



# City of Mesquite, Texas

## Meeting Agenda

### City Council

---

Monday, July 2, 2018

4:00 PM

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

---

#### **PRE-MEETING - TRAINING ROOMS A&B - 4:00 P.M.**

#### **AGENDA REVIEW**

#### **STAFF PRESENTATIONS**

- 1      [18-3537](#)      Receive strategy presentations, as determined by City Management, related to City Council policy issues and strategic goals.

#### **EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 4:00 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

#### **CITY COUNCIL/STAFF WORK SESSION - CITY COUNCIL CHAMBER - 6:30 P.M.**

- 2      [18-3545](#)      Receive quarterly activity report from the Economic Development Department.

**Attachments:**      [Quarterly Update - Econ Dev](#)

#### **REGULAR CITY COUNCIL MEETING - CITY COUNCIL CHAMBER - 7:00 P.M.**

#### **INVOCATION**

John Lay, Pastor, Church on the Hill, Mesquite, Texas.

#### **PLEDGE OF ALLEGIANCE**

Mesquite Parks and Recreation Department staff members.

#### **PRESENTATIONS**

- 3      [18-3540](#)      Receive presentation regarding the Mesquite Veterans Memorial.

**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.)

- 4      [18-3536](#)      Minutes of the regular City Council meeting held June 18, 2018, and the special City Council meeting held June 25, 2018.

*Attachments:*      [06.18.2018m](#)  
                                 [06.25.2018m](#)

- 5      [18-3535](#)      An ordinance amending the budget for the fiscal year of 2017-18 as heretofore approved by Ordinance No. 4505 of the City of Mesquite, Texas, adopted on September 5, 2017, and amended by Ordinance No. 4537 on January 16, 2018, by appropriating and setting aside the necessary funds out of the general and other revenues of the City of Mesquite for fiscal year 2017-18 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 amended budget.

*Attachments:*      [Ordinance - Amended Budget](#)  
                                 [Summary of Changes](#)

- 6      [18-3546](#)      A resolution authorizing participation as a Texas Main Street Urban City and designating City participation.

*Attachments:*      [Resolution - Texas Main Street](#)

- 7      [18-3548](#)      A resolution amending Resolution No. 20-2018 approving a Development Agreement with CADG Kaufman 146, LLC and Kaufman County Fresh Water Supply District No. 5 (Heartland Town Center) by correcting typographical errors in Section 3(iii) of the resolution from "Section 16.1(b)" to "Section 17.1(b)" and from "Section 16.3(b)" to "Section 17.3(b)".

**Attachments:**      [Resolution - Amending Res No. 20-2018](#)  
[Resolution No. 20-2018](#)

- 8      [18-3538](#)      Bid No. 2018-074 - Construction Management at Risk (CMaR) Services for the Construction of New Fire Station No. 4.  
(Authorize the City Manager to finalize and execute a contract with SEDALCO, Inc., for CMaR services in connection with the design (Phase I) of New Fire Station No. 4 in the amount of \$15,000.00.)

**Attachments:**      [CMaR Evaluation Criteria and Scoring Summary](#)

- 9      [18-3542](#)      Bid No. 2018-081 - Annual Vacant Landscaping & Property Preservation Maintenance for Environmental Code.  
(Authorize the City Manager to finalize and execute a contract with DaltexPro Facility Services, LLC, in the amount of \$90,000.00. This contract is for a one-year period with two additional one-year renewal options.)

**Attachments:**      [Bid Tabulation - 2018-081](#)

- 10      [18-3501](#)      Bid No. 2018-086 - Long Branch Lift Station Fiber Project.  
(Authorize the City Manager to finalize and execute a contract with Future Telecom, Inc., through an Interlocal Cooperative-Purchasing Agreement with Mesquite Independent School District, in the amount of \$62,200.70.)

**Attachments:**      [Quote](#)

- 11      [18-3532](#)      Bid No. 2018-088 - Installation of Extractors in Fire Stations 2, 5, 6 and 7.  
(Authorize the City Manager to finalize and execute the required documents with Concord Commercial Services through Bid No. 2018-037, Annual Facility Maintenance, Time and Material, Repair and Remodeling Contract, in the amount of \$35,387.50 and Aadvantage Laundry Systems, through BuyBoard Contract No. 518-16, in the amount of \$46,600.92, for a total amount of \$81,988.42.)

