



City of Mesquite, Texas

Action Agenda City Council

Monday, February 1, 2016

5:00 PM

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

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

AGENDA REVIEW

STAFF PRESENTATIONS

- 1 Receive briefing regarding the Thomasson Square Project. **Received. Council directed staff to proceed with constructing the Thomasson Square Project as currently designed with the lane reduction (6 lanes to 4 lanes) and installation of two roundabouts.**
- 2 Receive briefing regarding the Animal Services Strategic Plan. **Received. Council concurred with the direction given in the Animal Services Strategic Plan.**
- 3 Receive update regarding the Path to Transparency initiative. **Received. Council concurred with staff on going live with Police and Fire incident information on the City's website this week.**

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 - 7:02 P.M.

INVOCATION

Reverend Tom Palmer, Manager of Economic Development

PLEDGE OF ALLEGIANCE

Members of Girl Scouts.

SPECIAL ANNOUNCEMENTS

- (1) Mr. Noschese made a public apology to Travis Sales, Manager of Parks, for failing to acknowledge his involvement with the Boy Scouts at the January 19, 2016, City Council meeting. For the past year, Mr. Sales has been coordinating the Eagle Scout projects and service projects for the Boy Scouts in the City and he thanked him for his efforts.
- (2) Mr. Noschese thanked the Girl Scouts for providing the pledge tonight. He encouraged other youth groups to participate in future Council meetings.
- (3) Ms. Roberts announced that this Friday, February 5, 2016, is "Go Red For Women Day." She encouraged everyone to wear red in support of the American Heart Association and the fight against heart disease which is the nation's leading cause of death in women.
- (4) Mr. Porter expressed support for the Boy Scouts.
- (5) Mr. Casper thanked the Strategic Plan Task Force for their work on the Animal Services Strategic Plan which will guide operations over the next four to five years.
- (6) Mr. Archer commended the Northridge and Rollingwood Hills neighborhoods for their commitment to holding crime watch meetings and for working together for a better neighborhood. He also thanked City staff for their recent work on removing graffiti from a park sign.

CITIZENS FORUM

- (1) Bruce Turner, 4724 Knollview Lane; Regina Farris, 1423 Springwood; Tina Patient, 2200 Victory Ave., #802, Dallas; Kelli Eaves, 2703 Monthaven Drive, Arlington; Pam Asturias, 5044 Stagecoach Way, Grand Prairie; Kelly Richert, 2409 Glenbrook Meadows, Garland; and Marvin Haar, 1317 Mulberry Lane, expressed support for the Trap-Neuter-Return program for feral cats.
- (2) Fred Simpson, 4702 San Marcus, expressed opposition to lane reductions in the Thomasson Square Project.
- (3) Valerie Orr, 4416 Ashwood Dr., expressed opposition to roundabouts in the Thomasson Square Project.

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 Minutes of the regular City Council meeting held January 19, 2016. **Approved.**
- 5 An ordinance amending Chapter 3 of the City Code by deleting Section 3-27(b)(31) in its

entirety thereby no longer requiring tenants that are leasing or subleasing property from the Mesquite Metro Airport to indemnify the City, its agents, its servants and its employees against its own negligence. **Approved by Ordinance No. 4409.**

