



# City of Mesquite, Texas

## Meeting Agenda

### City Council

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Tuesday, January 2, 2018

5:00 PM

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

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

##### **AGENDA REVIEW**

##### **STAFF PRESENTATIONS**

- 1     [18-3177](#)     Receive briefing regarding the Texas Department of Transportation Ethics Requirements
- 2     [18-3179](#)     Discuss proposed amendments to the City Charter.

#### **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**

Harry Sewell, Senior Pastor, Family Cathedral, Mesquite, Texas.

##### **PLEDGE OF ALLEGIANCE**

Police Officer Kevin Smiley.

##### **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 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 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.

**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.)

- 3      [18-3182](#)            Minutes of the regular City Council meeting held December 18, 2017.
- Attachments:*        [12.18.2017m](#)
- 4      [18-3193](#)            An ordinance affirming the City Council district boundaries established in Chapter 2, Section 2-42, of the City Code for the purpose of electing Councilmembers for District Nos. 1, 2, 3 and 4.
- Attachments:*        [Ordinance - Council Districts](#)
- 5      [18-3189](#)            A resolution amending Resolution No. 15-2002, adopted March 18, 2002, to allow Kaufman County Municipal Utility District No. 5 to issue bonds for roadway improvements on property consisting of approximately 145 acres commonly known as Travis Ranch in Kaufman County and located within the City's extraterritorial jurisdiction.
- Attachments:*        [Redline Res. No. 15-2002](#)  
                                  [Resolution - Kaufman MUD No. 5](#)
- 6      [17-3080](#)            Authorize the City Manager to finalize and execute a grant agreement with the Texas Department of Transportation, Aviation Division, for participation in the Routine Airport Maintenance Program (RAMP) in the amount of \$80,000.00.
- 7      [17-3168](#)            Authorize the City Manager to finalize and execute an office lease agreement with Ultimate Transportation, LLC.
- 8      [18-3171](#)            Authorize the City Manager to finalize and execute a contract with Kimley-Horn and Associates, Inc., to prepare a Downtown Master Infrastructure Plan in the amount of \$145,100.00.
- 9      [18-3181](#)            Reappoint Stan Pickett as Chairperson to the Rodeo City Tax Increment Finance Reinvestment Zone No. One Board of Directors to serve a one-year term beginning January 1, 2018.
- 10     [18-3186](#)            Reappoint Stan Pickett as Chairperson to the Towne Centre Tax Increment Finance Reinvestment Zone No. Two Board of Directors to serve a one-year term beginning January 1, 2018.

- 11 [18-3187](#) Reappoint Greg Noschese as Chairperson to the Ridge Ranch Tax Increment Finance Reinvestment Zone No. Five Board of Directors to serve a one-year term beginning January 1, 2018.
- 12 [18-3184](#) Reappoint Stan Pickett as Chairperson to the Lucas Farms Tax Increment Finance Reinvestment Zone No. Six Board of Directors to serve a one-year term beginning January 1, 2018.
- 13 [18-3185](#) Reappoint Stan Pickett as Chairperson to the Town East/Skyline Tax Increment Finance Reinvestment Zone No. Nine Board of Directors to serve a one-year term beginning January 1, 2018.

**PUBLIC HEARINGS**

- 14 [18-3175](#) Conduct a public hearing and consider an ordinance for Application No. Z1117-0014, submitted by Ernest Warnock of EE Warnock & Associates, LLC, for a change of zoning from Commercial to Commercial with a conditional use permit on property located at 2960 Interstate Highway 30 to allow the sale and outdoor display of used vehicles.  
(One response in favor and four responses 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.)

**Attachments:** [Case Summary](#)  
[Staff Report](#)  
[Minutes](#)  
[Ordinance](#)

- 15 [18-3176](#) Conduct a public hearing and consider an ordinance for Application No. Z1117-0015, submitted by Celebration Station, to amend Conditional Use Permit Ordinance No. 2787 on property located at 4040 Towne Crossing Boulevard to add bowling and bumper cars as permitted activities.  
(No responses in favor of 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.)

**Attachments:** [Case Summary](#)  
[Staff Report](#)  
[Minutes](#)  
[Ordinance](#)

- 16 [18-3180](#) Conduct a public hearing and consider an ordinance for Application No. Z1117-0016, submitted by Andrea Simpson Perez, for a change of zoning from Commercial and Military Parkway-Scyene Corridor Overlay to Commercial and Military Parkway-Scyene Corridor Overlay with a conditional use permit on property located at 1210 W. Scyene Road, Suite

B, to allow Indoor Recreation.

(No responses have been received from property owners within the statutory notification area. The Planning and Zoning Commission recommends approval of the application. This item was postponed at the December 18, 2017, City Council meeting.)

