



# City of Mesquite, Texas

## Action Agenda

### City Council

Tuesday, June 20, 2023

5:00 PM

City Hall | Council Chamber

757 N. Galloway Avenue | Mesquite, Texas

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

#### AGENDA REVIEW

#### STAFF PRESENTATIONS

- 1 Receive briefing from STAR Transit regarding public transportation ridership numbers and service modification options. **Received.**
- 2 Receive departmental strategy and budget presentations from Information Technology, Human Resources and Library Departments related to City Council strategic goals and objectives. **Received.**

**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

1. Mr. Casper announced that applications for the 19<sup>th</sup> Annual Addressing Mesquite Day, to be held Saturday, October 7, 2023, are currently being accepted through Friday, June 23, 2023. Volunteers will assist with minor exterior home repairs and landscape projects for qualified senior citizens and disabled homeowners. Volunteer groups can submit applications through Sunday, July 23, 2023. For more information, visit [www.cityofmesquite.com/AMD](http://www.cityofmesquite.com/AMD).
2. Mr. Green invited citizens to join the Mesquite Community Band on Monday, June 26, 2023, from 7:00 p.m. to 8:00 p.m., on the Mesquite Arts Center lawn, 1527 North Galloway Avenue, for the free summer concert series "Music in the Park." The concert "Celebrate America" will feature festive, patriotic songs in celebration of the upcoming Independence Day holiday.
3. Ms. Vidler stated that the City recently launched a monthly road report, "Word on the Street." The June edition includes information regarding construction of Skyline Drive from Town East Boulevard

to Peachtree Road. Visit [www.cityofmesquite.com/WordOnTheStreet](http://www.cityofmesquite.com/WordOnTheStreet) for the recent edition or sign up under News Flash to have the edition delivered to you through email or text at [www.cityofmesquite.com/NotifyMe](http://www.cityofmesquite.com/NotifyMe).

4. Ms. Vidler expressed appreciation to the Mesquite Firefighters who recently rendered aid to her mother.
5. Mr. Boroughs stated that June is Men's Health Month. Men often neglect regular check-ups and screenings, which can be very dangerous to their health. In fact, men are 50 percent less likely than women to seek preventative care. He encouraged everyone to get an annual check-up.
6. Mr. Boroughs invited citizens to a District 4 Neighborhood Meeting and Picnic on Saturday, June 24, 2023, from 11:00 a.m. to 1:00 p.m., at Evans Recreation Center, 1116 Hillcrest Street. The meeting will be held in the Senior Room.
7. Mr. Smith announced that the Mesquite Police Academy graduated seven recruits last Friday, June 16, 2023. This is the 20<sup>th</sup> graduation class to complete the City's internal training program. The Mesquite Police Department has graduated 133 recruits since the training academy began in 2023. According to the Texas Commission on Law Enforcement website, there are 2,743 agencies, and only 115 with their own academies. The seven new Police Officers completed 25 weeks of training in the academy. They will now begin a 17-week field training program before being assigned to patrol duties.
8. Ms. Anderson announced that officials from the City of Mesquite and Urban Logistics Realty celebrated the opening of Alcott Station Park last week. The unique five-acre park is situated on the east side of Mesquite in the Alcott Station Business Park that encompasses 1.5 million square feet of industrial space. The park includes a playground, fitness area and dog park. Two companies have already committed to locating in Alcott Station and these companies will bring approximately 600 jobs to Mesquite.
9. Ms. Anderson invited citizens to have "Tacos with a Cop" on Thursday, June 22, 2023, from 6:00 p.m. to 8:00 p.m., at Dia de los Tacos, 1927 Faithon P. Lucas, Sr., Boulevard.
10. Mayor Alemán stated that Independence Day is a special day for Americans to get together with family and friends to celebrate. He reminded citizens that it is illegal to possess/use illegal fireworks or discharge a firearm in the City limits. He reminded citizens that there are dangers and penalties for driving while intoxicated. If citizens see or hear any illegal activity, contact the City and provide the address of the incident, which will help the Police and Fire Departments with response efforts. For gunfire reports, call 911. For fireworks reports, call 972-204-4888 or email [fireworks@mesquitelocal.gov](mailto:fireworks@mesquitelocal.gov). If you observe a vehicle being driven in a dangerous manner and may be driving while intoxicated, call 911.
11. Mayor Alemán reminded citizens to consider donating a jar of peanut butter and/or jelly to the "Spread the Love" campaign to feed children in need this summer.
12. Mayor Alemán stated that he believes a quality community depends on the dedication of its citizens and the quality of City management depends on the dedication and training of its officials. It is for these reasons that I am very proud to announce that one of our City officials recently completed an important program that helps train new and emerging leaders in municipal government. Over the past eight months, Assistant City Manager Chris Sanchez attended multiple sessions to learn more about the various aspects and critical issues facing City government officials today. Mr. Sanchez' desire to participate in and complete this program shows his dedication to his job, his responsibilities and most importantly the Mesquite community. Mayor Alemán presented Chris Sanchez with a certificate of completion from the North Central Texas Council of Governments.

