



# City of Mesquite, Texas

## Minutes - Final City Council

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Monday, August 2, 2021

5:30 PM

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

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

Absent: Councilmembers Sherry Wisdom and B. W. Smith.

### **PRE-MEETING - TRAINING ROOMS A&B - 5:30 P.M.**

#### **AGENDA REVIEW**

#### **STAFF PRESENTATIONS**

- 1 Discuss the proposed budget and tax rate for Fiscal Year 2021-22.

### **EXECUTIVE SESSION - COUNCIL CONFERENCE ROOM - 5:30 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 - 6:31 P.M.**

- 2 Receive financial statement for the period April 1, 2021 through June 30, 2021.

Cindy Smith, Director of Finance, presented the financial statement for the period covering April 1, 2021, through June 30, 2021.

The work session ended at 6:48 p.m.

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

#### **INVOCATION**

Fred Bacon, Pastor, First Christian Church, Mesquite, Texas.

**PLEDGE OF ALLEGIANCE**

Mesquite Police Department Staff.

**PRESENTATIONS**

- 3 Recognize Real. Texas. Service. Champions.

**This item was not presented.**

**SPECIAL ANNOUNCEMENTS**

1. City Manager Cliff Keheley, with great sadness, informed the City Council and the community of the passing of one of the City's current employees. Edward Suarez, Animal Services Manager, passed away at work yesterday afternoon. Edward had worked for the City since 2020 and was a dedicated manager who cared deeply about the Animal Shelter and its ongoing success. This is evidenced by him being at work on Sunday preparing the shelter for the upcoming week. Through his leadership, the Animal Shelter was able to remain open during the pandemic and he continued to foster strong relationships with our rescue community and other partners. Today, the Animal Shelter continues to adopt out animals and achieves over a 90 percent save rate due to the effects and leadership of Edward Suarez. He cared deeply about his employees, the animals in the shelter and proudly served this community. Edward will be missed. The City extends its sympathy and condolences to Mr. Suarez's family, friends and co-workers. We will continue to have the shelter open this week because that is what Edward would want but we will do so with a very heavy heart.
2. Mayor Archer requested a moment of silence for the loss of Animal Services Manager Edward Suarez.
3. Mr. Aleman offered a prayer for Edward Suarez's family and friends.
4. Mr. Aleman reminded citizens that the first day of school for Mesquite Independent School District students is Wednesday, August 11, 2021. He asked drivers to please slow down and be aware of school buses and children walking to school and to "Drive Like Your Family Lives Here."
5. Mr. Boroughs thanked the Mesquite Hornets Football and Drill Team Association who partnered with Keep Mesquite Beautiful, Inc., to organize a litter clean up at Paschall Park on Saturday, July 24, 2021. This event taught the children the importance of giving back to the community by cleaning the fields that they use throughout the football season. This cleanup was part of the new Clean City Initiative.
6. Mr. Miklos invited dogs and their owners to the 17th Annual Doggie Splash Day event this Saturday, August 7, 2021, from 9:00 a.m. to Noon, at Vanston Pool, 2913 Oates Drive.
7. Mr. Green stated that the City has begun the public education campaign regarding new regulations for solid waste customers, which is part of the new Clean City Initiative. The new requirements take effect in October 2021, which includes placing trash in a bag and then placing the bag in a trash can. Contact the Solid Waste Division for assistance with special circumstances.

8. Mayor Archer congratulated the Mesquite Citizens Police Academy Alumni Association (MCPAA) for receiving the Alumni Membership of the Year Award for 2020. This is the third year in a row that the MCPAA has earned this honor from the Texas Police Academy Alumni Association.

## **CITIZENS FORUM**

Mr. Damien Gover, 4765 Stallcup Drive, expressed concerns regarding incidents that occurred at Beasley Park and Palos Verdes Park.

## **CONSENT AGENDA**

### **Approval of the Consent Agenda**

**Mr. Green requested that Item No. 5 be removed from the Consent Agenda to be considered separately. Mr. Aleman requested that Item Nos. 11 and 12 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.**

- 4** Minutes of the regular City Council meeting held July 19, 2021.

