



# City of Mesquite, Texas

## Minutes - Final City Council

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Tuesday, January 16, 2018

5:00 PM

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

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Present: Mayor Stan Pickett and Councilmembers Dan Aleman, Robert Miklos, Bruce Archer, Greg Noschese and Tandy Boroughs, City Manager Cliff Keheley and City Secretary Sonja Land.

Absent: Councilmember Jeff Casper.

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

#### **AGENDA REVIEW**

#### **STAFF PRESENTATIONS**

- 1 Receive introduction of Bond Legal Counsel.
- 2 Receive briefing regarding the new City Council agenda iLegislate app.
- 3 Discuss proposed amendments to the City Charter.  
  
**Council indicated to staff the order of the charter amendment propositions as they are to appear on the ballot for the May 5, 2018, Special Election as indicated in Agenda Item Nos. 16-23.**
- 4 Receive briefing regarding the Texas Department of Transportation Ethics Requirements.

### **EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 6:23 P.M.**

Mayor Pickett 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 (Discuss proposed amendments to the City Charter); whereupon, the City Council proceeded to meet in the Executive Conference Room. After the closed meeting ended at 6:35 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.**

- 5 Receive preliminary financial statements for fiscal year ending September 30, 2017.

Debbie Mol, Director of Finance, presented the preliminary financial statements for fiscal year ending September 30, 2017.

Mr. Casper entered the meeting.

The work session ended at 7:02 p.m.

## **REGULAR CITY COUNCIL MEETING - CITY COUNCIL CHAMBER - 7:02 P.M.**

### **INVOCATION**

Bill Wright, Pastor, North Mesquite Baptist Church, Mesquite, Texas.

### **PLEDGE OF ALLEGIANCE**

Mesquite Veterans Campaign Committee.

### **SPECIAL ANNOUNCEMENTS**

(1) Mr. Miklos stated that the Range/Town East neighborhood crime watch meeting scheduled for tonight has been cancelled. The meeting has been rescheduled for Tuesday, January 30, 2018, at 6:30 p.m., at Range Elementary School and all residents are invited to attend.

(2) Councilmembers commended Director of Parks and Recreation Elizabeth Harrell, Parks and Recreation Department staff and all others involved in planning the "Unity in the Community" event that took place yesterday, January 15, 2018, at the Mesquite Arts Center honoring the life and legacy of Dr. Martin Luther King, Jr.

(3) Mr. Archer stated that good things are happening in our community and encouraged everyone to keep moving the City forward.

(4) Mr. Boroughs encouraged citizens to participate in the Polar Plunge on Saturday, January 27, 2018, at 10:00 a.m., at City Lake Aquatic Center, 200 Parkview Street. All funds raised will benefit Special Olympics Texas.

(5) Mr. Aleman commended the Mesquite Police Department for their hard work and dedication in organizing the recent Santa Cop Toy Program. Christmas gifts were collected for 301 families including 830 children, over 300 bikes were distributed and over \$40,000 was collected for gifts and toys.

(6) Mr. Aleman invited citizens to meet at Berry Middle School, 2675 Bear Drive, at 9:30 a.m., to participate in a trash pickup this Saturday, January 20, 2018.

(7) Mr. Noschese thanked Terron Williams, West Mesquite High School student, and Ricardo Mercado, North Mesquite High School student, for their moving and inspiring speeches at the "Unity in the Community" event.

(8) Mr. Noschese invited citizens to meet at First State Bank, 917 Military Parkway, at 8:30 a.m., to participate in the "Scyene Super Sweep" on Saturday, February, 3, 2018. Boy Scouts, various organizations and volunteers will participate in a clean-up of the Scyene Road area.

(9) Mr. Noschese commended James Mack and the Mesquite Arts Center staff for accommodating Pono Productions with filming the movie "Revenge in Kind" at their facility. He also thanked Lisa Fox with Dallas Regional Medical Center for allowing the hospital emergency room and operating room to be used for filming.

(10) Mr. Pickett recognized the Leadership Mesquite class who were in attendance tonight.

(11) Mr. Noschese recognized Evelyn Williams, who is serving her last year as Chair for Leadership Mesquite, and thanked her for her many years of service on this board and her involvement in our community.

