



City of Mesquite, Texas

Action Agenda City Council

Monday, May 16, 2022

6:30 PM

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

PRE-MEETING - TRAINING ROOMS A&B - 6:30 P.M.

AGENDA REVIEW

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

INVOCATION

Mike Pettitt, Pastor, Connection Pointe, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

Members of Mesquite Citizens Police Academy Alumni Association.

SPECIAL ANNOUNCEMENTS

1. Mr. Casper stated that students, ages 15 to 17, are eligible to apply for the City's Summer Youth Internship Program now through May 20, 2022. The internship is a paid, six-week program, that provides meaningful job experience beyond the classroom. He thanked job partners – The Texas Workforce Commission, Angel: The Waterproofing Company, Tyes Notary and Consulting and other businesses working with the interns. Students will have the opportunity to acquire skills to secure future employment. Interested students may register and learn more at www.cityofmesquite.com/CDBG.
2. Mr. Green congratulated Keep Mesquite Beautiful, Inc., for a successful Trash Bash, on April 30, 2022, which is part of the City's Clean City Initiative. More than 638 volunteers collected 288 bags, containing nearly 4,800 pounds of litter from 30 locations around Mesquite, including parks, neighborhoods and retail shopping areas.
3. Ms. Vidler invited citizens to attend a District 3 Neighborhood Meeting on Saturday, May 21, 2022, from 1:00 p.m. to 3:00 p.m., at Galloway Park, 200 Clary Drive, for hot dogs, snacks and neighborhood discussion.
4. Ms. Vidler stated that a Memorial Day Service will be held on Monday, May 30, 2022, at the Mesquite Veterans Memorial, 425 South Galloway Avenue. The program will honor those who died while serving in the United States military. The program will begin at 2:50 p.m., in order to observe a National Moment of Remembrance at 3:00 p.m.

5. Mr. Boroughs encouraged citizens to attend the Mesquite Arts Council's concert series "Mesquite Rocks!" on Thursday, May 19, 2022, at 7:00 p.m., at the Mesquite Arts Center, 1527 North Galloway Avenue. Tribute band, Epic Unplugged, will be performing at this outdoor concert.
6. Mr. Boroughs invited citizens to attend a District 4 Neighborhood Meeting on Saturday, June 5, 2022, from Noon – 2:00 p.m., at the Paschall Park Pavilion, 1001 New Market Road, for hot dogs, snacks and neighborhood discussion.
7. Ms. Anderson announced that a District 6 Neighborhood Meeting will be held on Thursday, May 26, 2022, from 6:00 p.m. to 8:00 p.m., at the Brandy Station Pavilion, 1919 Brandy Station. She encouraged citizens to attend for neighborhood discussions, hot dogs and snacks.
8. Ms. Anderson announced that the Parks and Recreation Department will host "Movies in the Park" at Paschall Park, 1001 New Market Road, on Friday, May 20, 2022, featuring the movie, Paw Patrol, which begins at dusk. Admission and parking are free. Citizens are encouraged to bring their family and friends, along with blankets and lawn chairs to enjoy this family-friendly event.
9. Mayor Alemán recognized the following employees for National Public Works Week, May 15 – 21, 2022: Curt Cassidy, Director of Public Works; Eric Gallt, Manager of Traffic Engineering; Arthur Grothe, Manager of Equipment Services; Dustin Aldridge, Manager of Utilities; Toar Schell, Manager of GIS; Justin Stoker, Assistant Director of Public Works; Ron Aldridge, Manager of Solid Waste; John Mears, City Engineer; and Tony Carson, Operations Manager. The Public Works Department maintains 609 miles of water main, 488 miles of sanitary sewer, 518 centerline miles of roadway, 217 miles of alleys, 215 miles of storm sewer and 130 miles of drainage channels. Mayor Alemán thanked the Public Works employees for providing vital services to our community.
10. Mayor Alemán and Councilmembers expressed appreciation to everyone who helped to make the May 7, 2022, Cinco de Mayo celebration a huge success including the Parks and Recreation Department, Hispanic Forum of Mesquite, Unidos, LUCAC Mesquite and Mesquite Police Department. Downtown Mesquite received over 3,500 visitors during this event.

CITIZENS FORUM

No one appeared.

CITIZENS COMMENTS

No one appeared.

