



City of Mesquite, Texas

Meeting Agenda

City Council

Monday, October 16, 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 [17-3005](#) Discuss Tax Increment Reinvestment Zones.

 Attachments: [TIF Zone Summary Schedule - Council Agenda Oct 2017](#)
- 2 [17-3038](#) Discuss proposed annexation.
- 3 [17-3044](#) Discuss proposed Polo Ridge Development.
- 4 [17-3045](#) Discuss proposed Heartland Town Center Development.

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

W.R. Willis, Pastor, Calvary Temple Community Church, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

Members of Mesquite Education Foundation.

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 [17-3018](#) Minutes of the regular City Council meeting held October 2, 2017.

 Attachments: [10.02.2017m](#)
- 6 [17-3015](#) An ordinance amending Chapter 9 of the City Code thereby revising the definition of "Department" in Section 9-286(c) establishing the Finance Department as the department responsible for enforcing and administering automated photo enforcement violations.

 Attachments: [Ordinance](#)
- 7 [17-3010](#) A resolution authorizing the City Manager to finalize and execute an Interlocal Agreement with North Central Texas Council of Governments for the period from October 1, 2017, to September 30, 2022, thereby authorizing the City's participation in the Regional Storm Water Management Program.

 Attachments: [Resolution](#)
- 8 [17-3032](#) A resolution amending Resolution No. 34-2017, approved by the City Council on September 5, 2017, by revising the Exhibit "A" attached to the resolution and reducing the areas in the Mesquite extraterritorial jurisdiction proposed for annexation by the City.

 Attachments: [Resolution: Amending Annexation \(AA01.03-11\)](#)
- 9 [17-3034](#) A resolution amending Resolution No. 35-2017, approved by the City Council on September 5, 2017, by revising the Exhibit "A" attached to the resolution and reducing the area in the Mesquite extraterritorial jurisdiction proposed for annexation by the City.

 Attachments: [Resolution: Amending Annexation \(AA02\)](#)
- 10 [17-3037](#) A resolution amending Resolution No. 40-2017, approved by the City

Council on September 18, 2017, by calling a special City Council meeting on Thursday, October 26, 2017, in the Mesquite extraterritorial jurisdiction on the proposed annexation of territory and limiting the public hearings on annexation to only those properties shown on the attached Exhibit "A", as amended.

Attachments: [Resolution: Amending PHs](#)

- 11 [17-3039](#) A resolution authorizing the City Manager to negotiate a development agreement with BDMR Development, LLC, and Polo Ridge Fresh Water Supply District of Kaufman County regarding approximately 822.1 acres of real property located near F.M. Highway 740, F.M. Highway 2757 and Kelly Road in Kaufman County, Texas, commonly referred to as "Polo Ridge," said agreement to contain the terms set forth in attached Exhibit "A" and additional terms and provisions recommended by the City Manager.

Attachments: [Resolution](#)

- 12 [17-3040](#) A resolution authorizing the City Manager to negotiate a new development agreement and/or an amendment to an existing development agreement with CADG Kaufman 146, LLC and Kaufman County Fresh Water Supply District No. 5 regarding approximately 146.73 acres of real property located near Farm to Market Road 741, Interstate Highway 20 and Heartland Parkway in Kaufman County, Texas, commonly referred to as "Heartland Town Center Development," said agreement and/or amendment to contain the terms set forth in attached Exhibit "A" and additional terms and provisions recommended by the City Manager.

Attachments: [Resolution](#)

- 13 [17-3021](#) Bid No. 2017-098 - Annual Supply of Rebar.
(Staff recommends award to the lowest bidder meeting specifications Barnsco, Inc., in the amount of \$88,570.00.)

Attachments: [Bid Tabulation](#)

- 14 [17-3013](#) Bid No. 2017-108 - Annual Vacant Property Landscaping Maintenance for Environmental Code.
(Authorize the City Manager to finalize and execute a contract with Christopher James Lofton d/b/a Edens Touch Landscape Management in the amount of \$54,272.66.)

Attachments: [Bid Tabulation](#)

- 15 [17-3012](#) RFP No. 2017-109 - Annual Contract for Spay Neuter Services.
(Authorize the City Manager to finalize and execute a contract with Town East Animal Hospital dba Hillside Veterinary Clinic.)

