



City of Mesquite, Texas

Action Agenda

City Council

Monday, March 7, 2022

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.**

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

- 2 Receive Neighborhood Services Environmental Code quarterly report for the period of October 1, 2021, through December 31, 2021. **Received.**

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

INVOCATION

Stan Raibley, Pastor, Keystone Church of Mesquite, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

Members of the Hiram Bennett Chapter of the Daughters of the Republic of Texas.

SPECIAL RECOGNITION

- 3 Recognize Real. Texas. Service. Champions. **Recognized.**

SPECIAL ANNOUNCEMENTS

1. Mr. Casper encouraged citizens to attend the City of Mesquite Rodeo Parade, commemorating the 63rd Anniversary of the Mesquite Championship Rodeo, on Saturday, April 2, 2022. Businesses and local organizations are encouraged to participate in the parade. The deadline to register is Friday, March 25, 2022, and the entry fee is \$40.00. Floats will be judged on the Real. Texas. Rodeo. Theme and the “Best of Show” entry will win a grand prize package of \$1,000.00.
2. Mr. Green announced that the inaugural season of the Youth Fast Pitch Softball League, for girls ages 6 – 14, begins on Wednesday, April 20, 2022. The deadline to register is Sunday, March 27, 2022, with late registration until Sunday, April 3, 2022. Games will take place at the newly renovated Mesquite Girls’ Softball Complex.
3. Mr. Green stated that he had the opportunity to attend an Eagle Scout ceremony on Saturday, March 5, 2022, for Horn High School Senior, Cole Rockwell. As his Eagle Scout project, he built two ramps for the Mesquite Animal Shelter and Adoption Center. Mr. Green expressed appreciation to Cole for his work and donation to the City of Mesquite.
4. Ms. Vidler announced that the Business Retention and Expansion Task Force will host a Human Resources (HR) Day event from 11:00 a.m. to 1:00 p.m., at Vanguard High School, 4201 Faithon P. Lucas, Sr., Boulevard, on Friday, March 11, 2022. Panelists include HR Directors and Managers from Texas Advancement Center, Dallas Regional Medical Center, Revolution and Mesquite Independent School District. This event is for business owners and HR managers to discuss HR topics with a peer panel, discover tailored resource options and networking.
5. Mr. Boroughs stated that the Mesquite Fire Department will play a charity basketball game against the Raising the Bridge Kings at 6:00 p.m., on Saturday, March 26, 2022, at Poteet High School, 3300 Poteet Drive. Raising the Bridge is a Mesquite-based non-profit organization geared to strengthen our community’s youth. Tickets are \$12 and children ages 6 and under are free. All proceeds will support Raising the Bridge.
6. Ms. Anderson encouraged citizens to attend the Mesquite Arts Council’s Mesquite Rocks! concert featuring The Selkie Girls. This free concert will be held at 7:00 p.m., during the Mesquite Arts Center’s annual St. Patrick Day celebration, 1527 North Galloway Avenue, on Tuesday, March 17, 2022.
7. Mayor Alemán reminded residents that Mesquite Independent School District students will be out of school for Spring Break from March 14, 2022, to March 18, 2022. Therefore, more children will be outside playing, walking and riding their bikes so drive like your family lives here.
8. Mayor Alemán stated that he recently read to 2nd graders at Tisinger Elementary School for the “Read Across America” program. He also participated in the induction ceremony at McWhorter Elementary School’s National Elementary Honor Society for 3rd, 4th and 5th graders and congratulated them on this honor.

CITIZENS FORUM

No one spoke.

CITIZENS COMMENTS

No one spoke.