**Attachments:**

[Case Summary](#)

[Staff Report](#)

[Minutes](#)

[Ordinance](#)

**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. James H. Watson and Others Similarly Situated v. City of Allen, City of Amarillo, City of Arlington, City of Austin, City of Balch Springs, City of Balcones Heights, City of Bastrop, City of Baytown, City of Bedford, City of Burleson, City of Cedar Hill, City of Cleveland, City of Conroe, City of Coppell, City of Corpus Christi, City of Dallas, City of Denton, City of Diboll, City of Duncanville, City of El Paso, City of Elgin, City of Farmers Branch, City of Fort Worth, City of Frisco, City of Garland, City of Grand Prairie, City of Haltom City, City of Humble, City of Hurst, City of Hutto, City of Irving, City of Jersey Village, City of Killeen, City of League City, City of Little Elm, City of Longview, City of Lufkin, City of Magnolia, City of Marshall, City of Mesquite, City of North Richland Hills, City of Plano, City of Port Lavaca, City of Richardson, City of Richland Hills, City of Roanoke, City of Round Rock, City of Southlake, City of Sugar Land, City of Tomball, City of University Park, City of Watauga, City of Willis, Redflex Traffic Systems, Inc., American Traffic Solutions, Inc., American Traffic Solutions, LLC, Xerox State & Local Solutions, Inc., f/k/a ACS State & Local Solutions, Inc., and the State of Texas – Filed 4-28-15
2. Kathy Dyer and Robert Dyer, Individually and as Representative of the Estate of Graham Dyer v. City of Mesquite, Texas; Jack Fyall; Richard Houston; Alan Gafford; Zachary Scott; William Heidelberg; Paul Polish; Joe Baker; Bill Hedgpeth – Filed 8-12-15
3. Kavin Rhodes v. Mesquite Police Department, Officers M. B. Winters, D. L. Boykin, J. P. Vassilakos, G. W. Hensley, E. A. Sparling, W. D. Mosley – Filed 1-27-16
4. Petition of the Cities of Garland, Mesquite, Plano, and Richardson appealing wholesale rates implemented by the North Texas Municipal Water District, PUC Docket No. 46662 – Filed 12-14-16
5. Govind Group Corporation; Sorrent, LLC; Hannuman Holdings, LLC; OM SRI SAI Krishna Investment Properties, Inc.; Shiv Alpha Strip Corporation; Tejas Motel, LLC; and SAI JDV Hotels, LLC v. The City of Mesquite, Texas; and Cliff Keheley, City Manager of the City of Mesquite, Texas – Filed 1-5-17
6. Scott Damon Richardson v. Darren Marsack and County of Dallas a.k.a., d.b.a. Dallas County, Inc., Dallas, Texas 75042 and John Doe 1 – 5 As yet to be discovered and Jane Doe 1 – 5 As yet to be discovered – Filed 2-6-17
7. Jojoba Assets, LLC v. City of Mesquite – Filed 5-5-17
8. Luna Properties LLC & F & M Properties Inc. v. City of Mesquite – Filed 6-8-17
9. Matthew Dunlap v. Jose Alcala and the City of Mesquite - Filed 7-17-17
10. Scott Damon Richardson v. Stephen Crane – Filed 8-10-17
11. Scott Damon Richardson v. Detra Hill – Filed 8-10-17
12. Scott Damon Richardson v. Darren Marsack – Filed 8-10-17
13. Christopher Acoff v. City of Mesquite – Filed 8-25-17
14. Mohamed Bedran v. City of Mesquite – Filed 9-26-17
15. Victor Davis v. City of Mesquite and Glenn A. Evans, Individually – Filed 11-9-17
16. Marcy Davis (Trustee) for Lanny and Beverly Edwards Living Trust, James Allen Gould, Edwin Henry and Patricia Dumas, Billy M. Benson, Kim Singleton, Vonnie and Tynette Lunday, Stan and Rhonda Michelle Singleton v. City of Mesquite, Texas – Filed 11-13-17
17. TRBP, Limited v. Stan Pickett in his Official Capacity as Mayor of Mesquite; Robert Miklos in his Official Capacity as a City Councilman of Mesquite; Jeff Casper in his Official Capacity as a City Councilman of Mesquite; Bruce Archer in his Official Capacity as a City Councilman of Mesquite; Dan Aleman in his Official Capacity as a City Councilman; Greg Noschese in his Official Capacity as a City Councilman of Mesquite; Tandy Boroughs in his Official Capacity as a City Councilman of Mesquite – Filed 11-30-17

### **Real Property**

Pursuant to Section 551.072 of the Texas Government Code, the City Council will meet in closed session to consider the purchase, exchange, lease or value of real property. The following subjects may be discussed:

- 17      18-3174**      Discuss sale or exchange of City-owned property near McKenzie Road and Faithon P. Lucas, Sr., Boulevard.

**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.

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.**