



City of Mesquite, Texas

Meeting Agenda

City Council

Monday, November 7, 2022

5:00 PM

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

1. Members of the public desiring to comment during Citizens Forum may preregister as follows:
 - a. Send an email to the City Secretary on or before 3:00 p.m., on November 7, 2022. The email address is sland@cityofmesquite.com. The phone number is 972-216-6244.
 - b. Provide the City Secretary with your name and address.
2. Comments on agenda items may be made during the meeting or by submission on or before 3:00 p.m., on November 7, 2022, to the following email address: sland@cityofmesquite.com.

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

AGENDA REVIEW

STAFF PRESENTATIONS

- 1 [22-6289](#) Receive briefing regarding the Economic Development Strategic Plan.
- 2 [22-6295](#) Receive briefing regarding the arterial speed management proposal for Pioneer Road from Cartwright Road to McKenzie Road.

(Any staff presentation not completed prior to the City Council Regular Meeting in the City Council Chamber at 7:00 p.m. may be presented and considered in the City Council Chamber following the Regular Meeting.)

EXECUTIVE SESSION - COUNCIL 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

Ron Howard, Pastor, Mesquite Friendship Baptist Church, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

Members of 3rd grade Brownie Girl Scout Troop 7064.

PRESENTATIONS

- 3 [22-6291](#) Donation presentation from Mesquite Elks Lodge Ladies Auxiliary to the Helping Others in Mesquite Everyday (HOME) program.

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 items on the agenda, personnel matters, matters under litigation or matters concerning the purchase, exchange, lease or value of real property for a length of time not exceeding three minutes on a first-come, first-served basis. Citizens addressing the Council through a translator will be allowed six minutes. No Council action or discussion is to be taken until such matter is placed on the Agenda and posted in accordance with law.

CITIZENS COMMENTS

At this time, any individual wishing to discuss any matter on the agenda shall be allowed to speak for a length of time not exceeding three minutes on a first-come, first-served basis. Citizens addressing the Council through a translator will be allowed six minutes. Anyone desiring to speak on an item scheduled for a public hearing is requested to hold their comments until the public hearing on that item.

CONSENT AGENDA

(All items on the Consent Agenda are routine items and may be approved with one motion; however, should any member of the Council or any individual wish to discuss any item, said item may be removed from the Consent Agenda upon request by a City Councilmember.)

- 4 [22-6278](#) Minutes of the regular City Council meeting held October 17, 2022.

Attachments: [October 17, 2022, minutes](#)

- 5 [22-6276](#) An ordinance authorizing, allowing and providing, under the Act governing the Texas Municipal Retirement System, for increased prior and current service annuities (COLAs) under the Act for retirees and beneficiaries of deceased retirees of the City of Mesquite.

Attachments: [Ordinance](#)

- 6 [22-6280](#) An ordinance repealing Section 3, Authorization of Updated Service Credits, of Ordinance No. 4983, which adopted the 2022-23 Pay Plan, in order to eliminate potential conflict with Ordinance No. 4611, which provides ongoing updated service credits.

Attachments: [Ordinance](#)

- 7 [22-6260](#) A resolution authorizing the City Manager to finalize and execute the Project Specific Agreement amending the Master Agreement Governing Major Capital Transportation Improvement Program (MCIP) with Dallas County for the purpose of transportation improvements on Skyline Drive, MCIP Project 11903, from Town East Boulevard to Peachtree Road.
- Attachments:* [Resolution](#)
 [Agreement](#)
- 8 [22-6275](#) A resolution authorizing acceptance of the Fiscal Year 2022 Urban Area Security Initiative (UASI) Grant and execution of the Sub-Recipient Agreements with the Office of the Governor, Texas Homeland Security State Administrative Agency, in the amount of \$154,681.53 and authorizing the Emergency Management Coordinator as the authorized official to apply for, accept, reject, alter or terminate the Grant on behalf of the City.
- Attachments:* [Public Safety Office Statement of Grant Award Congratulatory Letter](#)
 [Statement Of Grant Award -General Responsibilities Memo](#)
 [Homeland Security Grant Program 2022 Fund Specific Conditions](#)
 [Resolution](#)
- 9 [22-6272](#) Bid No. 2022-118 - Water and Paving Improvements for Eastridge Park, Byrd Estates, Viva Drive, Catalina Drive and Flamingo Way.
(Staff recommends award to low bidder Estrada Concrete Company, LLC and to authorize the City Manager to finalize and execute a contract in the amount of \$11,195,506.00.)
- Attachments:* [Bid Tabulation](#)
 [Recommendation Letter](#)
 [Location Map](#)
 [Street List](#)
- 10 [22-6285](#) RFQ No. 2022-149 - Construction Management at Risk (CMaR) Services for the Construction of New Fire Station No. 2.
(Authorize the City Manager to finalize and execute a contract with Steele & Freeman, Inc., for CMaR services in connection with the design (Phase I) of New Fire Station No. 2 in an amount not to exceed of \$7,500.00.)
- Attachments:* [CMaR Scoring Evaluation](#)
- 11 [22-6290](#) RFP No. 2022-151 - Post 65 Retiree Health Insurance.
(Staff recommends all bids be rejected.)
- Attachments:* [Marketing Analysis](#)
- 12 [22-6300](#) Authorize the City Manager to finalize and execute an Amendment No. 1 to RFP No. 2020-080, Retiree Medicare Supplement Plan, with renewal rates for The Hartford/Express Scripts for Post 65 Retiree Medical and

Prescription Drug Plan, effective January 1, 2023 to December 31, 2023.

