



# City of Mesquite, Texas

## Meeting Agenda

### City Council

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Monday, April 17, 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**

#### **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**

Andrew Morris, Greater True Vine, Mesquite, Texas.

#### **PLEDGE OF ALLEGIANCE**

National Elementary Honor Society students, Price Elementary School.

#### **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**

- 1      [17-2628](#)      Presentation of meritorious awards to Police Department employees.

**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      [17-2659](#)      Minutes of the regular City Council meeting held April 3, 2017.

**Attachments:**      [Minutes](#)

- 3      [17-2672](#)      An ordinance amending Chapter 7 of the City Code thereby adopting the 2015 Edition of the International Property Maintenance Code, effective June 1, 2017.

**Attachments:**      [Ordinance - Property Maintenance](#)  
                                 [Table of Amendments](#)

- 4      [17-2669](#)      A resolution approving and ratifying an amendment and extension of the existing Meet and Confer Agreement between the City and the Mesquite Police Association, authorizing the City Manager to execute an Amendment and Extension of Second Amended and Restated Memorandum of Understanding between the City and the Association and authorizing the City Manager, or the City Manager's designee, to take all actions necessary or requested to carry out the terms and provisions of the Amendment and Extension of Second Amended and Restated Memorandum of Understanding between the City and the Association.

**Attachments:**      [Resolution - Meet and Confer](#)

- 5      [17-2670](#)      A resolution authorizing the City Manager to execute and approve the Project Specific Agreement (PSA) amending the Master Road and Bridge Interlocal Agreement with Dallas County for the purpose of repaving certain specific "Type B" roadways within the City of Mesquite.

**Attachments:**      [Resolution - Type B](#)

- 6      [17-2665](#)      A resolution authorizing the Police Chief to execute all documents in connection with the 2016 Office of the Governor - Body-Worn Camera Program grant award in the amount of \$69,673.21, approving the contribution of city funds in the amount of \$17,886.79 for this program and agreeing to return the 2016 Office of the Governor - Body-Worn Camera grant funds in the event of loss or misuse of such funds.

**Attachments:**      [Resolution - Body-Worn Camera](#)

- 7      [17-2667](#)      Bid No. 2017-068 - Patrol Officer Vista HD Cameras.  
(Staff recommends award to Watch Guard, through BuyBoard Contract No.

500-15, in the amount of \$312,320.00.)

**Attachments:**

[Vista Quote - Technical Services](#)

[Vista Quote - Seizure](#)

[Seizure Amendment No. 4](#)

- 8      [17-2662](#)      Bid No. 2017-056 - Purchase of Seven Ford Interceptor SUV Police Vehicles.  
(Staff recommends award to Silsbee Ford in Silsbee, Texas, through BuyBoard Contract No. 521-16, in the amount of \$218,502.00.)
- 9      [17-2663](#)      Bid No. 2017-062 - Purchase of Supplies and Accessories for 2017 Police Vehicles.  
(Staff recommends award to GT Distributors, through BuyBoard Contract No. 524-17, in the amount of \$67,643.75.)

**Attachments:**

[Quote - GT Distributors](#)

- 10     [17-2658](#)     Bid No. 2017-065 - National Integrated Ballistic Information Network (NIBIN).  
(Authorize the City Manager to finalize and execute a contract with sole source provider Ultra Electronics Forensic Technology, Inc., in the amount of \$309,960.00.)

**Attachments:**

[Sole Source Letter](#)

[NIBIN Quote](#)

[Seizure Amendment No. 4](#)

- 11     [17-2655](#)     Bid No. 2017-069 - Purchase of Electronic Patient Care Reporting Tablets for Fire Department.  
(Staff recommends award to GTS Technology Solutions, Inc., through the Texas Department of Information Resources Contract No. DIR-TSO-2520, in the amount of \$57,424.30.)

**Attachments:**

[GTS quote](#)

- 12     [17-2671](#)     Authorize the City Manager to finalize and execute a Professional Engineering Services Contract with Binkley and Barfield, Inc., to survey, design plans and prepare construction documents for the replacement of approximately 8,600 feet of sanitary sewer mains in the amount of \$286,950.00.

**Attachments:**

[Phase 2 Location Map - Flamingo Way and Bahamas](#)

[Phase 2 Location Map for Bennett Branch](#)

## **PUBLIC HEARING**

- 13     [17-2666](#)     Conduct a public hearing and consider an ordinance for Application No. 1353-39-2017, submitted by Amber Wilkins for a change of zoning from General Retail to General Retail with a Conditional Use Permit to allow sales of used merchandise on property located at 1515 E. Kearney, Suite 200.

(Two responses in opposition to the application have been received from property owners within the statutory notification area. One person appeared in opposition and three persons appeared in favor of the application before the Planning and Zoning Commission. The Commission recommends approval of the application with certain stipulations.)

**Attachments:**

[Case Summary](#)

[Staff Report & Maps - 1353-39-2017](#)

[PZ Minutes](#)

[Ordinance - 1353-39-2017](#)

#### **RECEIPT OF RESIGNATION**

- 14     [17-2656](#)     Receive resignation from Jeff Medley as a member of the Historic Mesquite, Inc., Board of Directors.

**Attachments:**

[Resignation - Medley](#)

#### **APPOINTMENTS TO BOARDS AND COMMISSIONS**

- 15     [17-2664](#)     Consider appointment of two representatives to attend the City/School Joint Tax Office Advisory Board meeting on Tuesday, June 6, 2017, at 2:00 p.m.

**Attachments:**

[Joint Tax Meeting Appointments](#)

#### **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. 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
5. Travis Tryon v. City of Mesquite – Filed 2-25-16
6. Robert L. Gould v. City of Mesquite – Filed 6-24-16
7. 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
8. 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
9. Scott Damon Richardson v. Darren Marsack and County of Dallas a.k.a., d.b.a. Dallas County, Inc., Dallas, Texas 75042 and John Doe 1 – 5 As yet to be discovered and Jane Doe 1 – 5 As yet to be discovered – Filed 2-6-17

### **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:

- 16      17-2675**      Discuss economic development incentives for a prospective development in Kaufman County near IH 20 and FM 740.

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.**