**Approved on the Consent Agenda.**

- 6** Bid No. 2019-023 - Ratification of Renewal of Annual Landscape Maintenance of the TxDOT IH635/Town East Boulevard/Town Centre Drive Interchange and US Highway 80/Town East Boulevard Interchange.  
(Staff recommends ratification of the first and second of four contract renewal options with SLM Landscaping and Maintenance in the amount of \$109,397.00 and authorizing the City Manager to exercise the remaining two one-year renewal options, subject to annual appropriation of sufficient funds.)

**Approved on the Consent Agenda.**

- 7** Bid No. 2019-077 - Ratification of Renewal of Annual Mowing Maintenance of City Parks and Special Areas.  
(Staff recommends ratification of the first and second of four contract renewal options with Good Earth Corporation, in the amount of \$305,859.60 and authorizing the City Manager to exercise the remaining two one-year renewal options, subject to annual appropriation of sufficient funds.)

**Approved on the Consent Agenda.**

- 8** RFP No. 2021-075 - Bank Depository Agreement.  
(Authorize the City Manager to finalize and execute the necessary documents with Bank of America, N.A. in the amount of \$80,000.00 annually. The term of this contract is for a three-year period, with one additional two-year renewal option. The City Manager is authorized to exercise the renewal option, subject to annual appropriation of sufficient funds.)

**Approved on the Consent Agenda.**

- 9 Bid No. 2021-080 - U.S. 80 Bore Sanitary Sewer Improvements.  
(Authorize the City Manager to finalize and execute a contract with low bidder BRCT, LLC in the amount of \$262,345.00).  
**Approved on the Consent Agenda.**
- 10 Bid No. 2021-111 - Purchase of 2021 Ford F-350 Diesel Chassis Ambulance Remount.  
(Staff recommends award to Frazer, Ltd., in Houston, Texas, from Sterling McCall Ford, through the Houston-Galveston Area Council of Governments Cooperative Purchasing Program Contract AM10-20, in the amount of \$151,000.00.)  
**Approved on the Consent Agenda.**
- 13 Authorize an expenditure in the amount of \$135,375.85 to the Mesquite Independent School District to acquire new studio production equipment for the operation of the City's Educational Access Channel in accordance with Ordinance No. 4132 (Interlocal Agreement/Operation of Educational Access Channel) and authorize the City Manager to execute payment upon receipt of an itemized invoice.  
**Approved on the Consent Agenda.**

**Consent Agenda Item(s) to be Considered Separately**

- 5 An ordinance repealing and replacing the Mesquite Thoroughfare Plan.  
**Mr. Green moved to postpone consideration of an ordinance repealing and replacing the Mesquite Thoroughfare Plan to a future City Council meeting. Motion was seconded by Mr. Boroughs and approved unanimously.**
- 11 Authorize the City Manager to finalize and execute a professional engineering services contract with Pacheco Koch Consulting Engineers, Inc., for the engineering conceptual design of Faithon P. Lucas, Sr., Boulevard (F. P. Lucas Blvd.), from McKenzie Road to East Cartwright Road, in the amount of \$113,220.00.  
**Mr. Aleman stated that this project is located in his Council district and expressed support for the contract.**  
**Mr. Aleman moved to authorize the City Manager to finalize and execute a professional engineering services contract with Pacheco Koch Consulting Engineers, Inc., for the engineering conceptual design of Faithon P. Lucas, Sr., Boulevard (F. P. Lucas Blvd.), from McKenzie Road to East Cartwright Road, in the amount of \$113,220.00. Motion was seconded by Mr. Boroughs and approved unanimously.**
- 12 Authorize the City Manager to finalize and execute a professional engineering services contract with Half Associates, Inc., for the engineering design of the Lawson Road Highway Safety Improvement Program (HSIP) Project, in the amount of \$164,394.00.

Mr. Aleman stated that this project is located in his Council district and expressed support for the contract.

Mr. Aleman moved to authorize the City Manager to finalize and execute a professional engineering services contract with Halff Associates, Inc., for the engineering design of the Lawson Road Highway Safety Improvement Program (HSIP) Project, in the amount of \$164,394.00. Motion was seconded by Mr. Boroughs and approved unanimously.