**Attachments:**      [Aadvantage Quote](#)  
[Concord Quote](#)

- 12      [18-3517](#)      Authorize the City Manager to finalize and execute a change order to Bid No. E2017-008, Town East Boulevard Reconstruction of Paving, Drainage, Water and Sanitary Sewer Improvements from Military Parkway to Skyline Drive, with Texas Sterling Construction Co., in the amount of \$331,162.51.

**Attachments:**      [Change Order No. 1 - Town East](#)

- 13      [18-3516](#)      Authorize the City Manager to finalize and execute a Second Amendment to Renew Interlocal Agreement with the Dallas County Hospital District d/b/a Parkland Health & Hospital System for Biomedical Online and Offline Medical Supervision in an amount not to exceed \$61,890.00 for fiscal year 2018-19, effective October 1, 2018, through September 30,

2019.

## PUBLIC HEARINGS

- 14     [18-3539](#)     Conduct a public hearing for the purpose of considering annexation of 25.464 acres in the City's extraterritorial jurisdiction and generally located at the southeast corner of IH 20 and FM 741, in the Martha Music Survey, Abstract No. 312, Kaufman County, Texas, in connection with a voluntary petition submitted by Mehrdad Moayedi of CADG Kaufman 146, LLC.

**Attachments:**     [Annexation Map](#)

- 15     [18-3541](#)     Conduct a public hearing and consider an ordinance for Application No. Z0518-0035, submitted by Patricia Duckworth of All 4 Paws, for a change of zoning from General Retail to General Retail with a Conditional Use Permit to allow dog boarding, located at 911 East Davis Street, Suite B.  
(No responses in favor or in opposition to the application have been received from property owners within the statutory notification area. The Planning and Zoning Commission recommends approval of the application with a certain stipulation.)

**Attachments:**     [Case Summary](#)  
                              [Staff Report & maps](#)  
                              [Petition in support](#)  
                              [P & Z Minutes](#)  
                              [Ordinance - Z0518-0035](#)

- 16     [18-3529](#)     Conduct a public hearing and consider a resolution approving the terms and conditions of a program (Chapter 380 Agreement) to promote economic development and stimulate business and commercial activity in the City and authorizing the City Manager to finalize and execute an agreement for such purposes with Bloomfield Homes, L.P., for a proposed new residential development at Cartwright Road and Lawson Road in Mesquite, Texas, and authorizing the City Manager to administer the agreement on behalf of the City.

**Attachments:**     [Resolution - Bloomfield Homes](#)  
                              [Executive Summary - Bloomfield Homes](#)

- 17     [18-3543](#)     Conduct a public hearing and consider an ordinance designating a contiguous geographic area consisting of approximately 248.1466 acres of land consisting of the following six tracts of land: (1) 4300 Lawson Road; (2) 3400 McKenzie Road; (3) 4800 Lasater Road; (4) 4900 Lasater Road; (5) 2700 McKenzie Road; and (6) 925 McKenzie Road, all six tracts of land being located within the corporate limits of the City of Mesquite, Texas, as a Reinvestment Zone pursuant to Chapter 311 of the Texas Tax Code, to be known as Reinvestment Zone Number Twelve, City of Mesquite, Texas (IH-20 Business Park), describing the boundaries of the

Zone, creating a Board of Directors for the Zone, establishing a tax increment for the Zone, containing findings related to the creation of the Zone, providing a date for the termination of the Zone and providing that the Zone take effect immediately upon passage of the ordinance.

(This item is continued from the June 18, 2018, City Council meeting.)

**Attachments:**      [Ordinance - Creation of IH20 Business Park TIRZ](#)

## **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 2017 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
14. Petition of the Cities of Garland, Mesquite, Plano and Richardson appealing 2018 Wholesale Water Rates implemented by North Texas Municipal Water District, PUC Docket No. 47863 (Appealing Wholesale Water Rates for 2018) – Filed 12-15-17
15. Lyndo Jones v. City of Mesquite, Texas, and Derrick Wiley – Filed 1-18-18
16. City of Mesquite v. Govind Group Corp., and 3629 E. US Highway 80, Mesquite, Texas 75150 in rem – Filed 3-1-18
17. Ex Parte North Texas Municipal Water District – Filed 5-7-18
18. Leonard Warren v. City of Mesquite – Filed 6-18-18
19. Gregory Von Lee v. City of Mesquite – Filed 6-22-18

### **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.

- Discuss the selection of a City Attorney.

### **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 18-3544** Discuss economic development incentives for a prospective industrial business park in southeast Mesquite.
- 19 18-3549** Consider economic development incentives for a prospect seeking to locate within the Mesquite Rodeo City Reinvestment Zone Number One, City of Mesquite, Texas.

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.**