

ACTION AGENDA

CITY COUNCIL PRE-MEETING – COUNCIL CONFERENCE ROOM **711 NORTH GALLOWAY** **1:00 P.M. – NOVEMBER 15, 2010**

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

- (1) Marketing telephone survey. Received
- (2) Municipal Setting Designation procedures. Received. It was Council consensus to handle such requests on a case-by-case basis as opposed to approving a blanket Municipal Setting Designation for an area.

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.)
- (3) COMMERCIAL OR FINANCIAL INFORMATION REGARDING A BUSINESS PROSPECT OR PROJECT (See Notice of Executive Session – Economic Development for Subjects.)

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

INVOCATION

(Donnie Stribble, Minister of Music, Shiloh Terrace Baptist Church, Dallas, Texas.)

PLEDGE OF ALLEGIANCE

(Recreation After School Program participants from Shaw Elementary School.)

SPECIAL ANNOUNCEMENTS

Ms. Roberts announced that the City Council will be hosting a Transit Open House on Tuesday, November 16, 2010, at the Mesquite Arts Center from 6:00 p.m. to 8:00 p.m. All interested citizens are invited to attend the come-and-go event to learn about the City's transit initiative. City staff will be available to answer questions and receive comments. If unable to attend, citizens may review information and provide feedback via the City's website.

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CITIZENS FORUM

Daniel Martinez, 2205 Anita, expressed concern regarding the proposed multifamily use for property located at 1500 Gross Road.

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 November 1, 2010. **Approved.**
2. A resolution authorizing the City Manager to execute the Texas Pollutant Discharge Elimination System (TPDES) Storm Water Permit renewal application and approve the associated Storm Water Management Plan. **Approved by Resolution 42-2010.**
3. A resolution authorizing the Mayor to execute a 2010 Homeland Security Grant Sub-Recipient Agreement with the Texas Division of Emergency Management in the amount of \$416,178.00, and designating the Emergency Management Coordinator as the responsible officer for the purpose of signing all subordinate documents associated with this grant. **Approved by Resolution 43-2010.**
4. Bid No. 2011-035 – Eastfield Soccer Complex Sportslighting, Phase 2.
(BuyBoard, sponsored by the Texas Local Government Purchasing Cooperative Contract, recommends award to MUSCO Sports Lighting, LLC, in the amount of \$189,212.00.) **Awarded as recommended.**
5. Bid No. 2011-041 – Group D Traffic Signals Project – Purchase of Traffic Signal Controllers and Cabinet Assemblies.
(Staff recommends award to sole source provider Siemens Industry, Inc., in the amount of \$54,425.00.) **Awarded as recommended.**
6. Authorize the City Manager to execute a lease agreement, management agreement and any other necessary documents with Mesquite Golf Private Club, Inc., and authorize the initial funding in an amount not to exceed \$10,000.00 for concession operations at the Mesquite Golf Course. **Approved.**

PUBLIC HEARINGS

7. Conduct a public hearing for Application No. 810-23A-2010 for a zoning change from Planned Development – Multifamily to Traditional Neighborhood Multifamily on an undeveloped 2.97-acre tract located at 600 Matador Lane. **Postponed until the December 6, 2010 City Council Meeting.**

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8. Conduct a public hearing for Application No. 1462-268-2010 for a zoning change from Planned Development – Townhome and Light Commercial to Traditional Neighborhood Multifamily on two undeveloped tracts comprising 31.973 acres located at 1500 Gross Road. Postponed until the December 6, 2010 City Council Meeting.
9. Conduct a public hearing for Application No. 1462-269-2010 for a zoning change from Planned Development – Duplex to Traditional Neighborhood Multifamily on an undeveloped 3.4-acre tract located at 2500 Baker Drive. Postponed until the December 6, 2010 City Council Meeting.
10. Conduct a public hearing for Application No. 1462-270-2010 for a zoning change from A1–Apartments and C–Commercial to Traditional Neighborhood Multifamily on two undeveloped tracts comprising 9.5 acres located in the 2900 and 3000 blocks of East US Highway 80. Postponed until the December 6, 2010 City Council Meeting.

APPOINTMENTS TO BOARDS AND COMMISSIONS

11. Consider appointment of two representatives to attend the City/School Joint Tax Office Advisory Board meeting on December 7, 2010, at 10:30 a.m. Councilmember Brian Hutcheson and Mayor John Monaco were appointed as the City's representatives to attend the City/School Joint Tax Office Advisory Board meeting on December 7, 2010 at 10:30 a.m.

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. City of Mesquite v. DCJC Investments Limited L.P. – Filed 7-29-10
7. 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 prospect locating on Emporium Circle. **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).