



City of Mesquite, Texas

Action Agenda

City Council

Monday, November 7, 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 briefing regarding the Economic Development Strategic Plan. **Received.**
- 2 Receive briefing regarding the arterial speed management proposal for Pioneer Road from Cartwright Road to McKenzie Road. **Received. Council directed staff to pursue additional options and schedule a meeting with residents to gather community input on this roadway.**

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

INVOCATION

Reverend Tony Cartwright, Mesquite Friendship Baptist Church, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

Members of 3rd grade Brownie Girl Scout Troop 7064.

PRESENTATIONS

- 3 Donation presentation from Mesquite Elks Lodge Ladies Auxiliary to the Helping Others in Mesquite Everyday (HOME) program. **Received.**

SPECIAL ANNOUNCEMENTS

1. Mr. Casper announced the birth of he and Emily's daughter, Delta Kate Casper.
2. Mr. Casper reminded citizens to vote tomorrow, November 8, 2022. The Mesquite Independent School District has a proposition on the ballot.
3. Mr. Casper expressed appreciation to City staff for their help with the recent District 1 Neighborhood Meeting.
4. Mr. Casper invited citizens to attend a Town Hall Meeting on Tuesday, November 15, 2022, at 6:30 p.m., at Mesquite City Hall, Training Rooms A & B, 757 North Galloway Avenue. Attendees will learn about the Economic Development Department, gain insight into upcoming projects and participate in a site assessment exercise from the decision-makers perspective. Learn more at www.cityofmesquite.com/TownHall.

5. Mr. Green thanked the Mesquite Elks Lodge Ladies Auxiliary for the generous donation to the HOME Program.
6. Mr. Green stated that Mesquite Recycles Day will be held on Saturday, November 12, 2022, from 8:00 a.m. – Noon, in the front parking lot at Poteet High School, 3300 Poteet Drive. Mesquite residents can drop off a variety of reusable items, electronic waste and professional document shredding will be offered. To participate, attendees must show proof of Mesquite residency. Learn more at www.cityofmesquite.com/RecyclesDay.
7. Ms. Vidler stated that she graduated from the Mesquite Citizens Fire Academy last Saturday, November 5, 2022. She thanked the Mesquite Fire Department for the opportunity and encouraged citizens to enroll in the Mesquite Citizens Fire Academy and/or the Mesquite Citizens Police Academy.
8. Ms. Vidler stated that Downtown Mesquite was honored last week with the Best Economic Game Changer Award at the Texas Downtown Conference in San Marcos. The Front Street Station project received the honor due to the economic development impact, including a new restaurant, property sales, leases and property improvements. Mesquite BBQ was a finalist for Best Downtown Business in the competition, which drew more than 140 entries statewide. Ms. Vidler congratulated the City of Mesquite and especially the Downtown Mesquite team for this award.
9. Mr. Boroughs encouraged citizens to attend a District 4 Neighborhood Meeting on Thursday, November 10, 2022, from 7:00 p.m. to 8:00 p.m., at Hanby Elementary School, 408 Gross Road.
10. Mr. Smith invited citizens to visit the Mesquite Elks Lodge on Thursday's at 7:00 p.m. for Karaoke.
11. Mr. Smith reminded citizens how to properly dispose of cooking oil. Fats, Oil, Grease and debris poured down drains can cause homeowners expensive sewer backups. Used cooking oil may be recycled for free during the Holiday Grease Roundup which starts next week. For more information, visit the City's website at www.cityofmesquite.com/FOG.
12. Mr. Smith stated that over the Thanksgiving holiday break, students in kindergarten through sixth grade can spend a day or the entire week playing games, creating holiday crafts and experiencing other fun activities. Turkey Camp will be available at Dunford Recreation Center, 1015 Green Canyon Drive, from 7:00 a.m. to 6:00 p.m., Monday, November 21, 2022, through Wednesday, November 23, 2022, and Friday, November 25, 2022. Turkey Camp will not be offered on Thanksgiving Day. The fee is \$20.00 per day for residents and \$30 per day for non-residents. Register online at www.cityofmesquite.com/HolidayCamps.
13. Mayor Alemán stated that Weather Activated Relief for Mesquite (WARM) is a program sponsored by Sharing Life Community Outreach, the Mesquite Ministerial Alliance and the City of Mesquite. WARM provides temporary shelter for individuals who are unsheltered during extreme weather conditions. Warm clothing, toiletries and monetary donations will be accepted. For more information, visit sharing.life/WARM.
14. Mayor Alemán stated that Arbor Day was celebrated last Friday, November 4, 2022, at Hanby Elementary School. He thanked the Parks and Recreation Department and Keep Mesquite Beautiful, Inc. staff for their help with this event.
15. Mayor Alemán stated that last Saturday, November 5, 2022, a Veteran's Day event was held at the Mesquite Veterans Memorial. He recognized veterans who were in attendance at tonight's meeting.
16. Mayor Alemán announced that today is City Attorney David Paschall's birthday and asked everyone to sing Happy Birthday to him.