CONSENT AGENDA

- 1 Minutes of the regular City Council Meeting held May 2, 2022. **Approved.**
- 2 An ordinance amending the budget for the Fiscal Year 2021-22, as heretofore approved by Ordinance No. 4886 of the City of Mesquite, Texas, adopted on August 16, 2021, appropriating and setting aside the necessary funds out of the general and other revenues of the City of Mesquite for Fiscal Year 2021-22, for the maintenance and operation of various departments and activities of the City, for capital and other improvements of the City and for all other expenditures included in said amended budget. **Approved by Ordinance No. 4958.**
- 3 A resolution accepting additional funding in connection with the 2020 Homeland Security Grant Program and execution of the sub-recipient agreements with the Office of the Governor, Texas Homeland Security State Administrative Agency, in the amount of \$41,000.00; authorizing the Emergency Management Coordinator as the authorized official to apply for, accept, reject, alter or terminate the grant on behalf of the City and agreeing to return the \$41,000.00 grant in the event of loss or misuse of the \$41,000.00 grant funds. **Approved by Resolution No. 20-2022.**
- 4 A resolution adopting the City Council's Fiscal Year 2022-2023 Strategic Goals and Objectives. **Approved by Resolution No. 21-2022.**

- 5 Bid No. 2022-057 - EMS Fire Department Medical Supplies.
(Authorize the City Manager to finalize and execute a contract with Bound Tree Medical, LLC, through an Interlocal Cooperative Purchasing Agreement with the City of Midlothian, in an amount not to exceed \$175,000.00 for a one-year period. The City Manager is authorized to exercise three additional one-year renewal options, subject to annual appropriation of sufficient funds.) **Approved as recommended.**
- 6 Bid No. 2022-085 - Genetec-City Upgrade.
(Authorize the City Manager to finalize and execute the required documents with Convergent Technologies LLC, dba Convergent CTC Texas LLC, through OMNIA Partners Contract No. R170502, in an amount not to exceed \$65,738.17.) **Approved as recommended.**
- 7 Bid No. 2022-097 - Purchase of One John Deere Backhoe (Model 310SL).
(Staff recommends award to RDO Equipment Co., through Sourcewell Contract No. 032119-JDC, in the amount of \$109,735.00.) **Approved as recommended.**
- 8 Bid No. 2022-104 - MPD TASER Replacement.
(Authorize the City Manager to execute an agreement with Axon Enterprise, Inc., through BuyBoard Contract No. 603-20, in the amount of \$128,180.96.) **Approved as recommended.**
- 9 Bid No. 2022-105 - Neptune 360 Software-as-a-Service (SaaS) Agreement.
(Authorize the City Manager to execute an agreement with Sole Source Provider Core & Main LP, for water meter advanced metering infrastructure (AMI) software services, through Neptune Technology Group Inc., for a three-year period beginning in August 2023 through July 2026 for an amount not to exceed \$1.86 per year per water meter up to 50,000 water utility customers.) **Approved as recommended.**
- 10 Bid No. 2022-106 - WaterSmart Software-as-a-Service (SaaS) Agreement.
(Authorize the City Manager to execute an agreement with Sole Source Provider Core & Main LP, for water meter customer portal software services through WaterSmart Software, Inc., for a three-year period beginning on June 15, 2023, through June 14, 2026, for an amount not to exceed \$2.07 per year per water meter up to 50,000 water utility customers for year three and increasing to \$2.13 and \$2.19 respectively for years four and five.) **Approved as recommended.**
- 11 Authorize an expenditure in the amount of \$224,669.00 to the Mesquite Independent School District for reimbursement of improvements to the Mesquite Girls' Softball Complex and authorize the City Manager to execute payment. **Approved.**
- 12 Authorize the City Manager to finalize and execute the Authorization and Reimbursement Agreement with Union Pacific Railroad (UPRR) for the traffic signal at Clay Mathis Road and Scylene Road for a one-time payment in the amount of \$545,386.00, with an annual signal maintenance fee, subject to annual appropriation of sufficient funds. **Approved.**
- 13 Approve Amendment No. 4 to the 2021-22 Police State Seizure Budget in accordance with Title 28, Section 524 of the United States Code and Chapter 59 of the Texas Code of Criminal Procedure in the amount of \$200,000.00. **Approved.**
- 14 Appoint Terry Anderson to the North Texas Municipal Water District Board of Directors for a term to expire May 31, 2024. **Approved.**

APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

- 15** Consider appointment of one alternate member (Alternate No. 1) to the Board of Adjustment for a term to expire December 31, 2023, and one alternate member (Alternate No. 2) for a term to expire December 31, 2022. **Ron Abraham was appointed as an alternate member (Alternate No. 1) to the Board of Adjustment for a term to expire December 31, 2023.**
- 16** Consider appointment of one member (Position No. 7) to the Mesquite Quality of Life Corporation Board of Directors for a term to expire December 31, 2023, who will also serve on the Mesquite Economic Development Advisory Board. **Ron Ward was appointed as a member (Position No. 7) to the Mesquite Quality of Life Corporation Board of Directors for a term to expire December 31, 2023, who will also serve on the Mesquite Economic Development Advisory Board.**

PUBLIC HEARINGS

- 17** Conduct a public hearing and consider an ordinance for Zoning Application No. Z0322-0237, submitted by Kyle Coker of LGE Texas, LLC, for a change of zoning from Commercial to Planned Development - Commercial to allow an industrial business park, located at 19400 Interstate Highway 635, the 2100 through 2300 blocks of Orlando Avenue, and 2403 and 2501 Westwood Avenue.
(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.) **Public hearing held. Approved by Ordinance No. 4959 with modifications.**

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, et al, 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

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.