

ACTION AGENDA

CITY COUNCIL PRE-MEETING – COUNCIL CONFERENCE ROOM
711 NORTH GALLOWAY
NOON – JUNE 7, 2010

Discuss the items on the Work and Regular Agenda and discuss: (1) PY 2010 CDBG Budget and (2) wind turbines at Eastfield College.

(1) Discussed.

(2) Discussed.

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.)**

CITY COUNCIL – STAFF WORK SESSION
CITY COUNCIL CHAMBER
1:00 P.M.

- A. Receive monthly financial report for April 2010. **Received.**

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

INVOCATION

(Reginald Jefferson, Pastor, New Hope Baptist Church, Mesquite, Texas.)

PLEDGE OF ALLEGIANCE

(Annie Thampan and Sarah Mayfield, volunteers assisting with the Children’s and Teen Summer Reading Club at the Mesquite Public Library.)

SPECIAL ANNOUNCEMENTS

- (1) Ms. Roberts announced that the Mesquite Symphonic Band performs an outdoor concert at Westlake Park each Monday in June at 7:15 p.m. and JazzBreaks on the

Agenda for City Council meeting

June 7, 2010

Page 2 of 6

Plaza takes place at the Mesquite Arts Center each Tuesday in June at 7:30 p.m. She invited everyone to come out and enjoy these free concerts.

(2) Mr. Tarpley stated that the Mesquite Rotary Bike Ride took place on Saturday, June 5, with approximately 1,600 bike riders, raising over \$50,000 for various community charities including Historic Mesquite, Inc. and scholarships for graduating seniors. He added that tomorrow is the Mesquite Rotary Club's 50th Anniversary.

CITIZENS FORUM

Ed Prokop, 2721 Streambend, Mesquite, expressed concern regarding security at the Mesquite Municipal Airport.

PRESENTATION OF CERTIFICATES

1. Presentation of Certificates of Election to Councilmembers Stan Pickett, Place 3, and Shirley Roberts, Place 4.

Mayor Monaco presented Certificates of Election to Councilmembers Stan Pickett, Place 3, and Shirley Roberts, Place 4.

APPOINTMENT FOR PERSONAL APPEARANCE

2. Appointment – Jimmy Strait, 1400 Springbrook, Mesquite.
(Mr. Strait will discuss issues related to security at the Mesquite Metro Airport.)
Discussed.

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.)

3. Minutes of the regular City Council meeting held May 17, 2010, and the Special City Council meeting held May 19, 2010.

Approved.

4. An ordinance adopting the 2009-10 amended budget.

Approved by Ordinance No. 4093.

5. An ordinance amending Section 9-150 of the City Code temporarily reducing the speed limit along a portion of US Highway 80 during construction from Town East Boulevard to Gus Thomasson Road, effective June 11, 2010.

Approved by Ordinance No. 4094.

Agenda for City Council meeting

June 7, 2010

Page 3 of 6

6. A resolution authorizing the City Manager to execute the 2010 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Funds Sharing and Fiscal Agency Agreement between the County of Dallas and the Cities of Addison, Balch Springs, Carrollton, Cedar Hill, Dallas, DeSoto, Duncanville, Garland, Grand Prairie, Irving, Lancaster, Mesquite and Richardson allocating the amount of \$37,874.53 to the City of Mesquite and designating the Police Chief as the responsible officer for the purpose of signing all documents associated with the grant.
Approved by Resolution No. 22-2010.
7. A resolution authorizing the Mayor to execute an Interlocal Cooperative Purchasing Agreement with the City of Denton to allow the purchase of goods and services.
Approved by Resolution No. 23-2010.
8. A resolution directing that staff give written notice of the City's intent to annex certain property in its extraterritorial jurisdiction and draft a service plan for such area.
Approved by Resolution No. 24-2010 with changes.
9. Bid No. 2010-080 – Annual Supply of Toner Cartridges and Printer Maintenance Repairs.
(Staff recommends award to Laserworks, Inc., dba Verity Group, through the State of Texas Department of Information Resources, in the amount of \$55,000.00.)
Awarded as recommended.
10. A. Bid No. 2010-081 – Acquisition of Golf Carts and Golf Maintenance Equipment for the Mesquite Golf Course.
(Staff recommends award to E-Z-GO Golf Carts in the amount of \$277,829.00 through the Texas Multiple Award Schedule [TxMAS] cooperative bidding service contract number TXMAS-5-78010.)
Awarded as recommended.

