



City of Mesquite, Texas

Meeting Agenda

City Council

Monday, February 20, 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 [17-2565](#) Receive briefing regarding an exchange of extra-territorial jurisdiction with the City of Forney.

 Attachments: [Mesquite ETJ Proposal](#)
 [Forney ETJ Counter Proposal](#)
- 2 [17-2570](#) Receive briefing regarding street lighting policy.
- 3 [17-2571](#) Receive briefing regarding advanced metering infrastructure.

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

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

- 4 [17-2580](#) Receive financial statement for period covering October 1, 2016, through December 31, 2016.

 Attachments: [December 31, 2016 Financial Statements](#)
 [December 31, 2016 Financial Statement Overview](#)

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

INVOCATION

Mike Pettitt, Lead Pastor, Connection Pointe Church, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

Members of the League of United Latin American Citizens.

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

- 5 [17-2575](#) Presentation of 2016 Achievement of Library Excellence Award to Mesquite Public Library staff.

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.)

- 6 [17-2569](#) Minutes of the regular City Council meeting held February 6, 2017.

Attachments: [Minutes](#)

- 7 [17-2581](#) Bid No. E2017-005 - Military Parkway Trail.
(Authorize the City Manager to finalize and execute a contract with low bidder Austin Filter Systems, Inc., in the amount of \$1,641,398.39.)

Attachments: [Bid Tab - E2017-005](#)
[Bid Tabulation - Engineering](#)
[Recommendation Letter](#)

- 8 [17-2551](#) Bid No. 2017-018 - Design-Build for Camp Rorie Galloway Improvements.
(Staff recommends all bids be rejected and rebid at a later date.)

Attachments: [Site Plan](#)

- 9 [17-2538](#) RFP No. 2017-020 - Annual Contract for Recyclables Processing & Marketing.
(Authorize the City Manager to finalize and execute a contract with FCC Spain.)

Attachments: [Best Value Matrix](#)

- 10** [17-2544](#) Bid No. 2017-027 - Annual Landscape Maintenance of the Creek Crossing Area Medians, Rights-of-Way and Landscape Areas and Mesquite Metro Airport.
(Authorize the City Manager to finalize and execute a contract with low bidder Southlake Landscaping and Maintenance, Inc., in the amount of \$143,250.00.)

Attachments: [Bid Tabulation](#)
 [Best Value Matrix](#)

- 11** **17-2553** Bid No. 2017-039 - Annual Supply of Bridgestone/Firestone Auto, Truck, and Industrial Tires.
(Staff recommends award to American Tire Distributors, through BuyBoard Contract No. 470-14, in an amount not to exceed \$250,000.00.)

- 12** [17-2563](#) Bid No. 2017-042 - Purchase of 2017 Ford F-350 6.7L Diesel Chassis Ambulance Remount.
(Staff recommends award to low bidder Frazer, Ltd., in Houston, Texas, from Sterling McCall Ford through the Houston-Galveston Area Council of Governments Cooperative Purchasing Program, in the amount of \$112,875.00.)

Attachments: [Frazer Quote](#)

- 13** [17-2578](#) Authorize the City Manager to finalize and execute a Professional Engineering Services Contract with Kimley-Horn and Associates, Inc., for the survey, engineering design and preparation of bid and construction documents for reconstruction of Scyene Road from Clay-Mathis Road to Lawson Road and associated water main and drainage improvements in the amount of \$546,000.00.

Attachments: [Location Map](#)

- 14** [17-2567](#) Authorize an expenditure in the amount of \$51,507.00 to the Mesquite Independent School District for reimbursement of improvements to Range Park and authorize the City Manager to execute payment.

Attachments: [Invoice](#)

PUBLIC HEARING

- 15** [17-2568](#) 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 Planned Development - General Retail, for the 1.903-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. This item was postponed at the February 6, 2017, City Council meeting.)

Attachments: [Case Summary](#)
 [Staff Report](#)
 [PZ Minutes](#)
 [Ordinance - 93-5](#)

APPOINTMENTS TO BOARDS AND COMMISSIONS

- 16 [17-2566](#) Consider appointment of two alternate members to the Parks and Recreation Advisory Board and Tree Board, one for a term to expire October 21, 2017, and one for a term to expire October 21, 2018.

Attachments: [Personal Data Form - Burris](#)

- 17 [17-2576](#) Consider appointment of seven members to the Town East/Skyline Tax Increment Finance Reinvestment Zone No. Nine Board of Directors for terms to expire December 31, 2018, and appointment of a Chairperson for an unexpired term ending December 31, 2017.

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.

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 17-2573** Discuss economic development incentives for a proposed medical office building located on Interstate Highway 30 near Motley Drive.
- 19 17-2577** Discuss economic development incentives for a prospective redevelopment near the Rows of Texas retail district.

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.