CONSENT AGENDA

- 4 Minutes of the regular City Council meeting held February 21, 2022, and Special City Council meeting held February 22, 2022. **Approved.**
- 5 An ordinance, on third and final reading, granting to Mesquite Independent School District, its successors and assigns, the nonexclusive right to use and occupy rights-of-way within the City of Mesquite for the construction and operation of a communication system. **Approved by Ordinance No. 4942.**
- 6 A resolution authorizing the City Manager to execute an agreement with the Texas Department of Transportation for the temporary closure of State Highway 352 on April 2, 2022, for the City of Mesquite Rodeo Parade, commemorating the 63rd Anniversary of the Mesquite Championship Rodeo. **Approved by Resolution No. 14-2022.**
- 7 Bid No. 2022-066 - Purchase of One Truck with Attenuator for Fire.
(Staff recommends award to Texas Kenworth in Dallas, Texas, through the BuyBoard Contract No. 601-19, in the amount of \$157,771.50.) **Approved as recommended.**
- 8 Bid No. 2022-068 - Network Switch Replacement.
(Staff recommends award to Dell, Inc., through the Texas Department of Information Resources Contract No. DIR-TSO-3763 in the amount of \$93,768.59.) **Approved as recommended.**
- 9 Bid No. 2022-071 - Purchase of Two 2022 Utility Pickups for Parks Department.
(Staff recommends award to Rush Truck Center in Dallas, TX, through BuyBoard Contract No. 601-19, in the amount of \$90,871.90) **Approved as recommended.**
- 10 Bid No. 2022-072 - Annual Supply of Fire Protective Clothing.
(Staff recommends the purchase of twenty-five sets of firefighter protective coats and pants offered by Casco Industries, Inc., through BuyBoard National Purchasing Cooperative, Contract #603-20, in the amount of \$81,075.00) **Approved as recommended.**
- 11 Authorize the City Manager to finalize and execute a Texas Commission on Environmental Quality (TCEQ) Contract for High Hazard Potential Dams (HHPD) Rehabilitation Grant for the City Lake Dam and spillway in the amount of \$61,750.00. **Approved.**
- 12 Authorize the City Manager to finalize and execute a professional engineering contract with Garver, LLC for the final design of South Parkway in the amount not to exceed \$945,987.00. **Approved.**
- 13 Authorize the City Manager to finalize and execute Mural Easements for installation of works of public art on the following properties:
 - (a) DPC Cedars LLC, owner of property at 211 West Main Street
 - (b) Mr. William M. and Mrs. Manuela M. Metzger, owner of property at 111 West Main Street
 - (c) BCL Real Estate LLC, owner of property at 307 West Main Street**Approved.**
- 14 Authorize the City Manager to finalize and execute a Joint Use Outdoor Room Agreement with Mr. William M. and Mrs. Manuela M. Metzger, for use of the unimproved lot at 113 West Main Street for the purposes of installation of temporary improvements and public use of the lot and installation. **Approved.**

- 15 Authorize the City Manager to finalize and execute Amendment No. 1 to the EMS Billing and Collection Services contract with Digitech Computer LLC, for additional services to determine hardship assistance eligibility related to EMS billing, at a flat rate not to exceed \$0.05 per record searched and \$0.06 per record located. **Approved.**
- 16 Authorize the Mayor to execute an employment agreement between the City of Mesquite, Texas, and Municipal Court Judge Detra Hill. **Approved.**
- 17 Authorize the Mayor to execute an employment agreement between the City of Mesquite, Texas, and City Attorney David Paschall. **Approved.**
- 18 Authorize the Mayor to execute an employment agreement between the City of Mesquite, Texas, and City Manager Cliff Keheley. **Approved.**
- 19 Authorize the Mayor to execute an employment agreement between the City of Mesquite, Texas, and City Secretary Sonja Land. **Approved.**
- 20 Approve the proposed CDBG-CV Budget fiscal year 2022-2023. **Approved.**
- 21 Receive the Fiscal Year 2020-2021 annual report from the Mesquite Quality of Life Corporation Board of Directors. **Received.**
- 22 Receive the January 2022 semiannual report for impact fees from the Capital Improvements Advisory Committee in accordance with Section 395.058(c)(4) of the Texas Local Government Code. **Received.**

PUBLIC HEARINGS

- 23 Conduct a public hearing and consider an ordinance for Zoning Application No. Z0721-0206, submitted by Maxwell Fisher of Masterplan, for a change of zoning from Planned Development - Industrial (Ord. No. 4856) to Planned Development - Industrial (Ord. No. 4856) with a Conditional Use Permit to allow a self-storage facility and outdoor recreational vehicle storage with modifications to the Special Conditions found in Section 3-502, located at 2210 East Scyene Road.
(No responses in favor or 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 postponed from the February 21, 2022, City Council meeting.)
Public hearing held. Denied.

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. Petition of Magali Villarreal (MISD Bus Accident on 10-3-2018), Cause No. DC-19-06974 – Filed 5-15-19
4. 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
5. 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
6. Corey Reynolds and Molly Reynolds v. The City of Mesquite, et al, Cause No. DC-20-07209 – Filed 5-22-20
7. 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
8. 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
9. 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
10. Kasia Varsak v. Jeremy Thomas Meeks and the City of Mesquite, Texas, Cause No. CC-21-00813-B – Filed 3-4-21
11. John Alexander v. City of Mesquite and Emilio F. Henry, Cause No. DC-21-06832 - Filed 5-28-21
12. Raina Naomi Brechbiel v. Danielle Larrison and Christopher Odom, Cause No. 3:21-cv-01563-E - Filed 7-7-21
13. Landon Harris v. City of Mesquite, Cause No. DC-21-08418 - Filed 6-30-21
14. City of Mesquite v. Peggy Lou Schweitzer and 1509 Alta Vista Street, Mesquite, Texas 75149 in rem, Cause No. DC-21-11200 - Filed 8-20-21
15. Daniel Gonzales v. City of Mesquite, Cause No. CC-21-05087-D - Filed 11-22-2021
16. 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

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.

Economic Development

Pursuant to Section 551.087 of the Texas Government Code, the City Council will meet in closed session to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations or to deliberate the offer of a financial or other incentive to such a business prospect. The following subjects may be discussed:

- 24** Discuss economic development incentives for a development at the corner of Oates Drive and Gus Thomasson Road. **Discussed.**