



City of Mesquite, Texas

Minutes - Final City Council

Monday, December 2, 2019

5:00 PM

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

Present: Mayor Bruce Archer and Councilmembers Tandy Boroughs, Robert Miklos, Dan Aleman, Kenny Green and B. W. Smith, City Manager Cliff Keheley and City Secretary Sonja Land.

PRE-MEETING - TRAINING ROOMS A&B - 5:00 P.M.

AGENDA REVIEW

STAFF PRESENTATIONS

- 1 Discuss donation offer of a vacant 0.166-acre commercial property tract located at 2129 North Galloway Avenue.

It was Council consensus to move forward with the property donation offer.

EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 5:25 P.M.

Mayor Archer announced that the City Council would meet in Executive Session pursuant to Section 551.071 of the Texas Government Code to conduct a private consultation with its attorney related to pending or contemplated litigation; a settlement offer; and issues in which there exists a duty of the City Attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas (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; 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); whereupon, the City Council proceeded to meet in the Executive Conference Room. After the closed meeting ended at 6:32 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 6:32 P.M.

Mayor Archer announced that the City Council would meet in Executive Session pursuant to Section 551.072 of the Texas Government Code to discuss the purchase, exchange, lease or value of real property (Item No. 20 – Discuss the acquisition of property in Kaufman County near Griffin Lane and FM 2932); whereupon, the City Council proceeded to meet in the Executive Conference Room. After the closed meeting ended at 6:39 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

CITY COUNCIL/STAFF WORK SESSION - CITY COUNCIL CHAMBER - 6:42 P.M.

- 2 Receive Neighborhood Services quarterly report for the period of July 1, 2019, through September 30, 2019.

Maria Martinez, Director of Neighborhood Services, reviewed the fourth quarter statistics for Fiscal Year (FY) 2018-19 and stated there has been an increase in violations and citations issued with a decline in complaints submitted by residents and properties contracted due to increased voluntary compliance from residents. Ms. Martinez stated that the code case average, which is the time from when the code violation is opened until the time the violation is corrected by voluntary compliance, issuance of a citation or contractor abatement, is 22 days. Ms. Martinez reviewed the top four code violations – high grass; overhanging limbs; trash, junk and debris; and landscaping and vegetation maintenance. Parking violations have increased with 392 identified in the fourth quarter. Ms. Martinez explained that parking violations consist of parking on an unimproved surface with the exception of permitted surfaces. Ms. Martinez reviewed the Code Ambassador program statistics and the Vacant Property Maintenance program. A neighborhood comprehensive sweep was conducted in Code District 8 with 1,199 violations found and eight citations issued.

The work session ended at 6:56 p.m.

REGULAR CITY COUNCIL MEETING - CITY COUNCIL CHAMBER - 7:01 P.M.**INVOCATION**

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

PLEDGE OF ALLEGIANCE

Teresa Jackson, Executive Director, Sharing Life Community Outreach, Mesquite, Texas.

PRESENTATIONS

- 3 Presentation of Certificates of Election to Mayor Bruce Archer and City Councilmembers Kenny Green, Place 2; Robert Miklos, Place 3; Tandy Boroughs, Place 4; B. W. Smith, Place 5; and Dan Aleman, Place 6.

Certificates of Election were presented to Mayor Bruce Archer and City Councilmembers Kenny Green, Place 2; Robert Miklos, Place 3; Tandy Boroughs, Place 4; B. W. Smith, Place 5; and Dan Aleman, Place 6.

- 4 Presentation by Mesquite Heart Board of Heart Safe Community recognition.

Lisa Fox, ER Director of Dallas Regional Medical Center and President of Mesquite Heart Board, stated that the Mesquite Heart Board collaborated with the Mesquite Fire Department, Mesquite Police Department, City of Mesquite, Mesquite Parks and Recreation Department, Dallas Regional Medical Center and Mesquite Independent School District to become a Heart Safe Community through the North Central Texas Trauma Regional Advisory Committee (NCTTRAC). The Heart Safe Community Program is designed to recognize the

efforts a community makes to its citizens in protecting them from the effects of heart diseases and sudden cardiac death by evaluating different aspects of the system as a whole.

The Mesquite Heart Board recently became a nonprofit organization and will be hosting the Mesquite Go Red Gala on February 13, 2020, to raise funds for heart health education, Automatic External Defibrillators and heart life vests. Ms. Fox and members of the Mesquite Heart Board presented Letters of Designation and a "HEART Safe Community" placard to Mayor Archer.

