



City of Mesquite, Texas

Minutes - Final City Council

Monday, June 21, 2021

5:00 PM

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

Present: Mayor Bruce Archer and Councilmembers Robert Miklos, Dan Aleman, Tandy Boroughs, Kenny Green and B. W. Smith, City Manager Cliff Keheley and City Secretary Sonja Land.

Absent: Councilmember Sherry Wisdom.

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

AGENDA REVIEW

STAFF PRESENTATIONS

- 1 Receive departmental strategy and budget presentations, as determined by City Management, related to City Council strategic goals and objectives.

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

- 2 Receive quarterly activity report from the Economic Development Department.

Kim Buttram, Director of Economic Development, presented the Economic Development Department quarterly report covering January 1, 2021 through March 31, 2021. She reviewed sales tax collection, building permits issued and finalized certificates of occupancy. The Economic Development website had over 10,000 page views. The Mesquite Convention & Visitors Bureau (CVB) website had over 51,000 website views and over 110,000 page views. The CVB staff made 91 in-person restaurant visits. By counseling and helping the restaurants with their on-line presence, there has been over 6.6 million views of Google photos and reviews. To date, that number has increased to 20 million views. Also, the CVB has assisted the rodeo with launching an electronic ticketing platform.

Ms. Buttram stated that the Elements International Mattress facility development agreement has been finalized. The grand opening of Front Street Station was celebrated on May 22, 2021. Alejandro's at Front Street Station construction has begun as well as the renovation of Heritage Plaza.

Councilmembers expressed appreciation to the Economic Development staff for their efforts in promoting the City of Mesquite.

EXECUTIVE SESSION - COUNCIL CONFERENCE ROOM - 6:43 P.M.

Mayor Archer announced that the City Council would meet in Executive Session pursuant to Section 551.071 of the Texas Government Code 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 (Discuss pending and recently resolved litigation and dispute matters); whereupon, the City Council proceeded to meet in the Council Conference Room. After the closed meeting ended at 7:08 p.m., the City Council reconvened in Open Session.

REGULAR CITY COUNCIL MEETING - CITY COUNCIL CHAMBER - 7:10 P.M.**INVOCATION**

Heriberto Padilla, Pastor, Vida Life Church, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

Representatives of the Mesquite Downtown Development Advisory Board.

SPECIAL ANNOUNCEMENTS

1. Mr. Aleman announced that a limited supply of additional Mesquite Veterans Memorial bricks will be available for purchase beginning tomorrow, June 22, 2021, at 9:00 a.m. Bricks may be purchased online at www.MesquiteVeteransMemorial.org or in person at the Parks and Recreation Administration Office on the first floor of the George A. Venner, Sr., Municipal Center, 1515 North Galloway Avenue.
2. Mr. Smith stated that last Friday, June 18, 2021, eight new police recruits graduated from the Mesquite Police Academy Basic Peace Officers Course (BPOC). Only five percent of the law enforcement agencies in Texas have their own training academy, with Mesquite being one of them. Since this program began in 2013, 100 recruits have graduated. He commended the Mesquite Police Department for their training efforts in ensuring our Police Officers are trained and kept safe.
3. Mr. Smith invited residents to attend a District 5 Neighborhood Meeting on Saturday, June 26, 2021, at 10:00 a.m., at Rutherford Recreation Center, 900 Rutherford Drive.
4. Mr. Boroughs stated that the Annual Addressing Mesquite Day (AMD) will take place this fall. Volunteers will help with exterior home repairs, painting and yard projects. The deadline for submitting applications is this Friday, June 25, 2021. He encouraged residents to take advantage of this opportunity.
5. Mr. Miklos stated that the Mesquite Animal Shelter and Adoption Center, 1650 Gross Road, is offering \$5.00 pet adoptions through June 30, 2021. All adoptions include a spay or neuter surgery, rabies vaccination, deworming and microchipping. He encouraged residents to consider adopting a new pet.

6. Mr. Green stated that Council is requesting citizen input during the City budget process. An online survey will be available on the City's website from Wednesday, June 23, 2021, to Wednesday, July 7, 2021, public hearings will be held during the City Council meetings on Tuesday, July 6, 2021, and Monday, July 19, 2021, and a Town Hall meeting will be held on Tuesday, July 13, 2021, at 7:00 p.m., at City Hall, 757 North Galloway Avenue, in the Training Rooms.

7. Mr. Green invited residents to attend a Town East/Range/Astronaut Streets Neighborhood Meeting on Tuesday, June 29, 2021, at 7:00 p.m., at Town East Baptist Church, 3117 North Town East Boulevard.

