



City of Mesquite, Texas

Meeting Agenda

City Council

Tuesday, September 5, 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 [17-2917](#) Receive briefing regarding the Automated Photo Enforcement Program and potential new locations.

 Attachments: [17-2917.pdf](#)
- 2 [17-2918](#) Receive briefing regarding annual investment activity and proposed changes to the City's Investment Policy.

 Attachments: [17-2918.pdf](#)
 [Investment Policy Redlined.pdf](#)
- 3 [17-2926](#) Receive briefing regarding the status of new and revised ordinances and regulations governing truck stops and other uses involving the parking of heavy load vehicles as a principal use or as an accessory use.

 Attachments: [17-2926.pdf](#)

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

Rocky Pope, Senior Pastor, Mimosa Lane Baptist Church, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

Members of Boy Scouts Troop 852.

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.)

- 4 [17-2923](#) Minutes of the regular City Council meeting held August 21, 2017.

 Attachments: [17-2923.pdf](#)
 [08.21.2017m](#)

- 5 [17-2944](#) A resolution directing that staff give written notice of the City's intent to annex certain property in its extraterritorial jurisdiction and draft a service plan for such area.

 Attachments: [17-2944.pdf](#)
 [Proposed resolution](#)

- 6 [17-2922](#) A resolution endorsing and accepting the 2017-2018 Speed Safety Grant for the Selective Traffic Enforcement Program (the "STEP" Program); approving the contribution of City funds in the amount of \$12,714.93 and authorizing the City Manager to execute the necessary documents with the Texas Department of Transportation in connection with such grant and STEP Program.

 Attachments: [17-2922.pdf](#)
 [Resolution](#)

- 7 [17-2893](#) Bid No. 2017-101 - Annual Purchase of Traffic Signal Controllers and Cabinets.
 (Staff recommends award to sole source provider Iteris in the amount of \$99,525.00.)

 Attachments: [17-2893.pdf](#)
 [Quote](#)
 [Sole Source Letter](#)

- 8 [17-2938](#) Authorize the City Manager to finalize and execute an Amendment to Renew Interlocal Agreement with the Dallas County Hospital District d/b/a Parkland Health & Hospital System for Biomedical Online and Offline Medical Supervision in an amount not to exceed \$61,387.69 for fiscal year 2017-18, effective October 1, 2017, through September 30, 2018.

Attachments: [17-2938.pdf](#)

PUBLIC HEARINGS

- 9 [17-2846](#) Conduct a public hearing and consider a resolution approving the terms and conditions of a program (Chapter 380 Agreement) to promote local economic development and stimulate business and commercial activity in the City, authorizing the City Manager to finalize and execute an agreement for such purposes with SISERV, LLC, for a proposed new commercial building to be located at 316 West College Street, Mesquite, Texas, and authorizing the City Manager to administer the agreement on behalf of the City.

Attachments: [17-2846.pdf](#)
 [Resolution](#)
 [380 - Executive Summary](#)

- 10 [17-2931](#) Conduct a public hearing to receive input from citizens regarding the proposed fiscal year 2017-18 budget.

Attachments: [17-2931.pdf](#)

- 11 [17-2939](#) Conduct a public hearing regarding the proposed 2017-18 ad valorem tax rate of \$0.687 per \$100 valuation.

Attachments: [17-2939.pdf](#)

OTHER BUSINESS

- 12 [17-2930](#) Consideration and possible action on a request from Moses NeGusse of Greenwood Real Estate, for a waiver from the commercial moratorium to submit an application for the parking of heavy load vehicles as a principal use on property located at 2300 Gross Road.

Attachments: [17-2930.pdf](#)
 [Case Summary](#)
 [Request for waiver from Moses NeGusse](#)
 [Location Map](#)

Consider passage of the following ordinances relating to the fiscal year 2017-18 Budget:

- 13 [17-2932](#) An ordinance providing funds for the fiscal year 2017-18 by adopting and approving the budget for said period and appropriating and setting aside

the necessary funds out of the general and other revenues of the City for said fiscal year for the maintenance and operation of various departments and activities of the City, for capital and other improvements of the City and for all other expenditures included in said budget.

Attachments: [17-2932.pdf](#)
 [Ordinance and Proposed Fiscal Year 2017-18 Budget](#)
 [Summary of Fiscal Year 2017-18 Budget Highlights.pdf](#)

- 14 [17-2937](#) An ordinance ratifying the increase in property tax revenue reflected in the fiscal year 2017-18 budget.

Attachments: [17-2937.pdf](#)
 [Ratification Ordinance](#)

APPOINTMENTS TO BOARDS AND COMMISSIONS

- 15 [17-2943](#) Consider appointment of an alternate member to the STAR Transit Board of Directors for a term to expire on January 21, 2019.

Attachments: [17-2943.pdf](#)

- 16 [17-2946](#) Consider appointment of one member to the Charter Review Committee.

Attachments: [17-2946.pdf](#)

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. Kevin 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. 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

5. 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

6. 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

7. Texas Propane Gas Association v. Railroad Commission of Texas, et al – Filed 3-3-17

8. Jojoba Assets, LLC v. City of Mesquite – Filed 5-5-17

9. Luna Properties LLC & F & M Properties Inc. v. City of Mesquite – Filed 6-8-17

10. Matthew Dunlap v. Jose Alcala and the City of Mesquite - Filed 7-17-17

11. Scott Damon Richardson v. Stephen Crane – Filed 8-10-17

12. Scott Damon Richardson v. Detra Hill – Filed 8-10-17

13. Scott Damon Richardson v. Darren Marsack – Filed 8-10-17

14. Christopher Acoff v. City of Mesquite – Filed 8-25-17

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:

- 17 17-2935** Consider economic development incentives for the redevelopment of a shopping center located at the corner of IH-635 and Town East Boulevard.

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.