



# City of Mesquite, Texas

## Meeting Agenda

### City Council

---

Monday, June 6, 2022

5:00 PM

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

---

1. Members of the public desiring to comment during Citizens Forum may preregister as follows:

a. Send an email to the City Secretary on or before 3:00 p.m., on June 6, 2022. The email address is [sland@cityofmesquite.com](mailto:sland@cityofmesquite.com). The phone number is 972-216-6244.

b. Provide the City Secretary with your name and address.

2. Comments on agenda items may be made during the meeting or by submission on or before 3:00 p.m., on June 6, 2022, to the following email address: [sland@cityofmesquite.com](mailto:sland@cityofmesquite.com).

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

#### **AGENDA REVIEW**

#### **STAFF PRESENTATIONS**

- 1 [22-6047](#) Receive departmental strategy and budget presentations, as determined by City Management, related to City Council strategic goals and objectives.

Attachments: [Resolution No. 21-2022](#)

(Any staff presentation not completed prior to the City Council Regular Meeting in the City Council Chamber at 7:00 p.m. may be presented and considered in the City Council Chamber following the Regular Meeting.)

#### **EXECUTIVE SESSION - COUNCIL 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

#### **CITY COUNCIL/STAFF WORK SESSION - CITY COUNCIL CHAMBER - 6:30 P.M.**

- 2 [22-6039](#) Receive quarterly report from the Police Department for the period covering October 1, 2021, through March 31, 2022.

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

Ron Ward, Pastor, Church Without Walls, Mesquite, Texas.

**PLEDGE OF ALLEGIANCE**

City Staff.

**PRESENTATIONS**

- 3      [22-6053](#)      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 items on the agenda, personnel matters, matters under litigation or matters concerning the purchase, exchange, lease or value of real property for a length of time not exceeding three minutes on a first-come, first-served basis. Citizens addressing the Council through a translator will be allowed six minutes. No Council action or discussion is to be taken until such matter is placed on the Agenda and posted in accordance with law.

**CITIZENS COMMENTS**

At this time, any individual wishing to discuss any matter on the agenda shall be allowed to speak for a length of time not exceeding three minutes on a first-come, first-served basis. Citizens addressing the Council through a translator will be allowed six minutes. Anyone desiring to speak on an item scheduled for a public hearing is requested to hold their comments until the public hearing on that item.

**CONSENT AGENDA**

(All items on the Consent Agenda are routine items and may be approved with one motion; however, should any member of the Council or any individual wish to discuss any item, said item may be removed from the Consent Agenda upon request by a City Councilmember.)

- 4      [22-6045](#)      Minutes of the regular City Council Meeting held May 16, 2022.

*Attachments:*      [May 16, 2022, minutes](#)

- 5      [22-6052](#)      An ordinance of the City of Mesquite, Texas authorizing the issuance and sale of City of Mesquite, Texas, Combination Tax and Limited Surplus Revenue Certificates of Obligation, in one or more series in the aggregate

principal amount of not to exceed \$32,000,000; levying a tax in payment thereof; awarding the sale thereof; prescribing the form of said certificates; approving execution and delivery of a paying agent agreement; approving the official statement; approving and enacting other provisions relating thereto.

- 6      [22-6049](#)      A resolution authorizing the City Manager to amend the City's 401(a) Supplemental Retirement Plan with Lincoln Financial Group for termination of the plan.

**Attachments:**      [Termination Amendment](#)  
[Letter from Lincoln Financial Group](#)  
[Resolution](#)

- 7      [22-6048](#)      A resolution approving the revision and restatement of the City's 401(a) Supplemental Retirement Plan with VALIC-AIG as required by the Internal Revenue Service and authorizing the City Manager to execute related documents.

**Attachments:**      [VALIC AIG Restatement Letter](#)  
[Plan Document](#)  
[Resolution](#)

- 8      [22-6050](#)      A resolution suspending the June 17, 2022, effective date of Oncor Electric Delivery Company's requested rate change to permit the City time to study the request and to establish reasonable rates; approving cooperation with the Steering Committee of Cities Served by Oncor to hire legal and consulting services and to negotiate with the Company and direct any necessary litigation and appeals; finding that the meeting at which this Resolution is passed is open to the public as required by law; requiring notice of this Resolution to the Company and legal counsel for the Steering Committee.

**Attachments:**      [Resolution](#)

- 9      [22-6064](#)      Bid No. 2022-005 - Architectural Services for Design and Construction of New Fire Station No. 2.  
(Authorize the City Manager to finalize and execute an architectural services design contract with Eikon Consulting Group, LLC, for services in connection with the design of the new Fire Station No. 2 in an amount not to exceed \$515,625.00.)

- 10     [22-6051](#)      Bid No. 2022-052 - IH-65 Northbound Service Road 12-inch Water Main.  
(Authorize the City Manager to finalize and execute a contract with the lowest qualified bidder Nu-Way Construction, LLC, in the amount of \$894,356.00.)