8. Mayor Archer reminded residents that it is illegal to possess or use fireworks and shoot a gun in the air. He reminded motorists about the dangers of driving while intoxicated (DWI). He asked for the public's help in reporting these types of activities by providing a specific address of where these incidents occur. He asked the public to call 911 to report gunfire or DWI's and to call 972-204-4888 to report fireworks. He stated that anyone caught shooting a gun in the air will be arrested.

9. Councilmembers commended Henry Brown for his efforts on a very successful Juneteenth celebration this past Saturday, June 19, 2021.

CITIZENS FORUM

1. Henry Brown, 211 Athel Drive, thanked the City Council for their support of the 2nd Annual Juneteenth celebration. He stated that he is very grateful that this was a peaceful and successful celebration.

CONSENT AGENDA

Approval of the Consent Agenda

Mr. Boroughs requested that Item Nos. 5 and 6 be removed from the Consent Agenda to be considered separately. Mr. Green moved to approve the remaining items on the Consent Agenda, as follows. Motion was seconded by Mr. Aleman and approved unanimously.

3 Minutes of the regular City Council meeting held June 7, 2021.

Approved on the Consent Agenda.

4 An ordinance amending Chapter 10.5 of the City Code regarding park hours and alcohol possession, consumption and sale in parks and facilities.

Approved on the Consent Agenda.

Ordinance No. 4870, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 10.5 OF THE CODE OF THE CITY OF MESQUITE, TEXAS, AS AMENDED, BY PROVIDING CERTAIN DELETIONS AND ADDITIONS UNDER SECTIONS 10.5-2, 10.5-10, AND 10.5-11 REGARDING PARK HOURS AND ALCOHOL POSSESSION, CONSUMPTION, AND SALE IN PARKS AND FACILITIES; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED \$500.00 FOR EACH OFFENSE; AND DECLARING AN EFFECTIVE DATE THEREOF. (Ordinance No. 4870 recorded in Ordinance Book No. 124.)

- 7 A resolution authorizing the City Manager to execute the necessary documents with the United States Department of Treasury and serve as the authorized official to receive and administer the allocation of American Rescue Plan Act (ARPA) monies received from the Coronavirus Local Fiscal Recovery Fund (CLFRF).

Approved on the Consent Agenda.

Resolution No. 33-2021, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS WITH THE UNITED STATES DEPARTMENT OF THE TREASURY AND SERVE AS THE AUTHORIZED OFFICIAL TO RECEIVE AND ADMINISTER AMERICAN RESCUE PLAN ACT FUNDS, IN THE AMOUNT OF \$27,021,045. (Resolution No. 33-2021 recorded in Resolution Book No. 63.)

- 8 A resolution authorizing the City Manager on behalf of the City of Mesquite to execute an Interlocal Agreement with the Cities of Balch Springs, Seagoville, and the Town of Sunnyvale creating the Southeast Collaboration Crisis Intervention Team per the provisions of the Dallas County New Directions in Public Safety Grant and appointing the City Manager as the authorized official to manage, reject, alter, or terminate the Interlocal Agreement on behalf of the City.

Approved on the Consent Agenda.

Resolution No. 34-2021, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE CITY MANAGER ON BEHALF OF THE CITY OF MESQUITE TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE CITIES OF BALCH SPRINGS, SEAGOVILLE, AND THE TOWN OF SUNNYVALE CREATING THE SOUTHEAST COLLABORATION CRISIS INTERVENTION TEAM PER THE PROVISIONS OF THE DALLAS COUNTY NEW DIRECTIONS IN PUBLIC SAFETY GRANT AND APPOINTING THE CITY MANAGER AS THE AUTHORIZED OFFICIAL TO MANAGE, REJECT, ALTER, OR TERMINATE THE INTERLOCAL AGREEMENT ON BEHALF OF THE CITY PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE. (Resolution No. 34-2021 recorded in Resolution Book No. 63.)

- 9 A resolution authorizing the sale of tax-foreclosed property located at 1212 Crest Park Drive in Mesquite, Texas (the "Property"); accepting the offer from Oscar L. Castillo (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 necessary or requested documents to complete the closing and sale of the Property.

Approved on the Consent Agenda.

Resolution No. 35-2021, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE SALE OF TAX-FORECLOSED PROPERTY LOCATED AT 1212 CREST PARK DRIVE IN MESQUITE, TEXAS (THE "PROPERTY"); ACCEPTING THE OFFER FROM OSCAR L. CASTILLO (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 THE QUITCLAIM DEED AND ALL OTHER

NECESSARY OR REQUESTED DOCUMENTS TO COMPLETE THE CLOSING AND SALE OF THE PROPERTY. (Resolution No. 35-2021 recorded in Resolution Book No. 63.)

