



# City of Mesquite, Texas

## Action Agenda

### City Council

Monday, August 7, 2023

5:30 PM

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

#### PRE-MEETING - TRAINING ROOMS A&B - 5:30 P.M.

##### AGENDA REVIEW

##### STAFF PRESENTATIONS

- 1 Discuss the proposed budget and tax rate for Fiscal Year 2023-24. **Discussed.**

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

##### INVOCATION

Pastor Brown Durham, Mesquite Friendship Baptist Church, Mesquite, Texas.

##### PLEDGE OF ALLEGIANCE

City Staff.

##### SPECIAL ANNOUNCEMENTS

1. Mr. Casper thanked Mesquite Fire and Police Department personnel who welcomed the Mesquite Independent School District students back to school today. Fire engines were parked near schools and displayed a "Please Slow Down, School Back in Session" banner. During the first week of classes, Police Department staff will be available at many schools to support students and their families. Since school is back in session, please pay attention in school zones and crosswalks. No texting while driving, no cell phone usage in crosswalks, watch for children when driving near schools and stop for school buses. Also, "Drive Like Your Family Lives Here."
2. Mr. Green reminded residents to refer to the monthly road report, Word on the Streets, to keep up with the City's biggest road and construction projects. The August edition includes information about construction on Skyline Drive, reconstruction of Faithon P. Lucas, Sr., Boulevard and more. Find more information at [www.cityofmesquite.com/WordOnTheStreet](http://www.cityofmesquite.com/WordOnTheStreet).
3. Ms. Vidler stated that the Mesquite Animal Shelter and Adoption Center, 1650 Gross Road, will be participating in the National Clear the Shelters initiative that promotes pet adoption and donations in August. On August 26, 2023, the shelter will host a special one-day adoption event, waiving all fees. Shelter pets available for adoption are sterilized, vaccinated and microchipped. Regular operating hours for the shelter are Monday, Tuesday, Thursday and Friday from 11:00 a.m. to 5:30 p.m.; Saturday from 1:00 p.m. to 5:30 p.m.; and are closed Wednesday and Sunday.

4. Mr. Boroughs announced that two positions are available for the Mesquite Fire Department Citizens' Fire Academy for anyone who lives in or works for the City of Mesquite. The Academy is a ten-week program, held once per year in the fall and provides residents the opportunity to learn about the department directly from firefighters and officers. Through both classroom education and hands-on learning with the men and women of the department, each week's class explains a different aspect of the firefighter's daily duties and responsibilities. If anyone is interested in applying, visit [www.cityofmesquite.com/FireAcademy](http://www.cityofmesquite.com/FireAcademy). Following graduation from the course, graduates will have the opportunity to join the Mesquite Fire Corps which supports firefighters at emergencies with supplies for rest and rehabilitation.
5. Ms. Anderson stated that the Mesquite Fire Corps and the Mesquite Citizens Police Academy are holding a joint fundraiser on Saturday, August 19, 2023, at the Mesquite Elks Lodge, 4201 Gus Thomasson Road. She encouraged citizens to purchase a ticket and enjoy a fajita lunch.
6. Ms. Anderson invited citizens to attend a Creek Crossing Crime Watch Meeting on Tuesday, August 8, 2023, at 7:00 p.m., at Dia de los Tacos, 1927 Faithon P. Lucas, Sr., Boulevard.
7. Ms. Anderson announced that construction has been completed on safety improvements to Lawson Road. These improvements are part of a larger plan to increase the safety of this roadway in the City of Mesquite's southern sector. The City was awarded a Highway Safety Improvement Program grant of \$400,000.00 for improvements, adding three feet of shoulder and a safety guardrail on both sides of Lawson Road between East Cartwright Road and Milam Road. The City performed a preliminary study to determine options to widen Lawson Road from two to four lanes from Interstate 20 to U. S. Highway 80. The study will guide selection and prioritization of future construction projects to improve safety.
8. Mr. Boroughs announced that the City of Mesquite will soon begin construction of the first skate park at Westlake Sports Center, 601 Gross Road. To make this skate park the best it can be, the City is requesting citizen input through an online survey. Visit [www.cityofmesquite.com/SkatePark](http://www.cityofmesquite.com/SkatePark) to participate in the survey.
9. Mayor Alemán congratulated all young readers that completed the Mayor's 1,000 Page Reading Challenge this summer. A gathering was held at the City's Library to celebrate completion of the challenge on Saturday, August 5, 2023. More than 240 children, ages 5 – 12 years old, read at least 1,000 pages this summer. It was exciting to see so many children get excited about reading. The Library has a lot of great events coming up, so be sure and check the City's social media for upcoming news.
10. Mayor Alemán stated that first responders put their lives on the line every time they report to duty. Tragically, sometimes they never return home. On December 3, 2021, Officer Richard Houston was fatally wounded in the line of duty. Officer Houston was a 21-year veteran of the Mesquite Police Department and was married with three children. To honor his memory, the Mesquite Police Association charities has created 821 Day, a campaign that will take place on August 21, 2023. Named after Officer Houston's badge number 821, participating area restaurants will donate a portion of their proceeds to help pay for signage on a designated section of Interstate 635 as the Officer Richard Houston II Memorial Highway. Please make plans to eat out on August 21 at one of the participating restaurants to show your support. To see a list of participating restaurants or to make donations, visit [www.mpacharities.com/821Day](http://www.mpacharities.com/821Day).

