



# City of Mesquite, Texas

## Meeting Agenda

### City Council

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Tuesday, June 20, 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 June 20, 2023.

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

##### **AGENDA REVIEW**

##### **STAFF PRESENTATIONS**

- 1 [23-6595](#) Receive briefing from STAR Transit regarding public transportation ridership numbers and service modification options.
- 2 [23-6605](#) Receive departmental strategy and budget presentations from Information Technology, Human Resources and Library Departments related to City Council strategic goals and objectives.

**Attachments:** [Resolution 18-2023 Strategic Goals and Objectives](#)

(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**

Heriberto Padilla, Pastor, Vida Life 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.)

- 3      [23-6614](#)      Minutes of the regular City Council meeting held June 5, 2023.
- Attachments:*      [June 5, 2023, minutes](#)
- 4      [23-6648](#)      An ordinance amending Chapters 4, 13 and 14 of the City of Mesquite General Government Policies and Procedures Manual.
- Attachments:*      [Ordinance](#)
- 5      [23-6411](#)      A resolution accepting the preliminary Service and Assessment Plan for authorized improvements within Improvement Areas A-1, C-1, C-2 and C-3 of the Solterra Public Improvement District, setting a date for public hearing on the proposed levy of assessments, authorizing the publication and mailing of notice, and enacting other provisions relating thereto.
- Attachments:*      [Solterra Concept Plan](#)  
   [Resolution](#)
- 6      [23-6637](#)      A resolution approving the form and authorizing the distribution of a Preliminary Limited Offering Memorandum for Special Assessment

Revenue Bonds issued for the Solterra Public Improvement District and resolving other matters incident and related thereto.

**Attachments:**      [Resolution](#)

- 7      [23-6630](#)      A resolution authorizing the City Manager to expend the City's allocation of American Rescue Plan Act funding in a manner consistent with eligible uses as defined by the United States Department of Treasury and direction of the City Council and that continue to promote the recovery from the COVID-19 pandemic.

**Attachments:**      [Resolution](#)

- 8      [23-6590](#)      RFQ No. 2022-091 - Multi-Year Right-of-Way and Easement Acquisition Services.  
(Authorize the City Manager to finalize and execute a Work Order Contract with 7 Arrows Land Staff, LLC, for Right-Of-Way and Easement Acquisitions Services, in an amount not to exceed \$250,000.00 and to authorize the City Manager to finalize and execute a Work Order Contract with Halff Associates, Inc. for Right-of-Way and Easement Services, in an amount not to exceed \$250,000.00. The term of each contract is for a five-year period.)

**Attachments:**      [Selection Evaluation Matrix](#)

- 9      [23-6576](#)      Bid No. 2023-018 - Flamingo Way and Bahamas Drive Sewer and Paving Improvements.  
(Staff recommends award to low bidder Estrada Concrete Company, LLC and to authorize the City Manager to finalize and execute a contract in the amount of \$1,560,764.00.)

**Attachments:**      [Recommendation Letter](#)

[Bid Tabulation](#)

[Location Map](#)

- 10      [23-6622](#)      Bid No. 2023-029 - Faithon P. Lucas, Sr., Boulevard Paving and Drainage Reconstruction Project (McKenzie Road to East Cartwright Road).  
(Staff recommends award to low bidder Zachry Construction Corporation and to authorize the City Manager to finalize and execute a contract in the amount of \$25,528,996.60.)

**Attachments:**      [Recommendation Letter](#)

[Bid Tabulation](#)

[Location Map](#)

- 11      [23-6503](#)      RFQ No. 2023-033 - Architectural Services for Travis Williams Concessions: Design.  
(Authorize the City Manager to finalize and execute a contract with WRA Architects, Inc., in an amount not to exceed \$125,000.00.)

**Attachments:**      [Site Plan Exhibit](#)  
[Selection Evaluation Matrix](#)

- 12      [23-6621](#)      Bid No. 2023-057 - Utility Relocation for IH-635 at US Highway 80 Interchange.  
(Staff recommends award to low bidder BRCT, LLC dba Black Rock Construction and to authorize the City Manager to finalize and execute a contract in the amount of \$3,728,992.00.)

**Attachments:**      [Recommendation Letter](#)  
[Bid Tabulation](#)  
[Location Map](#)

- 13      [23-6636](#)      Bid No. 2023-099 - Purchase of Nine Dodge Chargers for Police Department.  
(Authorize the City Manager to finalize and execute a contract and any required documents with Grapevine Dodge Chrysler Jeep, in Grapevine, Texas, through BuyBoard Contract No. 601-19, in an amount not to exceed \$333,715.00.)

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

- 14      [23-6603](#)      Bid No. 2023-101 - Annual Supply of Personal Computers.  
(Authorize the City Manager to finalize and execute a contract and any required documents with Dell Marketing L.P., through the Texas Department of Information Resources Contract No. DIR-TSO-3763, in an amount not to exceed \$463,350.00.)

