

CITY COUNCIL PRE-MEETING – COUNCIL CONFERENCE ROOM
711 NORTH GALLOWAY
11:30 A.M. – AUGUST 20, 2007

Discuss the items on the Work and Regular Agenda and discuss: (1) proposed ordinances amending Chapter 8 of the City Code regarding solicitation and Chapter 10 of the City Code regarding handbills; (2) City Manager approval authority for certain contracts and bids; (3) proposed Community Appearance Manual; (4) election process outlined in Article IV, Section 10 of Mesquite City Charter; (5) fiscal year 2007-08 water and sewer rates; (6) development in the Commerce East Business Park; and (7) adoption of a debt policy and (8) receive update regarding plans for 2008 Real. Texas. Festival.

EXECUTIVE SESSION – 11:30 A.M.
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. Review the Mesquite Quality of Life Corporation budget for fiscal year 2007-08. (Consent Item No. 5)

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

INVOCATION

(Russell Bennett, Pastor, Agape Bible Church, Mesquite, Texas.)

PLEDGE OF ALLEGIANCE

(Cool Kidz Camp Participants from Florence Recreation Center.)

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SPECIAL ANNOUNCEMENTS

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

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 sale, purchase, exchange or lease 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 August 6, 2007.
2. An ordinance amending Section 9-150 of the City Code temporarily reducing the speed limit along a portion of Tripp Road during construction from Belt Line Road to North Galloway Avenue, effective August 27, 2007.
3. An ordinance amending Chapter 9 of the City Code establishing automated traffic signal enforcement regulations.
4. An ordinance amending Chapter 16, Article IV, of the City Code pertaining to liquid waste transportation and disposal.
5. A resolution approving the Mesquite Quality of Life Corporation budget for fiscal year 2007-08.
6. A resolution ratifying the expenditure in the amount of \$227,511.40 without competitive bidding for emergency repairs to the 30-inch-diameter sanitary sewer aerial crossing located at a tributary of South Mesquite Creek south of Lawson Road and authorizing payment to Moss Construction Co., Inc., for such repairs.
7. A resolution designating the official newspaper for the City of Mesquite for a one-year period beginning October 1, 2007.

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8. A resolution approving the terms and conditions of a program with Target Corporation to promote economic development and stimulate business and commercial activity and authorizing the City Manager to execute the agreement.
9. RFP No. 2007-074 – Annual Contract for the Installation and Operation of an Automated Traffic Signal Enforcement System.
(Staff recommends the City Manager be authorized to execute a contract with Redflex Traffic Systems of Scottsdale, Arizona.)
10. Bid No. 2007-091 – Annual Supply of Magnetic Water Meters.
(Staff recommends award to low bidder Neptune Technology Group, Inc., in the amount of \$112,287.50.)
11. Bid No. 2007-092 – Construction of Landscape and Irrigation Improvements at the Community Services Building.
(Staff recommends the City Manager be authorized to execute a contract with S.P.S.D., Inc., in the amount of \$60,713.30.)
12. Bid No. 2007-093 – Construction of Landscape Art Improvements at the Community Services Building.
(Staff recommends the City Manager be authorized to execute a contract with Reliable Paving, Inc., in the amount of \$43,745.00.)
13. Bid No. 2007-96 – Decals for Police Vehicles.
(Staff recommends award to Grafix Shoppe in the amount of \$26,786.43 without competitive bidding in accordance with Section 252.022 of the Texas Local Government Code.)
14. Authorize the City Manager to execute a contract of sale with Cole Partners, Ltd., to purchase approximately 14.872 acres located in the Market East Shopping Center at Town East Boulevard and East Emporium Drive.
15. Approve purchase of Wave Alarm equipment utilizing funds from the 2006-07 Police Seizure Budget in the amount of \$205,518.36.
16. Receive semiannual report from the Capital Improvements Advisory Committee in accordance with Section 395.058(c)(4) of the Local Government Code.

SITE PLAN AND PUBLIC HEARINGS

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17. Consider a Planned Development site plan submitted by Macatee Engineering for America's Trucking Center located at the southeast corner of the intersection of Big Town Boulevard and Samuell Boulevard.
(This item was postponed at the August 6, 2007, City Council meeting.)
18. A. Conduct a public hearing to discuss the new Freeport goods-in-transit exemption as defined in Subchapter B, Chapter 11, Tax Code.

B. Consider an ordinance to provide for taxation of the new Freeport goods-in-transit exemption as defined in Subchapter B, Chapter 11, Tax Code, as amended, by adding Section 11.253.
19. Conduct a public hearing to consider Application No. 1462-254 submitted by Dave Green on behalf of Guzy's Automotive Service and consider an ordinance for a zoning change from Service Station to Planned Development – General Retail to allow the property to be used for minor auto repair and a cellular tower in addition to other uses allowed in the Daniel Tanner Survey, Abstract 1462. This property is further described as a 0.517-acre tract located at 2728 Motley Drive.
(No opposition to the proposed amendment has been received. The Planning and Zoning Commission recommends approval of the application with certain stipulations.)
20. Conduct a public hearing regarding the proposed 2007-08 ad valorem tax rate of \$.64 per \$100 valuation.

APPOINTMENTS TO BOARDS AND COMMISSIONS

21. Consider appointment of one member to the Historic Mesquite, Inc., Board of Directors for a term to expire December 31, 2008, and one member for a term to expire December 31, 2009.
22. Consider appointment of seven members to the Mesquite Quality of Life Corporation Board of Directors for terms 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. Graciela Aleman v. J. W. Abbott, Gary Westphal and the City of Mesquite – Filed 12-1-06
2. Marsha and Jerry Chambers v. State of Texas, County of Dallas, City of Mesquite, Jane/John Doe City of Mesquite Official in Individual Capacity, Officer D. R. McKee in Individual Capacity, Officer McKee in Official Capacity, Officer K. R. Griffin in Individual Capacity, Officer Griffin in Official Capacity, Jane Doe Dallas County District Attorney in Individual Capacity, Judge Danny Clancy in Individual Capacity – Filed 11-9-06
3. City of Mesquite, Texas v. DFW Convenience Stores, L.P., et al – Filed April 2006
4. Noble A. Craft v. the State of Texas, the cities of San Benito, Plano, Allen, Gainesville, Paducah, Dallas, Lancaster, Mesquite, Irving, University Park, et al – Filed 9-14-01
5. Dallas Independent School District v. Tivoli Realty, Inc.; City of Mesquite and County of Dallas – Filed 1-27-04
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. PKG Contracting, Inc. v. City of Mesquite – Filed 10-30-03
9. R. S. #1 Trust v. City of Mesquite – Filed 4-4-05
10. Some Park Partners LP v. City of Mesquite, City of Mesquite's Board of Appeals et al – Filed 3-23-05
11. Johnny Spencer v. City of Mesquite – Filed 2-6-07
12. 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

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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).