- 10 A resolution authorizing the filing of a grant application in the amount of \$66,370.00 with the North Central Texas Council of Governments (NCTCOG) for a regional solid waste program local implementation project, authorizing the City Manager to act on behalf of the City of Mesquite in all matters related to the application and pledging that if funding for this project is received, the City of Mesquite, Texas, will comply with all project requirements of the NCTCOG, the Texas Commission on Environmental Quality (TCEQ) and the State of Texas.

Approved on the Consent Agenda.

Resolution No. 36-2021, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE FILING OF A GRANT APPLICATION IN THE AMOUNT OF \$66,370.00 WITH THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS ("NCTCOG") FOR A REGIONAL SOLID WASTE PROGRAM LOCAL IMPLEMENTATION PROJECT; AUTHORIZING THE CITY MANAGER TO ACT ON BEHALF OF THE CITY OF MESQUITE IN ALL MATTERS RELATED TO THE APPLICATION; AND PLEDGING THAT IF FUNDING FOR THIS PROJECT IS RECEIVED, THE CITY OF MESQUITE, TEXAS, WILL COMPLY WITH ALL PROJECT REQUIREMENTS OF THE NCTCOG, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY, AND THE STATE OF TEXAS. (Resolution No. 36-2021 recorded in Resolution Book No. 63.)

- 11 Bid No. 2021-036 - Annual Repair of Fire Apparatus.
(Staff recommends award to Siddons Martin Emergency Group, LLC in an amount not to exceed \$176,700.00. The term of this contract is for one year, with four additional one-year renewal options. The City Manager is authorized to exercise the renewal option, subject to annual appropriation of sufficient funds.)

Approved on the Consent Agenda.

- 12 Bid No. 2021-042 - Paving Improvements for Galloway Place Neighborhood and Northridge Addition Repairs.
(Staff recommends all bids be rejected and rebid at a later date.)

Approved on the Consent Agenda.

- 13 Bid No. 2021-092 - Annual Lease Vehicle Program - Police Department.
(Staff recommends award to Acme Auto Leasing, Inc., through an Interlocal Cooperative Purchasing Agreement with the City of Plano (Bid No. 2021-0073-AC). The term of this contract is for a one-year period, with four additional one-year renewal options. The City Manager is authorized to exercise the remaining renewal options, subject to annual appropriation of sufficient funds.)

Approved on the Consent Agenda.

- 14 Bid No. 2021-099 - Annual Telephone Services - Local and Long Distance.
(Staff recommends award to AT&T Corporation, through Texas Department of Information Resources Contract No. DIR-TEX-AN-CTSA 005, in an amount not to exceed \$375,000.00.)

Approved on the Consent Agenda.

- 15 Bid No. 2021-101 - Purchase of Van for New Southeast Collaboration Crisis Intervention Team.
(Staff recommends award to Sam Pack's Five Star Ford, LTD and Chevrolet, through the State of Texas SmartBuy Contract No. 070-A1 in the total amount of \$64,730.00.)

Approved on the Consent Agenda.

- 16 Bid No. 2021-102 - Mobile Data and Voice Service.
(Staff recommends award to AT&T Corporation for voice and data plans, through the Department of Information Resources Contract No. DIR-TSO-3420, in an amount not to exceed \$182,000.00.)

Approved on the Consent Agenda.

- 17 Bid No. 2021-104 CityWorks License and Maintenance Services.
(Staff recommends award to sole source provider Azteca Systems, LLC for a one-year renewal of sole source software, in an amount not to exceed \$65,000.00. The City Manager is authorized to execute any documents necessary to authorize the one-year renewal.)

Approved on the Consent Agenda.

- 18 Approval of the proposed Community Development Block Grant - COVID-19 (CDBG-CV) Budget for Fiscal Year 2021-2022.

Approved on the Consent Agenda.

- 19 Approval of association of Gary Allmon Grimes with Linebarger Goggan Glair & Sampson LLP for performance of miscellaneous collections contract dated October 15, 2001.

Approved on the Consent Agenda.**CONSENT AGENDA ITEM CONSIDERED SEPARATELY**

- 5 An ordinance amending Chapter 14 of the City Code, making deletions, revisions and adding new sections throughout the chapter and revising Appendix D of the City Code regarding Solid Waste Administrative Fees.

Cliff Keheley, City Manager, clarified that the changes being made by this ordinance only applies to trash and bulk items and does not include yard waste. No changes are being proposed for yard waste collection.

