

CITY COUNCIL PRE-MEETING – COUNCIL CONFERENCE ROOM
711 NORTH GALLOWAY
NOON – NOVEMBER 3, 2008

**Discuss the items on the Work and Regular Agenda and receive update regarding
community marketing program.**

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) **PURCHASE, EXCHANGE, LEASE OR VALUE OF PUBLIC PROPERTY (See Notice of Executive Session – Real Property for Listing of Subjects.)**
- (3) **APPOINTMENT AND EVALUATION OF PUBLIC OFFICIALS (See Notice of Executive Session - Personnel Matters For Listing of Subjects.)**
- (4) **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
1:00 P.M.

- A. Receive Investment Report for the quarter ending September 30, 2008.

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

INVOCATION

(Alfredo Zuniga, Pastor, Iglesia de Oracion y Alabanza, Mesquite, Texas.)

PLEDGE OF ALLEGIANCE

(Madison Hatchard, Daniela Garcia, Lesly Serna and Daniel Caballero, fourth grade students from Seabourn Elementary School.)

Agenda for City Council meeting

November 3, 2008

Page 2 of 6

SPECIAL ANNOUNCEMENTS

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

The following announcement may be made:

1. Fire Chief Mark Kerby will present an honorary fire fighter award to a local business owner.

(There may be additional announcements related to events, recognition of birthdays, anniversaries or other special occasions.)

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 PLAQUES

1. Presentation of a plaque to William Richardson in recognition of his service as a member of the Mesquite Quality of Life Corporation Board of Directors.
2. Presentation of a plaque to Joyce Hicks in recognition of her service as a member of the Parks and Recreation Advisory Board and Tree Board.
3. Presentation of a plaque to Bruce Nelson in recognition of his service as a member of the Parks and Recreation Advisory Board and Tree Board.

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.)

4. Minutes of the regular City Council meeting held October 20, 2008.
5. An ordinance amending Section 7-3 of the City Code thereby amending the 2006 Edition of the International Property Maintenance Code regarding sidewalks and driveways.

Agenda for City Council meeting

November 3, 2008

Page 3 of 6

6. An ordinance amending Section 9-150 of the City Code revising the speed limit along a portion of Tripp Road from Belt Line Road to North Galloway Avenue, effective December 1, 2008.
7. An ordinance amending Section 13-72 of the City Code regarding pole signs.
8. A resolution authorizing the Mayor to execute an Interlocal Cooperative Purchasing Agreement with the City of DeSoto for purchase of goods and services.
9. A resolution authorizing the issuance of Notice of Intention to establish a Tax Increment Finance (TIF) Reinvestment Zone for the Ridge Ranch project and calling a public hearing to be held December 15, 2008.
10. Bid No. 2009-011 – Annual Supply of Construction Materials.
(Staff recommends award to low bidders Craddock Lumber Company in the amount of \$7,543.80 and Kori's Rebar & Supplies in the amount of \$70,664.80 for a total amount of \$78,208.60.)
11. Bid No. 2009-015 – Annual Supply of Fire Protective Clothing.
(Staff recommends award to low bidder Casco Industries, Inc., in the amount of \$65,171.70.)
12. Bid No. 2009-051 - Three Small-Size Hybrid Vehicles.
(Staff recommends award to Philpott Ford in Nederland, Texas, through the Houston-Galveston Area Council of Governments Cooperative Purchasing Program, in the amount of \$69,802.14.)
13. Authorize the City Manager to execute an engineering design services contract with Grantham & Associates, Inc., for design of water main replacement plans for Edgemont Park Addition Water Main Replacement Project, Phase 4, in the amount of \$72,289.00.
14. Authorize execution of a Memorandum of Understanding with Dallas County regarding coordinated mutual aid participation in bioterrorism or other health emergency assistance and designating Dallas County as the Local Health Authority.
15. Authorize the City Manager to execute Amendment No. 8 to an architectural/engineering services contract with Brinkley Sargent Architects for the Mesquite Police Building Project in the amount of \$12,000.00.

