



# City of Mesquite, Texas

## Meeting Agenda

### City Council

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Monday, May 1, 2017

5:30 PM

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

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#### **PRE-MEETING - TRAINING ROOMS A&B - 5:30 P.M.**

##### **AGENDA REVIEW**

##### **STAFF PRESENTATIONS**

- 1      [17-2695](#)      Receive briefing regarding proposed amendments to Article V, Chapter 5 of the City Code on fence construction, height and materials.

#### **EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 5:30 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**

Reginald Jefferson, Senior Pastor, New Hope Baptist Church, Mesquite, Texas.

##### **PLEDGE OF ALLEGIANCE**

Finnegan Caplette, President's Volunteer Service Award Recipient, and members of Mesquite Elks Lodge No. 2404.

##### **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.

**PRESENTATIONS**

- 2      [17-2682](#)            Recognize Small Business Week video participants.

**APPOINTMENTS FOR PERSONAL APPEARANCE**

- 3      [17-2688](#)            Appointment - Representatives of First Southwest Company.  
(Representatives of First Southwest Company will review pricing for the issuance and sale of bonds.)

- 4      [17-2685](#)            An ordinance authorizing the issuance of City of Mesquite, Texas, General Obligation Refunding Bonds, Series 2017, approving an official statement, authorizing the execution of a purchase agreement and an escrow agreement, making provisions for the security thereof, providing an effective date and ordaining other matters relating to the subject.

**Attachments:**      [Ordinance - General Obligation](#)

- 5      [17-2686](#)            An ordinance authorizing the issuance of City of Mesquite, Texas, Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2017, approving an official statement, authorizing the execution of a purchase agreement, making provisions for the security thereof, providing an effective date and ordaining other matters relating to the subject.

**Attachments:**      [Ordinance - Combination Tax](#)

- 6      [17-2687](#)            An ordinance authorizing the issuance of City of Mesquite, Texas, Waterworks and Sewer System Revenue Refunding and Improvement Bonds, Series 2017, approving an official statement, authorizing the execution of a purchase agreement and an escrow agreement, making provisions for the security thereof, providing an effective date and ordaining other matters relating to the subject.

**Attachments:**      [Ordinance - Waterworks](#)

- 7      [17-2689](#)            A resolution approving and authorizing the execution and delivery of a project agreement with Mesquite Quality of Life Corporation for the payment of costs related to reconstruction of Town East Boulevard from Skyline to Military Parkway and construction of an adjacent pedestrian trail, approving expenditure of funds by the Corporation in connection therewith and containing other provisions related thereto.

**Attachments:**      [Resolution - 4B Project Agreement](#)

**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.)

- 8      [17-2679](#)      Minutes of the regular City Council meeting held April 17, 2017.  
  
         **Attachments:**      [Minutes](#)
- 9      [17-2677](#)      An ordinance adopting Supplement No. 53 to the Code of Ordinances for the City of Mesquite.  
  
         **Attachments:**      [Ordinance - Code Supplement](#)
- 10     [17-2673](#)      An ordinance amending Chapter 6 of the City Code thereby adopting the 2015 Edition of the International Fire Code, effective June 1, 2017.  
  
         **Attachments:**      [Ordinance - Fire Code](#)  
                                 [Comparison Table](#)  
                                 [BSB Minutes](#)
- 11     [17-2661](#)      Bid No. 2017-044 - Florence Recreation Center Renovation.  
                         (Authorize the City Manager to finalize and execute a contract with Texas Benchmark Building Group, LLC, in the amount of \$655,555.00.)  
  
         **Attachments:**      [Bid Tabulation - 2017-044](#)  
                                 [Facility Photos](#)
- 12     [17-2691](#)      Bid No. 2017-046 - Annual Supply of Vehicle Replacement Parts.  
                         (Staff recommends award to low bidders Advance Auto Parts with a discount range of 0 to 65 percent off list price in the amount of \$60,000.00 and O'Reilly Auto Parts with a discount of 41 percent or better off list price in the amount of \$60,000.00, for a total amount of \$120,000.00.)  
  
         **Attachments:**      [Bid Tabulation - 2017-046](#)
- 13     [17-2693](#)      Bid No. 2017-047 - Annual Supply of Manual Transmissions, Differentials, Drivelines and Parts.  
                         (Staff recommends award to low bidder Fort Worth Gear and Axle in the amount of \$120,133.07.)  
  
         **Attachments:**      [Bid Tabulation - 2017-047](#)
- 14     [17-2692](#)      Bid No. 2017-070 - Annual Supply of Goodyear, Dunlop and BF Goodrich Auto, Truck and Industrial Tires.  
                         (Staff recommends award to Wingfoot Tire, through Buyboard Contract No. 470-14, in an amount not to exceed \$238,000.00.)
- 15     [17-2690](#)      Bid No. 2017-073 - Purchase of 2017 Ford F-350 6.7L Diesel Chassis Ambulance Remount.  
                         (Staff recommends award to low bidder Frazer, Ltd., in Houston, Texas,

from Sterling McCall Ford through the Houston-Galveston Area Council of Governments Cooperative Purchasing Program, in the amount of \$123,700.00.)

**Attachments:** [Frazer Quote](#)  
[HGAC Quote](#)

- 16**    [17-2678](#)    Authorize the City Manager to execute a change order to Bid No. 2016-050-2016 Annual Pavement Milling and Rehabilitation (Section A), with Austin Bridge & Road, Inc., in the amount of \$74,120.00.

**Attachments:**    [2017 Rates](#)

- 17**    [17-2680](#)    Authorize the City Manager to execute a change order to Bid No. 2016-051-2016 Annual Pavement Milling and Rehabilitation (Section B), with Austin Bridge & Road, Inc., in the amount of \$74,120.00.

**Attachments:**    [2017 Rates](#)

## 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. Kathleen Parvin v. The City of Mesquite – Filed 1-26-15
2. 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
3. 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
4. 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
5. Travis Tryon v. City of Mesquite – Filed 2-25-16
6. Robert L. Gould v. City of Mesquite – Filed 6-24-16
7. 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
8. 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
9. 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
10. Texas Propane Gas Association v. Railroad Commission of Texas, et al – Filed 3-3-17

**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.

- Discuss annual review of Municipal Court Judge.

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.**