- 6 An ordinance authorizing the City Manager to execute a Developer Participation Agreement with GM Hangar One Mesquite, LLC, for the oversizing of water and sewer line improvements to increase the capacity of such public improvements for future development at Mesquite Metro Airport in an amount not to exceed \$50,000.00. **Approved by Ordinance No. 4410.**
- 7 A resolution calling the annual City election to be held May 7, 2016. **Approved by Resolution No. 05-2016.**
- 8 A resolution authorizing the City Manager to execute the Local Project Advance Funding Agreement for a Transportation Alternatives Program with the Texas Department of Transportation for the construction of a 12-foot wide hike and bike trail along Military Parkway from Sam Houston Road to Rodeo Center Boulevard. **Approved by Resolution No. 06-2016.**
- 9 A resolution authorizing the City Manager to execute a Memorandum of Understanding regarding the adoption of the Texas Department of Transportation's federally-approved Disadvantaged Business Enterprise program. **Approved by Resolution No. 07-2016.**
- 10 A resolution authorizing the Fire Chief of the Mesquite Fire Department to take all actions and to execute all documents necessary or incidental to enable the City of Mesquite to participate in governmental and private reimbursement programs for the collection of fees for ambulance and other emergency medical services provided by the Mesquite Fire Department. **Approved by Resolution No. 08-2016.**
- 11 A resolution directing publication of Notice of Intention to Issue City of Mesquite, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2016 and resolving other matters related thereto. **Approved by Resolution No. 09-2016.**
- 12 Bid No. E2016-005 - 2015 Alley Reconstruction & Sanitary Sewer Replacement Project. (Authorize the City Manager to execute a contract with low bidder Barson Utilities, Inc., in the amount of \$1,280,406.00.) **Approved as recommended.**
- 13 Bid No. 2016-005 - Annual Grinding of Brush. (Staff recommends award to low bidder GWG Wood Group, Inc., in the amount of \$1.20 per cubic yard and a one-percent discount if paid within 10 calendar days.) **Approved as recommended.**
- 14 Bid No. 2016-027 - Annual TxDOT IH635/IH30/Highway 80 Corridor Maintenance and Litter Control Contract. (Authorize the City Manager to execute a contract with low bidder Good Earth Corporation in the amount of \$330,540.00.) **Approved as recommended.**
- 15 RFP No. 2016-035 - Annual Contract for Recyclables Processing and Marketing. (Authorize the City Manager to execute a contract with Community Waste Disposal, L.P.) **Approved as recommended.**

- 16 Bid No. 2016-043 - Purchase of Supplies and Accessories for 2016 Police Vehicles. (Staff recommends award to Defender Supply for Whelen lights and sirens, Setina partitions, weapon racks and prisoner seats and Gamber Johnson consoles and computer stands (Chargers) in the amount of \$101,912.37 and to GT Distributors for Havis Shield consoles and computer stands (Tahoes) in the amount of \$10,065.12 through a Joint Venture/Cooperative Purchasing Agreement with Tarrant County Contract No. 2015-0157 for a total amount of \$111,977.49.) **Approved as recommended.**
- 17 Bid No. 2016-054 - Network Switch Replacement. (Staff recommends award to SHI Government Solutions through the Texas Department of Information Resources Contract No. DIR-TSO-2542 in the amount of \$64,654.88.) **Approved as recommended.**
- 18 Authorize the City Manager to execute a Ground Lease with GM Hangar One Mesquite, LLC, for a corporate aircraft hangar at Mesquite Metro Airport. **Approved.**

PUBLIC HEARING

- 19 Conduct a public hearing and consider an ordinance for Application No. 814-7-2016, submitted by Nora Beltran and Roxana Costaneda, for a rezoning from R-3, Single-Family, to D, Duplex, for a 0.3-acre vacant lot located at 926 Carver Street. (No opposition to the proposed amendment has been received. The Planning and Zoning Commission recommends approval of the application.) **Public hearing held. Denied.**

APPOINTMENTS TO BOARDS AND COMMISSIONS

- 20 Consider appointment of one regular member and one alternate member to the Parks and Recreation Advisory Board/Tree Board for terms to expire October 21, 2016, and one alternate member for a term to expire October 21, 2017. **Keith Briggs was appointed as a regular member of the Parks and Recreation Advisory Board/Tree Board for a term to expire October 21, 2016 and Sheila Lynn was appointed as an alternate member for a term to expire October 21, 2017.**

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. Kathleen Parvin v. The City of Mesquite – Filed 1-26-15
3. 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

4. Vernon Westbrook v. City of Mesquite – Filed 6-17-15

5. 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

6. Andrea Perez Simpson v. City of Mesquite; PM Construction and Rehab, LLC; Inland Pipe Rehabilitation, LLC; PM Construction-Texas – Filed 9-21-15

7. Angeles Estrada-Padron v. The City of Mesquite – Filed 11-9-15

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 appointment of Police Chief, Assistant City Manager and Assistant Manager of Economic Development. **Discussed.**

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 segun el Sub-capitulo H, Capitulo 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.