



# City of Mesquite, Texas

## Meeting Agenda

### City Council

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Monday, August 20, 2018

4:00 PM

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

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

##### AGENDA REVIEW

##### STAFF PRESENTATIONS

- 1      [18-3598](#)      Receive briefing regarding the Sign Code.
- 2      [18-3623](#)      Receive presentation regarding the proposed Iron Horse Development located near the Mesquite Rodeo.

Attachments:      [Concept Plan](#)

#### 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

#### CITY COUNCIL/STAFF WORK SESSION - CITY COUNCIL CHAMBER - 6:00 P.M.

- 3      [18-3607](#)      Receive financial statement for period covering October 1, 2017, through June 30, 2018.

Attachments:      [June 30, 2018 Financial Statements](#)  
                                 [June 30, 2018 Financial Statement Overview](#)

- 4      [18-3588](#)      Receive quarterly report from Police Department.

Attachments:      [Police Department Overview](#)

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

##### INVOCATION

John Schelter, Pastor, Our Savior Lutheran Church, Mesquite, Texas.

**PLEDGE OF ALLEGIANCE**

Members of the Mesquite Veterans Memorial Committee.

**PRESENTATIONS**

- 5      [18-3606](#)      Presentation of donation from Republic Services to Mesquite Veterans Memorial.
- 6      [18-3587](#)      Recognize Real. Texas. Service. Champions.

**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.)

- 7      [18-3605](#)      Minutes of the special City Council meetings held July 30, 2018, and July 31, 2018, and the regular City Council meeting held August 6, 2018.
- Attachments:*      [07.30.2018](#)  
                              [07.31.2018](#)  
                              [08.06.2018m](#)
- 8      [18-3604](#)      An ordinance amending Chapter 5 of the City Code amending regulations addressing the construction and standards for fences.
- Attachments:*      [Ordinance - Fences](#)
- 9      [18-3622](#)      A resolution authorizing the City Manager to execute and approve the First Amendment to the Project Specific Agreement amending the Master Road and Bridge Interlocal Maintenance Agreement with Dallas County for the purpose of repaving certain specific "Type B" roadways within the City of Mesquite.
- Attachments:*      [Resolution - First Amend to PSA](#)
- 10     [18-3619](#)      RFP No. 2018-070 - Medical Administrative Services Only (ASO) for Medical and Pharmacy Benefits.

(Authorize the City Manager to finalize and execute a Third-Party Administrator Services Agreement with Blue Cross Blue Shield of Texas to provide medical coverage for full-time employees and under age 65 retirees effective January 1, 2019.)

**Attachments:**

[Criteria Evaluation](#)

[Analysis of Proposals](#)

**11      [18-3620](#)**

RFP No. 2018-072 - Basic Group Life and Supplemental Life Insurance.

(Authorize the City Manager to finalize and execute an application with The Standard effective January 1, 2019, through December 31, 2024.)

**Attachments:**

[Criteria Evaluation](#)

[Marketing Analysis](#)

**12      [18-3613](#)**

A resolution approving the form and authorizing the distribution of a Preliminary Limited Offering Memorandum for the City of Mesquite, Texas, Special Assessment Revenue Bonds, Series 2018 (Heartland Town Center Public Improvement District Phase #1 Project) and approving the form and authorizing the distribution of a Preliminary Limited Offering Memorandum for the City of Mesquite, Texas, Special Assessment Revenue Bonds, Series 2018 (Heartland Town Center Public Improvement District Phase #2 Major Improvement Project), and resolving other matters incident and related thereto.

(This item was postponed at the August 6, 2018, City Council meeting).

**Attachments:**

[Resolution - Heartland PLOM](#)

[Phase #1 Project PLOM](#)

[Phase #2 Major Improvement Project PLOM](#)

**PUBLIC HEARINGS**

**13      [18-3616](#)**

Conduct a public hearing to receive citizen input on the proposed 2018-19 budget.

**14      [18-3608](#)**

Conduct a public hearing regarding the proposed 2018-19 ad valorem tax rate of \$0.734 per \$100 valuation.

**15      [18-3602](#)**

A. Conduct a public hearing to receive citizen input regarding the juvenile curfew ordinance.

B. Consider an ordinance finding that the juvenile curfew Ordinance No. 2996 has had a positive effect on the community and on the problems the ordinance was intended to remedy and the Council has found there is a need to continue and readopt the ordinance as authorized by law.

**Attachments:**

[Ordinance - Curfew](#)

**16      [17-3082](#)**

Conduct a public hearing and consider a resolution approving the terms and conditions of a program (Chapter 380 Agreement) to promote

economic development and stimulate business and commercial activity in the City and authorizing the City Manager to finalize and execute an agreement for such purposes with G-MAN Properties, LLC, Gardner Telecommunications, LLC, and The Pickle Juice Company, LLC, for a proposed new industrial development at 3601 Innovative Way, Mesquite, Texas, and authorizing the City Manager to administer the agreement on behalf of the City.

