



City of Mesquite, Texas

Meeting Agenda

City Council

Monday, June 19, 2017

4:00 PM

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

PRE-MEETING - TRAINING ROOMS A&B - 4:00 P.M.

AGENDA REVIEW

STAFF PRESENTATIONS

- 1 [17-2777](#) Receive briefing regarding Program Year 2017 Community Development Block Grant (CDBG).

 Attachments: [CDBG PY 2017-18 Funding Request - Program Overview](#)
 [CDBG PY 2017-18 Funding Request - Budget](#)
- 2 [17-2780](#) Discuss amendments to the City Charter.

 Attachments: [Memo](#)
- 3 [17-2783](#) Receive briefing regarding increased enforcement measures for illicit firework and celebratory gunfire incidents for the upcoming July 4th holiday period.
- 4 [17-2791](#) Receive briefing regarding the status of the Thomasson Square Project.

EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 4:00 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

Fred Bacon, Pastor, First Christian Church, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

Members of the Mesquite Historical and Genealogical Society.

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.)

- 5 [17-2764](#) Minutes of the regular City Council meeting held June 5, 2017.
- Attachments: [06.05.2017m](#)
- 6 [17-2763](#) An ordinance amending Chapter 9 of the City Code regarding the location of school zones by adding a school zone for Florence Elementary School along Ashwood Drive between Oates Drive and Whitson Way.
- Attachments: [Ordinance](#)
 [MISD Email](#)
 [Location Map](#)
- 7 [17-2782](#) An ordinance providing for the partial abandonments of a 10-foot-wide utility easement and a 30-foot fire lane and utility easement located at the Market East Shopping Center, 1645 and 1649 Town East Boulevard.
- Attachments: [Ordinance - Abandonment](#)
 [Abandonment Request Letter](#)
- 8 [17-2768](#) An ordinance, on second and final reading, approving a negotiated settlement between the Atmos Cities Steering Committee (ACSC) and Atmos Energy Corporation, Mid-Tex Division (Company) regarding the Company's 2017 Rate Review Mechanism (RRM) filings; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the settlement tariffs to be just and reasonable and in the public interest; requiring reconciliation and rate adjustments if federal income tax rates change; terminating the RRM process or 2018 pending renegotiation of RRM terms and conditions; requiring the Company to reimburse ACSC's reasonable ratemaking expenses; determining that this ordinance was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and

requiring delivery of this ordinance to the Company and the ACSC's legal counsels.

(This item was postponed at the June 5, 2017, City Council meeting.)

Attachments: [Ordinance - Atmos](#)
[List of ACSC Cities](#)

- 9 [17-2770](#) Bid No. 2017-072 - Annual Supply of Sand and Loam.
(Staff recommends award to low bidder Liberty Sand & Gravel, Inc., in an amount not to exceed \$176,048.75.)

Attachments: [Bid Tabulation](#)

- 10 [17-2774](#) Bid No. 2017-074 - Annual Supply of Heavy-Duty Chevrolet Truck OEM Parts.
(Staff recommends award to low bidder Autonation Chevrolet with an 11 percent markup from dealer cost, in the amount of \$60,000.00.)

Attachments: [Bid Tabulation](#)

- 11 [17-2781](#) Bid No. 2017-094 - Annual Supply of Fire Department Uniforms and Clothing.
(Staff recommends award to Galls, LLC, in Lexington, Kentucky, through BuyBoard Contract No. 507-16, in an amount not to exceed \$76,340.00.)

Attachments: [BuyBoard Quote](#)

- 12 [17-2767](#) Bid No. 2017-097 - Integrated Security System for Police and City Hall.
(Authorize the City Manager to finalize and execute contracts with Convergent Technologies, through the Texas Cooperative Purchasing Network Contract No. R5167, for video management and access control systems in the amount of \$294,880.98; Dell, Inc., through Texas Department of Information Resources Contract No. DIR-SDD-1951, for purchase of computers in the amount of \$10,500.00; and Watch Guard through BuyBoard Contract No. 524-17, sponsored by the Texas Association of School Boards, for purchase and installation of Watch Guard cameras in the amount of \$92,235.00, for a total amount of \$397,615.98.)