(12) Mayor Pickett recognized Senator Bob Hall, State Representative Cindy Burkett and former State Representative Kenneth Sheets who were in attendance tonight.

(13) Mr. Noschese recognized Nicolas Pereyra from Uruguay, a friend of Mr. Noschese's law firm, who is researching the American justice system and thanked him for investing his time in this project.

## **CITIZENS FORUM**

Jerry Dittman, 7131 Shannon Road, requested Agenda Item No. 14 be removed from the agenda and discussed publicly.

## **PRESENTATIONS**

### **6 Presentations to the Mesquite Veterans Memorial Campaign.**

Wayne Larson, Director of Communications and Marketing, stated that a campaign to bring awareness and raise funds for a veterans memorial began in November 2017. State Representative Cindy Burkett presented a Texas flag that was flown over the State Capitol building in honor of the campaign and former State Representative Kenneth Sheets presented a check in the amount of \$1,500.00 to the Mesquite Veterans Memorial Campaign (MVMC). Mayor Pickett, Lois Buford, Jackie Frazier, Babbett Bradshaw and Ken Burris accepted the flag and check presentation on behalf of the MVMC.

State Senator Bob Hall thanked the City for working towards building a veterans memorial and presented a financial donation to the MVMC.

## **CONSENT AGENDA**

### **Approval of the Consent Agenda**

Mr. Boroughs requested that Item No. 14 be removed from the Consent Agenda to be considered separately. Mr. Casper requested that Item No. 10 be removed from the Consent Agenda to be considered separately. Mr. Miklos moved to approve the remaining items on the Consent Agenda, as follows. Motion was seconded by Mr. Noschese and approved unanimously.

### **7 Minutes of the regular City Council meeting held January 2, 2018.**

**Approved on the Consent Agenda.**

### **8 An ordinance amending the budget for the fiscal year of 2017-18, as heretofore approved by Ordinance No. 4505 of the City of Mesquite, Texas, adopted on September 5, 2017, appropriating and setting aside the necessary funds out of the general and other revenues of the City of Mesquite for fiscal year 2017-18, 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 amended budget.**

**Approved on the Consent Agenda.**

**Ordinance No. 4537, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE BUDGET FOR THE FISCAL YEAR OF 2017-18 AS HERETOFORE**

APPROVED BY ORDINANCE NO. 4505 OF THE CITY OF MESQUITE, TEXAS, ADOPTED ON SEPTEMBER 5, 2017, APPROPRIATING AND SETTING ASIDE THE NECESSARY FUNDS OUT OF THE GENERAL AND OTHER REVENUES OF THE CITY OF MESQUITE FOR FISCAL YEAR 2017-18 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 AMENDED BUDGET; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY. (Ordinance No. 4537 recorded in Ordinance Book No. 111.)

- 9 A resolution authorizing the sale of three tax-foreclosed properties located at 3821 East Cartwright Road, 1700 South Sam Houston Road and 112 West College Street in Mesquite, Texas, ratifying and approving offer and purchase agreements and authorizing the City Manager to execute quitclaim deeds and all other documents necessary to complete the closing and sale of the properties.

**Approved on the Consent Agenda.**

Resolution No. 01-2018, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE SALE OF THREE TAX-FORECLOSED PROPERTIES LOCATED AT 3821 EAST CARTWRIGHT ROAD, 1700 SOUTH SAM HOUSTON ROAD AND 112 WEST COLLEGE STREET IN MESQUITE, TEXAS (THE "PROPERTIES"), ACCEPTING THE OFFERS FROM THE PURCHASERS TO PURCHASE THE PROPERTIES; RATIFYING AND APPROVING THE OFFER AND PURCHASE AGREEMENTS EXECUTED BY THE PURCHASERS SETTING FORTH THE TERMS AND CONDITIONS OF THE SALE OF THE PROPERTIES; AND AUTHORIZING THE CITY MANAGER TO EXECUTE QUITCLAIM DEEDS AND ALL OTHER DOCUMENTS NECESSARY OR REQUESTED TO COMPLETE THE CLOSING AND SALE OF THE PROPERTIES. (Resolution No. 01-2018 recorded in Resolution Book No. 52.)

- 11 RFQ No. 2017-115 - Bond Legal Counsel.  
(Staff recommends award to Bracewell LLP.)

