



# City of Mesquite, Texas

## Minutes - Final City Council

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Monday, November 21, 2022

5:00 PM

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

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Present: Mayor Daniel Alemán, Jr., and Councilmembers Kenny Green, Tandy Boroughs, Jeff Casper, Jennifer Vidler and Debbie Anderson, City Manager Cliff Keheley and City Secretary Sonja Land.

Absent: Councilmember B. W. Smith

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

#### **AGENDA REVIEW**

#### **STAFF PRESENTATIONS**

- 1 Receive briefing regarding the 2022 City of Mesquite Parks, Recreation and Open Space Master Plan.
- 2 Receive briefing regarding the implementation of a new customer payment platform (Paymentus).
- 3 Receive update and proposed changes to the City of Mesquite Recycling Program.

### **REGULAR CITY COUNCIL MEETING - CITY COUNCIL CHAMBER - 7:02 P.M.**

#### **INVOCATION**

Shaji K. Daniel, Pastor, Agape Church, Mesquite, Texas.

#### **PLEDGE OF ALLEGIANCE**

Members of Mesquite AMBUCS.

#### **SPECIAL ANNOUNCEMENTS**

1. The Mesquite AMBUCS presented a check in the amount of \$2,500.00 to Teresa Jackson, representing Sharing Life Community Outreach, in support of the Weather Activated Relief for Mesquite (WARM) Program.
2. Mr. Casper encouraged citizens to visit Christmas in the Park on Saturday, December 3, 2022, and Sunday, December 4, 2022, at Westlake Park, 421 Gross Road, from 2:00 p.m. to 7:00 p.m. This family friendly event features children's activities, holiday décor, community performances, food trucks and much more.

3. Mr. Green invited the entire community to attend Noche De Fiesta on Saturday, December 10, 2022, at Vanston Park, 2913 Oates Drive, from 4:00 p.m. to 8:30 p.m. Unidos, a Hispanic community outreach program coordinated by the Mesquite Police Department, is hosting this event for the second time in collaboration with many City departments and local businesses. This free event will feature music, inflatables, carnival games, community partner booths and Santa Claus will be there to visit and distribute toys to children.
4. Ms. Vidler encouraged citizens to shop local and Shop Mesquite this holiday season by kicking off the season on Saturday, November 26, 2022, with Small Business Saturday. Visit Front Street Station and shop at the Holiday Gift Market from 11:00 a.m. to 4:00 p.m. Then join others for Carols and Cocoa at the Corner Theatre from 4:00 p.m. to 5:00 p.m.
5. Mr. Boroughs reminded residents to properly dispose of cooking oil during this holiday season. Fats, Oil, Grease and debris poured down drains can result in expensive sewer backups. Used holiday cooking oil may be recycled for free at the Dallas County Home Chemical Collection Center or at a drop off location listed on the Defend Your Drains website at [www.defendyourdrainsnorthtexas.com](http://www.defendyourdrainsnorthtexas.com).
6. Ms. Anderson invited citizens to visit Downtown Mesquite for Christmas on the Square on Tuesday, November 29, 2022, 111 Broad Street, at 5:00 p.m., for the annual Christmas tree lighting ceremony.
7. Mayor Alemán recognized some visitors from Seoul, Korea who were in attendance tonight.
8. Mayor Alemán reminded citizens that City offices and facilities will be closed for the Thanksgiving holiday on Thursday, November 24, 2022, and Friday, November 25, 2022, except for the Mesquite Metro Airport. Trash and recycling will not be collected. Mesquite Recreation Centers will be open on Friday, November 26, 2022. Trash and recycling collection will resume on resident's next scheduled collection day. For a complete list of City closures, visit [www.cityofmesquite.com/holidays](http://www.cityofmesquite.com/holidays).

## CITIZENS FORUM

Gary Lee Potts, 2007 Cheshire Creek Place, expressed concerns regarding water billing.

## CONSENT AGENDA

### Approval of the Consent Agenda

**Mr. Boroughs requested that Item No. 7 be removed from the Consent Agenda to be considered separately. Mr. Green moved to approve the remaining items on the Consent Agenda as follows. Motion was seconded by Ms. Vidler and approved unanimously.**

- 4 Minutes of the regular City Council meeting held November 7, 2022.