SPECIAL ANNOUNCEMENTS

1. Mr. Green stated that the Mesquite Arts Center, 1527 North Galloway Avenue, will host a variety of events on Saturday, December 7, 2019. The Mesquite Community Band will present a concert, "A Christmas Celebration," at 4:00 p.m., and the Mesquite Community Theatre will present the play, "Fruitcakes," at 8:00 p.m. On Saturday, December 14, 2019, the Mesquite Symphony Orchestra will perform the annual Christmas concert. He encouraged citizens to bring their friends and family and attend these holiday events.
2. Mr. Boroughs encouraged citizens to attend the Mesquite AMBUCS Annual Pancake Breakfast on Saturday, December 7, 2019, from 8:00 a.m. to 10:30 a.m., at Evans Senior Center, 1116 Hillcrest Street. Tickets are \$3.00 each and all proceeds benefit the Mesquite AMBUCS which provides Amtrykes for mobility challenged individuals, builds wheelchair ramps at homes of the elderly and disabled and provides scholarships to Mesquite high school seniors who seek a degree in various healthcare fields.
3. Mr. Smith stated that the Mesquite Code Ambassadors program utilizes volunteers to assist code enforcement officers by identifying specific code violations throughout the community. Orientation for this program will take place on January 30, 2020, at the Mesquite Arts Center, 1527 North Galloway Avenue. He encouraged citizens to volunteer for this city-wide program.
4. Mr. Aleman invited citizens to attend the Annual Christmas in the Park event, hosted by the Parks and Recreation Department, on Saturday, December 7, 2019, and Sunday, December 8, 2019, from 1:00 p.m. to 7:00 p.m., at Westlake Park, 600 Gross Road. A variety of activities will be held including a holiday parade and fireworks finale each evening. Admission and parking are free.
5. Mr. Miklos stated that the Mesquite Police Department will host the Annual Santa Cop Toy drop-off event on Saturday, December 7, 2019, from 1:00 p.m. to 4:00 p.m., at Agape Home Healthcare, 18770 LBJ Freeway. He encouraged citizens to help families in our community by dropping off a toy.
6. Mr. Miklos reminded citizens that a Runoff Election will be held on Saturday, December 14, 2019, for City Council, Place 1. Early voting is now taking place and he encouraged all citizens that reside in District 1 to take this opportunity to vote.
7. Mayor Archer invited citizens to attend the Annual Tree Lighting in Downtown Mesquite. Holiday entertainment and activities begin at 6:00 p.m., with the tree lighting at 7:00 p.m. Free Downtown Mesquite Christmas ornaments will be available, while supplies last, in addition to complimentary cocoa and cookies. Mesquite Police Department's Santa Cop Toy program will be accepting donations.

CONSENT AGENDA

Approval of the Consent Agenda

Mr. Miklos requested a briefing on Item No. 10.

Mark Kerby, Fire Chief, stated that Item No. 10 is for the purchase of fire protective clothing which includes replacement bunker gear - jackets and pants - and for replacement of bunker boots for Fire Department personnel. Additionally,

this item allows for an additional set of bunker gear to be purchased in response to the Department's cancer prevention program. This additional gear will ensure that all operations assigned firefighters are issued two sets of gear. The additional set allows for the immediate cleaning of one set, after exposure to a fire, while allowing the firefighter to utilize the second set to continue to respond to emergencies during their assigned shift.

Mr. Aleman requested that Item No. 7 be removed from the Consent Agenda to be considered separately. Mr. Green moved to approve the remaining items on the Consent Agenda, as follows. Motion was seconded by Mr. Aleman and approved unanimously.

- 5 Minutes of the special City Council meeting held November 14, 2019, and the regular City Council meeting held November 18, 2019.

Approved on the Consent Agenda.

- 6 A resolution authorizing the City Manager to execute Supplemental Agreement No. 1 to the interlocal agreement with the Mesquite Independent School District for development, operation and use of the Health and Wellness Clinic and Pharmacy.

Approved on the Consent Agenda.

Resolution No. 79-2019, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE SUPPLEMENTAL AGREEMENT NO. 1 TO THE INTERLOCAL AGREEMENT WITH THE MESQUITE INDEPENDENT SCHOOL DISTRICT FOR DEVELOPMENT, OPERATION AND USE OF THE HEALTH AND WELLNESS CLINIC AND PHARMACY. (Resolution No. 79-2019 recorded in Resolution Book No. 59.)

- 8 A resolution selecting a cybersecurity training program and requiring related verification, reporting and auditing.

Approved on the Consent Agenda.

Resolution No. 80-2019, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, SELECTING A CYBERSECURITY TRAINING PROGRAM AND REQUIRING RELATED VERIFICATION, REPORTING AND AUDITING. (Resolution No. 80-2019 recorded in Resolution Book No. 59.)

- 9 RFP No. 2019-033 - Loncy Leake Ballfield Renovation: Construction.
(Staff recommends all bids be rejected.)

Approved on the Consent Agenda.

- 10 Bid No. 2020-005 - Annual Supply of Fire Protective Clothing.
(Staff recommends award to Casco Industries, Inc., for jackets and pants in the amount of \$283,869.14 and to Casco Industries, Inc., for boots in the amount of \$9,450.00 for a total amount of \$293,319.14. The term of this bid is for a one-year period with four additional one-year renewal options. The City Manager is authorized to exercise the renewal options, subject to annual appropriation of sufficient funds.)

Approved on the Consent Agenda.

- 11 Authorize the City Manager to finalize and execute an Office Lease Agreement with Ultimate Transportation, LLC, for office rental space at the Mesquite Metro Airport.

Approved on the Consent Agenda.

