



City of Mesquite, Texas

Meeting Agenda

City Council

Monday, November 15, 2021

6:00 PM

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

1. Members of the public desiring to comment during Citizens Forum may preregister as follows:

a. Send an email to the City Secretary on or before 3:00 p.m., on November 15, 2021. The email address is sland@cityofmesquite.com. The phone number is 972-216-6244.

b. Provide the City Secretary with your name and address.

2. Comments on agenda items may be made during the meeting or by submission on or before 3:00 p.m., on November 15, 2021, to the following email address: sland@cityofmesquite.com.

PRE-MEETING - TRAINING ROOMS A&B - 6:00 P.M.

AGENDA REVIEW

EXECUTIVE SESSION - COUNCIL CONFERENCE ROOM - 6:00 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

Harry Lee Sewell, Pastor, Family Cathedral of Praise, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

Members of the Mesquite Citizens Police Academy Alumni Association.

OTHER BUSINESS

- 1 Canvass results of the General Election for the purpose of electing a Mayor and Councilmembers for Places, 1, 2, 3, 4, 5 and 6 and the Special election for the purpose of submitting a proposed tax rate that exceeds the voter-approval tax rate for the 2021 tax year held November 2, 2021.
- 2 Consider a resolution declaring the results of the November 2, 2021, General Election and Special Election and calling a Runoff Election for the purpose of electing Councilmembers for Places 1 and 3, to be held on December 7, 2021.
- 3 Installation of newly elected Mayor and Councilmembers.
- 4 Presentation of gavel to former Mayor Bruce Archer.

CITIZENS FORUM

At this time a number of citizens not to exceed 10 shall be allowed to speak on any matter other than items on the agenda, personnel matters, matters under litigation or matters concerning the purchase, exchange, lease or value of real property for a length of time not exceeding three minutes on a first-come, first-served basis. Citizens addressing the Council through a translator will be allowed six minutes. No Council action or discussion is to be taken until such matter is placed on the Agenda and posted in accordance with law.

CITIZENS COMMENTS

At this time, any individual wishing to discuss any matter on the agenda shall be allowed to speak for a length of time not exceeding three minutes on a first-come, first-served basis. Citizens addressing the Council through a translator will be allowed six minutes. Anyone desiring to speak on an item scheduled for a public hearing is requested to hold their comments until the public hearing on that item.

CONSENT AGENDA

- 5 Minutes of the regular City Council meeting held November 1, 2021.
- 6 An ordinance amending the Mesquite City Code, as previously amended, by amending "CHAPTER 16 - WATER AND LIQUID WASTE" adding new "ARTICLE VI - FATS, OILS, AND GREASE ("FOG")" thereby providing for provisions for the protection of both City and regional wastewater infrastructure from the discharge of fats, oils, greases, and other pollutants into the publicly-owned treatment works sewer systems; making other related and general updates to Chapter 16; and revising 'APPENDIX D - COMPREHENSIVE FEE SCHEDULE' to provide organizational updates in "ARTICLE XV - WATER AND SEWER."

- 7 A resolution accepting the preliminary Amended and Restated Service and Assessment Plan for authorized improvements within Improvement Area #2 the Heartland Town Center Public Improvement District, setting a date for public hearing on the proposed Levy of Assessments, authorizing the publication and mailing of notice, and enacting other provisions relating thereto.
- 8 Bid No. 2021-110 - Annual Supply of Petroleum Products.
(Authorize the City Manager to finalize and execute a contract with low bidder Ataram, LLC in the amount of \$93,198.00. The term of this contract is for one year, with four additional one-year renewal options. The City Manager is authorized to exercise the renewal options subject to annual appropriation of sufficient funds.)
- 9 Bid No. 2022-009 - Paving Improvements for Galloway Place Neighborhood and Northridge Addition Repairs.
(Authorize the City Manager to finalize and execute a contract with low bidder Estrada Concrete Company, LLC in the amount of \$1,185,298.00.)
- 10 Bid No. 2022-017 - Purchase of All Terrain Litter Vacuum.
(Staff recommends award to Exprolink Inc., through Sourcewell Contract No. 122017-EXP, in the amount of \$58,245.00)
- 11 Bid No. 2022-019 - Purchase of Furniture for Downtown Visitor's Center.
(Authorize the City Manager to finalize and execute the required documents with Staples Furniture Solutions, through Sourcewell Furniture Contract No. 121919-SCC, in the amount of \$81,332.99.)

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. 3:10-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-20-1982 – 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
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

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.

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.