**Attachments:**      [Standard Desktop](#)  
[Standard Laptop](#)  
[Standard Tablet](#)  
[Standard Semi-Rugged Laptop](#)  
[Non-Standard Laptop 1](#)  
[Non-Standard Laptop 2](#)  
[Non-Standard Laptop 3](#)  
[Non-Standard Laptop 4](#)  
[Non-Standard Semi-Rugged Laptop 1](#)  
[Non-Standard Semi-Rugged Laptop 2](#)  
[Non-Standard Semi-Rugged Laptop 3](#)  
[Non-Standard Tablet Rugged 1](#)  
[Non-Standard Tablet Rugged 2](#)

- 15      [23-6632](#)      Authorize the City Manager to execute Change Order No. 1 to RFP No. 2022-148, City of Mesquite Cooling Tower Replacement IFB Set, with Infinity Contractors International, Ltd., for a temporary cooling tower in

the amount of \$99,975.00.

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

- 16 [23-6536](#) Authorize the City Manager to finalize and execute Amendment No. 4 to the 2017 Sanitary Sewer Replacement Project, Phase 2, with Binkley & Barfield, Inc., for additional design and preparation of construction documents in an amount not to exceed \$36,500.00.

**Attachments:** [Proposal](#)  
[Amendment No. 4](#)

- 17 [23-6589](#) Authorize the City Manager to finalize and execute a Professional Services Agreement with Westwood Professional Services, Inc. for the Edgemont Park Drainage Improvements Project, in an amount not to exceed \$269,874.00.

**Attachments:** [Location Map](#)

- 18 [23-6619](#) Authorize the City Manager to finalize and execute a Professional Services Agreement with Halff Associates, Inc., for the Stormwater Master Plan Project, in an amount not to exceed \$650,000.00.

**Attachments:** [Recommendation Letter](#)

- 19 [23-6627](#) Ratify a Memorandum of Understanding regarding Lucas Farms Joint Venture sale of property to the City of Mesquite for widening of Faithon P. Lucas, Sr., Boulevard for an expenditure in the amount of \$202,235.00 to acquire property from Lucas Farms Joint Venture for the Faithon P. Lucas, Sr., Boulevard Paving and Drainage Reconstruction Project and authorize the City Manager to take all actions necessary to complete this transaction.

**Attachments:** [Memorandum of Understanding](#)  
[Special Warranty Deed Tract 1](#)  
[Special Warranty Deed Tract 3](#)  
[Special Warranty Deed Tract 4](#)  
[Location Map](#)

#### OTHER BUSINESS

- 20 [23-6628](#) Consider an application to allow fee in lieu of parkland dedication for the Kanyon Springs Subdivision, located at the northeast corner of Interstate Highway 635 and New Market Road.

**Attachments:** [Staff memo](#)  
[Request letter](#)  
[Aerial map](#)  
[Site plan](#)

**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.)

- 21     [23-6620](#)     Conduct a public hearing and consider an ordinance for Zoning Application No. Z0123-0288, submitted by CA Mesquite, for a change of zoning from Commercial to Planned Development - Commercial to allow a shopping center with modifications to sign regulations, located at 200 East U.S. Highway 80.

(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](#)

- 22     [23-6623](#)     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 Chapter 380 Agreement for such purposes with Pluckers - Mesquite, LLC., for the construction of a new restaurant facility to be located at 1340 North Peachtree Road, Mesquite, Texas, 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](#)

- 23     [23-6502](#)     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 Chapter 380 Agreement for such purposes with Canadian Solar US Module Manufacturing Corporation 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](#)

**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. Anthony Wagner v. City of Mesquite, Texas, Cause No. DC-22-02864 - Filed 3-14-22
4. City of Dallas, City of Mesquite, et al., v. Disney DTC, LLC, et al., Cause No. DC-22-09128 - Filed 8-3-22
5. Cesar Nunez-Solis v. The City of Mesquite, Texas, Cause No. DC-22-11631 - Filed 9-6-22
6. 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
7. Jennifer Villatoro v. City of Mesquite, Cause No. CC-23-02787-D - Filed 5-8-2023
8. J'Mei Walker, II v. City of Mesquite. Cause No. DC-23-04762 - Filed 4-11-23

**Real Property**

Pursuant to Section 551.072 of the Texas Government Code, the City Council will meet in closed session to consider the purchase, exchange, lease or value of real property. The following subjects may be discussed:

- 24      23-6640**            Discuss purchase of property at Berry Road and Lawson Road.
- 25      23-6641**            Discuss property acquisition along McKenzie Road.

**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:

- 26      23-6635**            Discuss economic development incentives for a company considering the redevelopment of a commercial building at Peachtree Road and IH-635.
- 27      23-6642**            Discuss economic development incentives for the redevelopment of a shopping center at Motley Drive and Town East Boulevard.

- 28 23-6643** Discuss economic development incentives for the redevelopment of a commercial building at Crestridge Drive and North Galloway Avenue.
- 29 23-6644** Discuss economic development incentives for a company considering locating a manufacturing facility on East Scyene Road near 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.