

ACTION AGENDA

CITY COUNCIL PRE-MEETING – COUNCIL CONFERENCE ROOM **711 NORTH GALLOWAY** **NOON – NOVEMBER 1, 2010**

Discuss the items on the Work and Regular Agenda and receive briefing regarding:

- (1) Progress of the Mesquite Arts Center/Arts Council Five-Year Strategic Plan.
Received.
- (2) Transit Open House concept. **Received.** Council directed staff to include the cities of Balch Springs and Seagoville in the notification efforts and to investigate what is needed to place a referendum regarding light rail on the May 2011 municipal election ballot.
- (3) Screening fences and maintenance responsibilities. **Received.** Staff will reassess the screening wall ratings, prioritize the locations that are in the greatest need of repair and report back to Council on the estimated cost for addressing this need prior to the Council's policy retreat in January. Council directed staff to include information about the feasibility of wrought iron fencing, with landscaping, as an alternative to solid masonry screening walls.
- (4) 2011 Tax Credit projects and review process. **Received.**

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.)

CITY COUNCIL – STAFF WORK SESSION **CITY COUNCIL CHAMBER** **1:10 P.M.**

- A. Receive Investment Report for the quarter ending September 30, 2010.
Received.

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

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INVOCATION

(Rod Brewer, Pastor, Family Cathedral of Praise, Mesquite, Texas.)

PLEDGE OF ALLEGIANCE

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

SPECIAL ANNOUNCEMENTS

None.

CITIZENS FORUM

No one appeared.

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 October 18, 2010. **Approved**
2. Bid No. 2010-046 – South Mesquite Creek Sanitary Sewer – IH 30 to Moon Drive.
(Authorize the City Manager to execute a contract with low bidder Barson Utilities, Inc., in the amount of \$880,605.00.) **Awarded as recommended**
3. Bid No. 2011-003 – Annual Supply of Janitorial Supplies.
(Staff recommends award to low bidders Sunbeam Foods, Inc., Group I, Items 1-7 in the amount of \$79,578.50; Eagle Brush Chemical, Inc., Group II, Items 1-55 in the amount of \$91,672.22 and Eagle Brush and Chemical, Inc., Group III, Items 1-31 in the amount of \$8,700.66 for a total amount of \$179,951.38.) **Awarded as recommended**
4. Bid No. 2011-005 – Annual Mowing Services for Environmental Code.
(Authorize the City Manager to execute a contract with low bidder TruGreen LandCare in the amount of \$102,066.00.) **Awarded as recommended**
5. Bid No. 2011-033 – Purchase of Two 72-inch Toro Groundsmaster Z-Mowers and Two 48-inch Toro Groundsmaster Z-Mowers.
(BuyBoard, sponsored by the Texas Local Government Purchasing Cooperative Contract, recommends award to Professional Turf Products, in the amount of \$53,224.82.) **Awarded as recommended**

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6. Bid No. 2011-034 – City Lake Aquatic Center Renovations.
(BuyBoard, sponsored by the Texas Local Government Purchasing Cooperative Contract, recommends award to Sunbelt Pools, Inc., in the amount of \$79,234.50.) **Awarded as recommended**
7. Bid No. 2011-036 – Annual Supply of Asphaltic Materials.
(Staff recommends award to APAC Texas, Inc., through an interlocal cooperative purchasing agreement with Dallas County, in an amount not to exceed \$175,000.00.) **Awarded as recommended**
8. Bid No. 2011-037 – Purchase of One 33,000 GVW Cab and Chassis for High Pressure Sewer Cleaner Body.
(Staff recommends award to Santex Truck Centers, Ltd., in San Antonio, Texas, through the Houston-Galveston Area Council of Governments Cooperative Purchasing Program, in the amount of \$62,232.00.) **Awarded as recommended**
9. Bid No. 2011-038 – Purchase of One High Pressure Sewer Cleaner Body.
(Staff recommends award to Texas Underground, Inc., in San Antonio, Texas, through the Houston-Galveston Area Council of Governments Cooperative Purchasing Program, in the amount of \$93,718.00.) **Awarded as recommended**
10. A. Authorize the Mayor to execute an interlocal agreement with the Southeast Texas Government Employee Benefits Pool. **Approved**
B. Bid No. 2011-39 – Medical Plan Options for Over Age 65 Retirees.
(Authorize the City Manager to execute an agreement with TAGCO, the trustee of the Hartford Medicare Supplement Plan and an agreement with United Healthcare Secure Horizons for a Medicare Advantage Plan through the Public Employee Benefits Alliance [PEBA].) **Awarded as recommended**
11. Authorize the City Manager to execute a grant agreement with the Texas Department of Transportation, Aviation Division, for participation in the Routine Airport Maintenance Program (RAMP). **Approved**

PUBLIC HEARINGS

12. A. Conduct a public hearing to consider a program with Tipp Distributors, Inc., dba Novamex to promote economic development and stimulate business and commercial activity in conjunction with property located at 4401 Samuell Boulevard. **Public Hearing Held**
B. Consider approving the terms and conditions of a program with Tipp Distributors Inc., dba Novamex to promote economic development and stimulate business and commercial activity and authorizing the City Manager to execute the agreement in conjunction with property located at 4401 Samuell Boulevard. **Approved**

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13. Conduct a public hearing and consider an ordinance for Application No. 1461-111A-2010 submitted by James Belt for Baseball Nation, LLC, to amend Planned Development Ordinance No. 2960 on property currently zoned Planned Development – Residential Single Family to allow indoor and outdoor sports and recreation uses on a 26.246-acre tract located at 1410 Wooded Lake Drive.
(One letter in favor of the proposed amendment has been received. The Planning and Zoning Commission recommends approval of the application with certain stipulations.) **Public Hearing Held. Approved by Ordinance No. 4119.**

RECEIPT OF RESIGNATION AND APPOINTMENTS TO BOARDS AND COMMISSIONS

14. Receive resignation from Phillip Hawkins as a member of the Parks and Recreation Advisory Board/Tree Board. **Received**
15. Consider appointment of one member to the Personnel/Trial Board for a term to expire November 7, 2013, who will also serve on the Civil Service Commission.
Ray Stuart was reappointed to the Personnel/Trial Board for a term to expire November 7, 2013, and will also serve on the Civil Service Commission pursuant to reappointment by the City Manager.
16. Consider appointment of one member to the Mesquite Housing Board for a term to expire December 3, 2010. **Ginny Stuit was appointed as a member of the Mesquite Housing Board for a term to expire December 3, 2010.**

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 Mesquite v. Roger Lawler – Filed 10-12-09
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 12-10-09
6. Elijah Robinson v. City of Mesquite and Johnathan Yates – Filed 8-27-10

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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.

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 projects. The following subject may be discussed:

1. Economic development incentives for a medical office project locating on North Galloway Avenue. **Discussed.**

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).