



City of Mesquite, Texas

Action Agenda

City Council

Monday, June 6, 2022

5:00 PM

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

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

AGENDA REVIEW

STAFF PRESENTATIONS

- 1 Receive departmental strategy and budget presentations, as determined by City Management, related to City Council strategic goals and objectives. **Received.**

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

- 2 Receive quarterly report from the Police Department for the period covering October 1, 2021, through March 31, 2022. **Received.**

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

INVOCATION

Councilmember B.W. Smith

PLEDGE OF ALLEGIANCE

City Staff.

PRESENTATIONS

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

SPECIAL ANNOUNCEMENTS

1. Mr. Casper stated that due to a nationwide lifeguard shortage, City Lake Aquatic Center hours have been adjusted. Operating hours will be Thursday through Sunday from 12:00 p.m. to 7:00 p.m. for open swim. Vanston Pool and Town East Pool will only be used for swim teams, swim lessons and water aerobics.
2. Mr. Green stated that the tennis court at Motley Park, 4000 Moon Drive, has been converted to a futsal court and the half-court basketball and volleyball courts have been refreshed. He encouraged citizens to visit the new and improved Motley Park.
3. Ms. Vidler stated that the Mesquite Arts Center is hosting several events in June. Off the Rails: Front Street Station Music Festival will feature “Penny and the Flamethrowers” on the Front Street Station stage, 100 West Front Street, on Saturday, June 11, 2022, from 6:00 p.m. to 8:00 p.m. Music in the Park: Superheroes and Spies welcome the Mesquite Community Band on Monday, June 13, 2022, from 7:00 p.m. to 8:00 p.m. and the Mesquite Community Theatre presents “Like Kissing Moonlight” from June 10, 2022 – June 26, 2022, at the Mesquite Arts Center, 1527 North Galloway Avenue.
4. Mr. Boroughs stated fees for violations of the Solid Waste Ordinance, which is part of the Clean City Initiative, will be assessed beginning July 1, 2022. For more information regarding the ordinance, visit www.cityofmesquite.com/solidwaste.
5. Mr. Boroughs thanked New Life Church Pastor Beto Meza, Police Chief David Gill and Assistant Police Chief Doug Yates for attending the District 4 Neighborhood Meeting on Saturday, June 4, 2022.
6. Mr. Smith invited citizens to attend a Dive-In Movie at City Lake Aquatic Center, 200 Parkview Street, on Friday, June 10, 2022, at 7:00 p.m. Admission is free and the feature film, Encanto, will begin at dusk. Food trucks, music, games and vendors will be onsite.
7. Ms. Anderson announced that Clay Mathis Park, 2181 Clay Mathis Road, will be closed for construction of a spray pad, playground and restroom improvements beginning June 1, 2022. The park is expected to re-open this fall.
8. Ms. Anderson invited residents to attend a Creek Crossing Neighborhood Meeting at Keystone Church, 1575 Clay Mathis Road, on Tuesday, June 21, 2022, at 7:00 p.m.
9. Mayor Alemán recognized former Mayor Bruce Archer who was in attendance tonight.
10. Mayor Alemán reminded citizens to never forget the importance of June 6, 1944, known as D-Day. Our nation joined Allies of Europe to stop the German Nazi’s invading Europe. Many lives were lost and we will never forget.
11. Mayor Alemán announced that STAR Transit will hold two public meetings regarding potential service changes in Mesquite. The meetings will be held on Tuesday, June 21, 2022, and Friday, June 24, 2022. For more details, visit www.cityofmesquite.com/STARTransit. Citizens are encouraged to attend and provide comments.
12. Mayor Alemán thanked the Mesquite Fire Department and Phil and Amanda Cunningham for their work in making the Firefighter’s Ball a huge success.
13. Mayor Alemán expressed appreciation to Elizabeth Harrell, Director of Parks and Recreation, for a memorable Memorial Day event.
14. Mayor Alemán invited citizens to attend a Spanish-speaking Neighborhood Meeting at Vida-Life Church, 3516 Oates Drive, on Thursday, June 9, 2022, at 7:00 p.m.
15. Mayor Alemán announced the birth of his 6th grandchild born last Thursday, June 2, 2022, named Henry Alemán weighing 7 lbs. 8 oz.
16. Mayor Alemán congratulated Councilmember Jeff Casper and his wife for the upcoming birth of a daughter in October 2022.

CITIZENS FORUM

Vivian Johnson, 4538 Live Oak Drive, expressed concerns regarding Animal Services procedures.

CITIZENS COMMENTS

No one appeared.

CONSENT AGENDA

- 4 Minutes of the regular City Council Meeting held May 16, 2022. **Approved.**
- 5 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. **Approved by Ordinance No. 4960.**
- 6 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. **Approved by Resolution No. 22-2022.**
- 7 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. **Approved by Resolution No. 23-2022.**
- 8 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. **Approved by Resolution No. 24-2022.**
- 9 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.) **Approved as recommended.**
- 10 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.) **Approved as recommended.**
- 11 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.) **Approved as recommended.**
- 12 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.) **Approved as recommended.**

- 13 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).
Approved as recommended.
- 14 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.)
Approved as recommended.
- 15 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. **Approved.**

OTHER BUSINESS

- 16 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. **Approved.**

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.