



City of Mesquite, Texas

Meeting Agenda

City Council

Monday, December 6, 2021

5:00 PM

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

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 June 21, 2021. The email address is 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 June 21, 2021, to the following email address: sland@cityofmesquite.com.

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

AGENDA REVIEW

- 1 [21-5783](#) Discuss potential partnership with Dallas College and Mesquite Independent School District regarding use of the pool facility on Dallas College Eastfield Campus.

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.

- 2 [21-5752](#) Receive Neighborhood Services Environmental Code quarterly report for the period of July 1, 2021, through September 30, 2021.

Attachments: [Environmental Code FY 2020-2021 4th Quarter Summary](#)

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

INVOCATION

Rocky Pope, Pastor, Inspiration 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 by motion of the City Council.)

- 3 [21-5747](#) Minutes of the regular City Council meeting held November 15, 2021.
Attachments: [November 15, 2021 minutes](#)
- 4 [21-5740](#) An ordinance establishing the classifications and total number of authorized positions in each classification of the Mesquite Police Department effective as of January 1, 2022.
Attachments: [Ordinance](#)
- 5 [21-5741](#) An ordinance establishing the classifications and total number of authorized positions in each classification of the Mesquite Fire Department effective as of January 1, 2022.
Attachments: [Ordinance](#)
- 6 [21-5727](#) A resolution endorsing and accepting the 2021-2022 Impaired Driving Mobilization Grant for the Selective Traffic Enforcement Project (STEP), approving the contribution of City funds in the amount of \$1,532.73 and authorizing the City Manager to execute the necessary documents with the

Texas Department of Transportation in connection with such grant and project.

Attachments: [Resolution](#)

- 7 [21-5739](#) An ordinance adopting 2021-22 Pay Plans for Full-Time and Part-Time/Seasonal General Government personnel effective October 1, 2021, providing flat, fixed pay adjustments for certain employees in hard-to-fill positions and providing merit increases, adopting revised pay plans with market adjustments for commissioned Police and Fire personnel effective January 1, 2022, providing step increases for eligible commissioned Police and Fire personnel effective on their respective anniversary date and providing increased prior and current service annuities under the Texas Municipal Retirement System for qualifying retirees and beneficiaries, which includes a cost of living adjustment (COLA) at the 50 percent level.

Attachments: [Ordinance](#)

- 8 [21-5766](#) An ordinance amending Chapter 20 “Boards, Commissions and Committees” of the City Code thereby allowing the Downtown Development Advisory Board regular member terms to be three-year terms.

Attachments: [Ordinance](#)

- 9 [21-5758](#) A resolution casting a vote for the fourth member of the Board of Directors of the Dallas Central Appraisal District.

Attachments: [Resolution](#)

- 10 [21-5761](#) A resolution approving the terms and conditions of the Seventh Amendment to the Communications Facilities License with Cellco Partnership, d/b/a Verizon Wireless (“License Agreement”), to amend the Site Plan to reflect updated equipment located on the City’s Service Center Communications Tower, as specified in the License Agreement, and authorizing the City Manager to execute and administer the License Agreement on behalf of the City.

Attachments: [Resolution](#)
[Original Communications Facilities License Agreement](#)
[Sixth Amendment](#)

- 11 [21-5742](#) A resolution approving the terms and conditions of the Fourth Amendment to the Communications Facilities License with New Cingular Wireless PCS, LLC, (Formerly AT&T Mobility Texas, LLC) (“License Agreement”) to amend the Site Plan to reflect updated equipment located on the City’s Service Center Communications Tower, as specified in the License Agreement, and authorizing the City Manager to execute and administer the License Agreement on behalf of the City.

Attachments: Resolution
Original Communications Facilities License
Third Amendment
Second Amendment
First Amendment

- 12 [21-5784](#) A resolution authorizing the exchange of property between the County of Dallas, Texas (“Dallas County”) and the City of Mesquite (“Mesquite”) on Dallas County land and improvements located at 823 North Galloway Avenue, Mesquite, Dallas County, Texas, and Mesquite unimproved land located at 410 and 500 South Galloway Avenue, Mesquite, Dallas County, Texas, and authorizing the City Manager to finalize and execute the Purchase and Sale Agreement with Dallas County and all documents necessary to consummate the transactions contemplated in the Agreement, and administer the Agreement on behalf of the City.