#### END OF CONSENT AGENDA

#### RECEIPT OF RESIGNATION

14 Receive resignation from Cheryl Allen as a member of the Mesquite Downtown Development Advisory Board.

Mr. Green moved to accept the resignation of Cheryl Allen as a member of Mesquite Downtown Development Advisory Board. Motion was seconded by Mr. Aleman and approved unanimously.

15 Receive resignation from Rose Grimsley as a member of the Historic Mesquite, Inc., Board of Directors.

Mr. Aleman moved to accept the resignation of Rose Grimsley as a member of the Historic Mesquite, Inc., Board of Directors. Motion was seconded by Mr. Green and approved unanimously.

16 Receive resignation from Jennifer Vidler as a member of the Mesquite Downtown Development Advisory Board

Mr. Boroughs moved to accept the resignation of Jennifer Vidler as a member of the Mesquite Downtown Development Advisory Board. Motion was seconded by Mr. Aleman and approved unanimously.

17 Receive resignation from Teia Collier as a member of the Historic Mesquite, Inc., Board of Directors and Mesquite Landmark Commission.

Mr. Aleman moved to accept the resignation of Teia Collier as a member of the Historic Mesquite, Inc., Board of Directors and Mesquite Landmark Commission. Motion was seconded by Mr. Green and approved unanimously.

#### APPOINTMENTS TO BOARDS AND COMMISSIONS

18 Consider appointment of seven members to the Mesquite Quality of Life Corporation Board of Directors for terms to expire August 19, 2023.

Mr. Boroughs moved to appoint Larry Allen, Nadine Ward, Kevin Grubbs, Lisa Theriot, Bennye Rice, Henry Brown and Clifton Freeman to the Mesquite Quality of Life Corporation Board of Directors for terms to expire August 19, 2023. Motion was seconded by Mr. Aleman and approved unanimously.

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**PUBLIC HEARING AND CONSIDER PASSAGE OF THE FOLLOWING ORDINANCES AND ITEM RELATING TO THE FISCAL YEAR 2021-22 BUDGET**

- 19** Conduct a public hearing to receive input from citizens regarding the proposed Fiscal Year 2021-22 budget.
- Myra Rogers, Manager of Budget and Treasury, stated that this is the third of three public hearings regarding the Fiscal Year 2021-2022 Budget and is the public hearing required by State Law. All funds for Fiscal Year 2021-2022 is \$277 million. The proposed expenditure budget for the general fund for Fiscal Year 2021-2022 is \$144 million. Detailed schedules for the proposed budget can be found on the City's website.**
- Ms. Rogers stated that in accordance with State law, the Council must take action on the budget at the conclusion on the public hearing either to vote separately to adopt the budget and also vote to ratify the increase in property tax revenue or vote to postpone the adoption of the budget and vote to postpone the ratification of the increase in property tax revenue until the August 16, 2021, City Council meeting.**
- No one appeared regarding the proposed Fiscal Year 2021-2022 budget.**
- 20** An ordinance providing funds for the 2021-22 Fiscal Year by adopting and approving the budget for said period and appropriating and setting aside the necessary funds out of the general and other revenues of the City for said fiscal year 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 budget.
- Mr. Miklos moved to postpone consideration of an ordinance providing funds for the 2021-2022 Fiscal Year by adopting and approving the budget for said period and appropriating and setting aside the necessary funds out of the general and other revenues of the City for said fiscal year 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 budget to the August 16, 2021, City Council meeting. Motion was seconded by Mr. Green and approved unanimously.**
- 21** An ordinance ratifying the property tax revenue increase reflected in the 2021-22 Fiscal Year budget for said period.
- Mr. Miklos moved to postpone consideration of an ordinance ratifying the property tax revenue increase reflected in the 2021-2022 Fiscal Year budget to the August 16, 2021, City Council Meeting. Motion was seconded by Mr. Green and approved unanimously.**
- 22** Consider and act on a proposed ad valorem tax rate for Fiscal Year 2021-2022 and call a public hearing for August 16, 2021, on the proposed Fiscal Year 2021-2022 ad valorem tax rate.
- Mr. Miklos moved that, upon proper notice and final adoption after the public hearing is held, property taxes be increased by the adoption of a tax rate for Fiscal Year 2021-2022 of \$0.70862 per \$100 of valuation. The public hearing to consider this rate will be held on August 16, 2021, at 7:00 p.m. The public hearing will be held in the Council Chambers at City Hall, 757 North Galloway**

Avenue, Mesquite, Texas. Motion was seconded by Mr. Green and approved unanimously.

