



City of Mesquite, Texas

Action Agenda

City Council

Monday, November 6, 2023

6:00 PM

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

PRE-MEETING - TRAINING ROOMS A&B - 6:00 P.M.

AGENDA REVIEW

STAFF PRESENTATIONS

- 1 Receive departmental strategy and budget presentation, from the Mesquite Arts Center, related to City Council strategic goals and objectives. **Received.**

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

INVOCATION

Councilmember Jennifer Vidler

PLEDGE OF ALLEGIANCE

City Staff.

SPECIAL ANNOUNCEMENTS

1. Ms. Anderson announced that STAR Transit will be offering free rides to the polls on Election Day, November 7, 2023, including Demand Response, Fixed Routes and STARNow. Rides must be in the STAR Transit service area or STARNow zone and are subject to availability. Voters must tell bus operators and reservationist that they are riding to and from the polls. To schedule a free ride to vote, call STAR Transit no less than 30 minutes in advance of the desired trip. Scheduling agents are available from 8:00 a.m. to 4:00 p.m., Monday – Friday at 877.631.5278. Or use the STARNow app, which is available in the Apple App Store or Google Play Store, to book an “on demand” trip and ride for free by using the code “Vote2023.”
2. Mr. Boroughs stated that over Thanksgiving break, kids in Kindergarten through 5th grade can spend a day or all week playing games, creating holiday crafts and participating in fun activities at Turkey Camp. The fee is \$20.00 per day for residents and \$30.00 per day for non-residents. The registration deadline is November 16, 2023. Turkey Camp will be held at Dunford Recreation Center from 7:00 a.m. to 6:00 p.m., November 20 – 24, 2023. Camp will not be held on Thanksgiving Day, November 23, 2023. A Teen Turkey Camp for students in 6th through 8th grades

also will be held. Pricing, dates and location are the same. A one-day Turkey Camp for kids in Kindergarten through 6th grade will be held on November 20, 2023, at Rorie-Galloway Day Camp. Pricing is \$25.00 per day for residents and \$35.00 per day for non-residents.

3. Mr. Boroughs stated that the City of Mesquite offers several communication tools to help you “Connect With Us” so you can stay engaged and take action in our community. One of these tools is myMesquite. You can submit service requests for street repair, code issues, crime concerns and more by visiting www.cityofmesquite.com/myMesquite or using the app. No registration is required. However, when users create an account, they will be kept up to date on the status of their request. Another resource is the MyMesquite Call Center. It’s open 24 hours a day, 7 days a week. Callers get easy access to City information, services, service requests, updates and reports, in English or Spanish at 972-288-7711.
4. Mr. Boroughs congratulated the Mesquite Citizens’ Fire Academy participants who graduated this past Saturday, November 4, 2023., and encouraged citizens to enroll in a future Fire Academy.
5. Ms. Vidler invited citizens to attend a Veterans’ Day event to celebrate the bravery and service of our military heroes. The celebration will begin at 11:00 a.m., on Saturday, November 11, 2023, at the Mesquite Veterans Memorial, 425 South Galloway Avenue. The City partners with American Legion Post 504 and VFW Post 8785 to present the Veterans’ Day event. This year’s program will include remarks by various community leaders and military veterans, ceremonial activities, musical performances and more. All veterans and their families are invited to attend and be honored by the community. The City is proud to host this annual event to honor and support those who have selflessly served our nation.
6. Ms. Vidler stated that the City of Mesquite offers “Real. Texas. Holidays” which consists of several festive, family-friendly events. The Annual Tree Lighting in the Downtown Mesquite Square will be held on Tuesday, November 28, 2023. Christmas in the Park will take place on Saturday, December 2, 2023, through Sunday, December 3, 2023, with free pictures with Santa and a fireworks show to complete the night. Savor the sights and sounds of the season at the Mesquite Arts Center with holiday plays and music from our local symphony and community band. Visit www.cityofmesquite.com/RealTexasHolidays for dates and times for all holiday events.
7. Mr. Green reminded citizens of the WARM program. WARM stands for “Weather Activated Relief for Mesquite.” This is an initiative sponsored by Sharing Life Community Outreach, the Mesquite Ministerial Alliance and the City of Mesquite and it provides temporary shelter for individuals who are unsheltered during extreme weather conditions. The City posts notifications on its social media channels when WARM is activated or citizens can check SharingLife/WARM. The program has sponsors but still needs donations. Sharing Life accepts warm clothing and toiletry items as well as financial donations for the WARM program.
8. Mr. Green stated that he recently attended the Educators Award Ceremony presented by The Prayer Lady Ministries International, LLC. During this event, civic leaders and educators were honored for the impacts that they make in the lives of our youth. Mesquite Independent School District Superintendent Angel Rivera and several Mesquite educators were honored, as well as Mayor Alemán. Mr. Green presented The Della Award for community engagement to Mayor Alemán for his involvement with youth in our community.
9. Mayor Alemán congratulated Downtown Mesquite for the recent Resiliency Award from the Texas Downtown President’s Award Program. This award was given in recognition of the rehabilitations of Alejandro’s at Front Street Station and Heritage Plaza. Both of these projects revived historic buildings and provided new destination spots in the downtown area. He congratulated Kim Buttram, Beverly Abel and their entire team on this achievement.
10. Mayor Alemán reminded citizens that tomorrow, November 7, 2023, is Election Day. He reminded registered voters that if you didn’t cast your ballot during early voting, you have another chance to vote tomorrow. Visit www.cityofmesquite.com/2023TaxElection for information and voter resources.