Attachments: [Council Summary Integrated Security System](#)

- 13 [17-2766](#) Authorize the Mayor to execute the First Renewal Option ("Contract Amendment") to the Interlocal Agreement with the Texas Department of Public Safety for hangar rental space at the Mesquite Metro Airport.

- 14 [17-2769](#) Authorize the City Manager to finalize and execute Amendment No. 4 to a contract with Brown & Gay Engineers, Inc., for additional engineering and surveying services in conjunction with the Thomasson Square Road Project - Paving, Utility & Drainage Improvements in an amount not to exceed \$300,000.00.

Attachments: [Phasing Exhibit](#)
[BGE Phase 1 Fee Proposal](#)
[BGE Phase 2A Fee Proposal](#)
[BGE Phase 2B Fee Proposal](#)

- 15 [17-2789](#) Authorize the City Manager to negotiate and execute a change order to the contract with Rebcon, Inc., for proposed changes in the design of the water, sanitary sewer, paving, and drainage reconstruction improvements for the Gus Thomasson Road Project in an amount not to exceed \$2,465,258.99.

- 16 [17-2773](#) Authorize the City Manager to execute an extension to the Maintenance and Support Agreement for Premier Computer Aided Dispatch (PremierCAD), Premier Mobile Data Computer (PremierMDC) and Infotrak (LRMS) with Motorola Solutions, Inc., in the amount of \$187,747.00.

Attachments: [Council Summary Motorola Support Agreement](#)
[Support Fees Summary](#)

- 17 [17-2761](#) Approve a petition requesting installation of speed bumps in the alley behind Chappell Drive from Gross Road to Embassy Drive.

Attachments: [Petition](#)
[Location Map](#)

- 18 [17-2786](#) Approve request to receive donated public art for the Mesquite Main Library located at 300 West Grubb Drive.

Attachments: [Memorandum](#)
[Intent to Donate Letter](#)
[Bill of Sale](#)

PUBLIC HEARING

- 19 [17-2776](#) Conduct a citizen input hearing regarding amendments to the City Charter.

OTHER BUSINESS

- 20 [17-2784](#) A. Consider scheduling a special City Council meeting to be held on Thursday, June 29, 2017, at 7:00 p.m., to conduct a public hearing regarding a moratorium on applications and plans for development for permits, plats, verifications, rezonings, site plans and new or revised certificates of occupancy for truck stops and the parking of heavy load vehicles as a principle use or as an accessory use within the corporate City limits of Mesquite and consider an ordinance, on first reading, establishing the moratorium.
- B. A resolution authorizing a temporary moratorium to take effect on applications and plans for development for permits, plats, verifications,

rezonings, site plans and new or revised certificates of occupancy for truck stops and other development that includes the parking of heavy load vehicles as a principle use or as an accessory use within the corporate City limits of Mesquite.

Attachments: [Resolution - Moratorium](#)

APPOINTMENTS TO BOARDS AND COMMISSIONS

- 21 [17-2788](#) Consider appointment of one alternate member to the Parks and Recreation Advisory Board/Tree Board for a term to expire October 21, 2017.

Attachments: [Personal Data Form](#)

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. 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
2. 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
3. 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
4. Travis Tryon v. City of Mesquite – Filed 2-25-16

5. 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
6. 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
7. 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
8. Texas Propane Gas Association v. Railroad Commission of Texas, et al – Filed 3-3-17
9. Jojoba Assets, LLC v. City of Mesquite – Filed 5-5-17
10. Luna Properties LLC & F & M Properties Inc. v. City of Mesquite – Filed 6-8-17

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:

- 22 17-2785** Discuss proposed land acquisition near the Southeast Pump Station.

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:

- 23 17-2771** Discuss economic development incentives for a prospective business expansion in the Skyline Trade Center.
- 24 17-2795** Discuss economic development incentives for a prospective business expansion in the Skyline Logistics Hub.

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 segun el Sub-capitulo H, Capitulo 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 segun el Sub-capitulo H, Capitulo 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.