**Approved on the Consent Agenda.**

- 5 A resolution adopting the 2023 Legislative Program for the City of Mesquite, Texas, and directing the City Manager or his designee to act with regard to the City's Legislative Program.

**Approved on the Consent Agenda.**

**Resolution No. 46-2022, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, ADOPTING THE 2023 LEGISLATIVE PROGRAM FOR THE CITY**

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**OF MESQUITE, TEXAS; DIRECTING THE CITY MANAGER OR HIS DESIGNEE TO ACT WITH REGARD TO THE CITY'S LEGISLATIVE PROGRAM; AND PROVIDING AN EFFECTIVE DATE. (Resolution No. 46-2022 recorded in Resolution Book No. 65.)**

- 6 A resolution adopting revisions to the City of Mesquite Housing Choice Voucher Administrative Plan.

**Approved on the Consent Agenda.**

**Resolution No. 47-2022, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, ADOPTING REVISIONS TO THE CITY OF MESQUITE HOUSING CHOICE VOUCHER ADMINISTRATIVE PLAN; AND DECLARING AN EFFECTIVE DATE THEREOF. (Resolution No. 47-2022 recorded in Resolution Book No. 65.)**

- 8 Bid No. 2022-099 - Southeast Pump Station Generator Upgrade.  
(Staff recommends award to lowest qualified bidder The Gencon Group, Inc., dba Dake Construction and to authorize the City Manager to finalize and execute a contract in the amount of \$1,368,000.00 for construction and installation of a 1000-kilowatt diesel generator and associated appurtenances at the Southeast Pump Station).

**Approved on the Consent Agenda.**

- 9 Bid No. 2023-024 - Purchase of MPD Service Pistol Replacement - Phase Two.  
(Staff recommends purchase of 100 Glock 17 Gen 5 pistols, tactical light and holsters from GT Distributors, Inc., through BuyBoard Contract No. 603-20, in an amount not to exceed \$72,650.00.)

**Approved on the Consent Agenda.**

- 10 RFP No. 2023-026 - Annual Medical Plan Reinsurance (Stop Loss).  
(Staff recommends award to VOYA Financial Advisors, Inc., through insurance broker, Stealth Partner Group, LLC, and to authorize the City Manager to finalize and execute any required documents for FY 2022-2023, to secure stop loss coverage for the City group medical healthcare plan in an amount not to exceed \$835,077.00.)

**Approved on the Consent Agenda.**

- 11 Bid No. 2023-032 - Purchase of One Dodge 3500 Van for Building Services (Model Promaster Cargo Van).  
(Staff recommends purchase of One Dodge 3500 Van from Grapevine DCJ LLC, through the BuyBoard Contract No. 601-19, in the amount not to exceed \$52,469.00.)

**Approved on the Consent Agenda.**

**CONSENT AGENDA ITEM CONSIDERED SEPARATELY**

- 7 A resolution adopting the 2022 City of Mesquite Parks, Recreation and Open Space Master Plan.

Mr. Boroughs stated that the Parks, Recreation and Open Space Master Plan includes an inventory of current park facilities, an evaluation of recreation programs and current maintenance standards as well as recommendations based on citizen feedback. The Master Plan will assist staff with budget forecasting and seeking grant funding.

Mr. Boroughs moved to approve Resolution No. 48-2022, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, ADOPTING THE 2022 CITY OF MESQUITE'S PARKS, RECREATION, AND OPEN SPACE MASTER PLAN. Motion was seconded by Ms. Anderson and approved unanimously. (Resolution No. 48-2022 recorded in Resolution Book No. 65)

**END OF CONSENT AGENDA****APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES**

- 12 Consider appointment of three regular members (Position Nos. 2, 4 and 6) to the Library Advisory Board for terms to expire December 31, 2024.

Mr. Casper moved to appoint Barbara Dunn as Regular Member (Position No. 2), Karen Eberle as Regular Member (Position No. 4) and Angela Grayson as Regular Member (Position No. 6) to the Library Advisory Board for terms to expire December 31, 2024. Motion was seconded by Mr. Green and approved unanimously.