## **CITIZENS FORUM**

Travis Finlan, 2402 Brookcrest Drive, expressed concerns regarding the City's tree pruning requirements.

## **CITIZENS COMMENTS**

Bradley Shelton, 1409 Springbrook Drive, expressed concerns regarding Agenda Item No. 12 – Annual Lease Agreement for Accuriopress C4080 Color Printer.

## CONSENT AGENDA

- 2 Minutes of the regular City Council meeting held July 17, 2023. **Approved.**
- 3 An ordinance amending Chapter 2 of the City Code to update the political contribution limitations based on changes to the Consumer Price Index.  
**Approved by Ordinance No. 5040.**
- 4 An ordinance amending Chapter 9, of the City Code by providing revised range of time changes for school zones, a new school zone for Horn High School by adding Woolley Middle School, a new school flasher for Horn High School/Woolley Middle School/Achziger Elementary School and deleting the school zone for Mesquite Academy.  
**Approved by Ordinance No. 5041.**
- 5 A resolution finding that Oncor Electric Delivery Company, LLC's application to amend its distribution cost recovery factor and update Generation Riders to increase distribution rates within the City should be denied, authorizing participation with the Steering Committee of Cities served by Oncor and authorizing hiring of legal counsel, finding that the City's reasonable rate case expenses shall be reimbursed by the Company, finding that the meeting at which this Resolution is passed is open to the public as required by law and requiring notice of this Resolution to the Company and legal counsel.  
**Approved by Resolution No. 34-2023.**
- 6 RFP No. 2023-096 - Route Optimization, Billing and Payment System for Commercial Solid Waste.  
(Staff recommends award to Routeware, Inc, in an amount not to exceed \$183,452.00, and authorize the City Manager to finalize and execute the necessary sales order and agreements.) **Approved as recommended.**
- 7 Bid No. 2023-098 - Purchase of One Ford F-150 for Fire Prevention.  
(Authorize the City Manager to finalize and execute a contract and any required documents with Sam Pack's Five Star Ford, Ltd., through BuyBoard Contract No. 601-19, in an amount not to exceed \$57,971.44.) **Approved as recommended.**
- 8 Bid No. 2023-111 - Annual Supply of Fuels - Unleaded Gasoline and Diesel Fuel.  
(Staff recommends authorizing the City Manager to finalize and execute a contract with Saratoga Rack Marketing, LLC, as the primary vendor, and Douglass Distributing Company, as the secondary vendor, through an Interlocal Cooperative Purchasing Agreement with Tarrant County based on the Oil Price Information Service daily rack average the day of delivery in an amount not to exceed \$2,390,789.00 each fiscal year. The term of the contract is for a one-year period, with three additional one-year renewal options. The City Manager is authorized to exercise the renewal options, subject to annual appropriation of sufficient funds.) **Approved as recommended.**
- 9 Bid No. 2023-112 - Annual Supply of Bridgestone/Firestone Auto, Truck and Industrial Tires.  
(Authorize the City Manager to finalize and execute a contract and any required documents with Southern Tire Mart, LLC, through BuyBoard Contract No. 636-21, in an amount not to exceed \$166,121.49.) **Approved as recommended.**
- 10 Bid No. 2023-117 - NEOGOV Services Agreement.  
(Authorize the City Manager to finalize and execute a contract and any required documents with sole source provider Governmentjobs.com, Inc., dba NEOGOV, for the purchase of Human Resources Information System services, with up to a six percent increase annually through 2028. 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 sufficient funds.) **Approved as recommended.**