Attachments: [Resolution](#)
 [City Property](#)
 [County Property](#)

- 13 [21-5762](#) Bid No. I102-2021 - Annual Laundry and Dry-Cleaning Services for the Fire Department.
(Staff recommends award to C-Mai Enterprises, Inc. (d/b/a Dry Clean Super Center) in an amount not to exceed \$35,152.00 and to Kamm Investments, LLC, in an amount not to exceed \$31,998.00 for a total amount not to exceed \$67,150.00. 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: [I102-2021 Contract C-Mai Enterprises](#)
 [I102-2021 Contract Kamm Investments](#)

- 14 [21-5753](#) Bid No. 2022-012 Managed Detection and Response Service for Rapid7 Cybersecurity.
(Staff recommends award to SHI Government Solutions, through the Texas Department of Information Resources Contract No. DIR-TSO-4291, in the amount of \$140,250.00 and authorize the City Manager to execute a one-year service contract.)

Attachments: [Rapid7 Managed Detection and Response Agreement](#)

- 15 [21-5751](#) Bid No. 2022-025 - Annual Supply of Fire Department Uniforms and Clothing.
(Authorize the City Manager to execute a contract with Galls, LLC, an approved vendor of the North Central Texas Council of Governments (NCTCOG) through Contract No. 2021-073 in an amount not to exceed \$118,420.00. 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 annual appropriation of funds.)

Attachments: [Contract](#)

- 16 [21-5757](#) Bid No. 2022-029 - Purchase of Twelve Dodge Chargers for Police.
(Staff recommends award to Grapevine Chrysler Dodge Jeep in Grapevine, Texas, through the BuyBoard Contract No. 601-19, in the amount of \$343,060.00.)

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

- 17 [21-5765](#) RFP No. 2022-032 - Annual Medical Plan Reinsurance (Stop Loss).
(Authorize the submission of an application with HM Life Insurance Company for FY2022-2023, as approved by the City Manager on October 19, 2021, to secure stop loss coverage for the City group medical healthcare plan for a bid amount not to exceed \$918,273.00)

Attachments: [City of Mesquite Stop-Loss Proposal](#)
[2022 HM Policy](#)

- 18 [21-5734](#) Authorize the City Manager to finalize and execute a Professional Engineering Services Contract with Freeman-Millican, Inc. for the survey, engineering design, and construction documents for an electrical generator at the Southeast Pump Station in the amount of \$169,000.00.

Attachments: [Location Map](#)

- 19 [21-5735](#) Authorize the City Manager to finalize and execute a Professional Engineering Services Contract with Garver, LLC for the survey, engineering design and preparation of construction documents for the Shannon Road to Lawson Road Water Line Project in the amount of \$152,475.00.

Attachments: [Location Map](#)

- 20 [21-5763](#) Authorize the City Manager to finalize and execute a Professional Engineering Services Contract with Garver, LLC for the survey, engineering design and preparation of construction documents for the Crandall Connector Water Line Project in the amount of \$398,535.00.

Attachments: [Location Map](#)

- 21 [21-5759](#) Approve the proposed Community Development Block Grant - COVID-19 (CDBG-CV) Budget for Fiscal Year 2022-2023.

Attachments: [FY2022 CDBG-CV Project Summaries](#)

- 22 [21-5781](#) Appoint Debbie Anderson to the Board of Directors of Reinvestment Zone Number Fourteen, City of Mesquite, Texas (Alcott Logistics Station), for a two-year term to expire April 5, 2023.

