



# City of Mesquite, Texas

## Meeting Agenda

### City Council

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Monday, October 2, 2017

4:00 PM

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

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**TOUR OF STREETS INCLUDED IN THE FY2016 AND FY2017 STREET BOND PROGRAM - 4:00 P.M.**

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

#### AGENDA REVIEW

#### STAFF PRESENTATIONS

1      [17-3007](#)      Receive briefing regarding the 2018 Real. Texas. Roads. Program.

*Attachments:*      [File ID 17-3007.pdf](#)

2      [17-3005](#)      Discuss Tax Increment Finance (TIF) Reinvestment Zones.

*Attachments:*      [File ID 17-3005.pdf](#)  
[TIF Zone Summary Schedule - Council Agenda Oct 2017](#)

3      [17-3008](#)      Receive briefing regarding options for annexation.

*Attachments:*      [File ID 17-3008.pdf](#)

#### 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

Marq Toombs, Lead Pastor, Christ Covenant Church, Mesquite, Texas.

#### PLEDGE OF ALLEGIANCE

Members of Historic Mesquite, Inc., Board of Directors.

**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.

**SPECIAL RECOGNITION**

- 4      [17-2975](#)      Recognize Addressing Mesquite Day Platinum Level Sponsors.

***Attachments:***      [File ID 17-2975.pdf](#)

**APPOINTMENTS FOR PERSONAL APPEARANCE**

- 5      [17-2779](#)      Appointment - Finnegan Caplette, 1225 McDonald Drive, Garland.  
(Mr. Caplette will discuss the Anti-Bully Rally.)

***Attachments:***      [File ID 17-2779.pdf](#)

[Request - Caplette](#)

**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      [17-2980](#)      Minutes of the regular City Council meeting held September 18, 2017.

***Attachments:***      [File ID 17-2980.pdf](#)

[09.18.2017m](#)

- 7      [17-2976](#)      An ordinance amending Chapter 9 of the City Code regarding the location of school zones by extending existing school zones for Thompson Elementary School along Edwards Church Road and Helen Lane.

***Attachments:***      [File ID 17-2976.pdf](#)

[Ordinance - School Zone](#)

[Location Map](#)

- 8      [17-2993](#)      An ordinance amending Chapter 9 of the City Code regulating the parking of commercial vehicles on private property.

**Attachments:**     [File ID 17-2993.pdf](#)  
[Ordinance - Parking Regulations](#)  
[Redline Comparison 9-168 Amendments Oct 2017](#)

- 9     [17-2978](#)     A resolution authorizing the City Manager to execute the 2017 Byrne Justice Assistance Grant (JAG) Program Funds Sharing and Fiscal Agency Agreement between Dallas County and the Cities of Balch Springs, Carrollton, Dallas, DeSoto, Duncanville, Garland, Grand Prairie, Irving, Lancaster, Mesquite and Richardson, in the revised amount of \$22,010.31; designating the City of Dallas as the applicant and fiscal agent and designating the Police Chief as the responsible officer for the purpose of signing all documents associated with the grant.

**Attachments:**     [File ID 17-2978.pdf](#)  
[Resolution - JAG](#)

- 10    [17-2995](#)     A resolution accepting additional funding in connection with the 2016 Homeland Security Grant Sub-Recipient Award Number 3160401 with the Office of the Governor, Texas Homeland Security State Administrative Agency in the amount of \$51,000.00; authorizing the Mayor to execute all documents in connection with the award of the grant; designating the Police Chief as the responsible officer for the purpose of signing all subordinate documents associated with the grant and agreeing to return the grant in the event of loss or misuse of the grant funds.

**Attachments:**     [File ID 17-2995.pdf](#)  
[Resolution - Homeland Security Grant](#)

- 11    [17-2979](#)     A resolution authorizing the City Manager to execute an Interlocal Agreement with Dallas County for City participation in the Dallas Area Household Hazardous Waste Network for Fiscal Year 2017-18 for an amount not to exceed \$92,500.00, with options to renew for four additional one-year terms.

**Attachments:**     [File ID 17-2979.pdf](#)  
[Resolution - DAHHWN](#)  
[City Shares of Fixed Operational Costs](#)  
[DAHHWN Detailed Budgetary Information](#)

- 12    [17-2981](#)     A resolution authorizing the Mayor to finalize and execute the Participation Agreement and all other documents necessary to become a participant of Texas Local Government Investment Pool Prime (TexPool Prime) and designating the positions of Director of Finance, Manager of Accounting and Manager of Budget and Financial Analysis to act as the City of Mesquite's authorized representatives.