- 11 Bid No. 2023-119 – Purchase of Eight Ford Explorers with Interceptor Options for Police. (Staff recommends purchase from Sam Pack’s Five Star Ford, Ltd., through the BuyBoard Contract No. 601-19, in an amount not to exceed \$418,383.67). **Approved as recommended.**
- 12 Bid No. 2023-126 - Annual Lease Agreement for Accuriopress C4080 Color Printer. (Authorize the City Manager to finalize and execute a contract and any required documents with Konica Minolta Business Solutions U.S.A., Inc., for the annual lease of an Accuriopress C4080 color printer through Sourcewell Contract No. 030321-KON, in an amount not to exceed \$237,770.40. The term of this lease is for 48 months, subject to annual appropriation of sufficient funds.) **Approved as recommended.**
- 13 Authorize an expenditure in the amount of \$137,699.91 to the Mesquite Independent School District to acquire new studio production equipment for the operation of the City’s Educational Access Channel in accordance with Ordinance No. 4132 (Interlocal Agreement/Operation of Educational Access Channel) and authorize the City Manager to execute payment upon receipt of an itemized invoice. **Approved.**

**PUBLIC HEARING AND CONSIDER PASSAGE OF THE FOLLOWING ORDINANCES AND ITEMS RELATING TO THE FISCAL YEAR 2023-34 BUDGET:**

- 14 Conduct a public hearing to receive input from citizens regarding the proposed Fiscal Year 2023-24 budget. **Public hearing held.**
- 15 An ordinance providing funds for the 2023-24 Fiscal Year by adopting and approving the budget for said period and appropriating and setting aside the necessary funds out of the general and other revenues of the City for said fiscal year for the maintenance and operation of various departments and activities of the City, for capital and other improvements of the City and for all other expenditures included in said budget. **Postponed to the August 21, 2023, City Council meeting.**
- 16 An ordinance ratifying the property tax revenue increase reflected in the 2023-24 Fiscal Year budget for said period. **Postponed to the August 21, 2023, City Council meeting.**
- 17 Consider and act on a proposed ad valorem tax rate for Fiscal Year 2023-24 and call a public hearing for August 21, 2023, on the proposed Fiscal Year 2023-24 ad valorem tax rate. **Approved.**

**PUBLIC HEARINGS**

- 18 A. Conduct a public hearing to receive citizen input regarding the proposed 2023-2024 Community Development Block Grant Program (CDBG) budget and adopt the Annual Action Plan. **Public hearing held.**  
  
B. Consider a resolution approving the Community Development Block Grant Program Year 2023-2024 Budget and authorizing filing an application for an amount not to exceed \$1,041,662.00 for federal funds under the Housing and Community Development Act and designating the City Manager as Chief Executive Officer and authorized representative for the purpose of giving required assurances and acting in connection with said application. **Approved by Resolution No. 35-2023.**

