

**CITY COUNCIL PRE-MEETING – COUNCIL CONFERENCE ROOM**  
**711 NORTH GALLOWAY**  
**NOON – JUNE 2, 2008**

**Discuss the items on the Regular Agenda and discuss: (1) proposed Community Development Block Grant 2008 Program Year budget, (2) the International Inland Port of Dallas, (3) interest rate in conjunction with the 50/50 Cost Share Program and Alley Paving Petition Policy and (4) development options for the two proposed restrooms at City Lake Park and (5) receive Texas Municipal Retirement System update.**

**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.)**

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

**INVOCATION**

(To be determined.)

**PLEDGE OF ALLEGIANCE**

(Recreation After School Program participants from Florence Recreation Center.)

**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.)

### **PRESENTATION OF CERTIFICATES**

1. Presentation of Certificates of Election to Mayor John Monaco and Councilmembers Stan Pickett, Place 3, Greg Noschese, Place 4 and Shirley Roberts, Place 5.

### **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 May 19, 2008, and the Special City Council meeting held May 21, 2008.
3. An ordinance amending Chapter 13 of the City Code regarding the size and location of monument and pole signs.
4. A resolution authorizing a Master Intergovernmental Cooperative Purchasing Agreement with the National Intergovernmental Purchasing Alliance to purchase various good and services.
5. A resolution ratifying the expenditure of \$146,291.00 without competitive bidding for emergency repairs to the 36-inch-diameter sanitary sewer aerial crossing on North Mesquite Creek (south of Edwards Church Road) and authorizing payment to B & B Concrete Sawing for such repairs.
6. Bid No. 2008-089 – Main Library Carpet Replacement.  
(Staff recommends award to Bagley's Floor Services, Ltd., from Texas Procurement and Support Services (TPASS) through the Texas Multiple Award Schedule (TxMAS) program in the amount of \$149,275.56.)
7. Authorize the City Manager to execute an amendment to an engineering services contract with Bucher, Willis & Ratliff Corporation in the amount of \$16,500.00 for additional services in conjunction with the Faithon P. Lucas, Sr., Boulevard Utility Relocations at South Mesquite Creek.

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8. Authorize the City Manager to execute Amendment No. 2 to a contract with Binkley and Barfield Consulting Engineers, Inc., for additional engineering and surveying services in conjunction with the 2005-06 Alley Reconstruction and Drainage Improvement Project in the amount of \$9,600.00.
9. Authorize the City Manager to execute a change order to the 2006-07 audit contract with Deloitte & Touche LLP in the amount of \$33,000.00.

### PUBLIC HEARINGS

10. A. Conduct a public hearing to consider a program with Mesquite Highway 80 Business Center, L.P., to promote economic development and stimulate business and commercial activity in conjunction with development in the Mesquite Business Center located at Big Town Boulevard and U. S. Highway 80.  
  
B. Consider a resolution approving the terms and conditions of a program with Mesquite Highway 80 Business Center, L.P., to promote economic development and stimulate business and commercial activity in conjunction with development in the Mesquite Business Center located at Big Town Boulevard and U. S. Highway 80 and authorizing the City Manager to execute the agreement.
11. Conduct a public hearing to consider an alternate screening method submitted by Todd Rohde for an electrical contracting business located at 3929 Samuell Boulevard.
12. Conduct a public hearing for Application No. 1462-260 submitted by Michael Ray Hunt for a zoning change from General Retail to Commercial in the Daniel Tanner Survey between I 635 and North Galloway Avenue along the service road on the south side of U. S. Highway 80. This property is further described as a 0.73-acre tract located at 1402 East U. S. Highway 80.  
(One letter in opposition to the proposed amendment has been received. One person appeared in favor of the proposed amendment before the Planning and Zoning Commission. The Commission recommends denial of the application. This item was postponed at the May 19, 2008, City Council meeting.)
13. Conduct a public hearing and consider an ordinance for Application No. 1359-8 submitted by Mac Costlow on behalf of Calvary First Baptist Church for a zoning change from Planned Development-Industrial to Planned Development-Office to allow the property to be used for a church with access provided to the church site from Newsom Road. This property is further described as a 7.1-acre tract located at 2600 East Glen Boulevard, 2600 Newsom Road and 2821 Newsom Road.

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(One letter in favor of the proposed amendment has been received. The Planning and Zoning Commission recommends approval of the application with certain stipulations.)

14. Conduct a public hearing and consider an ordinance for Application No. EP-11 submitted by Alka Patel, Alka Enterprise, Inc., for a zoning change from Service Station to Planned Development-General Retail to allow the property to be used for the expansion of a convenience store in addition to other uses in Block A, Lot 1, Eastfield Plaza. This property is located at 3021 Big Town Boulevard at the southwest corner of Big Town Boulevard and John West Road.

(One letter in favor of the proposed amendment has been received. The Planning and Zoning Commission recommends approval of the application with certain stipulations.)

15. Conduct a public hearing and consider an ordinance for Application No. VIC-3 submitted by Dr. Mahdi Dezham for a zoning change from Service Station to Planned Development-General Retail to allow the property to be used for a dental office in addition to other uses in Block A, Lot 1, Vickers Addition Revised. This property is located at 3225 North Town East Boulevard at the north corner of North Town East Boulevard and Motley Drive.

(No opposition to the proposed amendment has been received. The Planning and Zoning Commission recommends approval of the application with certain stipulations.)

### **OTHER BUSINESS**

16. Consider scheduling a special City Council meeting to canvass the returns for the June 14, 2008, Runoff Election.

### **APPOINTMENTS TO BOARDS AND COMMISSIONS**

17. Consider appointment of one member to the Mesquite Health Facilities Development Corporation for a term to expire December 31, 2009.
18. Consider appointment of one member to the Mesquite Housing Finance Corporation for a term to expire December 31, 2009.
19. Consider appointment of Mayor John Monaco as a principal representative and Stan Pickett as alternate representative of the Regional Transportation Council.
20. Consider appointment of Councilmember Stan Pickett as principal representative and Mayor John Monaco as alternate representative of the Dallas Regional Mobility Coalition.

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21. Consider appointment of a Mayor Pro Tem and Deputy Mayor Pro Tem for one-year terms.

**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
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

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12. Liberty Legal Institute's May 22, 2008, letter asserting a notice of rights and claims under the Religious Land Use and Institutionalized Persons Act (RLUIPA)

**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).**