

CITY COUNCIL PRE-MEETING – COUNCIL CONFERENCE ROOM
711 NORTH GALLOWAY
NOON – DECEMBER 1, 2008

Discuss the items on the Regular Agenda and discuss: (1) City Council district boundaries and (2) sale or lease of property located at 1505 Edwards Church Road.

EXECUTIVE SESSION – NOON
711 N. GALLOWAY – CITY COUNCIL CONFERENCE ROOM

- (1) **PENDING AND CONTEMPLATED LITIGATION (See Notice of Executive Session – Litigation For Listing of Subjects.)**
- (2) **APPOINTMENT AND EVALUATION OF PUBLIC OFFICIALS (See Notice of Executive Session – Personnel Matters For Listing of Subjects.)**
- (3) **COMMERCIAL OR FINANCIAL INFORMATION REGARDING A BUSINESS PROSPECT OR PROJECT (See Notice of Executive Session – Economic Development for Subjects.)**

REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBER
3:00 P.M.

INVOCATION

(Kyle Kelly, Associate Pastor, Sunnyvale First Baptist Church.)

PLEDGE OF ALLEGIANCE

(Remya Nair, Leeann Joseph, Christian Garcia and Jacob Miller, fourth grade students from Pirrung Elementary School.)

SPECIAL ANNOUNCEMENTS

(This time is reserved for special announcements and recognition of individuals or groups.)

Agenda for City Council meeting

December 1, 2008

Page 2 of 5

CITIZENS FORUM

(At this time a number of citizens not to exceed ten (10) shall be allowed to speak on any matter other than personnel matters, matters under litigation or matters concerning the purchase, exchange, lease or value of real property for a length of time not to exceed three (3) minutes on a first come – first served basis. No Council action or discussion is to be taken until such matter is placed on the Agenda and posted in accordance with law.)

CONSENT AGENDA

(All items on the Consent Agenda are routine items and may be approved with one motion; however, should any member of the City Council or any individual wish to discuss any item, said item may be removed from the Consent Agenda by motion of the City Council.)

1. Minutes of the regular City Council meeting held November 17, 2008.
2. A resolution authorizing the issuance of Notice of Intention to establish a Tax Increment Finance (TIF) Reinvestment Zone for the Lucas Farms project and calling a public hearing to be held December 15, 2008.
3. A resolution calling a public hearing to be held December 15, 2008, regarding amendments to the 2004 Amended and Restated Project and Financing Plan for the Towne Centre Tax Increment Finance Reinvestment Zone No. Two.
4. Bid No. 2009-009 – Annual Contract for Concrete Crushing Contractor.
(Staff recommends all bids be rejected and rebid at a later date.)
5. Bid No. 2009-032 – Five ½-Ton Pickups.
(BuyBoard, sponsored by the Texas Local Government Purchasing Cooperative Contract, recommends award to Caldwell Country Chevrolet in Caldwell, Texas, in the amount of \$99,570.85.)
6. Bid No. 2009-057 – Annual Supply of Asphaltic Materials (for additional road materials.)
(Staff recommends award to TXI Operations, LP, in the amount of \$30,000.00; Crafcot Texas, Inc., in the amount of \$12,000.00 and Professional Coating Technologies, Inc., in the amount of \$20,000.00, through an Interlocal Cooperative Purchasing Agreement with Dallas County, in an amount not to exceed \$62,000.00.)

Agenda for City Council meeting

December 1, 2008

Page 3 of 5

7. Bid No. 2009-060 – Voice Recording System for Mesquite Police Facility.
(Staff recommends award to Voice Print International, through the Houston-Galveston Area Council of Governments Cooperative Purchasing Program, in the amount of \$42,715.00.)
8. Authorize Wylie Heath to operate Dallas Airborne Flight School at the Mesquite Metro Airport.
9. Authorize renewal of the Employee Medical Plan Reinsurance (Stop Loss) Policy with ING in an amount not to exceed \$307,290.90 for fiscal year 2008-09 and authorize the City Manager to execute the appropriate documents.

PUBLIC HEARINGS

10. A. Conduct a public hearing to consider a program with Camelot Sports and Entertainment, LLC, to promote economic development and stimulate business and commercial activity in conjunction with property located within the Rodeo City Tax Increment Finance Reinvestment Zone No. One.

