



City of Mesquite, Texas

Meeting Agenda

City Council

Monday, February 5, 2018

5:00 PM

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

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

AGENDA REVIEW

STAFF PRESENTATIONS

- 1 [18-3257](#) Receive briefing regarding reception halls.

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

Millie Arnold, representing St. Marks United Methodist Church, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

Members of the Mesquite Fire Corps.

PRESENTATIONS

- 2 [18-3266](#) Presentation of a plaque to Sid Agent in recognition of his service as a member of the Board of Adjustment and Automated Traffic Signal Enforcement Advisory Committee.
- 3 [18-3172](#) Recognize Chris Villanueva from Dr. John Horn High School for winning the Junior World Bull Riding Championship at the National Finals Rodeo.
- 4 [18-3278](#) Presentation of 2018 Polar Plunge results.
- 5 [18-3248](#) Presentation of meritorious awards to Fire Department employees.

Attachments: [List of Award Winners.pdf](#)

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.)

6 [18-3255](#) Minutes of the regular City Council meeting held January 16, 2018.

Attachments: [01.16.2018m](#)

7 [18-3244](#) An ordinance providing for the abandonment of right-of-way of Ripplewood Drive and Autumn Wood Drive and 15-foot-wide utility easements located on a vacant tract of land to the west of Lawson Road and south of McKenzie Road; otherwise known as Woodland Park Addition.

Attachments: [Ordinance - Abandonment](#)
[Abandonment Request Letter](#)
[Location Map](#)

8 [18-3276](#) An ordinance amending Chapter 4 of the City Code thereby amending the provisions related to the Animal Control Advisory Committee hereafter to be known as the Animal Services Advisory Board.

Attachments: [Redline Version](#)
[Ordinance](#)

9 [18-3256](#) A resolution authorizing the purchase and sale of a tax-foreclosed property located at 402 North Carmack Street, Mesquite, Texas, and authorizing the City Manager to execute a quitclaim deed and all other documents necessary or requested to complete the closing, purchase and sale of the property.

Attachments: [Resolution - 402 N Carmack](#)

10 [18-3258](#) A resolution authorizing the sale of a tax-foreclosed property located at 314 South Ebrite Street, Mesquite, Texas, accepting the offer from the

purchaser to purchase the property, ratifying and approving the offer and purchase agreement executed by the purchaser setting forth the terms and conditions of the sale of the property, and authorizing the City Manager to execute a quitclaim deed and all other documents necessary or requested to complete the closing and sale of the property.

Attachments: [Resolution - 314 S Ebrite](#)

- 11 [18-3267](#) Bid No. E2018-001 - Scyene Road Reconstruction from Clay Mathis Road to Lawson Road.
(Authorize the City Manager to finalize and execute a contract with low bidder McMahon Contracting, L.P., for an amount not to exceed \$8,825,620.26.)

Attachments: [Bid Tab - 2018-001](#)
[Bid Tabulation - Engineering](#)
[Recommendation Letter](#)
[Location map](#)
[Typical Roadway Cross Section](#)

- 12 [18-3260](#) Bid No. 2018-013 - Annual Supply of Magnetic Water Meters.
(Staff recommends award to sole source provider Core & Main, LP, for an amount not to exceed \$264,910.00.)

Attachments: [Sole Source](#)

- 13 [18-3245](#) Bid No. 2018-025 - Purchase of Eight Chevrolet Pickups.
(Staff recommends award to Caldwell Country Chevrolet in Caldwell, Texas, through BuyBoard Contract No. 521-16, in the amount of \$284,597.00.)

- 14 [18-3252](#) Bid No. 2018-045 - Self-Contained Breathing Apparatus (SCBA) Upgrade.
(Staff recommends award to Casco Industries, Inc., in Shreveport, Louisiana, through BuyBoard Contract No. 524-17, sponsored by the Texas Association of School Boards, in the amount of \$648,647.00.)

Attachments: [Casco Contract Pricing Worksheet](#)
[SCBA Committee Report](#)

- 15 [18-3272](#) Bid No. 2018-048 - Swimming Pool Resurfacing at Vanston Pool.
(Authorize the City Manager to finalize and execute a contract with Sunbelt Pools, through Buy Board Contract No. 533-17 sponsored by the Texas Association of School Boards, in the amount of \$76,141.98.)

Attachments: [Quote](#)

- 16 [18-3275](#) Authorize the Mayor to execute an employment agreement between the City of Mesquite, Texas, and City Manager Cliff Keheley.

- 17 [18-3259](#) Authorize the City Manager to execute a change order for Bid No. 2018-012, Mill and Overlay for Bruton Road, Northwest Drive and

Kearney Street, with Oldcastle Material Texas, Inc., dba TexasBit, for additional pavement repairs in the amount of \$124,668.00.

Attachments:

[Contract Overview](#)

18 [18-3264](#)

Authorize an expenditure in the amount of \$139,302.17 to the Mesquite Independent School District for reimbursement of improvements to Florence Park and authorize the City Manager to execute payment.

Attachments:

[Invoice](#)

[Exhibit](#)

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. 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
6. Luna Properties LLC & F & M Properties Inc. v. City of Mesquite – Filed 6-8-17
7. Matthew Dunlap v. Jose Alcala and the City of Mesquite - Filed 7-17-17
8. Scott Damon Richardson v. Stephen Crane – Filed 8-10-17
9. Scott Damon Richardson v. Darren Marsack – Filed 8-10-17
10. Christopher Acoff v. City of Mesquite – Filed 8-25-17
11. Mohamed Bedran v. City of Mesquite – Filed 9-26-17
12. Victor Davis v. City of Mesquite and Glenn A. Evans, Individually – Filed 11-9-17
13. 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

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 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. The following subject may be discussed:

- Receive advice regarding contemplated litigation concerning properties with numerous code violations on the T25 Task Force Property List.

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:

- 19 18-3273** Discuss acquisition of properties on Main Street and Galloway Avenue.
- 20 18-3274** Discuss acquisition of property along Berry Road.

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 consider commercial or financial information regarding business prospects or projects. The following subject may be discussed:

- 21 18-3277** Discuss economic incentives for a proposed development located at Military Parkway and Rodeo Center 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.