Attachments:

[Renewal Letter Low Option](#)

[Renewal Letter High Option](#)

[Post 65 Retiree Marketing Analysis](#)

- 13 [22-6220](#) Bid No. 2022-155 - Tyler Application Programming Interfaces.
(Staff recommends award to Tyler Technologies, Inc., and to authorize the City Manager to finalize and execute a contract amendment in the amount of \$108,739.00 for Application Programming Interfaces.)
- 14 [22-6284](#) Bid No. 2023-015 - Purchase of Genus 1 Clock Replacements for ExecuTime Advanced Scheduling Software.
(Staff recommends award to Tyler Technologies, Inc., and to authorize the City Manager to finalize and execute a contract amendment in the amount of \$65,850.00 for purchase of time clock hardware replacement.)
- 15 [22-6292](#) Bid No. 2023-002 - Construction Management at Risk (CMaR) Services for the Addition to and Remodel of the Mesquite Service Center Field Services Building.
(Staff recommends award to Crossland Construction Company, Inc., and to authorize the City Manager to finalize and execute a contract in an amount not to exceed \$10,000.00 for CMaR services in connection with the design (Phase I) of the Addition to and Remodel of the Mesquite Service Center Field Service Building.)
- Attachments:** [CMaR Evaluation Criteria & Scoring Summary](#)
- 16 [22-6283](#) Bid No. 2023-016 - Purchase of Three Chevy Malibu LS Sedans (Model LS 1FL).
(Staff recommends purchase of Three Chevy Malibu LS Sedans from Lake Country Chevrolet Inc., through The Interlocal Purchasing System (TIPS) Contract No. 210907, in an amount not to exceed \$71,443.50.)
- Attachments:** [Photo](#)
 [Quote](#)
- 17 [22-6288](#) Bid 2023-020 - Annual Supply of 45-Gallon Edge Trash Carts.
(Staff recommends ratifying the purchase of trash carts in the amount of \$69,920.00, through BuyBoard Contract No. 605-20, and authorizing the City Manager to finalize and execute a contract with Otto Environmental Systems North America, Inc., for the annual purchase of 45-gallon trash carts, through Houston-Galveston Area Council (H-GAC) Contract No. RC01-21, in an amount not to exceed \$426,542.40. The term of this contract is for a one-year period.)
- Attachments:** [H-GAC Contract No. RC01-21](#)
 [Quote](#)
- 18 [22-6273](#) Authorize the City Manager to finalize and execute a Professional Services

Agreement with Kimley-Horn and Associates, Inc. for engineering and design of the La Prada Drive Reconstruction from Motley Drive to Pinehurst Lane Project, in an amount not to exceed \$2,498,000.00.

Attachments: [Location Map](#)

- 19 [22-6277](#) Authorize the City Manager to finalize and execute Change Order No. 4 to Bid No. 2019-040, Town East Boulevard Water, Paving and Drainage Reconstruction Project from US Highway 80 to Skyline Drive, with Tiseo Paving Company, for additional services required, in the amount of \$197,572.85.

Attachments: [Change Order No. 4](#)

- 20 [22-6177](#) Adoption of the City of Mesquite Economic Development Strategic Plan.

Attachments: [Economic Development Strategic Plan](#)

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. City of Allen, et al v. Time Warner Cable Texas, LLC d/b/a Spectrum and Charter Communications, Cause No. 6:19-cv-345-ADA-JCM – Filed 10-19-18
2. Tejas Motel, LLC v. City of Mesquite, acting by and through its Board of Adjustment, Cause No. DC-18-16933 – Filed 11-8-18
3. Tejas Motel, L.L.C. v. City of Mesquite, Acting by and through its Board of Adjustment, Civil Action No. 3:20-cv-20-01982-X – Filed 7-27-20
4. City of Mesquite v. Ulises Rivera, Jessica Rivera and 3509 Byrd Drive, Mesquite, Texas 75150 in rem, Cause No. DC-20-12465 – Filed 9-3-20
5. John Alexander v. City of Mesquite and Emilio F. Henry, Cause No. DC-21-06832 - Filed 5-28-21
6. Landon Harris v. City of Mesquite, Cause No. DC-21-08418 - Filed 6-30-21
7. Daniel Gonzales v. City of Mesquite, Cause No. CC-21-05087-D - Filed 11-22-21
8. City of Mesquite v. CC Hillcrest, LLC, Summit Hillcrest Apartments, Ltd, Hillcrest GP, LLC and 2119 Hillcrest St., Mesquite, Texas 75149 in rem, Cause No. DC-22-01764 - Filed 2-14-22; and In re CC Hillcrest, LLC, Case No. 22-31362-swe11 – Filed 7-29-22
9. Anthony Wagner v. City of Mesquite, Texas, Cause No. DC-22-02864 - Filed 3-14-22
10. Clement Bernard v. City of Mesquite, Texas, Civil Action No. 3:22-cv-00928 - Filed 4-26-22
11. City of Dallas, City of Mesquite, et al., v. Disney DTC, LLC, et al., Cause No. DC-22-09128 - Filed 8-3-22
12. Cesar Nunez-Solis v. The City of Mesquite, Texas, Cause No. DC-22-11631 - Filed 9-6-22

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.

Economic Development

Pursuant to Section 551.087 of the Texas Government Code, the City Council will meet in closed session to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations or to deliberate the offer of a financial or other incentive to such a business prospect. The following subjects may be discussed:

- 21 22-6282** Discuss an industrial project and property sale at U.S. Highway 80 and IH-635 in 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.

Pursuant to Section 551.007(c) of the Texas Local Government Code, any member of the public wishing to address the City Council through the use of a translator is granted at least twice the amount of time as a member of the public who does not require the assistance of a translator.