**Approved on the Consent Agenda.**

- 12 Bid No. 2018-039 - Fiber Optic Network Construction for Parks and Recreation, Mesquite Golf Club and Mesquite Animal Shelter.  
(Staff recommends award to Future Telecom, Inc., through an Interlocal Cooperative-Purchasing Agreement with Mesquite Independent School District, in the amount of \$197,770.00.)

**Approved on the Consent Agenda.**

- 13 Bid No. 2018-040 - Annual Fiber Optic Cabling Repair and Maintenance.  
(Authorize the City Manager to finalize and execute a contract with Future Telecom, Inc., through an Interlocal Cooperative-Purchasing Agreement with Mesquite Independent School District, in an amount not to exceed \$120,000.00.)

**Approved on the Consent Agenda.**

#### **CONSENT AGENDA ITEMS CONSIDERED SEPARATELY**

10

A resolution amending Resolution No. 15-2002, adopted March 18, 2002, to allow Kaufman County Municipal Utility District No. 5 to issue bonds for roadway improvements on property consisting of approximately 145 acres commonly known as Trinity Crossing in Kaufman County and located within the City's extraterritorial jurisdiction.

(This item was postponed at the January 2, 2018, City Council meeting.)

**Mr. Miklos left the meeting.**

**Mr. Noschese moved to approve Resolution No. 02-2018, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AMENDING RESOLUTION NO. 15-2002 BY ADDING A NEW SUBSECTION 2(c)(v) TO ALLOW KAUFMAN COUNTY MUNICIPAL UTILITY DISTRICT NO. 5 TO ISSUE BONDS FOR ROADWAY IMPROVEMENTS ON APPROXIMATELY 145 ACRES OF PROPERTY COMMONLY KNOWN AS TRAVIS RANCH AND LOCATED IN KAUFMAN COUNTY, TEXAS, A PORTION OF WHICH IS WITHIN THE CITY'S EXTRATERRITORIAL JURISDICTION. Motion was seconded by Mr. Archer. On call for a vote on the motion, the following votes were cast:**

**Ayes: Noschese, Archer, Pickett, Casper, Aleman, Boroughs**

**Nays: None**

**Abstentions: Miklos**

**Motion carried. (Resolution No. 02-2018 recorded in Resolution Book No. 52.)**

14

Authorize the City Manager to negotiate and execute Change Order No. 1 to Bid No. E2016-002 - Gus Thomasson Road Water, Sanitary Sewer, Paving and Drainage Reconstruction Project from Karla Drive to Moon Drive/Whitson Way with Rebcon, Inc., for proposed changes in the design in the amount of \$997,367.22.

**Mr. Miklos entered the meeting.**

City Manager Cliff Keheley stated that the purpose of the change order is to redesign and remove the roundabouts at the Karla Drive and Moon/Whitson Drives with Gus Thomasson Road intersections. The significant cost increase was due to an increase in the price of concrete and materials. The contractor also experienced a cost increase in the delay of subcontractors. The majority of the cost increase will not be incurred until early-mid 2019, which will allot time to incur project savings in other projects or through the 2019 bond sale.

**Mr. Boroughs moved to 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. Motion was seconded by Mr. Archer and approved unanimously.**

## **END OF CONSENT AGENDA**

## **RECEIPT OF RESIGNATION**

15

Receive resignation from Janice Bell as a member of the Planning and Zoning Commission and Capital Improvements Advisory Committee.

Mr. Archer moved to accept the resignation from Janice Bell as a member of the Planning and Zoning Commission and Capital Improvements Advisory Committee. Motion was seconded by Mr. Aleman. On call for a vote on the motion, the following votes were cast:

**Ayes:** Archer, Aleman, Pickett, Miklos, Casper, Boroughs

**Nays:** None

**Abstentions:** Noschese

Motion carried.

## OTHER BUSINESS

- 16 Consider approval of ballot language for a Proposition to amend the Home Rule Charter of the City of Mesquite, Texas, to be included in the Special Election on May 5, 2018, and determination of the sequential order of said Proposition:

City of Mesquite Proposition \_\_\_\_

Minimum Staffing Level in Police Department

Shall Section 24a of Article III of the Mesquite City Charter be amended to increase the minimum staffing level in the police department from a minimum of one and five tenths (1.5) full-time, sworn police officers per every 1,000 population to a minimum of one and six tenths (1.6)?

