



# City of Mesquite, Texas

## Meeting Agenda

### City Council

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Tuesday, January 3, 2017

5:30 PM

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

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

##### **AGENDA REVIEW**

##### **STAFF PRESENTATIONS**

- 1      [17-2517](#)      Receive briefing regarding Texas Department of Transportation Noise Wall Program along IH-635 in Mesquite.

Attachments:      [Noise Wall Locations](#)

#### **EXECUTIVE SESSION - EXECUTIVE 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

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

##### **INVOCATION**

Chad Flowers, Pastor, Emmanuel Pentecostal, Mesquite, Texas.

##### **PLEDGE OF ALLEGIANCE**

Members of the American Heart Association, Mesquite Chapter.

##### **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.

**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.)

- 2      [16-2510](#)            Minutes of the regular City Council meeting held December 19, 2016.
- Attachments:*        [December 19, 2016, Minutes](#)
- 3      [17-2521](#)            An ordinance amending Chapter 9 of the City Code to reflect the revised restricted parking times along Front Street.
- Attachments:*        [Ordinance](#)
- 4      [17-2516](#)            An ordinance providing for the partial abandonment of a 15-foot-wide drainage easement located at Town East Mall to accommodate the construction of a proposed retail development.
- Attachments:*        [Ordinance](#)  
                                 [Abandonment Request](#)
- 5      [17-2518](#)            An ordinance providing for the partial abandonment of a 10-foot-wide sanitary sewer easement located at West Mesquite High School at the northwest corner of South Peachtree Road and Memorial Boulevard.
- Attachments:*        [Ordinance](#)  
                                 [Abandonment Request](#)
- 6      [17-2522](#)            A resolution authorizing the exchange of property in the vicinity of the intersections of Memorial Boulevard and Stadium Drive with North Peachtree Road with the Mesquite Independent School District (MISD) and authorizing the Mayor to execute the exchange agreement with MISD for such purpose.
- Attachments:*        [Location Map](#)  
                                 [Resolution](#)
- 7      [17-2513](#)            Bid No. 2016-094 - Annual Dry Cleaning Services for Police Department Uniforms.  
                                 (Staff recommends all bids be rejected and rebid at a later date.)
- Attachments:*        [Bid Tabulation](#)

- 8      [16-2481](#)      Bid No. 2017-026 - Purchase of Six 4-Door Sedans.  
(Staff recommends award to Silsbee Ford, in Silsbee, Texas, through the Texas Procurement and Support Services [TPASS] Contract No. 072-A1, sponsored by the Texas Smart Buy, in the amount of \$113,240.00.)
- 9      [16-2511](#)      Bid No. 2017-028 - Purchase of Ford Camera Van.  
(Staff recommends award to Chastang Ford, in Houston, Texas, for a Ford F550 chassis through the Houston-Galveston Area Council of Governments Cooperative Purchasing Program Contract No. HT06-16, in the amount of \$41,896.00 and award to Cues, Inc., in Orlando, Florida, for a Cues Wastewater Line Camera Van through the Houston-Galveston Area Council of Governments Cooperative Purchasing Program Contract No. SC01-15, in the amount of \$143,355.40, for a total amount of \$185,251.40.)
- Attachments:**      [Camera Van Photo](#)
- 10     [16-2509](#)      Bid No. 2017-030 - Purchase of Twelve Heavy Duty Trucks.  
(Staff recommends award to MHC Kenworth, in Dallas, Texas, through BuyBoard Contract No. 526-16, sponsored by the Texas Association of School Boards, in the amount of \$1,515,131.20.)
- Attachments:**      [Dump Truck](#)  
                                 [20 Yard Rear Loader](#)  
                                 [Brush Truck Photo](#)  
                                 [Transfer Truck Tractor Photo](#)  
                                 [Cab and Chassis with Utility Body Photo](#)  
                                 [Injection Pothole Patcher Photo](#)
- 11     [16-2507](#)      Approve Amendment No. 2 to the 2016-17 Police Seizure Budget in accordance with Title 28, Section 524 of the United States Code and Chapter 59 of the Texas Code of Criminal Procedure in the amount of \$350,800.00.
- Attachments:**      [Seizure Amendment No. 2](#)
- 12     [16-2506](#)      Approve Amendment No. 3 to the 2016-17 Police Seizure Budget in accordance with Title 28, Section 524 of the United States Code and Chapter 59 of the Texas Code of Criminal Procedure in the amount of \$2,000.00.
- Attachments:**      [Seizure Amendment No. 3](#)
- 13     [17-2520](#)      Authorize the City Manager to finalize and execute a Professional Engineering Services Contract with Walter P. Moore and Associates, Inc., for the survey, engineering design and preparation of bid and construction documents for streambank erosion protection of large diameter sanitary sewer trunk mains located on South Mesquite Creek north of Faithon P. Lucas, Sr., Boulevard, in the amount of \$76,000.00.
- Attachments:**      [Location Map](#)

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

- 14**     [17-2519](#)     Consider appointment of two members to the Historic Mesquite, Inc., Board of Directors, representing Place 2 and Place 4, for terms to expire December 31, 2017, and December 31, 2019, respectively.

*Attachments:*     [Rose Grimsley](#)

**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. Kathleen Parvin v. The City of Mesquite – Filed 1-26-15
2. 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
3. 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
4. Angeles Estrada-Padron v. The City of Mesquite – Filed 11-9-15
5. 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
6. Travis Tryon v. City of Mesquite – Filed 2-25-16
7. Robert L. Gould v. City of Mesquite - Filed 6-24-16
8. 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

**Real Property**

Pursuant to Section 551.072 of the Texas Government Code, the City Council will meet in closed session to consider the purchase, exchange, lease or value of real property. The following subjects may be discussed:

- 15      17-2523**            Discuss offer to purchase property along Berry Road.

**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:

- 16      17-2514**            Discuss economic development incentives for a prospective restaurant on Towne Crossing Boulevard.

**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 annual review of City Attorney.

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.**