



# City of Mesquite, Texas

## Action Agenda

### City Council

Tuesday, January 19, 2021

5:30 PM

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

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

#### AGENDA REVIEW

#### STAFF PRESENTATIONS

- 1 Receive briefing regarding the annual Texas Department of Transportation ethics requirements. **Received.**
- 2 Receive briefing regarding the Mesquite Metro Airport's strategic plan. **Received.**
- 3 Briefing regarding park improvements. **Received. It was Council consensus to move forward with the park improvements, as presented.**

#### EXECUTIVE SESSION - TRAINING ROOMS A & B - 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

Beto Meza, Pastor, New Life Church, Mesquite, Texas.

#### PLEDGE OF ALLEGIANCE

City of Mesquite Staff.

## SPECIAL ANNOUNCEMENTS

1. Mr. Aleman stated that Mesquite Animal Services has recently received calls regarding feral hog sightings near Lawson Road. With land being cleared for new developments, feral hog activity may become more prevalent. Safety tips can be found on the City's website at [www.cityofmesquite.com/feralhogs](http://www.cityofmesquite.com/feralhogs). Citizens are encouraged to utilize the myMesquite app to report any feral hog activity in their neighborhood.
2. Mr. Smith stated that last week, police officers were conducting speed enforcement on Pioneer Road between Cartwright Road and McKenzie Road due to complaints from concerned residents regarding street racing. Two vehicles were observed racing and both drivers were taken into custody and charged with a variety of offenses. He commended the Mesquite Police Department for keeping our community safe.
3. Mr. Boroughs announced that this weekend, all lanes of eastbound and westbound I-30 at Galloway Avenue will be closed to perform a bridge demolition in conjunction with the I-635 East Project. Full closures of Galloway Avenue at I-30 and some I-30 and I-635 direct connectors will also be impacted.
4. Mr. Miklos announced that with the loss of jobs in the community during the 2020 pandemic, the City of Mesquite stepped up to help the public gain employment opportunities and skills training through a series of public outreach efforts. The Mesquite Chamber of Commerce recognized these efforts and presented the City with the 2020 Mesquite Business Retention and Expansion "Employer of the Year" Award. Mr. Miklos commended City Manager Cliff Keheley and his staff for their dedication to our community.
5. Mr. Green announced that Workforce Solutions Greater Dallas is hosting a virtual Job Fair on January 20, 2021, from 10:00 a.m. to 2:00 p.m. Multiple employers will take part in the event and over 4,600 jobs will be available. Also, the City of Mesquite has many job opportunities available, which provides free employee-only coverage for medical, dental and vision insurance.
6. Mr. Wisdom recognized Crystal Cooksey, Senior Recreation Supervisor at Florence Recreation Center, who has been employed with the City for 17 years. She became the first female in the history of Texas high school football to officiate a State Championship football game on January 5, 2021, when she refereed at the 1A-Division II State title game in San Angelo. Ms. Wisdom congratulated Crystal for this outstanding achievement.
7. Mayor Archer stated that a virtual Martin Luther King, Jr., Day Celebration was held this past weekend. The video can be viewed on the City's website at [www.cityofmesquite.com/MLK2021](http://www.cityofmesquite.com/MLK2021). He thanked Henry Brown, Mesquite NAACP President, and Pastor Reginald Jefferson of New Hope Baptist Church for organizing this event. Mayor Archer also thanked Elizabeth Harrell, Director of Parks and Recreation, and Leah Burger, Video Producer, for making the concept of the video become a reality.
8. Mr. Keheley stated that each Councilmember will find at their seat a book called, "Gift of Water, Legacy of Service: A History of the North Texas Municipal Water District." This book was provided to Council as a reference by North Texas Municipal Water District (NTMWD) Board of Directors Brenda Jean Patrick and Terry Sam Anderson. The history of the NTMWD is meaningful due to the fact that the City of Mesquite was a founding member. Ms. Patrick and Mr. Anderson have inscribed each book and wanted to make sure each Councilmember knew the importance that the City had in the founding of NTMWD.

## CITIZENS FORUM

No one appeared.

## CITIZENS COMMENTS

No one appeared.