- 23 [21-5780](#) Appoint Daniel Alemán, Jr. as Chairman of the Board of Directors on the following boards: Mesquite Rodeo City Reinvestment Zone Number One, City of Mesquite, Texas; Towne Centre Reinvestment Zone Number Two, City of Mesquite, Texas; Skyline Tax Increment Finance Reinvestment Zone No. Seven, City of Mesquite, Texas; Gus Thomasson Tax Increment Finance Reinvestment Zone No. Eight, City of Mesquite, Texas; Town East/Skyline Tax Increment Finance Reinvestment Zone No. Nine, City of Mesquite; Reinvestment Zone Number Ten, City of Mesquite, Texas (Polo Ridge); Reinvestment Zone Number Eleven, City of Mesquite, Texas (Heartland Town Center); Reinvestment Zone Number Twelve, City of Mesquite, Texas (IH-20 Business Park); Reinvestment Zone Number Thirteen, City of Mesquite, Texas (Spradley Farms); Reinvestment Zone Number Fourteen, City of Mesquite, Texas (Alcott Logistics Station); and Reinvestment Zone Number Fifteen, City of Mesquite, Texas (Solterra) for a one-year term beginning January 1, 2022.

APPOINTMENTS TO BOARDS AND COMMISSIONS

- 24 [21-5709](#) Consider appointments to the following Boards, Commissions and Committees: Airport Board of Adjustment, Airport Zoning Commission, Animal Services Advisory Committee, Board of Adjustment, Building Standards Board, Capital Improvements Advisory Committee, Downtown Development Advisory Board, Housing Board, Landmark Commission, Library Advisory Board, Parks and Recreation Advisory Board, Planning and Zoning Commission and Tree Advisory Board.

Attachments: [List of Boards, Commissions and Committees](#)
 [List of Applications](#)

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.)

- 25 [21-5749](#) Conduct a public hearing and consider an ordinance for Zoning Application No. Z0820-0145, submitted by Manuel Molina, Jr. of Molina Construction, for a change of zoning from Commercial to Commercial with a Conditional Use Permit to allow a primary outdoor storage yard, located at 2526 Westwood Avenue.

(Four responses in favor and none 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](#)

- 26 [21-5750](#) Conduct a public hearing and consider an ordinance for Zoning Application No. Z0821-0212, submitted by Kimley-Horn and Associates, for a change of zoning from Planned Development-Industrial (Ordinance No. 4856) to Planned Development-Industrial and Planned Development-Age Restricted Residential Community, to allow a self-storage facility and an age-restricted residential development, located at 2210 East Scyene 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 with certain stipulations.)

Attachments: [Staff report & maps](#)
[P&Z minutes](#)
[Ordinance](#)

- 27 [21-5748](#) Conduct a public hearing and consider an ordinance for Zoning Application No. Z1220-0172, submitted by Roberto Nunez of Alchemi Development Partners, for a change of zoning from Service Station to Service Station with a Conditional Use Permit to allow a convenience store with limited fuel sales and a modification to the 500-foot separation requirement from a residential zoning district, located at 1028 West Cartwright 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 with certain stipulations.)

Attachments: [Staff report and maps](#)
[P&Z minutes](#)
[Ordinance](#)

- 28 [21-5670](#) 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 a TIRZ No. 14 Reimbursement Agreement and Chapter 380 Economic Development Program Agreement for such purposes with 42 Alcott, LP (“Developer”) and the Board of Directors of Reinvestment Zone No. 14, City of Mesquite, Texas (“Alcott Station”), regarding the Developer’s construction of a Class A industrial building located at 3301 East Glen Boulevard and 3300 East Glen Boulevard, Mesquite, Texas (collectively the “Property”); the acquisition from the City and by the Developer of approximately 1.72 acres of land currently

dividing the Property and the granting to Developer of certain TIRZ reimbursements and economic development incentives; and authorizing the City Manager to take such actions and execute such documents as are necessary or advisable to consummate the transactions contemplated by the agreement and administer the agreement on behalf of the City.

Attachments: [Resolution](#)

- 29 [21-5725](#) A. Conduct a public hearing on the levy of assessments in Phase #2 of the Heartland Town Center Public Improvement District.
- B. Consider an ordinance of the City of Mesquite, Texas, approving a Service and Assessment Plan and Assessment Roll for Phase #2 Specific Improvements for the Heartland Town Center Public Improvement District (the "District"); making a finding of special benefit to certain property in the District; levying special assessments against certain property within the District and establishing a lien on such property; providing for payment of the assessment in accordance with Chapter 372, Texas Local Government Code, as amended; providing for the method of assessment and the payment of the assessments; providing penalties and interest on delinquent assessments; providing for severability and providing an effective date.