B. Consider a resolution approving the terms and conditions of a program with Camelot Sports and Entertainment LLC, to promote economic development and stimulate business and commercial activity and authorizing the City Manager to execute the agreement in conjunction with property located within the Rodeo City Tax Increment Finance Reinvestment Zone No. One.
11. Conduct a public hearing for Application No. 483-7 submitted by Dr. Joel D. Holliday and consider an ordinance for a zoning change from Planned Development – Multi-Family with special exception for medical facilities to Planned Development – General Retail with certain stipulations in Town East Estates, Block 1, Lot 11B. This property is located at 3737 North Town East Boulevard.
(No opposition to the proposed amendment has been received. The Planning and Zoning Commission recommends approval of the application with certain stipulations. This item was postponed at the November 3, 2008, City Council meeting.)
12. Conduct a public hearing for Application No. 944-1 submitted by Tommy Mann and Kirk Williams, Winstead PC, for a zoning change from R-1 Single Family to Agricultural on Tract 1 and from Agricultural to Mixed Use on Tract II in the E.T. Myers Survey, Abstract 944. This property is further described as a 12.79-acre tract located at the northwest corner of Greenbelt Parkway and IH 30.

APPOINTMENTS TO BOARDS AND COMMISSIONS

13. Consider appointment of five members to the Mesquite Housing Board for terms to expire December 3, 2009.

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 and contemplated litigation subjects or settlement offers. The following cases/subjects may be discussed:

1. Charger Square Joint Venture v. City of Mesquite and Richard Gertson, Individually – Filed 9-10-08
2. Eastfield Partners, LTD dba Eastfield Plaza Apartments v. City of Mesquite – Filed 12-18-07
3. Wayne Fletcher v. City of Mesquite and Jason Taylor – Filed 3-13-08
4. Thomas Bryon Kuykendall and Cynthia Kuykendall v. Christopher Pennington and the City of Mesquite – Filed 8-15-07
5. PKG Contracting, Inc. v. City of Mesquite – Filed 10-30-03
6. Estate of Steven Everett Shaw; Mark Shaw; Elisandra Lopez as Mother and Next Friend of Dominic Taylor Shaw, a Minor; and Dale Roberts v. Nicolas Sierra, Police Officer, and Todd Cavaliere, Police Officer – Filed 10-9-08
7. City of Mesquite v. B.J. & B.M. Investments, Inc., a Texas corporation, dba Inn on the Creek and Bharatkumar Patel aka Bobby Patel (Manager) – Filed 10-24-08
8. City of Mesquite v. Bharatkumar Patel aka Bobby Patel and SHRI Jalyan Investment, Inc. dba Executive Inn and Suites – Filed 10-24-08
9. City of Webster and the Webster Economic Development Corporation as Original Plaintiffs with the Cities of Denton, Humble b , Lewisville, Mesquite, North Richland Hills and Plano, Denton County Transportation Authority and Fort Worth Transportation Authority as Third-Party Intervenors v. Carole Keeton Strayhorn in her Official Capacity as Comptroller of Public Accounts for the State of Texas as Original Defendant with the City of Grand Prairie Added as a Party Defendant by the Intervenors – Filed 4-18-07

Agenda for City Council meeting

December 1, 2008

Page 5 of 5

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 other City employees. A complete list of the members of the City boards and commissions is on file in the City Secretary's office.

1. The City Council will discuss filling the vacancy in the City Secretary position.

Economic Development:

Pursuant to Section 551.087 of the Texas Government Code, the City Council will meet in closed session to consider commercial or financial information regarding business prospects or project. The following subjects may be discussed:

1. Creation of a Tax Increment Finance Reinvestment Zone for a residential development near Cartwright Road and Lawson Road.
2. Creation of a Tax Increment Finance Reinvestment Zone for the Lucas Farms project.
3. Prospect seeking to locate at U. S. Highway 80 and Gus Thomasson Road.

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

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 about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development); Texas Tax Code Section 321.3022 (Sales Tax Information) and Texas Government Code Section 418.183(f) (Emergency Management)