



# City of Mesquite, Texas

## Meeting Agenda

### City Council

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Monday, November 21, 2022

5:00 PM

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

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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 November 21, 2022. The email address is [sland@cityofmesquite.com](mailto: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 November 21, 2022, to the following email address: [sland@cityofmesquite.com](mailto:sland@cityofmesquite.com).

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

#### **AGENDA REVIEW**

#### **STAFF PRESENTATIONS**

- 1      [22-6314](#)      Receive briefing regarding the 2022 City of Mesquite Parks, Recreation and Open Space Master Plan.
- 2      [22-6302](#)      Receive briefing regarding the implementation of a new customer payment platform (Paymentus).
- 3      [22-6315](#)      Receive update and proposed changes to the City of Mesquite Recycling Program.

(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**

Shaji K. Daniel, Pastor, Agape 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.)

- 4      [22-6296](#)      Minutes of the regular City Council meeting held November 7, 2022.  
  
         Attachments:      [November 7, 2022, minutes](#)
- 5      [22-6286](#)      A resolution adopting the 2023 Legislative Program for the City of Mesquite, Texas, and directing the City Manager or his designee to act with regard to the City's Legislative Program.  
  
         Attachments:      [Resolution](#)
- 6      [22-6301](#)      A resolution adopting revisions to the City of Mesquite Housing Choice Voucher Administrative Plan.

**Attachments:**      [Resolution](#)

[Revisions to Plan](#)

- 7      [22-6304](#)      A resolution adopting the 2022 City of Mesquite Parks, Recreation and Open Space Master Plan.

**Attachments:**      [Resolution](#)

- 8      [22-6294](#)      Bid No. 2022-099 - Southeast Pump Station Generator Upgrade.  
(Staff recommends award to lowest qualified bidder The Gencon Group, Inc., dba Dake Construction and to authorize the City Manager to finalize and execute a contract in the amount of \$1,368,000.00 for construction and installation of a 1000-kilowatt diesel generator and associated appurtenances at the Southeast Pump Station).

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

[Location Map](#)

[Recommendation Letter](#)

- 9      [22-6303](#)      Bid No. 2023-024 - Purchase of MPD Service Pistol Replacement - Phase Two.  
(Staff recommends purchase of 100 Glock 17 Gen 5 pistols, tactical light and holsters from GT Distributors, Inc., through BuyBoard Contract No. 603-20, in an amount not to exceed \$72,650.00.)

**Attachments:**      [Quote](#)

- 10     [22-6307](#)      RFP No. 2023-026 - Annual Medical Plan Reinsurance (Stop Loss).  
(Staff recommends award to VOYA Financial Advisors, Inc., through insurance broker, Stealth Partner Group, LLC, and to authorize the City Manager to finalize and execute any required documents for FY 2022-2023, to secure stop loss coverage for the City group medical healthcare plan in an amount not to exceed \$835,077.00.)

**Attachments:**      [Proposal](#)

- 11     [22-6319](#)      Bid No. 2023-032 - Purchase of One Dodge 3500 Van for Building Services (Model Promaster Cargo Van).  
(Staff recommends purchase of One Dodge 3500 Van from Grapevine DCJ LLC, through the BuyBoard Contract No. 601-19, in the amount not to exceed \$52,469.00.)

**Attachments:**      [Photo](#)

[Quote](#)

#### APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

- 12     [22-6311](#)      Consider appointment of three regular members (Position Nos. 2, 4 and 6) to the Library Advisory Board for terms to expire December 31, 2024.

**Attachments:**      [Library Advisory Board Eligible Applicants - 11.21.2022](#)

**PUBLIC HEARINGS**

- 13**     [22-6306](#)     Conduct a public hearing and consider possible action regarding a request from Jason Harder, on behalf of BioLife Plasma Services, to waive the requirement for an eight-foot-tall screening wall buffer from a residential zoning district along the south property line, located at 2150 Towne Centre Drive.

*Attachments:*     [Staff Memo and Attachments](#)  
                              [Landscape Plan](#)

**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. City of Allen, et al v. Time Warner Cable Texas, LLC d/b/a Spectrum and Charter Communications, Cause No. 6:19-cv-345-ADA-JCM – Filed 10-19-18
2. Tejas Motel, LLC v. City of Mesquite, acting by and through its Board of Adjustment, Cause No. DC-18-16933 – Filed 11-8-18
3. 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
4. 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
5. John Alexander v. City of Mesquite and Emilio F. Henry, Cause No. DC-21-06832 - Filed 5-28-21
6. Landon Harris v. City of Mesquite, Cause No. DC-21-08418 - Filed 6-30-21
7. Daniel Gonzales v. City of Mesquite, Cause No. CC-21-05087-D - Filed 11-22-21
8. 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
9. Anthony Wagner v. City of Mesquite, Texas, Cause No. DC-22-02864 - Filed 3-14-22
10. Clement Bernard v. City of Mesquite, Texas, Civil Action No. 3:22-cv-00928 - Filed 4-26-22
11. City of Dallas, City of Mesquite, et al., v. Disney DTC, LLC, et al., Cause No. DC-22-09128 - Filed 8-3-22
12. 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.

**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:

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|-----------|----------------|---|
| <b>14</b> | <b>22-6305</b> | Discuss economic development incentives for a development at East Glen Boulevard and Clay Mathis Road.  |
| <b>15</b> | <b>22-6313</b> | Discuss economic development incentives for a company considering the relocation and expansion of a United States-based production operations |

at a facility near Town East Boulevard and Skyline Drive.

- 16 22-6317** Discuss economic development incentives for a company considering the relocation and expansion of logistics operations at a facility near Scyene Road and East Glen 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.