***Attachments:***      [Bid Tabulation](#)  
[Location Map](#)  
[Recommendation Letter](#)

- 11      [22-5978](#)      Bid No. 2022-065 - Desco Drive and Harvard Drive Paving Improvements.  
(Authorize the City Manager to finalize and execute a contract with low bidder Estrada Concrete Company, LLC, in the amount of \$856,755.00.)

***Attachments:***      [Bid Tabulation](#)  
[Location Map](#)  
[Recommendation Letter](#)

- 12      [21-5957](#)      Bid No. 2022-070 - Copeland Park Phase 1: Construction.  
(Authorize the City Manager to finalize and execute a contract with North Rock Construction, LLC, in the amount of \$981,052.80.)

***Attachments:***      [Copeland Park Design Exhibit](#)  
[Evaluation Matrix](#)

- 13      [22-6057](#)      Bid No. 2022-092 - Purchase of One Police Surveillance Van.  
(Authorize the City Manager to finalize and execute a contract with sole source provider Diversified Vehicle Services, in Blackwood, New Jersey, in the amount of \$122,645.00).

***Attachments:***      [Quote](#)  
[Sole Source Letter](#)  
[Photo](#)

- 14      [22-6055](#)      Bid No. 2022-115 - Purchase of a new 2023 Ford F-350 Diesel Chassis Ambulance Remount.  
(Staff recommends the purchase of one ambulance, offered by McCall F Inc., d/b/a Sterling McCall Ford, through Houston-Galveston Area Council of Governments Cooperative Purchasing Program (HGAC Buy), Contract No. AM10-20, in the amount of \$189,105.00.)

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

- 15      [22-5979](#)      Authorize the City Manager to finalize and execute a Professional Services Agreement with BGE, Inc., for the survey, engineering design and preparation of bidding and construction documents for the Executive Boulevard and Innovative Way Paving and Utility Improvements Project in an amount not to exceed \$658,386.00.

***Attachments:***      [Location Map](#)

#### OTHER BUSINESS

- 16      [22-6046](#)      Consider an application to allow fee in lieu of parkland dedication for the subdivision of a parcel from three lots to six lots resulting in a net increase of three lots, located at 1304, 1308 and 1320 Sam Houston Road.

Attachments:      [Request letter](#)  
                              [Proposed replat](#)

## **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. City of Allen, et al v. Time Warner Cable Texas, LLC d/b/a Spectrum and Charter Communications, Cause No. 6:19-cv-345-ADA-JCM – Filed 10-19-18
2. Tejas Motel, LLC v. City of Mesquite, acting by and through its Board of Adjustment, Cause No. DC-18-16933 – Filed 11-8-18
3. Patricia Brennan and Alyssa Sanders, Individually and as Heirs of Natalie Sanders v. City of Mesquite, et al, Cause No. 3:19-CV-01263-L – Filed 5-24-19
4. Corey Reynolds and Molly Reynolds v. The City of Mesquite, et al, Cause No. DC-20-07209 – Filed 5-22-20
5. Tejas Motel, L.L.C. v. City of Mesquite, Acting by and through its Board of Adjustment, Civil Action No. 3:20-cv-20-01982-X – Filed 7-27-20
6. City of Mesquite v. Ulises Rivera, Jessica Rivera and 3509 Byrd Drive, Mesquite, Texas 75150 in rem, Cause No. DC-20-12465 – Filed 9-3-20
7. Vault Ventures, LLC v. City of Mesquite and Cliff Keheley, in his Official Capacity as Mesquite City Manager, Cause No. DC-20-19115 – Filed 12-28-20, on Appeal to the Fifth Court of Appeals, Case No. 05-21-00986-CV
8. Kasia Varsak v. Jeremy Thomas Meeks and the City of Mesquite, Texas, Cause No. CC-21-00813-B – Filed 3-4-21
  
9. John Alexander v. City of Mesquite and Emilio F. Henry, Cause No. DC-21-06832 - Filed 5-28-21
10. Raina Naomi Brechbiel v. Danielle Larrison and Christopher Odom, Cause No. 3:21-cv-01563-E - Filed 7-7-21
11. Landon Harris v. City of Mesquite, Cause No. DC-21-08418 - Filed 6-30-21
12. Daniel Gonzales v. City of Mesquite, Cause No. CC-21-05087-D - Filed 11-22-21
13. City of Mesquite v. CC Hillcrest, LLC, Summit Hillcrest Apartments, Ltd, Hillcrest GP, LLC and 2119 Hillcrest St., Mesquite, Texas 75149 in rem, Cause No. DC-22-01764 - Filed 2-14-22
14. Anthony Wagner v. City of Mesquite, Texas, Cause No. DC-22-02864 - Filed 3-14-22
15. Clement Bernard v. City of Mesquite, Texas, Civil Action No. 3:22-cv-00928 - Filed 4-26-22

#### **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.

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.

Pursuant to Section 551.007 (c) of the Texas Local Government Code, any member of the public wishing to address the City Council through the use of a translator is granted at least twice the amount of time as a member of the public who does not require the assistance of a translator.