**PUBLIC HEARINGS**

- 13 Conduct a public hearing and consider possible action regarding a request from Jason Harder, on behalf of BioLife Plasma Services, to waive the requirement for an eight-foot-tall screening wall buffer from a residential zoning district along the south property line, located at 2150 Towne Centre Drive.

Jeff Armstrong, Director of Planning and Development Services, stated that the applicant is proposing construction of a 14,560-square-foot medical office building for BioLife Plasma Services on the subject property. The south property line, 133 feet in length, is adjacent to a utility right-of-way that is zoned Multifamily Residential. The closest developed residential property is The Barons apartments, located approximately 425 feet from the south property line of the BioLife development. Due to the utility right-of-way, the Zoning Ordinance would allow for a wrought iron fence with a landscape hedge as alternative screening by right. However, the applicant is requesting a waiver of the screening requirement.

Mr. Armstrong presented a Site Plan and Landscape Plan for the development. He stated that the developer is proposing to not disturb some of the existing trees on the property and to add two rows of trees on the south side of the parking lot to provide additional buffering. He stated that staff recommends approval with the following condition: Trees be planted and saved per the Landscape Plan

and that underbrush on the south end of the property be cleared and maintained on an on-going basis.

Applicant Jason Harder, on behalf of BioLife Plasma Services, stated that the tenant has a national contract with a maintenance company that will continuously maintain the entire property.

No one appeared regarding the request to waive the requirement for an eight-foot-tall screening wall buffer for the proposed development at 2150 Towne Centre Drive.

Mr. Casper moved to approve the request from Jason Harder, on behalf of BioLife Plasma Services, to waive the requirement for an eight-foot-tall screening wall buffer from a residential zoning district along the south property line, located at 2150 Towne Centre Drive, and to require that trees be planted and saved per the Landscape Plan and that underbrush on the south end of the property be cleared and maintained on an on-going basis. Motion was seconded by Mr. Green and approved unanimously.

#### **EXECUTIVE SESSION - COUNCIL CONFERENCE ROOM - 7:40 P.M.**

Mayor Alemán announced that the City Council would meet in Executive Session pursuant to Section 551.071 of the Texas Government Code to conduct a private consultation with its attorney related to pending or contemplated litigation; a settlement offer; and issues in which there exists a duty of the City Attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas (Discuss settlement offer regarding 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 11-8-2018); whereupon, the City Council proceeded to meet in the Council Conference Room. After the closed meeting ended at 7:45 p.m., the City Council reconvened in Open Session.

Executive action resulting from the closed session was taken later in the meeting.

#### **EXECUTIVE SESSION - COUNCIL CONFERENCE ROOM - 7:45 P.M.**

Mayor Alemán announced that the City Council would meet in Executive Session pursuant to Section 551.087 of the Texas Government Code to consider commercial or financial information regarding business prospects or projects (Item No. 14 – Discuss economic development incentives for a development at East Glen Boulevard and Clay Mathis Road; Item No. 15 – Discuss economic development incentives for a company considering the relocation and expansion of a United States-based production operations at a facility near Town East Boulevard and Skyline Drive; and Item No. 16 – Discuss economic development incentives for a company considering the relocation and expansion of logistics operations at a facility near Scylene Road and East Glen Boulevard); whereupon, the City Council proceeded to meet in Council Conference Room. After the closed meeting ended at 8:20 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

**EXECUTIVE ACTION RESULTING FROM EXECUTIVE SESSION AT 7:40 P.M.**

With respect to 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, Ms. Vidler moved that the City Council approve the settlement recently reached in that case as discussed during the closed meeting, and that the City Attorney and City Manager be authorized to finalize and execute all documents necessary to consummate the settlement, and to take all actions necessary to implement the settlement and dismiss the lawsuit. Motion was seconded by Mr. Green and approved unanimously.

**ADJOURNMENT**

**Mr. Green moved to adjourn the meeting. Motion was seconded by Mr. Boroughs and approved unanimously. The meeting adjourned at 8:23 p.m.**

Attest:

Approved:

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Sonja Land, City Secretary

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Daniel Alemán, Jr., Mayor