Mr. Aleman moved to approve the ballot language, as stated in Agenda Item No. 16, for a proposition regarding "Minimum Staffing Level in Police Department" to amend the Home Rule Charter of the City of Mesquite, Texas, to be included in the Special Election on May 5, 2018, and designating this proposition as "City of Mesquite Proposition D." Motion was seconded by Mr. Archer and approved unanimously.

- 17 Consider approval of ballot language for a Proposition to amend the Home Rule Charter of the City of Mesquite, Texas, to be included in the Special Election on May 5, 2018, and determination of the sequential order of said Proposition:

City of Mesquite Proposition \_\_\_\_

Deletion of the One-Year Contract Period Limitation

Shall Section 26(b) of Article III of the Mesquite City Charter be amended to delete the one-year limitation on any contract for goods, materials, services, or supplies for the current use of any department of the city?

Mr. Aleman moved to approve the ballot language, as stated in Agenda Item No. 17, for a proposition regarding "Deletion of the One-Year Contract Period Limitation" to amend the Home Rule Charter of the City of Mesquite, Texas, to be included in the Special Election on May 5, 2018, and designating this proposition as "City of Mesquite Proposition F." Motion was seconded by Mr. Casper and approved unanimously.

- 18 Consider approval of ballot language for a Proposition to amend the Home Rule

Charter of the City of Mesquite, Texas, to be included in the Special Election on May 5, 2018, and determination of the sequential order of said Proposition:

City of Mesquite Proposition \_\_\_\_

City Council Structure

Shall Sections 2, 4, 4a, 4b, 5 and 10 of Article IV of the Mesquite City Charter be amended and a new Section 9b of that article be added to provide for the composition of the city council to consist of seven (7) members, with six (6) members elected by qualified voters of particular districts and one member as mayor elected by all qualified voters of the city; to create six (6) single member districts, of substantially equal total population; to provide for the review of the council district boundaries each ten years as census data is available; to provide residency requirements for city council candidates; and to provide implementation and transitional provisions?

**Mr. Casper moved to approve the ballot language, as stated in Agenda Item No. 18, for a proposition regarding "City Council Structure" to amend the Home Rule Charter of the City of Mesquite, Texas, to be included in the Special Election on May 5, 2018, and designating this proposition as "City of Mesquite Proposition B." Motion was seconded by Mr. Miklos and approved unanimously.**

19

Consider approval of ballot language for a Proposition to amend the Home Rule Charter of the City of Mesquite, Texas, to be included in the Special Election on May 5, 2018, and determination of the sequential order of said Proposition:

City of Mesquite Proposition \_\_\_\_

Date of City Council Election

Shall Sections 7 and 9a of Article IV of the Mesquite City Charter be amended and a new Section 9b be added to that article to: require the regular municipal election to be held on the uniform election date, as provided by the general election laws of the State of Texas, in the month of November of odd-numbered years; to eliminate the staggering of city council terms; and to provide implementation and transitional provisions?

**Mr. Casper moved to approve the ballot language, as stated in Agenda Item No. 19, for a proposition regarding "Date of City Council Election" to amend the Home Rule Charter of the City of Mesquite, Texas, to be included in the Special Election on May 5, 2018, and designating this proposition as "City of Mesquite Proposition C." Motion was seconded by Mr. Miklos. On call for a vote on the motion, the following votes were cast:**

**Ayes: Casper, Miklos, Pickett, Archer, Aleman, Boroughs**

**Nays: Noschese**

**Motion carried.**

20

Consider approval of ballot language for a Proposition to amend the Home Rule Charter of the City of Mesquite, Texas, to be included in the Special Election on May 5, 2018, and determination of the sequential order of said Proposition:

City of Mesquite Proposition \_\_\_\_

Establishing a Maximum Number of Terms for City Councilmembers and the Mayor

Shall Section 9 of Article IV of the Mesquite City Charter be amended to provide that: no person may serve more than four (4) consecutive two-year terms as a city councilmember without a two-year break in service; no person may serve more than four (4) consecutive two-year terms as mayor without a two-year break in service; no person may serve more than four (4) consecutive two-year terms as a city councilmember and four (4) consecutive two-year terms as mayor, for a total of eight (8) consecutive two-year terms combined, without a two-year break in service; a term includes any period of service during a term; and term limits are to be applied retroactively?