Mr. Boroughs moved to approve Ordinance No. 4871, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 14 - "SOLID WASTE" OF THE MESQUITE CITY CODE, AS AMENDED, BY MAKING CERTAIN ADDITIONS AND DELETIONS THROUGHOUT THE CHAPTER TO PROVIDE RELATED AND GENERAL UPDATES; AMENDING APPENDIX D - "COMPREHENSIVE FEE SCHEDULE" OF THE MESQUITE CITY CODE, AS AMENDED, BY ADDING A NEW SECTION 14-116 - "SOLID WASTE ADMINISTRATIVE FEES" TO PROVIDE FEES RELATED TO SOLID WASTE COLLECTION; PROVIDING A REPEALER CLAUSE; PROVIDING A

SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE IN AN AMOUNT NOT TO EXCEED \$4,000.00; AND PROVIDING AN EFFECTIVE DATE. The motion was seconded by Mr. Smith and approved unanimously. (Ordinance No. 4871 recorded in Ordinance Book No. 124.)

- 6 An ordinance increasing the number of positions in the Mesquite Fire Department (MFD) from 207 to 211 and establishing the classifications and total number of authorized positions in each classification of the MFD, effective July 1, 2021.

Mr. Boroughs stated that recently Fire Chief Russell Wilson briefed Council regarding staffing for a truck-mounted crash attenuator, which will be dispatched to highway incidents to help reduce the risk of injury to emergency personnel and motorists and to limit damage to vehicles in the event of an additional impact on the scene of a working roadway incident. Chief Wilson mentioned that in order to man this vehicle, staff may have to be pulled from other vehicles. At the time, Mr. Boroughs expressed his opposition to this option. He stated that every person manning fire equipment has a crucial job. He expressed his appreciation to City Manager Cliff Keheley and Fire Chief Wilson for being able to locate funds to hire four additional fire personnel to man the attenuator.

Mr. Boroughs moved to approve Ordinance No. 4872, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, ESTABLISHING THE CLASSIFICATIONS AND TOTAL NUMBER OF AUTHORIZED POSITIONS IN EACH CLASSIFICATION OF THE MESQUITE FIRE DEPARTMENT AS OF JULY 1, 2021; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE. The motion was seconded by Mr. Smith and approved unanimously. (Ordinance No. 4872 recorded in Ordinance Book No. 124.)

END OF CONSENT AGENDA

RECEIPT OF RESIGNATION

- 20 Receive resignation from Ron Ward as a member of the Mesquite Quality of Life Corporation Board of Directors.
- Mr. Green moved to accept the resignation of Ron Ward as a member of the Mesquite Quality of Life Corporation Board of Directors. Motion was seconded by Mr. Boroughs and approved unanimously.

APPOINTMENTS TO BOARDS AND COMMISSIONS

- 21 Consider appointment of one regular member and one alternate member to the Planning and Zoning Commission/Capital Improvements Advisory Committee for terms to expire December 31, 2021.
- Mr. Miklos moved to change the appointment of Nancy Felix from Alternate No. 1 to regular member Position No. 1 and to appoint Roger Melend as Alternate No. 1 of the Planning and Zoning Commission/Capital Improvements Advisory Committee for terms to expire December 31, 2021. Motion was seconded by Mr. Aleman and approved unanimously.

PUBLIC HEARINGS

22

Conduct a public hearing and consider a resolution approving a variance reducing the separation requirement from 300 feet to 115 feet between La Michoacana Meat Market; an existing grocery store, and Larry G. Smith Elementary School; a public school within the Dallas Independent School District serving children grades Pre-K through 5th grade, to allow La Michoacana Meat Market to sell beer and wine for off-premise consumption, located at 5200 Gus Thomasson Road, Suite 100.

(One response in favor and one response in opposition to the application have been received from property owners within the required notification area.)

Jeff Armstrong, Director of Planning and Development Services, stated that the applicant is requesting a variance from the separation requirement for the sale of beer and wine for off-premise consumption. The City of Mesquite requires businesses selling beer and wine for off-premise consumption to be located a minimum of 300 feet from a public or private school. The measurement of the distance shall be in a direct line from the property line of the school to the property line of the place of business. Based on the survey submitted by the applicant, La Michoacana’s property line is approximately 115 feet from Larry G. Smith Elementary School’s property line.

Jacqueline Ramos, representing the La Michoacana Meat Market, stated that they are requesting a variance so that the store may sell beer and wine for off-premise consumption.

No one appeared regarding the variance request.

Mr. Green moved to deny the variance request for La Michoacana, 5200 Gus Thomasson Road. Motion was seconded by Mr. Boroughs and approved unanimously.

ADJOURNMENT

Mr. Green moved to adjourn the meeting. Motion was seconded by Mr. Aleman and approved unanimously. The meeting adjourned at 7:47 p.m.

Attest:

Approved:

Sonja Land, City Secretary

Bruce Archer, Mayor