## **CITIZENS FORUM**

1. Kenneth Beck, 1724 Windmire Drive, expressed concerns regarding the City's parking ordinance and requested stop signs in his neighborhood.
2. Phil Roemisch, 309 Adrian Court, expressed concerns regarding fees charged through the Mesquite Pay portal.
3. Greg Munson, 2202 Norma Drive, expressed concerns regarding the maintenance of the drainage ditch near Jane Street.

## CITIZENS COMMENTS

No one spoke.

## CONSENT AGENDA

- 3 Minutes of the regular City Council meeting held June 5, 2023. **Approved.**
- 4 An ordinance amending Chapters 4, 13 and 14 of the City of Mesquite General Government Policies and Procedures Manual. **Approved by Ordinance No. 5028.**
- 5 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. **Approved by Resolution No. 24-2023.**
- 6 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. **Approved by Resolution No. 25-2023.**
- 7 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. **Approved by Resolution No. 26-2023.**
- 8 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.) **Approved as recommended.**
- 9 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.) **Approved as recommended.**
- 10 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.) **Approved as recommended.**
- 11 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.) **Approved as recommended.**
- 12 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.) **Approved as recommended.**

- 13 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.) **Approved as recommended.**
- 14 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.) **Approved as recommended.**
- 15 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. **Approved.**
- 16 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. **Approved.**
- 17 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. **Approved.**
- 18 Authorize the City Manager to finalize and execute a Professional Services Agreement with Half Associates, Inc., for the Stormwater Master Plan Project, in an amount not to exceed \$650,000.00. **Approved.**
- 19 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. **Approved.**

## **OTHER BUSINESS**

- 20 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. **Approved.**

## **PUBLIC HEARINGS**

- 21 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.)  
**Public hearing held. Approved by Ordinance No. 5029.**
- 22 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.

**Public hearing held. Approved by Resolution No. 27-2023.**

- 23** 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.

**Public hearing held. Approved by Resolution No. 28-2023.**

## **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** Discuss purchase of property at Berry Road and Lawson Road. **Discussed.**
- 25** Discuss property acquisition along McKenzie Road. **Discussed.**

#### **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** Discuss economic development incentives for a company considering the redevelopment of a commercial building at Peachtree Road and IH-635. **Discussed.**
- 27** Discuss economic development incentives for the redevelopment of a shopping center at Motley Drive and Town East Boulevard. **Discussed.**
- 28** Discuss economic development incentives for the redevelopment of a commercial building at Crestridge Drive and North Galloway Avenue. **Discussed.**
- 29** Discuss economic development incentives for a company considering locating a manufacturing facility on East Scyene Road near East Glen Boulevard. **Discussed.**

Following discussions in executive session, the City Council will reconvene in open session where any final action regarding executive session items will be taken.