



City of Mesquite, Texas

Meeting Agenda

City Council

Monday, April 6, 2015

5:00 PM

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

STREET SIGN DEDICATION - HONORARY ROAD AND MILITARY PARKWAY - 4:30 P.M.

Street Sign Dedication honoring Craig Wayne Boyd, Winner of The Voice
Honorary Road and Military Parkway

PRE-MEETING - COUNCIL CONFERENCE ROOM - 5:00 P.M.

AGENDA REVIEW

STAFF PRESENTATIONS

- 1 Receive presentation regarding Friendly City, Xiangtan County, China from David Wong.
- 2 Receive briefing regarding street projects for consideration in potential bond election.
- 3 Hear from Councilmember Bruce Archer concerning his future meetings.

EXECUTIVE SESSION - EXECUTIVE 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

Reginald Jefferson, Pastor, New Hope Baptist Church, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

North Mesquite High School Mayor Rogelio Tello and West Mesquite High School Mayor Samalie Apira.

SPECIAL ANNOUNCEMENTS

This time is reserved for special announcements and recognition of individuals or groups.

The following announcement may be made:

Receive information regarding the W.I.S.E. Luncheon, benefiting Mesquite Social Services, to be held on Wednesday, April 22, 2015.

CITIZENS FORUM

At this time a number of citizens not to exceed (10) shall be allowed to speak on any matter other than personnel matters, matters under litigation or matters concerning the purchase, exchange, lease or value of real property for a length of time not to exceed three (3) minutes on a first-come, first-served basis. No Council action or discussion is to be taken until such matter is placed on the Agenda and posted in accordance with law.

PRESENTATIONS

- 4 Recognize Student Government Day participants from West Mesquite High School and North Mesquite High School.
- 5 Presentation of a plaque to Gregory Dyer in recognition of his service as a member of the Parks and Recreation Advisory Board/Tree Board.

CONSENT AGENDA

(All items on the Consent Agenda are routine items and may be approved with one motion; however, should any member of the City Council or any individual wish to discuss any item, said item may be removed from the Consent Agenda by motion of the City Council.)

- 6 Minutes of the regular City Council meeting held March 16, 2015.
- 7 A resolution directing publication of Notice of Intention to Issue City of Mesquite, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2015 and resolving other matters related thereto.
- 8 Bid No. 2015-016 - Orphan Sidewalk and Franklin Drive at US Highway 80 Intersection Pavement Improvements.
(Authorize the City Manager to execute a contract with low bidder Estrada Concrete Co., in the amount of \$126,364.75.)
- 9 Bid No. 2015-057 - ICOR Technology T5 Robot.
(Staff recommends award to Safeware, Inc., through an interlocal cooperative purchasing agreement with U.S. Communities, Contract No. 4400001839, in the amount of \$130,115.00.)

- 10 Bid No. 2015-058 - Taser Warranty.
(Staff recommends award to sole source provider Taser International, Inc., in the amount of \$53,798.00 utilizing seizure funds.)
- 11 Bid No. 2015-059 - Next Generation 9-1-1 Equipment and Maintenance.
(Authorize the City Manager to execute a contract with AT&T Corp., through the Houston-Galveston Area Council of Governments Cooperative Purchasing Program, in the amount of \$772,281.25.)

PUBLIC HEARINGS

- 12 Conduct a public hearing and consider possible action for Application No. 1462-278-2015, submitted by Brad Perry for CCL Concrete Company, L.L.C., for a rezoning from Industrial and Planned Development-Industrial to Industrial with a Conditional Use Permit to allow a concrete batch plant on 5.513 acres comprised of five undeveloped tracts located at 4607 Eastover Drive.
(Two letters in opposition to the proposed amendment have been received. The Planning and Zoning Commission recommends denial of the application. This item was postponed at the March 16, 2015, City Council meeting.)
- 13 Conduct a public hearing and consider an ordinance for Application No. 1461-148-2015, submitted by Kathy Zibilich for Verizon Wireless, for a rezoning from R-1, Single-Family Residential to R-1, Single-Family Residential with a Conditional Use Permit to allow a telecommunications tower with less than the required separation from a residential subdivision on property located at 3300 LaPrada Drive.
(Three letters in favor and 29 letters in opposition to the proposed amendment have been received. Six persons appeared in opposition to the proposed amendment before the Planning and Zoning Commission. The Planning and Zoning Commission recommends denial of the application. This item was postponed at the March 16, 2015, City Council meeting.)