**Mr. Archer moved to approve the ballot language, as stated in Agenda Item No. 20, for a proposition regarding “Establishing a Maximum Number of Terms for City Councilmembers and the Mayor” to amend the Home Rule Charter of the City of Mesquite, Texas, to be included in the Special Election on May 5, 2018, and designating this proposition as “City of Mesquite Proposition A.” Motion was seconded by Mr. Aleman and approved unanimously.**

21

Consider approval of ballot language for a Proposition to amend the Home Rule Charter of the City of Mesquite, Texas, to be included in the Special Election on May 5, 2018, and determination of the sequential order of said Proposition:

City of Mesquite Proposition \_\_\_\_

Establishing a City Attorney's Office

Shall Article IV of the Mesquite City Charter be amended to add a Section 35 to provide for the establishment of the office of the city attorney and assistants to the city attorney, as needed and budgeted by the city council, and amending Section 3 of Article VIII of the Mesquite City Charter to clarify that the city attorney shall exercise control over the City Attorney's Office?

**Mr. Miklos moved to approve the ballot language, as stated in Agenda Item No. 21, for a proposition regarding “Establishing a City Attorney's Office” to amend the Home Rule Charter of the City of Mesquite, Texas, to be included in the Special Election on May 5, 2018, and designating this proposition as “City of Mesquite Proposition E.” Motion was seconded by Mr. Noschese and approved unanimously.**

22

Consider approval of ballot language for a Proposition to amend the Home Rule Charter of the City of Mesquite, Texas to be included in the Special Election on May 5, 2018, and determination of the sequential order of said Proposition:

City of Mesquite Proposition \_\_\_\_

Amendments to Conform to Actual/Current Practices

Shall the following sections of the Mesquite City Charter be amended to



match actual practices: Section 28, "Additional Enumerated Powers; Penalties for Violations of Ordinances," of Article III, "Corporate Powers"; Section 17, "Legislative Procedure," and Section 27, "Creation and Jurisdiction of Corporation Court; Fines," of Article IV, "Officers and Elections"; and Section 2, "Personnel Board," of Article IX-A, "Civil Service?"

**Mr. Noschese moved to approve the ballot language, as stated in Agenda Item No. 22, for a proposition regarding "Amendments to Conform to Actual/Current Practices" to amend the Home Rule Charter of the City of Mesquite, Texas, to be included in the Special Election on May 5, 2018, and designating this proposition as "City of Mesquite Proposition G." Motion was seconded by Mr. Aleman and approved unanimously.**

23

Consider approval of ballot language for a Proposition to amend the Home Rule Charter of the City of Mesquite, Texas, to be included in the Special Election on May 5, 2018, and determination of the sequential order of said Proposition:

City of Mesquite Proposition \_\_\_\_\_

Technical Amendments to Conform to State Law and City Code; to Correct Terms; to Correct Spelling; to Clarify Language; to Provide Gender-Neutral References; and to make other Technical Amendments