## 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 by motion of the City Council.)

- 4 Minutes of the special City Council meeting held December 14, 2020, and the regular City Council meeting held January 4, 2021. **Approved.**
- 5 A resolution authorizing the City Manager to finalize, execute and administer an agreement between the City of Mesquite, Texas, and Kaufman County Municipal Utility District No. 12 for the provision of wastewater service to the WJ Trinity Pointe, LP 283.647 acres development located on the west corner of FM 2932 and Griffin Lane. **Approved by Resolution No. 01-2021.**
- 6 A resolution authorizing the City Manager to finalize, execute and administer an agreement regarding the provision of wastewater service between the City of Mesquite, Texas, and WJ Trinity Pointe, LP, for the provision of wastewater services to the WJ Trinity Pointe, LP 283.647 acres development located on the west corner of FM 2932 and Griffin Lane. **Approved by Resolution No. 02-2021.**
- 7 Bid No. 2020-011 - Matthew Holzapfel Pump Station Project.  
(Authorize the City Manager to finalize and execute a contract with low bidder Gracon Construction, Inc., in the amount of \$13,163,725.00.) **Approved as recommended.**
- 8 Bid No. 2021-044 - Public Safety Vehicle Equipment Installation Services.  
(Authorize the City Manager to finalize and execute a contract with GTS Technology Solutions, Inc., through the Texas Department of Information Resources Contract No. DIR-TSO-3655 in the amount of \$80,445.67.) **Approved as recommended.**
- 9 Bid No. 2021-049 - Purchase of One 1500 GPM Pumper Truck.  
(Staff recommends award to Spartan ERV, represented by Metro Fire Apparatus Specialists, Inc., through the Houston-Galveston Area Council of Governments Cooperative Purchasing Program Contract No. FS12-19, in the amount of \$639,380.00.) **Approved as recommended.**
- 10 Authorize the City Manager to finalize and execute Change Order No. 1 to Bid No. 2020-088, Lake Park Addition Sanitary Sewer Replacement Project, with ANA Site Construction, LLC, for additional services in the amount of \$171,584.20. **Approved.**

## RECEIPT OF RESIGNATION

- 11 Receive resignation from Yolanda Shepard as a regular member of the Planning and Zoning Commission and Capital Improvements Advisory Committee. **Received.**

## APPOINTMENTS TO BOARDS AND COMMISSIONS

- 12 Consider appointment of Yolanda Shepard to the Personnel/Trial Board for a term to expire November 7, 2023, and confirmation of appointment by the City Manager of Yolanda Shepard to serve as a member of the City of Mesquite Firefighters' and Police Officers' Civil Service Commission for a term to expire November 7, 2023. **Yolanda Shepard was appointed to the Personnel/Trial Board for a term to expire November 7, 2023, who will also serve on the City of Mesquite Firefighters' and Police Officers' Civil Service Commission.**
- 13 Consider appointment of two alternate members to the Municipal Library Advisory Board for

terms to expire December 4, 2022. **June Chambers was appointed to the Municipal Library Advisory Board for a term to expire December 4, 2022.**

## **PUBLIC HEARINGS**

- 14** Conduct a public hearing and consider an ordinance for Zoning Application No. Z0920-0153, submitted by Brian Bridgewater of Wintergreen HS Partners Ltd., for a Comprehensive Plan amendment from Commercial to Light Industrial and a change of zoning from Traditional Neighborhood Mixed Residential and Commercial within the Skyline Logistics Hub Overlay to Planned Development - Industrial within the Skyline Logistics Hub Overlay to allow an urban industrial park, located generally northwest of East Meadows Boulevard and U.S. Highway 80.
- (No responses in favor and three in opposition to the application have been received from property owners within the statutory notification area. The Planning and Zoning Commission recommends approval with certain stipulations. This item was continued from the January 4, 2021, City Council meeting.) **Public hearing held. Approved by Ordinance No. 4840.**

## **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. Kathy Dyer and Robert Dyer, Individually and as Representative of the Estate of Graham Dyer v. City of Mesquite, Texas, et al – Filed 8-12-15; Cause No. 3:15-CV-02638-B; on appeal to the U.S. Court of Appeals for the Fifth Circuit, Case No. 19-10280, Filed 6-3-19
2. City of Mesquite v. Govind Group Corp., and 3629 E. US Highway 80, Mesquite, Texas 75150 in rem, Cause No. DC-18-02903 – Filed 3-1-18
3. 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
4. Tejas Motel, LLC v. City of Mesquite, acting by and through its Board of Adjustment, Cause No. DC-18-16933 – Filed 11-8-18
5. Petition of Magali Villarreal (MISD Bus Accident on 10-3-2018), Cause No. DC-19-06974 – Filed 5-15-19
6. Patricia Brennan and Alyssa Sanders, Individually and as Heirs of Natalie Sanders v. City of Mesquite, et al, Cause No. 3:10-CV-01263-L – Filed 5-24-19
7. Patrish Ervin and John Dawson v. Mr. Phillip Aultman, Mesquite Police Department and the City of Mesquite, Cause No. CC-19-03248-C – Filed 5-31-19
8. Corey Reynolds and Molly Reynolds v. The City of Mesquite, et al, Cause No. DC-20-07209 – Filed 5-22-20
9. Tejas Motel, L.L.C. v. City of Mesquite, Acting by and through its Board of Adjustment, Civil Action No. 3:20-cv-20-1982 – Filed 7-27-20
10. 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
11. Agustin Baena, et al v. The City of Mesquite, et al, Cause No. DC-20-14261– Filed 9-29-20
12. Kenneth Parker v. City of Mesquite, Cause No. DC-20-14625 – Filed 10-5-20
13. City of Mesquite v. Branden Sanders and 2412 Baretta Dr., Texas 75181, in rem, Cause No. DC-20-18343 – Filed 12-14-20

14. 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

### **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.

- Annual Review of City Manager **Discussed.**

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.