



City of Mesquite, Texas

Meeting Agenda

City Council

Tuesday, September 3, 2024

5:00 PM

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

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 by 3:00 p.m., on September 3, 2024.

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

AGENDA REVIEW

STAFF PRESENTATIONS

- 1 Tour of the new Field Services Building, departing City Hall at 5:00 p.m. The City Council will depart and return to City Hall and visit the following location. The public may attend the tour by meeting at the following location or utilizing the limited seating on the van or bus departing from City Hall.
(a) Arriving on or after 5:05 p.m. - Field Services Building, Mesquite Service Center, 1101 East Main Street, Mesquite, Texas 75149
- 2 Receive briefing regarding annual investment activity and proposed changes to the City's Investment Policy.
- 3 Discuss the proposed budget for Fiscal Year 2024-25.

(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**

Joe Chiles, Pastor, Trinity 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.)

- 4 Minutes of the regular City Council meeting held August 19, 2024.

- 5 An ordinance on the second and final reading, approving a negotiated settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division regarding the company's 2024 Rate Review Mechanism filing, declaring existing rates to be unreasonable, adopting tariffs that reflect rate adjustments consistent with the negotiated settlement, finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest, approving an attachment establishing a benchmark for pensions and retiree medical benefits, requiring the company to reimburse ACSC's reasonable ratemaking expenses, determining that this ordinance was passed in accordance with the requirements of the Texas Open Meetings Act, adopting a savings clause, declaring an effective date and requiring delivery of this ordinance to the company and the ACSC's legal counsel.
- 6 Bid No. 2024-158 - Lease Agreement for Quadient DS95I Document Inserter, Web Tracking System Subscription, Bulk Mailer Software and Drop Tray.
(Authorize the City Manager to finalize and execute a lease agreement with Quadient, Inc., through TxSmartBuy Contract No. 985-C1, in an amount not to exceed \$142,824.00. The term of the lease is for 48 months with a monthly lease amount of \$2,975.50 and an annual amount of \$35,706.00, subject to annual appropriation of sufficient funds.)
- 7 Authorize the City Manager to finalize and execute Supplemental Agreement No. 6 to the Interlocal Agreement with STAR Transit to provide public transportation services in the estimated amount of \$572,815.00 for Fiscal Year 2025.
- 8 Authorize the City Manager to finalize and execute Amendment No. 3 to the Interlocal Agreement with the Dallas County Hospital District dba Parkland Health and Hospital System for BioTel/EMS System Social Work and Emergency Medical Technician (EMT)/Paramedic Support for the Southeast Alliance Community Care Team for a total amount not to exceed \$538,144.24, and renewing the agreement through September 30, 2025, subject to annual appropriation of funds.
- 9 Authorize the City Manager to finalize and execute Change Order No. 2 to RFP No. 2024-019, City Lake Aquatic Center Renovation: Site Amenities, with PBS Construction LLC, in the amount of \$30,475.00.
- 10 Authorize the City Manager to finalize and execute Change Order No. 1 to Bid No. 2024-101, Wiser Road Reconstruction, with CCGMG, LLC Series B, in the amount of \$78,446.00.
- 11 Approve Amendment No. 5 to the 2023-24 Police State Seizure Budget in accordance with Title 28, Section 524, of the United States Code and Chapter 59 of the Texas Code of Criminal Procedure in the amount of \$75,000.00.

PUBLIC HEARING AND CONSIDER PASSAGE OF THE FOLLOWING ORDINANCES RELATING TO THE FISCAL YEAR 2024-25 BUDGET:

- 12** An ordinance providing funds for the 2024-25 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.
(This item was postponed at the August 5, 2024, City Council meeting.)
- 13** An ordinance ratifying the property tax revenue increase reflected in the 2024-25 Fiscal Year budget for said period.
(This item was postponed at the August 5, 2024, City Council meeting.)
- 14** A. Conduct a public hearing regarding the proposed Fiscal Year 2024-25 ad valorem tax rate of \$0.690000 per \$100 assessed valuation.

B. An ordinance levying the ad valorem taxes for tax year 2024 (Fiscal Year 2024-25) at a rate of \$0.690000 per \$100.00 assessed valuation.
- 15** An ordinance determining the population of the City of Mesquite, Texas, to be 155,382 as of October 1, 2024.

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. Anthony Wagner v. City of Mesquite, Texas, Cause No. DC-22-02864 - Filed 03-14-2022; appeal to 5th District Court of Appeals, Dallas, Cause No. 05-22-00826-CV - Filed 08-10-2022
2. City of Dallas, City of Mesquite, et al., v. Disney DTC, LLC, et al., Cause No. DC-22-09128 – Filed 08-03-2022
3. Cesar Nunez-Solis v. The City of Mesquite, Texas, Cause No. DC-22-11631 - Filed 09-06-2022
4. J'Mei Walker, II v. City of Mesquite. Cause No. DC-23-04762 - Filed 04-11-2023
5. State of Texas v. Villa, Cause No. 05-22-00220-CR, pending in the Court of Criminal Appeals, Cause No. PD-0756-23 – Filed 12-10-2021
6. David Briones v. City of Mesquite and Steven Pierce, Cause No. CC-23-05044-E – Filed 08-04-2023
7. Danny Booker v. City of Mesquite Risk Management, Cause No. DC-23-18301 - Filed 10-25-2023
8. Elgin Singleton v. City of Mesquite, Cause No. DC-23-18152 - Filed 10-25-2023
9. Avery Fuentes v. City of Mesquite, Cause No. DC-23-19555 - Filed 11-20-2023

10. Bethany Hall and Antonio Holmes v. City of Mesquite, et al.; Case No. DC-24-00034 – Filed 01-02-2024
11. Dominick Green v. R. Rose, C. Pabst and the City of Mesquite, Texas, Cause No. 3:24-cv-00337-X – Filed 02-12-2024
12. Mesquite Asset Recovery Group, LLC, et al. v. City of Mesquite, Case No. DC-24-02668, 191st District Court, Dallas County, Texas – Filed 02-15-2024; removed to the U.S. District Court for the Northern District of Texas, Dallas Division, Civil Action No. 3:24-cv-00740-D – Filed 03-28-2024
13. Keiarra Tolbert v. City of Mesquite, Cause No. DC-24-07173 – Filed 05-15-2024
14. Alexander Reyes Serrano v. City of Mesquite, Cause No. CC-24-05058A – Filed 07-10-2024
15. Shamsa Alshilbi v. City of Mesquite, et al., Cause No. 3:24-cv-02000-L – Filed 08-06-2024
16. City of Mesquite v. Residence at Tradewind Apartments LLC, et al, Cause No. DC-24-12338 - Filed 08-09-2024

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.

- Review of City Manager

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:

- 16** Discuss economic development incentives for a project at Cartwright Road and Faithon P. Lucas, Sr., 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.