

CITY COUNCIL PRE-MEETING – COUNCIL CONFERENCE ROOM
711 NORTH GALLOWAY
1:00 P.M. – OCTOBER 4, 2010

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

- (1) Rules and regulations regarding Parks and Recreation reservation facilities.
- (2) Keep Mesquite Beautiful, Inc., Sign Project.
- (3) State Highway 161 Regional Toll Revenue Project funding opportunities.

EXECUTIVE SESSION – 1:00 P.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
1:30 P.M.

- A. Receive annual report from the Mesquite Arts Council.
- B. Receive monthly financial report for August 2010.

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

INVOCATION

(Chad Flowers, Youth Pastor, Emmanuel Pentecostal Church, Mesquite, Texas.)

PLEDGE OF ALLEGIANCE

(Jim Stone, Pat Stone, John Barton and Gail Pagerly, members of the Mesquite Historical and Genealogical Society and Mesquite Public Library volunteer Judy Womack and patron John Reichter.)

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.)

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 September 20, 2010.
2. Bid No. 2010-056 – Northridge Addition Sanitary Sewer Replacement, Phase 3 and 12-inch Water Main Replacement along US Highway 80.
(Staff recommends the City Manager be authorized to execute a contract with low bidder Utilitex Construction, LLP, in the amount of \$1,348,041.80.)
3. Authorize the City Manager to execute a Park Use Permit with Old Town Mesquite, Inc., for the 2010 Pumpkin Fest to be held Saturday, October 16, 2010, at City Lake Park.
4. Authorize the City Manager to execute an Authorization Letter with North Central Texas Council of Governments (NCTCOG) for the Regional Storm Water Management Program to provide FY 2010-11 Administrative and Implementation Assistance in compliance with the Texas Pollution Discharge Elimination System (TPDES) Storm Water Discharge Permit in an amount not to exceed \$6,301.00.
5. Authorize the City Manager to execute an engineering design contract with Freese and Nichols, Inc., for design of replacement overflow piping, preparation of an Emergency Action Plan and Operation and Maintenance Manual and administrative assistance in preparation of a water rights permit for the Palos Verdes Lake and Dam in the amount of \$61,500.00.
6. Authorize the City Manager to execute an engineering design contract with Freese and Nichols, Inc., for Hydrology and Hydraulic analysis of the dam and lake including a dam breach analysis, preparation of an Emergency Action Plan and Operation and Maintenance Manual and administrative assistance in preparation of a water rights permit for the City Lake Park Lake and Dam in the amount of \$63,800.00.

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7. Approve a Memorandum of Understanding with the Texas Department of Public Safety for testing and prototyping the rapid search of the Repository for Individuals of Special Concern (RISC) and authorize the Chief of Police to execute the document.

APPOINTMENT TO BOARDS AND COMMISSIONS

8. Consider appointment of one alternate member to the Planning and Zoning Commission/Capital Improvements Advisory Committee for a term to expire October 4, 2012.

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

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.

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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).