



# City of Mesquite, Texas

## Meeting Agenda

### City Council

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Monday, May 1, 2023

5:00 PM

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

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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 May 1, 2023.

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

#### **AGENDA REVIEW**

#### **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.**

- 1 [23-6555](tel:23-6555) Receive quarterly report from the Police Department for the period covering January 1, 2023 through March 31, 2023.

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

#### **INVOCATION**

Daniel Rorie, Pastor, The Men and Ladies of Honor, Mesquite, Texas.

#### **PLEDGE OF ALLEGIANCE**

Members of Cub Scout Pack 852.

#### **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      [23-6554](#)      Minutes of the regular City Council meeting held April 17, 2023.
- Attachments:*      [April 17, 2023, minutes](#)
- 3      [23-6571](#)      A resolution adopting the City Council's Strategic Goals and Objectives for Fiscal Year 2023-2024.
- Attachments:*      [Resolution](#)
- 4      [23-6545](#)      RFP No. 2023-039 - Website Project for the Mesquite Convention and Visitors Bureau.  
(Staff recommends award to Camp Profiles LLC, dba 839 Studios and to authorize the City Manager to finalize and execute a Professional Services Agreement in an amount not to exceed \$131,400.00 for the initial term of the agreement and an amount not to exceed \$43,200.00 for each renewal term. The term of the agreement is for a one-year initial term, 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:*      [Scoring Matrix](#)
- 5      [23-6527](#)      Bid No. 2023-048 - Annual Vending Services for Various City Facilities.  
(Staff recommends award to Sodexo Operations, LLC and to authorize the City Manager to finalize and execute a contract for a commission of 7-10 percent of gross sales. The term of the 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:** [Scoring Matrix](#)

- 6 [23-6562](#) Bid No. 2023-061 - Annual Mowing Maintenance of City Medians and Right-of-Ways.  
(Staff recommends award to Nico's Landscape LLC and to authorize the City Manager to finalize and execute a contract in an amount not to exceed \$392,762.70. The term of the 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:** [Best Value Matrix](#)

- 7 [23-6557](#) Bid No. 2023-070 - Purchase of One Medium Duty Bucket Truck for Traffic Engineering.  
(Staff recommends purchase from Terex Utilities Inc., in Watertown, South Dakota, through Sourcwell Contract No. 110421-TER, in an amount not to exceed \$311,061.00.)

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

[Photo](#)

- 8 [23-6547](#) Bid No. 2023-090 - Purchase of 911 Dispatch Consoles.  
(Staff recommends purchase from ErgoFlex Systems Inc., dba Xybix Systems Inc., through the Houston-Galveston Area Council of Governments Cooperative Purchasing Program (HGAC), Contract No. EC07-20, in an amount not to exceed \$127,909.95.)

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

- 9 [23-6558](#) Approve Amendment No. 2 to the 2022-23 Police State Seizure Budget in accordance with Title 28, Section 524, of the United States Code and Chapter 59 of the Texas Code of Criminal Procedure in the amount of \$123,000.00.

**Attachments:** [State Seizure Amendment No. 2](#)

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

- 10 [23-6546](#) Consider appointment of one member (Position No. 3) to the Animal Services Advisory Committee for a term to expire December 31, 2023.

- 11 [23-6570](#) Appointment of three incorporators for participation in the formation of the Inland Port of Dallas County Local Government Corporation and appointment of the City's initial director to the corporation.

**Attachments:** [Draft Certificate of Formation of Inland Port of Dallas County Local Government Corpo](#)  
[Draft Bylaws of the Inland Port of Dallas County Local Government Corporation, Inc.](#)

**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.)

- 12**     [23-6556](#)     Conduct a public hearing and consider an ordinance for Zoning Application No. Z0423-0301, submitted by Kevin Haub, for a change of zoning from Planned Development - Commercial (Ordinance No. 4862) to Planned Development - Commercial (Ordinance No. 4862) with a Conditional Use Permit to allow manufacturing of ordnance and accessories, located at 19750, 19800 and 19850 Interstate Highway 635 (Mesquite 635 - Buildings A, B and C located at the southeast corner of Interstate Highway 635 and U.S. Highway 80 East.  
(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 with certain stipulations.)

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

- 13**     [23-6548](#)     Conduct a public hearing and consider an ordinance for Zoning Application No. Z0922-0256, submitted by Archana Prasad of Heights Engineering, LLC, for a change of zoning from Planned Development - Commercial (Ordinance No. 1146) to Planned Development - Commercial (Ordinance No. 1146) with a Conditional Use Permit to allow a convenience store and limited fuel sales, with a modification to allow the convenience store and limited fuel sales within 500 feet of a residential zoning district, located at 2200 La Prada Drive.  
(No responses 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 with certain stipulations.)

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

- 14**     [23-6550](#)     Conduct a public hearing and consider an ordinance for Zoning Application No. Z0223-0291, submitted by Horrocks Engineers, on behalf of Helu Development, for a Comprehensive Plan amendment from Medium Density Residential to High Density Residential and to change the zoning from Traditional Neighborhood Mixed Residential and R-3, Single-Family Residential to Planned Development - Multifamily to allow a 240-unit apartment complex, located at 1400 and 1609 Range Drive.

(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 approval with certain stipulations.)

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

- 15 [23-6549](#) Conduct a public hearing and consider an ordinance for Zoning Application No. Z0323-0297, submitted by Keith Lough of King of Glory Assembly of God, to remove approximately 1.14 acres, platted as East Meadows Block A, Lot 3, and located at 3029 East Meadows Boulevard, Mesquite, Dallas County, Texas from the Skyline Logistics Hub Overlay district (designated "SLH"), and to change the zoning from Commercial (formerly within the Skyline Logistics Hub Overlay district) to Planned Development - Commercial to allow a membership organization with a modification to the permitted signage on the property.

(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 with certain stipulations.)

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

- 16 [23-6551](#) Conduct a public hearing and consider a resolution authorizing the exchange of property with the Mesquite Independent School District (MISD) for the future expansion of Dr. Vroonland Vanguard High School on 1.121 acres of City-owned park property located at 4200 Faithon P. Lucas, Sr., Boulevard, Mesquite, Texas, in exchange for 1.121 acres of MISD property located at 4201 Faithon P. Lucas, Sr. Boulevard, Mesquite, Texas, for right-of-way for the improvement and maintenance of Faithon P. Lucas, Sr. Boulevard, finding that there is no feasible and prudent alternative to MISD's use of the land, and all reasonable planning has been done to minimize harm to the land as a park; and authorizing the City Manager to execute the exchange agreement with MISD and all documents necessary to consummate the transactions contemplated in the exchange agreement.

**Attachments:** [Resolution](#)  
[City-MISD Property Exchange Site Map](#)  
[City Tract Location Map](#)  
[MISD Tract Location Map](#)

## 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:

- 17      23-6572**      Discuss economic development incentives for commercial development at IH-20 and Lawson Road, and East Scyene Road and Lawson Road 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 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.