Shall the following sections of the Mesquite City Charter be amended to conform to state law and the city code, correct terms, correct spelling, clarify language, provide gender-neutral references, and make other technical amendments: Section 3, "Platting of Property," of Article II, "Municipal Boundaries"; Section 8, "Liability for Negligence," Section 12, "Street Improvements and Assessments therefor," Section 15, "Regulation of Privately Owned Public Utilities," Section 16, "City Owned Public Utilities," Section 24, "Police Department," Section 26, "Contracts Generally," and Section 27, "Zoning," of Article III, "Corporate Powers"; Section 1, "Governing Body," Section 2, "Elective Officers," Section 3, "Qualifications and Nomination of Mayor and Councilmen; Official Ballot," Section 3a, "Holding other Office," Section 4c, "Nominations," Section 5, "How Candidates Elected," Section 6, "Judge of Election; Canvass of Returns," Section 7, "Date of Election," Section 9, "Term of Office of Incumbent Mayor and Councilmen," Section 9a, "Terms of Mayor and Councilmen to be Staggered," Section 10, "Vacancies in Office," Section 11, "Mayor Pro Tem," Section 12, "Compensation of Mayor and Councilmen," Section 13, "Duties of Mayor," Section 22, "Depository for City Funds," Section 25, "City Secretary," Section 26, "City Treasurer," Section 27, "Creation and Jurisdiction of Corporation Court; Fines," Section 28, "Title of Code of Criminal Procedure Controlling," and Section 34, "Personal Financial Interest," of Article IV, "Officers and Elections"; Section 2, "Tax Levies," Section 7, "Payment of Taxes," and Section 8, "Delinquent Taxes," of Article V, "Taxes and Taxation"; Section 1, "Generally," of Article VI, "Recall"; Section 3, "Powers and Duties," and Section 6, "Absence," of Article VIII, "City Manager"; Section 2, "Jurors, etc. Not Incompetent," and Section 6, "Amendments to Charter," of Article IX, "General Provisions"; Section 3, "Personnel Director," Section 6, "Civil Service Rules," and Section 8, "Trial Board," of Article IX-A, "Civil Service?"

**Mr. Noschese moved to approve the ballot language, as stated in Agenda Item No. 23, for a proposition regarding "Technical Amendments to Conform to State**

Law and City Code; to Correct Terms; to Correct Spelling; to Clarify Language; to Provide Gender-Neutral References; and to make other Technical Amendments” to amend the Home Rule Charter of the City of Mesquite, Texas, to be included in the Special Election on May 5, 2018, and designating this proposition as “City of Mesquite Proposition H.” Motion was seconded by Mr. Casper and approved unanimously.

## CONSIDERATION OF ORDINANCE

24

Consider an ordinance of the City of Mesquite, Texas, ordering a Special Election to be held on May 5, 2018, for the purpose of submitting to the qualified voters of the City, for adoption or rejection, certain proposed amendments to the existing Home Rule Charter of the City to increase the minimum staffing level in the Police Department from a minimum of one and five tenths (1.5) to a minimum of one and six tenths (1.6) full-time, sworn police officers per every 1,000 population; delete the one-year limitation on any contract for goods, materials, services, or supplies for the current use of a City department; provide for the composition of the City Council (“Council”) to consist of seven (7) members, with six (6) members elected by qualified voters of particular districts and one member as mayor elected by all qualified voters of the City and to provide for the creation of six (6) single member districts of substantially equal total population; provide for review of Council District boundaries each ten years as census data is available, provide residency requirements for Council candidates, and provide implementation/transition provisions; change the Council election date from annually on the first Saturday in April to the uniform election date in November of odd-numbered years, eliminate staggering of council terms, and provide implementation/transition provisions; provide that no person serve more than four (4) consecutive two-year terms as a Councilmember without a two-year break in service, that no person serve more than four (4) consecutive two-year terms as Mayor without a two-year break in service, and that no person serve more than four (4) consecutive two-year terms as Councilmember and four (4) consecutive two-year terms as Mayor, for a total of eight (8) consecutive two-year terms combined, without a two-year break in service; provide for the establishment of the office of the City Attorney and clarify that the City Attorney shall exercise control over the City Attorney’s office; to conform certain provisions to actual/current practices; to conform certain provisions to State law and the City Code, correct terms, correct spelling, clarify language, provide gender-neutral references and make other technical amendments; prescribing the form and wording of the ballot propositions; further ordering a General Election to be held on May 5, 2018, for the purpose of electing a City Councilmember for Place 3, a City Councilmember for Place 4 and a City Councilmember for Place 5; providing for legal notice; and making provisions for the conduct of the elections.

