2100 through 2300 blocks of Orlando Avenue, 203 and 2501 Westwood Avenue, and a portion of Orlando Avenue, in the City of Mesquite, Dallas County, Texas, and authorizing the City Manager to finalize, execute and administer the agreement on behalf of the City.

Attachments:      [Resolution](#)

- 16      [23-6417](#)      Conduct a public hearing and consider a resolution approving the terms and conditions of a program to promote local economic development and stimulate business and commercial activity in the City, authorizing the City Manager to finalize and execute an Economic Development Program Agreement (Chapter 380 Agreement) for such purposes with LCG2i Mesquite Long Creek, LLC, for the construction and development of two commercial buildings, located at 200 Long Creek Road and 450 State Highway 352, in the City of Mesquite, Dallas County, Texas, and authorizing the City Manager to finalize, execute and administer the Agreement on behalf of the City.

Attachments:      [Resolution](#)

- 17      [23-6528](#)      Conduct a public hearing and consider an ordinance amending Mesquite City Code, Appendix B - Subdivisions, Article VI (Conveyance of Land For Parks) making certain additions and deletions to Subsection D (General Requirements) for the purpose of providing an exception to the general rule regarding a conveyance of land for park purposes and said exception would apply when a plat or replat results in the creation of four or fewer new single-family or duplex lots whereby a fee, in lieu of a land conveyance, shall be required.

Attachments:      [Ordinance](#)

## 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; and Civil Action 3:20-cv-20-01982-X – Filed 7-27-20, and on appeal, Cause No. 22-10321 - Filed 3-24-22
2. John Alexander v. City of Mesquite and Emilio F. Henry, Cause No. DC-21-06832 - Filed 5-28-21
3. Daniel Gonzales v. City of Mesquite, Cause No. CC-21-05087-D - Filed 11-22-21
4. Anthony Wagner v. City of Mesquite, Texas, Cause No. DC-22-02864 - Filed 3-14-22
5. City of Dallas, City of Mesquite, et al., v. Disney DTC, LLC, et al., Cause No. DC-22-09128 - Filed 8-3-22
6. Cesar Nunez-Solis v. The City of Mesquite, Texas, Cause No. DC-22-11631 - Filed 9-6-22
7. Ulises Rivera, Jessica Rivera, and 3509 Byrd Drive, Mesquite, Texas 75150, in rem v. The City of Mesquite, Cause No. DC-22-17289 - Filed 2-10-2023

**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      23-6537**      Discuss economic development incentives for a commercial development at Long Creek Road and State Highway 352 in Mesquite, Texas.

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.