- 12 Authorize the City Manager to finalize and execute Change Order No. 1 to Bid No. 2019-024, Gus Thomasson Road Reconstruction, Utility & Drainage Improvements - US Highway 80 to Town East Boulevard, with Tiseo Paving Company for payment of contract incentives in the amount of \$300,000.00.

Approved on the Consent Agenda.

- 13 Authorize an expenditure in the amount of \$100,650.50 to the Mesquite Independent School District (MISD) for reimbursement of park improvements to Hanby Park and authorize the City Manager to execute payment.

Approved on the Consent Agenda.

CONSENT AGENDA ITEM CONSIDERED SEPARATELY

- 7 A resolution endorsing the 2019-2020 Impaired Driving Mobilization Grant for the Selective Traffic Enforcement Project (STEP), approving the contribution of City funds in the amount of \$2,755.29 and authorizing the City Manager to execute the necessary documents with the Texas Department of Transportation.

Mr. Aleman reminded citizens that if you drink, don't drive and if you drive, don't drink.

Mr. Aleman moved to approve Resolution No. 81-2019, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, ENDORSING AND ACCEPTING THE 2019-2020 IMPAIRED DRIVING MOBILIZATION GRANT FOR THE SELECTIVE TRAFFIC ENFORCEMENT PROJECT; APPROVING THE CONTRIBUTION OF CITY FUNDS IN THE AMOUNT OF \$2,755.29; AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS WITH THE TEXAS DEPARTMENT OF TRANSPORTATION IN CONNECTION WITH SUCH GRANT AND PROJECT. Motion was seconded by Mr. Boroughs and approved unanimously. (Resolution No. 81-2019 recorded in Resolution Book No. 59.)

END OF CONSENT AGENDA

PUBLIC HEARINGS

- 14 Conduct a public hearing for the purpose of considering annexation of 807 acres in the City's extraterritorial jurisdiction and generally located at the western corner of FM 2757 and Kelly Road, in the Andrew Nail Survey, Abstract No. 355, Kaufman County, Texas, in connection with a voluntary petition submitted by BDMR Development, LLC.

Mr. Miklos left the meeting.

A public hearing was held for considering annexation of 807 acres in the City's extraterritorial jurisdiction and generally located at the western corner of FM

2757 and Kelly Road, in the Andrew Nail Survey, Abstract No. 355, Kaufman County, Texas.

Jeff Armstrong, Director of Planning and Development Services, stated that this is a voluntary annexation of 807 acres of land located south of Interstate Highway 20 along FM 2757 and including Kelly Road in the area to be known as Polo Ridge. The property is proposed to be developed with single-family residences. This is the second public hearing and a third public hearing, with the consideration of the annexation ordinance, will be held at the December 16, 2019, City Council meeting.

No one appeared regarding the proposed annexation.

OTHER BUSINESS

- 15 Consider scheduling a special City Council meeting for December 26, 2019, to canvass the returns for the December 14, 2019, Runoff Election for the purpose of electing a City Councilmember for Place 1.

Mr. Miklos entered the meeting.

Mr. Green moved to schedule a special City Council meeting to be held at 6:00 p.m. on Thursday, December 26, 2019, to canvass the returns for the December 14, 2019, Runoff Election. Motion was seconded by Mr. Smith and approved unanimously.

RECEIPT OF RESIGNATION

- 16 Receive resignation from Shirley Roberts as a member of the Mesquite Quality of Life, Inc., Board of Directors.

Mr. Aleman moved to accept the resignation of Shirley Roberts as a member of the Mesquite Quality of Life, Inc., Board of Directors. Motion was seconded by Mr. Boroughs and approved unanimously.

APPOINTMENTS TO BOARDS AND COMMISSIONS

- 17 Consider appointment of three members to the Keep Mesquite Beautiful, Inc., Board of Directors for terms to expire December 31, 2022.

Mr. Aleman moved to appoint Susie Court and David Sheppard as members of the Keep Mesquite Beautiful, Inc., Board of Directors for terms to expire December 31, 2022. Motion was seconded by Mr. Boroughs and approved unanimously.

- 18 Consider appointment of three regular members and one alternate member to the Mesquite Housing Board for terms to expire December 3, 2021, and one alternate member for a term to expire December 3, 2020.

Mr. Aleman moved to appoint Michael Garvey and Barbara Rojas as regular members of the Mesquite Housing Board and change the appointment of Carol Ann Hooker from alternate member to regular member, all for terms to expire December 3, 2021. Motion was seconded by Mr. Green and approved unanimously.

19

Consider appointment of three regular members to the Municipal Library Advisory Board for terms to expire December 4, 2021.

Mr. Green moved to change the appointment of Angel Blackstock and Tammy Strong from alternate members to regular members of the Municipal Library Advisory Board for terms to expire December 4, 2021. Motion was seconded by Mr. Boroughs and approved unanimously.

ADJOURNMENT

Mr. Boroughs moved to adjourn the meeting. Motion was seconded by Mr. Aleman and approved unanimously. The meeting adjourned at 7:35 p.m.

Attest:

Approved:

Sonja Land, City Secretary

Bruce Archer, Mayor