**Mr. Casper moved to approve Ordinance No. 4538, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, ORDERING A SPECIAL ELECTION TO BE HELD ON MAY 5, 2018, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY, FOR ADOPTION OR REJECTION, CERTAIN PROPOSED AMENDMENTS TO THE EXISTING HOME RULE CHARTER OF THE CITY TO INCREASE THE MINIMUM STAFFING LEVEL IN THE POLICE DEPARTMENT FROM A MINIMUM OF ONE AND FIVE TENTHS (1.5) TO A MINIMUM OF ONE AND SIX TENTHS (1.6) FULL-TIME, SWORN POLICE OFFICERS PER EVERY 1,000 POPULATION; DELETE THE ONE-YEAR LIMITATION ON ANY CONTRACT FOR GOODS, MATERIALS, SERVICES,**

OR SUPPLIES FOR THE CURRENT USE OF A CITY DEPARTMENT; PROVIDE FOR THE COMPOSITION OF THE CITY COUNCIL ("COUNCIL") TO CONSIST OF SEVEN (7) MEMBERS, WITH SIX (6) MEMBERS ELECTED BY QUALIFIED VOTERS OF PARTICULAR DISTRICTS AND ONE MEMBER AS MAYOR ELECTED BY ALL QUALIFIED VOTERS OF THE CITY AND TO PROVIDE FOR THE CREATION OF SIX (6) SINGLE MEMBER DISTRICTS OF SUBSTANTIALLY EQUAL TOTAL POPULATION; PROVIDE FOR REVIEW OF COUNCIL DISTRICT BOUNDARIES EACH TEN YEARS AS CENSUS DATA IS AVAILABLE, PROVIDE RESIDENCY REQUIREMENTS FOR COUNCIL CANDIDATES, AND PROVIDE IMPLEMENTATION/TRANSITION PROVISIONS; CHANGE THE COUNCIL ELECTION DATE FROM ANNUALLY ON THE FIRST SATURDAY IN APRIL TO THE UNIFORM ELECTION DATE IN NOVEMBER OF ODD-NUMBERED YEARS, ELIMINATE STAGGERING OF COUNCIL TERMS, AND PROVIDE IMPLEMENTATION/TRANSITION PROVISIONS; PROVIDE THAT NO PERSON SERVE MORE THAN FOUR (4) CONSECUTIVE TWO-YEAR TERMS AS A COUNCILMEMBER WITHOUT A TWO-YEAR BREAK IN SERVICE, THAT NO PERSON SERVE MORE THAN FOUR (4) CONSECUTIVE TWO-YEAR TERMS AS MAYOR WITHOUT A TWO-YEAR BREAK IN SERVICE, AND THAT NO PERSON SERVE MORE THAN FOUR (4) CONSECUTIVE TWO-YEAR TERMS AS COUNCILMEMBER AND FOUR (4) CONSECUTIVE TWO-YEAR TERMS AS MAYOR, FOR A TOTAL OF EIGHT (8) CONSECUTIVE TWO-YEAR TERMS COMBINED, WITHOUT A TWO-YEAR BREAK IN SERVICE; PROVIDE FOR THE ESTABLISHMENT OF THE OFFICE OF THE CITY ATTORNEY AND CLARIFY THAT THE CITY ATTORNEY SHALL EXERCISE CONTROL OVER THE CITY ATTORNEY'S OFFICE; TO CONFORM CERTAIN PROVISIONS TO ACTUAL/CURRENT PRACTICES; TO CONFORM CERTAIN PROVISIONS TO STATE LAW AND THE CITY CODE, CORRECT TERMS, CORRECT SPELLING, CLARIFY LANGUAGE, PROVIDE GENDER-NEUTRAL REFERENCES AND MAKE OTHER TECHNICAL AMENDMENTS; PRESCRIBING THE FORM AND WORDING OF THE BALLOT PROPOSITIONS; FURTHER ORDERING A GENERAL ELECTION TO BE HELD ON MAY 5, 2018, FOR THE PURPOSE OF ELECTING A CITY COUNCILMEMBER FOR PLACE 3, A CITY COUNCILMEMBER FOR PLACE 4 AND A CITY COUNCILMEMBER FOR PLACE 5; PROVIDING FOR LEGAL NOTICE; MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTIONS; AND PROVIDING AN EFFECTIVE DATE. Motion was seconded by Mr. Archer and approved unanimously. (Ordinance No. 4538 recorded in Ordinance Book No. 111.)

## ADJOURNMENT

Mr. Archer moved to adjourn the meeting. Motion was seconded by Mr. Aleman and approved unanimously. The meeting adjourned at 7:44 p.m.

Attest:

Approved:

\_\_\_\_\_  
Sonja Land, City Secretary

\_\_\_\_\_  
Stan Pickett, Mayor