Attachments: [Ordinance](#)

OTHER BUSINESS

- 30 [21-5778](#) Consider appointment of Jerome Dittman to serve as a voting director for the Mesquite Medical Center Management District (the "District") to fill the term for Position 4 on the Board of Directors of the District for a term expiring on June 1, 2025.
- 31 [21-5779](#) Consider reappointment of Gary Bingham, Harry Sewell, Linda Davidson and Steven Nabors to serve as voting directors for the Mesquite Medical Center Management District (the "District") to fill the term for Positions 1, 2, and 3 on the Board of Directors of the District for terms expiring on June 1, 2023, and to fill the term for Position 5 on the Board of Directors of the District for a term expiring on June 1, 2025.
- 32 [21-5790](#) Consider a resolution authorizing the City Manager to finalize and execute a First Amendment to the Master Development Agreement between the City of Mesquite, Texas, the Mesquite Medical Center Management District, and HQZ Partners, LP, together with MCG-124, LLC regarding the development of approximately 60.31 acres of land generally located south of Gross Road, east of North Peachtree Road, north of the Union Pacific Railroad and west of Interstate Highway 635 in the City of Mesquite, Texas, and being commonly referred to as the "Verde Center" or the "Verde Center at Peachtree" and providing a Collateral Assignment provision, and authorizing the City Manager to administer the Agreement

as amended for such purposes and to take all actions necessary or advisable to complete the transactions contemplated by the Agreement as amended on behalf of the City.

Attachments: [Resolution](#)

- 33** [21-5786](#) Consider a resolution conditionally consenting to the Assignment and Assumption Agreement by HQZ Partners, LP, and MCG-124, LLC (“Assignors”), to Verde Center Partners, LLC (“Assignee”), of Assignor’s interest in the Master Developer Agreement with the City of Mesquite, Texas, regarding the development of approximately 60.31 acres of land generally located south of Gross Road, east of North Peachtree Road, north of the Union Pacific Railroad, and west of Interstate Highway 635 in the City of Mesquite, Texas, and being commonly referred to as the “Verde Center” or the “Verde Center at Peachtree,” and authorizing the City Manager to finalize, execute and administer the Assignment on behalf of the City.

Attachments: [Resolution](#)

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. Petition of Magali Villarreal (MISD Bus Accident on 10-3-2018), Cause No. DC-19-06974 – Filed 5-15-19
4. Patricia Brennan and Alyssa Sanders, Individually and as Heirs of Natalie Sanders v. City of Mesquite, et al, Cause No. 3:10-CV-01263-L – Filed 5-24-19
5. Patrish Ervin and John Dawson v. Mr. Phillip Aultman, Mesquite Police Department and the City of Mesquite, Cause No. CC-19-03248-C – Filed 5-31-19
6. Corey Reynolds and Molly Reynolds v. The City of Mesquite, et al, Cause No. DC-20-07209 – Filed 5-22-20

7. Tejas Motel, L.L.C. v. City of Mesquite, Acting by and through its Board of Adjustment, Civil Action No. 3:20-cv-20-1982 – Filed 7-27-20
8. 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
9. Vault Ventures, LLC v. City of Mesquite and Cliff Keheley, in his Official Capacity as Mesquite City Manager, Cause No. DC-20-19115 – Filed 12-28-20
10. Kasia Varsak v. Jeremy Thomas Meeks and the City of Mesquite, Texas, Cause No. CC-21-00813-B – Filed 3-4-21
11. John Alexander v. City of Mesquite and Emilio F. Henry, Cause No. DC-21-06832 - Filed 5-28-21
12. Raina Naomi Brechbiel v. Danielle Larrison and Christopher Odom, Cause No. 3:21-cv-01563-E - Filed 7-7-21
13. Landon Harris v. City of Mesquite, Cause No. DC-21-08418 - Filed 6-30-21
14. City of Mesquite v. Peggy Lou Schweitzer and 1509 Alta Vista Street, Mesquite, Texas 75149 in rem, Cause No. DC-21-11200 - Filed 8-20-21

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:

- 34 21-5764** Discuss economic development incentives for a prospective business relocation within Alcott Logistics Station Tract A at the corner of East Scylene Road and Clay Mathis Road.

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.