THE APPLICANT HAS REQUESTED POSTPONEMENT UNTIL MAY 18, 2015. STAFF RECOMMENDS APPROVAL OF POSTPONEMENT.

- 14 Conduct a public hearing and consider possible action for Application No. 1031-20-2015, submitted by Mike Alturk for Kentex Global Holdings, Inc., for a rezoning from R-2, Single-Family Residential to Planned Development - Townhomes, to develop 70 lots at a developable density of 9.6 units per acre on an undeveloped 9.7-acre tract located at 1401 New Market Road.
(Two letters in opposition to the proposed amendment have been received. The Planning and Zoning Commission recommends denial of the application.)

RECEIPT OF RESIGNATION AND APPOINTMENTS TO BOARDS AND COMMISSIONS

- 15 Receive resignation from Elaine Whitlock as a member of the Planning and Zoning Commission and Capital Improvements Advisory Committee.
- 16 Consider appointment of one member to the Keep Mesquite Beautiful, Inc., Board of Directors for a term to expire December 31, 2015.

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. Susan Flander v. Department of Public Safety et al – Filed 11-15-13
2. Deandrea Johnson v. City of Mesquite – Filed 8-27-14
3. Fronze Barnes and Prodigous Industries, LLC dba Kearney Compound Pharmacy v. John Doe, Individually; John Doe 2, Individually; John Doe 3, Individually; A Police Officer of the City of Mesquite, Texas; the City of Mesquite, Texas – Filed 10-8-14
4. Michael Teamann v. City of Mesquite Firefighters' and Police Officers' Civil Service Commission – Filed 11-25-14
5. The Mesquite Fire Fighters Association v. The City of Mesquite Fire Fighters' and Police Officers' Civil Service Commission – Filed 12-17-14
6. Kathleen Parvin v. The City of Mesquite – Filed 1-26-15

Consultation with Attorney:

Pursuant to Section 551.071 of the Texas Government Code, the City Council will meet in closed session to conduct a private consultation with its attorney. The following subjects may be discussed:

- Paramedic assignment pay.
- Telecommunications Tower.

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.

- 17 Discuss extension of full paid leave up to July 25, 2015, for injuries sustained by City of Mesquite Firefighter, Craig Bess, on June 25, 2013, as provided in Section 143.073, Line of Duty Illness and Injury Leave of Absence, of the Texas Local Government Code.

Economic Development:

Pursuant to Section 551.087 of the Texas Government Code, the City Council will meet in closed session to consider commercial or financial information regarding business prospects or projects. The following subject may be discussed:

- 18 Consider economic development incentives for the redevelopment of a business located at on North Galloway Avenue.

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.

MESQUITE

T E X A S

Real. Texas. Flavor.

The Mesquite City Council meets on the 1st and 3rd Mondays of each month in the City Council Chamber. The City Council follows a printed agenda format and State law requires that all official actions of the Council be based on notice which is posted no less than 72 hours prior to the meeting at which the proposed action is to be taken. Special procedures relating to notice are established for items declared as emergencies.

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.

Any person desiring to present an item for the Council's agenda may do so by written request to the City Secretary no later than noon on the Monday preceding the City Council meeting at which time the item is to be considered.

Prior to the regular City Council meeting, the Council conducts a briefing session in the Council Conference Room and a Council-Staff Work Session, when needed, in the Council Chamber. Both are open to the public and press.

In order to conserve time, and yet give persons an opportunity to express themselves at zoning and other public hearings, the Council has established procedures and time limits for such hearings. Specifically, the proponents, or applicants, are given 15 minutes for their presentation, and five minutes for rebuttal. Special interest and other organized groups are allowed 15 minutes to express their support or opposition, and individuals are allocated three minutes. The Council requests that repetition and restatement be avoided as much as possible. In certain large zoning applications, the presiding officer may announce at the beginning that additional time is being permitted due to the size or complexity of the case.

Any person desiring to address the Council is requested to complete a registration card which is available at the entrance to the City Council Chamber. This card may also be completed by those who wish to express their support or opposition on an item, but do not wish to speak. Please submit these cards to the City Secretary prior to the meeting.