

**CITY COUNCIL PRE-MEETING – COUNCIL CONFERENCE ROOM**  
**711 NORTH GALLOWAY**  
**NOON – JULY 21, 2008**

**Discuss the items on the Work and Regular Agenda and discuss: (1) proposed amendments to Chapter 10 of the City Code regarding landscape maintenance, (2) potential projects for submission to Dallas County as part of its Capital Improvements Call for Projects and (3) strategy for securing commuter rail service.**

**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.)**

**CITY COUNCIL- STAFF WORK SESSION**  
**CITY COUNCIL CHAMBER**  
**1:00 P.M.**

- A. Receive monthly financial report for May 2008.

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

**INVOCATION**

(Ron Ward, Pastor, A Church Without Walls.)

**PLEDGE OF ALLEGIANCE**

(Melody Cornish, Moriah Cornish, Tori Risner, Sarah Frichette, Joshua Frichette, and Brendan Durrett, participants in the Summer Reading Club at the Mesquite Public Library.)

**SPECIAL ANNOUNCEMENTS**

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

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### **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.)

### **CITIZENS INPUT HEARING**

1. Conduct a public hearing to receive input from citizens regarding the proposed 2008-09 City budget.

### **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.)

2. Minutes of the regular City Council meeting held July 7, 2008.
3. An ordinance repealing Ordinance No. 3523 and revising the schedule of administrative fees relating to engineering, planning, zoning and subdivision applications.
4. An ordinance amending Chapter 1 of the City Code regarding abandonment of public easements or rights-of-way.
5. An ordinance amending Chapter 13 of the City Code regarding pennants, banners and pole signs.
6. An ordinance amending Chapter 15 of the City Code regarding the processing of requests for variances to access management and driveway standards.
7. A resolution supporting the introduction and passage of breed specific legislation for local municipalities governing dangerous dogs.
8. A resolution authorizing the City Manager to execute an agreement to participate in the Oncor Standing Steering Committee.

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9. Bid No. 2008-067 – Annual Contract for Paint and Body Services.  
(Staff recommends award to low bidder Budget Auto Body Shop in the amount of \$52,500.00.)
10. RFP No. 2008-090 – Annual Contract for Independent Audit Services.  
(Staff recommends award to Grant Thornton.)
11. Bid No. 2008-096 – Mesquite Arts Center Exterior Repairs and Painting.  
(Staff recommends the City Manager be authorized to execute a contract with Concord Commercial Services, Inc., through Bid No. 2006-093, Annual Facility Maintenance, Time and Material, Repair and Remodeling, in an amount not to exceed \$221,160.58.)
12. Authorize the City Manager to execute a Commercial Operating Agreement with Michels Aviation LLC to operate an airframe and power plant repair service at the Mesquite Metro Airport.
13. Authorize the City Manager to execute a lease assignment from Faith Air, Inc., to Michels Aviation LLC.
14. Authorize the City Manager to execute a lease with Mesquite Social Services for lease of the Jewell Westmoreland Social Services Building located at 1035 Military Parkway.
15. Authorize the City Manager to approve design changes and execute the necessary documents related to the 2009 amendments to the OAP, HRA-OAP and HMO medical plans for employees and retirees with administrator CIGNA HealthCare, Inc., effective January 1, 2009.
16. Receive Change Order Report from City Manager.

## **PUBLIC HEARINGS**

17. Conduct a public hearing and consider an ordinance amending the Mesquite Comprehensive Plan to include an element for the extraterritorial jurisdiction.
18. Conduct a public hearing and consider an ordinance for Zoning Text Amendment No. 2008-4 creating new regulations governing the height, size, placement, exterior materials and other construction standards for residential accessory structures.
19. A. Conduct a public hearing regarding amending the Mesquite Comprehensive Plan adding the Mesquite Trails Master Plan.

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- B. Consider an ordinance amending the Mesquite Comprehensive Plan adding the Mesquite Trails Master Plan.
- 20. A. Conduct a public hearing to consider amending Articles III, IV, VII and IX of the Mesquite Subdivision Ordinance establishing certain administrative processing fees, clarifying site improvements subject to inspection fees and establishing an expiration process for engineering plan submittal applications.
- B. Consider an ordinance amending Articles III, IV, VII and IX of the Mesquite Subdivision Ordinance.

### **RECEIPT OF RESIGNATION AND APPOINTMENTS TO BOARDS AND COMMISSIONS**

- 21. Receive resignation from Judy Skowron as a member of the Historic Mesquite, Inc., Board of Directors.
- 22. Consider appointment of one member to the Historic Mesquite, Inc., Board of Directors for a term to expire December 31, 2009.
- 23. Consider appointment of one member to the Mesquite Quality of Life Corporation Board of Directors for a term to expire August 19, 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. Kathryn Blair, Individually and as Administrator of the Estate of Michael K. Wright and Hal Wright, Individually v. Alfonso Cardenas, M.C.; Mesquite Community Hospital n/k/a Dallas Regional Medical Center; Don Conn; Mesquite Police Department; City of Mesquite; Officer R. D. Parker; AEP-EMCARE Medical Group, Inc. and G. Kelly, R.N. – Filed 1-25-08
- 2. Brenita S. Dunn v. Connie S. Evans and the City of Mesquite – MTED – Filed 2-6-08
- 3. Eastfield Partners, LTD dba Eastfield Plaza Apartments v. City of Mesquite – Filed 12-18-07

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4. Karen Fernanders, Individually and as Next Friend of Kaland Fernanders v. Rochelle Renea Moore, Individually and as Next Friend of LaMarcus Lynn Allen Moore and/or LaMarcus Lynn Allen Moore, Individually and City of Mesquite – Filed 12-21-07
5. Wayne Fletcher v. City of Mesquite and Jason Taylor – Filed 3-13-08
6. J. Dale Hagler v. City of Mesquite – Filed 3-13-06
7. Daniel Hernandez dba Hernandez Heating & Air Conditioning v. Tywell Construction Company and City of Mesquite – Filed 7-27-06
8. Thomas Bryon Kuykendall and Cynthia Kuykendall v. Christopher Pennington and the City of Mesquite – Filed 8-15-07
9. PKG Contracting, Inc. v. City of Mesquite – Filed 10-30-03
10. Johnny Spencer v. City of Mesquite – Filed 2-6-07
11. City of Webster and the Webster Economic Development Corporation as Original Plaintiffs with the Cities of Denton, Humble, Lewisville, Mesquite, North Richland Hills and Plano, Denton County Transportation Authority and Fort Worth Transportation Authority as Third-Party Intervenors vs. 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

### **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.

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).**