CITIZENS FORUM

1. The following person expressed concerns regarding living conditions at the Hillcrest Apartments: (1) Karen Chapman, 2005 Hillcrest Street, Apt. 2016; (2) Teddi Beard, 2009 Hillcrest Street, Apt. 2037; (3) Kenny Mihm, 2005 Hillcrest Street, Apt. 1012; and (4) Wanalisa Stidam, 2105 Hillcrest Street, Apt. 217.
2. Tom Palmer, 720 John Peter Court, expressed appreciation to the Mayor and City Council for their decorum and for making decisions that are best for the City.

CONSENT AGENDA

- 4 Minutes of the regular City Council meeting held October 17, 2022. **Approved.**
- 5 An ordinance authorizing, allowing and providing, under the Act governing the Texas Municipal Retirement System, for increased prior and current service annuities (COLAs) under the Act for retirees and beneficiaries of deceased retirees of the City of Mesquite. **Approved by Ordinance No. 4994.**

- 6 An ordinance repealing Section 3, Authorization of Updated Service Credits, of Ordinance No. 4983, which adopted the 2022-23 Pay Plan, in order to eliminate potential conflict with Ordinance No. 4611, which provides ongoing updated service credits.
Approved by Ordinance No. 4995.
- 7 A resolution authorizing the City Manager to finalize and execute the Project Specific Agreement amending the Master Agreement Governing Major Capital Transportation Improvement Program (MCIP) with Dallas County for the purpose of transportation improvements on Skyline Drive, MCIP Project 11903, from Town East Boulevard to Peachtree Road. **Approved by Resolution No. 44-2022.**
- 8 A resolution authorizing acceptance of the Fiscal Year 2022 Urban Area Security Initiative (UASI) Grant and execution of the Sub-Recipient Agreements with the Office of the Governor, Texas Homeland Security State Administrative Agency, in the amount of \$154,681.53 and authorizing the Emergency Management Coordinator as the authorized official to apply for, accept, reject, alter or terminate the Grant on behalf of the City.
Approved by Resolution No. 45-2022.
- 9 Bid No. 2022-118 - Water and Paving Improvements for Eastridge Park, Byrd Estates, Viva Drive, Catalina Drive and Flamingo Way.
(Staff recommends award to low bidder Estrada Concrete Company, LLC and to authorize the City Manager to finalize and execute a contract in the amount of \$11,195,506.00.)
Approved as recommended.
- 10 RFQ No. 2022-149 - Construction Management at Risk (CMaR) Services for the Construction of New Fire Station No. 2.
(Authorize the City Manager to finalize and execute a contract with Steele & Freeman, Inc., for CMaR services in connection with the design (Phase I) of New Fire Station No. 2 in an amount not to exceed of \$7,500.00.) **Approved as recommended.**
- 11 RFP No. 2022-151 - Post 65 Retiree Health Insurance.
(Staff recommends all bids be rejected.) **Approved as recommended.**
- 12 Authorize the City Manager to finalize and execute an Amendment No. 1 to RFP No. 2020-080, Retiree Medicare Supplement Plan, with renewal rates for The Hartford/Express Scripts for Post 65 Retiree Medical and Prescription Drug Plan, effective January 1, 2023 to December 31, 2023. **Approved.**
- 13 Bid No. 2022-155 - Tyler Application Programming Interfaces.
(Staff recommends award to Tyler Technologies, Inc., and to authorize the City Manager to finalize and execute a contract amendment in the amount of \$108,739.00 for Application Programming Interfaces.) **Approved as recommended.**
- 14 Bid No. 2023-015 - Purchase of Genus 1 Clock Replacements for ExecuTime Advanced Scheduling Software.
(Staff recommends award to Tyler Technologies, Inc., and to authorize the City Manager to finalize and execute a contract amendment in the amount of \$65,850.00 for purchase of time clock hardware replacement.) **Approved as recommended.**
- 15 Bid No. 2023-002 - Construction Management at Risk (CMaR) Services for the Addition to and Remodel of the Mesquite Service Center Field Services Building.
(Staff recommends award to Crossland Construction Company, Inc., and to authorize the City Manager to finalize and execute a contract in an amount not to exceed \$10,000.00 for