**Attachments:**      [Executive Summary](#)  
                                 [Resolution - GMAN](#)

- 17**      [18-3601](#)      Conduct a public hearing and consider an ordinance for Application No. Z0518-0034, submitted by Patrick Roffino, Roffino Construction, to amend Planned Development Ordinance No. 2042 to allow additional uses on property located at 5115 N. Galloway Avenue.  
(Five responses in favor and one response in opposition to the application have been received from property owners within the statutory notification area. The Planning and Zoning Commission recommends approval of the application with certain stipulations.)

**Attachments:**      [Case Summary](#)  
                                 [Staff Report & Maps](#)  
                                 [P & Z Minutes](#)  
                                 [Ordinance - Z0518-0034](#)

- 18**      [18-3600](#)      Conduct a public hearing for Application No. Z0618-0049, submitted by Maxwell Fisher of MasterPlan, for a change of zoning from Commercial to Planned Development-Commercial to allow pawnshops as a permitted use, located at 3711 Gus Thomasson.  
(No responses in favor or opposition to the application have been received from property owners within the statutory notification area. The Planning and Zoning Commission recommends denial of the application.)

**Attachments:**      [Case Summary](#)  
                                 [Staff report & maps](#)  
                                 [P & Z mintues](#)

- 19**      [18-3603](#)      Conduct a public hearing and consider an ordinance for Application No. Z0718-0056, submitted by Trevor Kollinger on behalf of CADG Kaufman 146, for a change of zoning from Agricultural to General Retail to allow any use permitted in the General Retail zoning district, located at the southeast corner of Interstate Highway 20 and FM 741.  
(No responses in favor or opposition to the application have been received from property owners within the statutory notification area. The Planning and Zoning Commission recommends approval of the application.)

**Attachments:**      [Case Summary](#)  
                                 [Staff Report & Maps](#)  
                                 [P&Z Minutes](#)  
                                 [Deed Restrictions](#)  
                                 [Ordinance - Z0718-0056](#)

- 20      [18-3617](#)      Conduct a public hearing to consider testimony regarding the proposed assessments to be levied against assessable property within the Heartland Town Center Public Improvement District, pursuant to the provisions of Chapter 372 of the Texas Local Government Code. The property is approximately 121.282 acres of vacant land situated in the Martha Music Survey, Abstract Number 312, in Kaufman County, Texas, and is generally located south of Interstate Highway 20, east of FM 741 and north of Heartland Parkway, within the extraterritorial jurisdiction of the City of Mesquite.

**Attachments:**      [Resolution No. 41-2018](#)

#### **OTHER BUSINESS**

- 21      [18-3609](#)      Consider scheduling a special City Council meeting for Monday, August 27, 2018, at 6:00 p.m., to discuss the process and criteria for transitioning the system for electing the City's six councilmembers to a single member district system and to conduct a plan drawing session to develop illustrative districting plan(s).

#### **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 2017 wholesale rates implemented by the North Texas Municipal Water District, PUC Docket No. 46662 – Filed 12-14-16

5. 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

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

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

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

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

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

11. Mohamed Bedran v. City of Mesquite – Filed 9-26-17

12. Victor Davis v. City of Mesquite and Glenn A. Evans, Individually – Filed 11-9-17

13. TRBP, Limited v. Stan Pickett in his Official Capacity as Mayor of Mesquite; Robert Miklos in his Official Capacity as a City Councilman of Mesquite; Jeff Casper in his Official Capacity as a City Councilman of Mesquite; Bruce Archer in his Official Capacity as a City Councilman of Mesquite; Dan Aleman in his Official Capacity as a City Councilman; Greg Noschese in his Official Capacity as a City Councilman of Mesquite; Tandy Boroughs in his Official Capacity as a City Councilman of Mesquite – Filed 11-30-17

14. Petition of the Cities of Garland, Mesquite, Plano and Richardson appealing 2018 Wholesale Water Rates implemented by North Texas Municipal Water District, PUC Docket No. 47863 (Appealing Wholesale Water Rates for 2018) – Filed 12-15-17

15. Lyndo Jones v. City of Mesquite, Texas, and Derrick Wiley – Filed 1-18-18

16. City of Mesquite v. Govind Group Corp., and 3629 E. US Highway 80, Mesquite, Texas 75150 in rem – Filed 3-1-18

17. Ex Parte North Texas Municipal Water District – Filed 5-7-18

18. Leonard Warren v. City of Mesquite – Filed 6-18-18

19. Gregory Von Lee v. City of Mesquite – Filed 6-22-18

### **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:

- 22      18-3624**      Consider economic development incentives for a prospect seeking to locate within the Mesquite Rodeo City Reinvestment Zone Number One, City of Mesquite, Texas.

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.**