CITIZENS FORUM

1. Mitchell Taylor, 1129 Covington Drive, expressed concerns regarding water billing.
2. Vivian Johnson, 4538 Live Oak Drive, expressed concerns regarding accessing the new water meter cutoff valve.

CITIZENS COMMENTS

No one appeared.

CONSENT AGENDA

- 2 Minutes of the regular City Council meeting held October 16, 2023. **Approved.**
- 3 An ordinance amending Chapter 2 of the City Code thereby authorizing the City Manager and other designated City Officials to execute and administer certain Contracts, Change Orders and Interlocal Agreements not to exceed \$100,000.00, execute and release liens and easements and manage ownership of City vehicles and authorizing the City Attorney to file and settle lawsuits, hire outside legal counsel and pay certain lawsuit settlements, claims, fines, penalties, sanctions and severance not to exceed \$100,000.00.
Approved by Ordinance No. 5077.
- 4 Bid No. 2023-046 - Westlake Skate Park: Construction.
(Authorize the City Manager to finalize and execute a contract with American Ramp Company, through Sourcewell Purchasing Cooperative, Contract No. 112420-ARC, in the amount of \$314,890.00.) **Approved as recommended.**
- 5 Bid No. 2023-085 - Travis Williams Renovation: Pre-Fabricated Building.
(Authorize the City Manager to finalize and execute a contract with Restroom Facilities Ltd., dba CorWorth, through BuyBoard National Purchasing Cooperative, Contract No. 679-22, in the amount of \$652,387.00.) **Approved as recommended.**
- 6 Bid No. 2023-116 - City Lake Aquatic Center Renovation: Construction.
(Authorize the City Manager to finalize and execute a contract with Sunbelt Pools, Inc., through BuyBoard National Purchasing Cooperative Contract Nos. 679-22 and 701-23, in an amount not to exceed \$3,208,360.00.) **Approved as recommended.**
- 7 Bid No. 2024-021 - Network Switch Replacement.
(Staff recommends purchase from CDW-G, Inc., through the Texas Department of Information Resources Contract No. DIR-TSO-4167, in an amount not to exceed \$126,552.52.) **Approved as recommended.**
- 8 Bid No. 2024-027 - Purchase of Holt 963 Track Loader for Solid Waste Division.
(Staff recommends purchase from Holt Cat, through Sourcewell Contract No. 032119, in an amount not to exceed \$426,548.00.) **Approved as recommended.**
- 9 Authorize the City Manager to finalize and execute a Memorandum of Understanding between the City of Mesquite and Department of Public Safety of The State of Texas (DPS) for Mesquite Police to conduct Commercial Vehicle Enforcement and Federal Motor Carrier Safety Administration (FMCSA). **Approved.**
- 10 Authorize the City Manager to finalize and execute a Work Order for the P25 Public Safety Radio System maintenance and support with the City of Garland for a term beginning October 1, 2023, through September 30, 2024, in an amount not to exceed \$125,307.00.

Approved.

- 11 Authorize the City Manager to finalize and execute a Grant Agreement with the Texas Department of Transportation (TxDOT), Aviation Division, for participation in the Routine Airport Maintenance Program (RAMP) in the amount of \$100,000.00. **Approved.**
- 12 Authorize the City Manager to negotiate and execute contracts and closing documents for the purchase of a 3,600-square-foot facility, Hangar D4, located at the Mesquite Metro Airport, 910 Airport Boulevard, Mesquite, Texas, (the "Property") from Classic Flight Corporation (the "Seller") for the purchase price of \$216,000.00, plus closing costs and authorize the City Manager to finalize and execute a Termination of Ground Lease Agreement between the Seller and the City for the purchase of the Property, and all other documents and take all other actions necessary or requested to finalize the closing and purchase of the Property. **Postponed to a future City Council meeting.**
- 13 Ratify an expenditure in the amount of \$53,358.00 for an emergency repair of a Caterpillar 950GC Heavy Construction Unit 1800546, used at the compost site, with Holt Texas, LTD. **Approved.**

PUBLIC HEARINGS

- 14 Conduct a public hearing and consider an ordinance approving a variance reducing the separation requirements from 300 feet to 157 feet between Belt Line Mart, a convenience store, and PTAA/Mesquite Elementary, a charter school serving children grades Pre-K through 4th grade, to allow Belt Line Mart to sell beer and wine for off-premise consumption, located at 1433 South Belt Line Road, Suite 110.
(No responses in favor or in opposition to the application have been received from property owners within the required notification area.)
Public hearing held. Approved by Ordinance No. 5078.

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. J'Mei Walker, II v. City of Mesquite. Cause No. DC-23-04762 - Filed 4-11-23
7. 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
8. David Briones v. City of Mesquite and Steven Pierce, Cause No. CC-23-05044-E – Filed 8-4-23
9. Michael L. Fogarty, April M.C, Gomez and Victor Gomez v. City of Mesquite/Fire Dept, Mesquite EMTS, Kris Kyle; South Mesquite Regional Hospital, Cause No. DC-23-16587, filed September 28,

2023

10. April Patton v. City of Mesquite, Cause No. DC-23-14996, Filed September 13, 2023

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:

- 15** Discuss economic development incentives for a development at the corner of Cartwright Road and Faithon P. Lucas, Sr., 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.