CMAr services in connection with the design (Phase I) of the Addition to and Remodel of the Mesquite Service Center Field Service Building.) **Approved as recommended.**

- 16 Bid No. 2023-016 - Purchase of Three Chevy Malibu LS Sedans (Model LS 1FL). (Staff recommends purchase of Three Chevy Malibu LS Sedans from Lake Country Chevrolet Inc., through The Interlocal Purchasing System (TIPS) Contract No. 210907, in an amount not to exceed \$71,443.50.) **Approved as recommended.**
- 17 Bid 2023-020 - Annual Supply of 45-Gallon Edge Trash Carts. (Staff recommends ratifying the purchase of trash carts in the amount of \$69,920.00, through BuyBoard Contract No. 605-20, and authorizing the City Manager to finalize and execute a contract with Otto Environmental Systems North America, Inc., for the annual purchase of 45-gallon trash carts, through Houston-Galveston Area Council (H-GAC) Contract No. RC01-21, in an amount not to exceed \$426,542.40. The term of this contract is for a one-year period.) **Approved as recommended.**
- 18 Authorize the City Manager to finalize and execute a Professional Services Agreement with Kimley-Horn and Associates, Inc. for engineering and design of the La Prada Drive Reconstruction from Motley Drive to Pinehurst Lane Project, in an amount not to exceed \$2,498,000.00. **Approved.**
- 19 Authorize the City Manager to finalize and execute Change Order No. 4 to Bid No. 2019-040, Town East Boulevard Water, Paving and Drainage Reconstruction Project from US Highway 80 to Skyline Drive, with Tiseo Paving Company, for additional services required, in the amount of \$197,572.85. **Approved.**
- 20 Adoption of the City of Mesquite Economic Development Strategic Plan. **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. 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
4. 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
5. John Alexander v. City of Mesquite and Emilio F. Henry, Cause No. DC-21-06832 - Filed 5-28-21
6. Landon Harris v. City of Mesquite, Cause No. DC-21-08418 - Filed 6-30-21
7. Daniel Gonzales v. City of Mesquite, Cause No. CC-21-05087-D - Filed 11-22-21
8. 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; and In re CC Hillcrest, LLC, Case No. 22-31362-swe11 – Filed 7-29-22
9. Anthony Wagner v. City of Mesquite, Texas, Cause No. DC-22-02864 - Filed 3-14-22

10. Clement Bernard v. City of Mesquite, Texas, Civil Action No. 3:22-cv-00928 - Filed 4-26-22
11. City of Dallas, City of Mesquite, et al., v. Disney DTC, LLC, et al., Cause No. DC-22-09128 - Filed 8-3-22
12. Cesar Nunez-Solis v. The City of Mesquite, Texas, Cause No. DC-22-11631 - Filed 9-6-22
Discussed.

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:

- 21** Discuss an industrial project and property sale at U.S. Highway 80 and IH-635 in Mesquite, Texas. **Discussed.**

Following discussions in executive session, the City Council will reconvene in open session where any final action regarding executive session items will be taken.