B. Authorize the City Manager to execute a lease purchase agreement for acquisition of golf carts and golf maintenance equipment for the Mesquite Golf Course.
Approved with changes.
11. Authorize the Mayor to execute a Lease Agreement with John Q. Hammons Hotels Management, LLC, and Camelot Sports & Entertainment, LLC, for the lease and operation of the Mesquite Exhibition Hall.
Approved.

Agenda for City Council meeting

June 7, 2010

Page 4 of 6

12. Authorize the City Manager to execute a change order to City Contract No. 2010-069, Annual Contract for Fuels-E85 Ethanol Fuel, Unleaded Gasoline and Diesel Fuel, with Martin Eagle Oil Company as the primary vendor and Douglass Distributing Co., as the secondary vendor for fuel for the Mesquite Golf Course in the amount of \$30,475.80.
Approved.

13. A. Approve a development agreement with 269 Kaufman Partners, Ltd., pursuant to Section 212.172, et seq., of the Texas Local Government Code for development of approximately 147.217 acres within the City's extraterritorial jurisdiction.
Approved.

- B. A resolution consenting to the creation of a Fresh Water Supply District encompassing approximately 146.738 acres located within the City's extraterritorial jurisdiction.
Approved by Resolution No. 25-2010.

PUBLIC HEARINGS

14. Conduct a public hearing and consider an ordinance for Application No. 1462-263A-2010 submitted by Carolyn Miller, DCJC Investments, for a zoning change from Planned Development – General Retail to Planned Development–Light Commercial. This property is further described as a 0.460-acre tract located at 1320 US Highway 80 East.
(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. 4095.

15. Conduct a public hearing and consider an ordinance for Application No. 1461-108A-2010 submitted by Thomas A. Turnage on behalf of Dallas Services, Inc., for a zoning change from Planned Development – General Retail to Planned Development – General Retail with a Conditional Use Permit to allow the operation of a day care facility. This property is further described as a one-acre tract located at 1615 Oates Drive.
(No opposition to the proposed amendment has been received. The Planning and Zoning Commission recommends approval of the application.)
Public hearing held. Approved by Ordinance No. 4096.

16. A. Conduct a public hearing and consider an ordinance amending the Mesquite Comprehensive Plan by establishing policies for the design and location of urban multifamily development in high intensity development areas, and modifying the regional retail and business corridor maps to designate certain areas as appropriate for Urban Multifamily Residential.

Agenda for City Council meeting

June 7, 2010

Page 5 of 6

(The Planning and Zoning Commission recommends approval of the amendment. This item was postponed at the May 3, 2010, and May 17, 2010, City Council meetings.)

Public hearing held. Approved by Ordinance No. 4097.

- B. Conduct a public hearing and consider an ordinance for Zoning Text Amendment No. 2010-02 amending Sections 2-100, 2-200, 4-100 and 6-100 of the Mesquite Zoning Ordinance and adding a new Section 4-1500 thereby creating a new zoning classification to be known as the Traditional Neighborhood Multifamily District (TNMF), which shall include new or amended procedural requirements, standards for site design and regulations affecting building form, building design, setbacks, parking, landscaping and permitted uses.

(The Planning and Zoning Commission recommends approval of the amendment. This item was postponed at the May 3, 2010, and May 17, 2010, City Council meetings.)

Public hearing held. Approved by Ordinance No. 4098.

OTHER BUSINESS

17. Consider scheduling a special City Council meeting to canvass the returns for the June 12, 2010, Runoff Election.

Canvass for the June 12, 2010, Runoff Election was scheduled for June 23, 2010 at 9:00 a.m.

APPOINTMENT TO BOARDS AND COMMISSIONS

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

Bill Porter was appointed as Mayor Pro Tem and Dennis Tarpley was appointed as 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. 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

Agenda for City Council meeting

June 7, 2010

Page 6 of 6

- Authority and Fort Worth Transportation Authority as Third-Party Intervenor 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 Intervenor – 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 v. City of Mesquite, Texas, and Ted Barron, City Manager of the City of Mesquite, Texas, Filed – 12-10-09

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).