**Attachments:**     [File ID 17-2981.pdf](#)  
[Resolution - TexPool Prime](#)

- 13     [17-2987](#)     A resolution authorizing the sale of a tax-foreclosed property located at 34 Forest Creek Circle, 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:**     [File ID 17-2987.pdf](#)  
                          [Resolution - 34 Forest Creek](#)
- 14     [17-2989](#)     A resolution authorizing the purchase and sale of multiple tax-foreclosed properties (100 Clary Drive, 1430 Melton Lane, 701 Military Parkway and 1425 Woodcrest Drive) located in Mesquite, Texas, and authorizing the City Manager to execute quitclaim deeds and all other documents necessary or requested to complete the closing, purchase and sale of the properties.
- Attachments:**     [File ID 17-2989.pdf](#)  
                          [Resolution - Tax Foreclosures](#)
- 15     [17-2956](#)     Bid No. E2017-054 - 15-Inch Diameter Sanitary Sewer Replacement.  
(Authorize the City Manager to finalize and execute a contract with low bidder La Banda, LLC, in the amount of \$222,468.75.)
- Attachments:**     [File ID 17-2956.pdf](#)  
                          [Bid Tabulation - E2017-054](#)  
                          [Bid Tabulation - Engineer](#)  
                          [Recommendation Letter](#)  
                          [Location Map](#)
- 16     [17-2986](#)     Bid No. 2018-010 - Annual Parts and Labor to Repair International Trucks.  
(Staff recommends award to sole source provider Southwest International Trucks, Inc., in the amount of \$130,000.00.)
- Attachments:**     [File ID 17-2986.pdf](#)  
                          [Sole Source Letter](#)
- 17     [17-2990](#)     Authorize the City Manager to finalize and execute a change order with Criado and Associates, Inc., for additional engineering and design services in conjunction with the Town East Boulevard Reconstruction Project from US Highway 80 to Skyline Drive in an amount of \$92,189.50.
- Attachments:**     [File ID 17-2990.pdf](#)  
                          [Location Map](#)
- 18     [17-2985](#)     Authorize the City Manager to finalize and execute a change order for Bid No. 1057-2017, Annual Supply of OEM Kenworth Parts, with MHC

Kenworth for additional truck parts in the amount of \$45,000.00.

**Attachments:** [File ID 17-2985.pdf](#)

- 19 [17-3000](#) Authorize the City Manager to finalize and execute the second amendment to the Interlocal Public Transit Service Agreement with Dallas Area Rapid Transit Bus Service, LGC, and STAR Transit to extend the term of the agreement and outlining costs.

**Attachments:** [File ID 17-3000.pdf](#)

- 20 [17-2974](#) Approve a petition requesting installation of speed bumps in the alley between Thistle Drive and Purple Sage Trail to Wildflower Lane.

**Attachments:** [File ID 17-2974.pdf](#)

[Petition](#)

[Location Map](#)

#### CONSIDERATION OF ORDINANCE

- 21 [17-3006](#) Consider a resolution to postpone the Professional Engineering Services Contract with Binkley & Barfield, Inc., for the reconstruction of Gus Thomasson Road from US Highway 80 to Town East Boulevard and encourage development of a roadway design policy.

**Attachments:** [File ID 17-3006.pdf](#)

[Resolution - Binkley & Barfield](#)

#### APPOINTMENTS TO BOARDS AND COMMISSIONS

- 22 [17-2977](#) Consider appointment of one regular member to the Capital Improvements Advisory Committee for a term to expire September 30, 2018.

**Attachments:** [File ID 17-2977.pdf](#)

#### 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. Texas Propane Gas Association v. Railroad Commission of Texas, et al – Filed 3-3-17
8. Jojoba Assets, LLC v. City of Mesquite – Filed 5-5-17
9. Luna Properties LLC & F & M Properties Inc. v. City of Mesquite – Filed 6-8-17
10. Matthew Dunlap v. Jose Alcala and the City of Mesquite - Filed 7-17-17
11. Scott Damon Richardson v. Stephen Crane – Filed 8-10-17
12. Scott Damon Richardson v. Detra Hill – Filed 8-10-17
13. Scott Damon Richardson v. Darren Marsack – Filed 8-10-17
14. Christopher Acoff v. City of Mesquite – Filed 8-25-17

### **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.

- Annual review of City Secretary.

### **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:

- 23     **17-3002**     Discuss economic development incentives for a prospect considering a project in the Skyline Industrial District.
- 24     **17-2983**     Discuss economic development incentives for new industrial buildings and a business expansion in the Skyline Industrial Village.
- 25     **17-2984**     Discuss economic development incentives for a prospect considering a project in the Town East Mall retail district.
- 26     **17-2982**     Discuss economic development incentives for a business facility expansion on East Scyene Road.

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.**