- 16 [17-3016](#) 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 bidding and construction documents for construction of a pump station, ground storage tank and 24-inch water transmission main to provide water service to tracts of land within Kaufman County in the amount of \$1,858,600.00.

Attachments: [Location Map](#)

- 17 [17-3003](#) Approve Amendment No. 1 to the 2017-18 Police Seizure Budget in accordance with Title 28, Section 524 of the United States Code and Chapter 59 of the Texas Code of Criminal Procedure in the amount of \$288,000.00.

Attachments: [Seizure Amendment No. 1](#)

- 18 [17-3004](#) Approve Amendment No. 2 to the 2017-18 Police Seizure Budget in accordance with Title 28, Section 524 of the United States Code and Chapter 59 of the Texas Code of Criminal Procedure in the amount of \$95,000.00.

Attachments: [Seizure Amendment No. 2](#)

- 19 [17-3033](#) Reappoint Robert Miklos, Tandy Buroughs, Dan Aleman, Jeff Casper, Bruce Archer, Greg Noschese and Stan Pickett to the Gus Thomasson Tax Increment Finance (TIF) Reinvestment Zone No. Eight Board of Directors for a term to expire November 2, 2019, and reappoint Stan Pickett as the Chairperson of the Board for a term to expire December 31, 2018.

- 20 [17-3043](#) Reappoint Robert Miklos, Tandy Buroughs, Dan Aleman, Jeff Casper, Bruce Archer, Greg Noschese and Stan Pickett to the Skyline Tax Increment Finance (TIF) Reinvestment Zone No. Seven Board of Directors for terms to expire November 2, 2019, and reappoint Stan Pickett as the Chairperson of the Board for a term to expire on December 31, 2018.

APPOINTMENTS TO BOARDS AND COMMISSIONS

- 21 [17-3028](#) Consider appointment of three regular members and one alternate member to the Parks and Recreation Advisory Board and Tree Board for terms to expire October 21, 2019.

PUBLIC HEARINGS

- 22 [17-3023](#) Conduct a public hearing and consider a request from Garry Hawes of Metro Mechanical to substitute an existing six-foot tall concrete block wall for a required eight-foot-tall long-span precast masonry screening wall on the northern portion of property located at 430, 504 and 516 South Bryan Belt Line Road and to allow a long-span precast masonry screening wall along the southern portion of the property to be six feet tall instead of the required eight feet.

Attachments: [Staff memo and maps](#)

- 23 [17-3031](#) Conduct a public hearing and consider possible action on Zoning Text Amendment No. 2017-03 amending Chapter 1A-200, Landscape Requirements; Chapter 1A-300, Screening and Buffering Requirements; Section 3-203, Schedule of Permitted Uses; Chapter 3-300, Development Standards; Chapter 3-400, Off-Street Parking and Loading; Chapter 3-500, Supplementary Use Regulations; Chapter 3-600, Outdoor Sales, Display and Storage Regulations; Chapter 4-930, Skyline Logistics Hub Overlay District; and Section 6-102, Definitions; all pertaining to new and revised regulations for Truck Stops and other development that includes the parking of heavy load vehicles as a principal or accessory use.
(This item was postponed at the September 18, 2017, City Council meeting.)
- 24 [17-3035](#) Conduct a public hearing for the purpose of considering annexation of approximately 8.625 square miles of territory within the City of Mesquite's extraterritorial jurisdiction.
(This is the first public hearing to be held to consider annexation of approximately 8.625 square miles of territory within the City's extraterritorial jurisdiction.)

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. 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. Jojoba Assets, LLC v. City of Mesquite – Filed 5-5-17
8. Luna Properties LLC & F & M Properties Inc. v. City of Mesquite – Filed 6-8-17
9. Matthew Dunlap v. Jose Alcala and the City of Mesquite - Filed 7-17-17
10. Scott Damon Richardson v. Stephen Crane – Filed 8-10-17
11. Scott Damon Richardson v. Detra Hill – Filed 8-10-17
12. Scott Damon Richardson v. Darren Marsack – Filed 8-10-17
13. 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.

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.