



City of Mesquite, Texas

Meeting Agenda

City Council

Monday, February 6, 2017

5:00 PM

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

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

AGENDA REVIEW

STAFF PRESENTATIONS

- 1 [17-2537](#) Receive briefing regarding 2017 Transportation Alternatives Set-Aside Program Call for Projects for development of trails, bike routes and safe routes to schools.

Attachments: [Connector Trail Exhibit](#)

- 2 [17-2555](#) Receive briefing regarding business retention.

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 - 7:00 P.M.

INVOCATION

Rod Brewer, Associate Pastor, Family Cathedral, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

Members of Mesquite AMBUCS.

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.

PRESENTATIONS

- 3 [17-2539](#) Presentation of a plaque to Ray Stuart in recognition of his service as a member of the Civil Service Commission and Personnel/Trial Board.
- 4 [17-2548](#) Presentation of meritorious awards to Fire Department employees.

Attachments: [List of Award Winners](#)

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.)

- 5 [17-2543](#) Minutes of the regular City Council meeting held January 17, 2017.
- Attachments:* [01.17.2017m](#)
- 6 [17-2541](#) A resolution calling the annual City election to be held May 6, 2017.
- Attachments:* [Resolution](#)
- 7 [17-2550](#) Bid No. 2017-021 - Design-Build for City Lake Aquatic Center Improvements.
(Authorize the City Manager to finalize and execute a Design-Build contract with RicoRock, Inc., in the amount of \$214,500.00.)
- Attachments:* [Evaluation Matrix](#)
[Site Plan](#)
- 8 [17-2552](#) RFP No. 2017-023 - Basic Term Life and Supplemental Life Insurance.
(Authorize the City Manager to finalize and execute a contract with The Standard effective March 1, 2017.)
- Attachments:* [Basic Term and Supplemental Life Insurance](#)
- 9 [17-2549](#) Bid No. 2017-029 - Annual Contract for Utility Concrete Repairs (Area 1).
(Authorize the City Manager to finalize and execute a contract with low bidder B&B Concrete & Sawing, Inc., in the amount of \$532,850.00.)
- Attachments:* [Bid Tab 2017-029](#)
[Detailed Bid - Engineering](#)

- 10 [17-2532](#) Bid No. 2017-032 - Purchase of Wilkens Transfer Trailers.
(Staff recommends award to Wilkens Industries in Morris, MN, through BuyBoard Contract No. 516-16, sponsored by the Texas Association of School Boards, in the amount of \$176,658.00.)
- Attachments:* [Transfer Trailer Photo](#)
- 11 [17-2535](#) Bid No. 2017-034 - Purchase of Digital In-Car Video System for Police.
(Staff recommends award to sole source provider Enforcement Video, LLC, in the amount of \$627,060.00.)
- Attachments:* [Sole Source Letter](#)
 [Watchguard Quote](#)
- 12 [17-2547](#) Bid No. 2017-036 - Purchase of Five Dodge Charger Police Vehicles.
(Staff recommends award to Cowboy Chrysler Dodge Jeep Ram in Silsbee, Texas, through the Houston-Galveston Area Council of Governments Contract No. VE11-15, in the amount of \$127,772.50.)
- 13 [17-2545](#) Bid No. 2017-038 - Purchase of Enterprise Servers.
(Staff recommends award to Dell, Inc., through Texas Department of Information Resources Contract No. DIR-SDD-1951 in the amount of \$58,009.96.)
- Attachments:* [Dell Quote](#)
- 14 [17-2554](#) Authorize the City Manager to execute a change order to Bid No. 2016-049, 2016 Annual Miscellaneous Concrete Work Project (Section B), with B&B Concrete and Sawing, Inc., in the amount of \$157,258.00.
- Attachments:* [2017 Rates](#)

PUBLIC HEARINGS

- 15 [17-2556](#) Conduct a public hearing and consider an ordinance for Application No. 93-5-2017, submitted by Kyle Flaming of Dynamic Engineering on behalf of owner W. G. Austin, for a rezoning from R-1, Single-Family Residential to GR, General Retail, for the 2.32-acre undeveloped tract located at 100 West Bruton Lane.
(The Planning and Zoning Commission recommends approval. No responses have been returned from property owners within the statutory notification area.)
- Attachments:* [Case Summary](#)
 [Staff Report](#)
 [PZ Minutes](#)
 [Ordinance - 93-5](#)
- 16 [17-2557](#) Conduct a public hearing and consider an ordinance for Application No. 1461-149-2016, submitted by Sean Morrissey on behalf of BHA Real Estate Holdings, LLC, to amend Planned Development Ordinance No. 2949 to

allow used car sales as a conditional use permit, and to grant a Conditional Use Permit for used car sales on the 4.182-acre undeveloped tract located on the Northwest corner of North Galloway and Republic Parkway.

(The Planning and Zoning Commission recommends approval of the amendment and granting of the conditional use permit. No responses have been returned from property owners within the statutory notification area.)

Attachments: [Case Summary](#)
 [Staff Report](#)
 [P&Z Minutes](#)
 [Ordinance - 1461-149](#)

RECEIPT OF RESIGNATION

17 [17-2546](#) Receive resignation from Dr. Denise Kutch as a member of the Keep Mesquite Beautiful, Inc., Board of Directors.

Attachments: [Resignation Letter - Kutch](#)

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
9. Govind Group Corporation; Sorrent, LLC; Hannuman Holdings, LLC; OM SRI SAI Krishna Investment Properties, Inc.; Shiv Alpha Strip Corporation; Tejas Motel, LLC; and SAI JDV Hotels, LLC v. The City of Mesquite, Texas; and Cliff Keheley, City Manager of the City of Mesquite, Texas – Filed 1-5-17

Consultation with Attorney

Pursuant to Section 551.071 of the Texas Government Code, the City Council will meet in closed session 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. The following subject may be discussed:

- Legal advice regarding Economic Development Program Agreement dated effective August 13, 2015, between the City of Mesquite, Baker Brothers Rotovision, Inc., and 75032 Investments, LLC.

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. The following subject may be discussed:

- Annual review of City Manager.

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:

- 18 17-2564** Discuss economic development incentives for a prospective business near Mesquite Metro Airport.

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.