

**ACTION AGENDA**

**CITY COUNCIL PRE-MEETING – COUNCIL CONFERENCE ROOM**  
**711 NORTH GALLOWAY**  
**NOON – AUGUST 2, 2010**

**Discuss the items on the Work and Regular Agenda and:**

- (1) Discuss creation of Mesquite Memorial Advisory Board. Discussed. It was Council consensus to proceed with creation of a Memorial Advisory Board.
- (2) Discuss proposed 2010-11 budget for the self-funded employee/retiree medical plans. Discussed.
- (3) Discuss park hours of operation. Discussed. Council directed staff to obtain additional information on the policies of other cities and to present the information to the Parks and Recreation Advisory Board.

**EXECUTIVE SESSION – NOON**  
**711 NORTH GALLOWAY – CITY COUNCIL CONFERENCE ROOM**

- (1) **PENDING AND CONTEMPLATED LITIGATION (See Notice of Executive Session – Litigation for Listing of Subjects.)**
- (2) **PURCHASE, EXCHANGE, LEASE OR VALUE OF PUBLIC PROPERTY (See Notice of Executive Session – Real Property for Listing of Subjects.)**
- (3) **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 June 2010. Received.

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

**INVOCATION**

(Fernando Hinojosa, Pastor, Castillo del Rey, Mesquite, Texas.)

**PLEDGE OF ALLEGIANCE**

(Barbara Dunn, Judy Brown, Sandra Eckstein and Valarie Semrinec, participants in the Book Club at the Mesquite Public Library.)

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### SPECIAL ANNOUNCEMENTS

None.

### CITIZENS FORUM

None.

### APPOINTMENT FOR PERSONAL APPEARANCE

1. Appointment – Clint Schelbitzki, Director of Public Affairs, Union Pacific Railroad.  
(Mr. Schelbitzki will present foundation grants to Historic Mesquite, Inc., Keep Mesquite Beautiful, Inc., and Mesquite Social Services, Inc.)  
Mr. Schelbitzki presented foundation grants to Historic Mesquite, Inc., Keep Mesquite Beautiful, Inc., and Mesquite Social Services, Inc.

### 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 19, 2010, and the Special City Council meeting held July 26, 2010.  
Approved.
3. A resolution supporting the Thomasson Square Sustainable Development Project, committing to a local funding match and authorizing the City Manager to enter into an interlocal cooperative agreement with the North Central Texas Council of Governments.  
Approved by Resolution No. 33-2010.
4. A resolution supporting the candidacy of Mayor John Monaco for the position of President-Elect of the Texas Municipal League.  
Approved by Resolution No. 34-2010.
5. Authorize the City Manager to execute a change order to Bid No. 2009-088, Annual Supply of Automotive Brakes, Pads and Accessories, with Russell & Smith Ford, Inc. – \$16,000.00, Bob Tomes Ford – \$4,000.00, Napa Auto Parts – \$3,000.00 and Ogburn's Truck Parts – \$8,000.00, for a total amount of \$31,000.00.  
Approved.

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**PUBLIC HEARINGS**

6. A. Conduct a public hearing to receive input from citizens regarding the PY2010-14 Community Development Block Grant Consolidated Plan.  
Public hearing held.
- B. Consider a resolution adopting and approving the PY2010-14 Community Development Block Grant Consolidated Plan.  
Approved by Resolution No. 35-2010.
7. A. Conduct a public hearing to receive input from citizens regarding the PY2010-11 Community Development Block Grant Annual Action Plan.  
Public hearing held.
- B. Consider a resolution authorizing the filing of an application for an amount not to exceed \$992,799 for federal funds under the Housing and Community Development Act, approving and adopting the Program Year 2010-11 Community Development Block Grant Annual Action Plan and designating the City Manager as Chief Executive Officer and authorized representative for the purpose of giving required assurances and acting in connection with said application.  
Approved by Resolution No. 36-2010.
8. A. Conduct a public hearing to consider transferring park property to the Mesquite Independent School District in exchange for adjacent school property to allow for the expansion of Tosch Elementary School located northwest of the intersection of Rustown Drive and Towne Centre Drive and generally bordered by Rustown Drive, Larchmont Drive and Motley Drive.  
Public hearing held.
- B. Authorize the Mayor to execute a Warranty Deed transferring park property to the Mesquite Independent School District located northwest of the intersection of Rustown Drive and Towne Centre Drive and generally bordered by Rustown Drive, Larchmont Drive and Motley Drive.  
Approved.
9. Conduct a public hearing for the purpose of considering annexation of approximately 2.0 square miles of territory within the City of Mesquite's extraterritorial jurisdiction.  
(This is the third and final public hearing to be held to consider annexation of approximately 2.0 square miles of territory within the City's extraterritorial jurisdiction.)  
Public hearing held.

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**APPOINTMENTS TO BOARDS AND COMMISSIONS**

10. Consider appointment of two alternate members to the Board of Adjustment, one for a term to expire January 1, 2011, and one for a term to expire January 1, 2012.

Postponed until the August 16, 2010, City Council meeting.

**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. PKG Contracting, Inc. v. City of Mesquite – Filed 10-30-03
2. 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 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
3. Curtis Fritz and Wendy Fritz, Individually and as Next Friends of Morgan Fritz, a Minor v. the City of Mesquite, Texas, and Rink Management Services Corporation dba “The Ice at Stonebriar,” Filed – 10-26-09
4. Kelly Phillips v. the City of Mesquite, Texas, Filed – 11-12-09
5. Robert J. Fuller and William C. Veal v. City of Mesquite, Texas – Filed 2-10-09

Discussed.

**Real Property:**

Pursuant to Section 551.072 of the Texas Government Code, the City Council will meet in closed session to consider purchase, exchange, lease or value of real property. The following subject may be discussed:

1. Acquisition of property in conjunction with the Pioneer Road Paving and Drainage Improvement Project.

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**Personnel Matters:**

Pursuant to Section 551.074 of the Texas Government Code, the City Council will 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.

**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).**