## OTHER BUSINESS

23

Consider an application to allow fee in lieu of parkland dedication for the subdivision of a parcel into two lots, located at 1011 South Belt Line Road.

Jeff Armstrong, Director of Planning and Development Services, stated that in 2020, the City Council adopted a parkland dedication ordinance. The dedication of parkland is required when new residential lots are created. There is a provision in the ordinance that allows a person to appear before Council to request the option of paying a fee in lieu of dedication of parkland.

This is the first application received for this new process. The subject property, located at 1011 South Belt Line Road, contains one house. The applicant is proposing to subdivide the property into two lots – one lot containing 15,000 square feet and one lot containing 18,000 square feet. They are proposing to build a house on the 15,000-square-foot lot. The parkland dedication ordinance requires the dedication of parkland for the new house, which for one home, is not feasible. Therefore, the applicant is requesting to pay the fee in lieu of parkland dedication totaling \$2,494.80. The City Council has the authority to deny the request, thereby, requiring land to be dedicated as parkland; approve the request for a fee in lieu of dedication; or approve a waiver of the requirements.

Applicant Adam Konty, 1011 South Belt Line Road, requested a waiver of the requirements but would be willing to pay the fee in lieu of parkland dedication.

Mr. Miklos stated he is in favor of the applicant paying the fee in lieu of dedication of parkland as this fee will be used for the maintenance and improvement of City parks. Mr. Miklos made a motion to approve acceptance of the fee in lieu of dedication of parkland. Motion was seconded by Mr. Green and approved unanimously.

## PUBLIC HEARINGS

24

A. Conduct a public hearing to receive citizen input regarding the proposed 2021-2022 Community Development Block Program (CDBG) budget and adopt the Annual Action Plan.

B. Consider a resolution authorizing the transfer and reallocation of funds to the Program Year 2021-2022 Community Development Annual Action Plan and filing an application for an amount not to exceed \$1,135,680.00 for federal funds under the Housing and Community Development Act, approving and adopting the Program Year 2021-2022 Community Development Block Grant Annual Action Plan and designating the City Manager as Chief Executive Officer and authorized representative for the purpose of giving required assurances and acting in connection with said application.

A public hearing was held to receive citizen input regarding the proposed 2021-2022 Community Development Block Program (CDBG) budget and adopt the Annual Action Plan.

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Raymond Rivas, Assistant City Manager, stated that in accordance with federal regulations governing the use of CDBG funds, the City of Mesquite is required to propose an Annual Action Plan for the Program Year 2021-2022 with the required public comment period. The Annual Action Plan outlines how program funds, allocated to the City by the U. S. Department of Housing and Urban Development, will be used in our community. The comment period was open from July 19, 2021, through August 2, 2021. Staff did not receive any changes nor recommendations during the comment period and recommends approval of the resolution.

No one appeared regarding the 2021-2022 CDBG budget and Annual Action Plan.

Mr. Green moved to approve Resolution 43-2021 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE TRANSFER AND REALLOCATION OF FUNDS TO THE PROGRAM YEAR 2021-2022 COMMUNITY DEVELOPMENT ANNUAL ACTION PLAN AND FILING AN APPLICATION FOR AN AMOUNT NOT TO EXCEED \$1,135,680.00 FOR FEDERAL FUNDS UNDER THE HOUSING AND COMMUNITY DEVELOPMENT ACT; APPROVING AND ADOPTING THE PROGRAM YEAR 2021-2022 COMMUNITY DEVELOPMENT BLOCK GRANT ANNUAL ACTION PLAN; AND DESIGNATING THE CITY MANAGER AS CHIEF EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE FOR THE PURPOSE OF GIVING REQUIRED ASSURANCES AND ACTING IN CONNECTION WITH SAID APPLICATION. Motion was seconded by Mr. Aleman and approved unanimously. (Resolution No. 43-2021 recorded in Resolution Book No. 63)

**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:

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 Sonja Land, City Secretary

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 Bruce Archer, Mayor