- 19** Conduct a public hearing and consider an ordinance for Zoning Application No. Z0623-0308, submitted by Artemio Pinal Quiroz, for a change of zoning from R-3, Single-Family Residential to R-3 Single-Family Residential with a Conditional Use Permit to allow an Accessory Dwelling Unit with modifications, located at 2906 Viva Drive.  
(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.) **Public hearing held. Denied.**
- 20** A. Consider reopening Zoning Application No. Z0523-0304 submitted by Adrienne Moore of A.N. Moore Consulting, LLC for a change of zoning from General Retail to Planned Development - General Retail to allow for retail trade and service use classifications, as well as allowing printing, publishing and allied industries (SIC 27) by right, in addition to the other uses allowed in the General Retail Zoning District, located at 1313 Oates Drive.  
(This item was approved by a vote of 5 in favor and 1 opposed at the July 17, 2023, City Council meeting requiring a Conditional Use Permit for non-General Retail uses.) **Approved.**
- B. Conduct a public hearing and consider an ordinance for Zoning Application No. Z0523-0304, submitted by Adrienne Moore of A.N. Moore Consulting, LLC, for a change of zoning from General Retail to Planned Development - General Retail to allow for retail trade and service use classifications, as well as allowing printing, publishing and allied industries (SIC 27) by right, in addition to the other uses allowed in the General Retail Zoning District, located at 1313 Oates Drive, and repealing Ordinance No. 5039.  
(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.)  
**Public hearing held. Approved by Ordinance No. 5042.**
- 21** 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, execute, and administer an Economic Development Program Chapter 380 Agreement, a developer participation agreement establishing City participation in a waterline project, and a waiver of park land dedication requirements, for such purposes with S16 Texas Hold-Em Mesquite, LLC, an Idaho Limited Liability Company, for the construction and development of a self-storage facility, age-restricted single-family rental community and waterline located at 435 Clay Mathis Road and 2235 East Glen Boulevard in Mesquite, Texas.  
**Public hearing held. Approved by Resolution No. 36-2023.**
- 22** Conduct a public hearing and consider an ordinance for Zoning Application No. Z0223-0296, submitted by Maxwell Fisher of ZoneDev, on behalf of Palladium USA International, Inc., for a change of zoning from Commercial and R-3, Single-Family Residential within the Military Parkway-Scyene Corridor Overlay District on Tract 1 and R-3, Single-Family on Tract 2 to Planned Development - Multifamily to allow a 111-unit multifamily development with modifications to the development standards, located at 930 Military Parkway.  
(Five responses in favor and seven 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. 5043.**

## 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. John Alexander v. City of Mesquite and Emilio F. Henry, Cause No. DC-21-06832 - Filed 5-28-21
2. Anthony Wagner v. City of Mesquite, Texas, Cause No. DC-22-02864 - Filed 3-14-22; appeal to 5th District Court of Appeals, Dallas, Cause No. 05-22-00826-CV - Filed 8-10-2022
3. City of Dallas, City of Mesquite, et al., v. Disney DTC, LLC, et al., Cause No. DC-22-09128 - Filed 8-3-22; appeal to 5th District Court of Appeals, Dallas, Cause no. 05-23-00485-CV - Filed 5-19-2023
4. Cesar Nunez-Solis v. The City of Mesquite, Texas, Cause No. DC-22-11631 - Filed 9-6-22
5. 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
6. Jennifer Villatoro v. City of Mesquite, Cause No. CC-23-02787-D - Filed 5-8-2023
7. J'Mei Walker, II v. City of Mesquite. Cause No. DC-23-04762 - Filed 4-11-23
8. Zoning for 3029 E. Meadows Blvd., Mesquite, TX 75150, Skyline Logistics HUB Overlay District
9. State of Texas v. Villa, Cause No. 05-22-00220-CR, pending in the Court of Appeals, Fifth District of Texas at Dallas, filed in Court of Appeals on March 16, 2022

Discussed.