PUBLIC HEARINGS

16. Conduct a public hearing to receive citizen input regarding the Neighborhood Stabilization Program budget.

Agenda for City Council meeting

November 3, 2008

Page 4 of 6

17. Conduct a public hearing amending the Mesquite Comprehensive Plan to create and modify land development policies for certain low density community areas.
18. Conduct a public hearing for Application No. 1-39 submitted by Matthew Cain, Kimley-Horn and Associates, Inc., for a zoning change from Planned Development – Single Family to General Retail in Creek Crossing Estates No. 10, Block A, Lot 1. This property is further described as a 7.59-acre tract located at the south corner of Faithon P. Lucas, Sr., Boulevard and Clay Mathis Road.
19. Conduct a public hearing for Application No. 483-7 submitted by Dr. Joel D. Holliday for a zoning change from Planned Development – Multi-Family with special exception for medical facilities to Office in Town East Estates, Block 1, Lot 11B. This property is located at 3737 North Town East Boulevard.
20. Conduct a public hearing for Application No. 190-4B and consider an ordinance submitted by Larry Allen, State Farm Insurance, for a zoning change from PD No. 2537 Planned Development – Office to Planned Development – General Retail in Bruton Beltline Retail Addition, Block A, Lot 3. This property is further described as a 32,400-square-foot tract located at 225 West Cartwright 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.)
21. Conduct a public hearing for Application No. KPE-1 and consider an ordinance submitted by Marc Bentley, Bentley Engineering, Inc., for a zoning change from A-1 with a Conditional Use Permit for a nursing center to Planned Development – A-1 to allow an addition for a therapy room at the nursing center in K Parker Enterprises, Block A, Lot 1. This property is further described as a 2.8-acre tract located at 434 Paza 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.)
22. Conduct a public hearing for Application No. 944-1 submitted by Tommy Mann and Kirk Williams, Winstead PC, for a zoning change from R-1 Single Family to Agricultural on Tract 1 and from Agricultural to Mixed Use on Tract II in the E.T. Myers Survey, Abstract 944. This property is further described as a 12.79-acre tract located at the northwest corner of Greenbelt Parkway and IH 30.

APPOINTMENTS TO BOARDS AND COMMISSIONS

23. Consider appointment of one member to the Personnel/Trial Board for a term to expire November 7, 2011, who will also serve on the Civil Service Commission.

Agenda for City Council meeting

November 3, 2008

Page 5 of 6

24. Consider appointment of two members to the Keep Mesquite Beautiful, Inc., Board of Directors for terms to expire December 31, 2008, and one member for a term to expire December 31, 2010.
25. Consider appointment of two alternate members to the Planning and Zoning Commission and Capital Improvements Advisory Committee, one for a term to expire October 20, 2009, and one for a term to expire October 20, 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. Charger Square Joint Venture v. City of Mesquite and Richard Gertson, Individually – Filed 9-10-08
2. Eastfield Partners, LTD dba Eastfield Plaza Apartments v. City of Mesquite – Filed 12-18-07
3. Wayne Fletcher v. City of Mesquite and Jason Taylor – Filed 3-13-08
4. Thomas Bryon Kuykendall and Cynthia Kuykendall v. Christopher Pennington and the City of Mesquite – Filed 8-15-07
5. PKG Contracting, Inc. v. City of Mesquite – Filed 10-30-03
6. 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

Real Property:

Pursuant to Section 551.072 of the Texas Government Code, the City Council will meet in closed session to consider purchase, exchange, lease or value of real property. The following subject may be discussed:

1. Acquisition of property near Mesquite Metro Airport.

Agenda for City Council meeting

November 3, 2008

Page 6 of 6

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.

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 project. The following subject may be discussed:

1. Prospect seeking to locate in the Rodeo City Tax Increment Finance Reinvestment Zone No. 1.

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)