

CITY COUNCIL PRE-MEETING – COUNCIL CONFERENCE ROOM
711 NORTH GALLOWAY
1:00 P.M. – DECEMBER 6, 2010

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

- (1) Communications five-year strategic plan.
- (2) University of Texas at Arlington project examining public participation in target neighborhoods and
- (3) Municipal Setting Designation for property located at 4414 Gus Thomasson Road.

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.)

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

INVOCATION

(Lee Bruner, Pastor, Living Waters Ministry, Mesquite, Texas.)

PLEDGE OF ALLEGIANCE

(Recreation After School Program participants from Thompson Gym.)

SPECIAL ANNOUNCEMENTS

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

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.)

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PRESENTATION OF PLAQUE

1. Presentation of a plaque to Linda Rose in recognition of her service as a member of the Parks and Recreation Advisory Board/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.)

2. Minutes of the regular City Council meeting held November 15, 2010.
3. An ordinance amending Chapters 5 and 7 of the City Code pertaining to appeals from the Code Official in the application and interpretation of the 2006 editions of the International Building Code, International Plumbing Code, International Mechanical Code, International Fuel Gas Code, International Residential Code and the International Property Maintenance Code.
4. An ordinance amending the Community Appearance Manual pertaining to the applicability of design requirements for existing buildings.
5. A resolution authorizing the City Manager to execute the necessary documents amending the Tax Saver Plan necessary to comply with the provisions of the Patient Protection and Affordable Care Act and other revisions as are necessary and appropriate and notifying eligible employees of the amendment, effective January 1, 2011.
6. A resolution endorsing the Selective Traffic Enforcement Project – Impaired Driving Mobilization Grant for Driving While Intoxicated enforcement with the Texas Department of Transportation participating in the amount of \$9,192.16 to be supplemented by City funds in the amount of \$3,084.11 and authorizing the City Manager to execute the necessary documents.
7. A resolution authorizing the Mayor to execute an Agreement for Mutual Aid with other participating local governments of the State of Texas for the purpose of providing fire protection services in the event of an emergency, disaster and/or civil disaster.
8. Bid No. 2011-006 – Annual Supply of Police Officer Uniforms.
(Staff recommends award to low bidder GST Public Safety Supply in the amount of \$83,361.70.)

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9. Bid No. 2011-008 – Annual Supply of Ammunition.
(Staff recommends award for practice and duty ammunition to Precision Delta Corporation in the amount of \$57,913.20 and Grace Ammo, LLC, in the amount of \$16,500.00; and for Simunition products to TACnologies, Ltd., in the amount of \$5,350.00 for a total amount of \$79,763.20.)
10. Bid No. 2011-018 – Water Main Replacement Parts for Fiscal Year 2010-11.
(Staff recommends award to low bidder Morrison Supply in the amount of \$94,749.31.)
11. Bid No. 2011-025 – Oates Drive Bridge Repairs.
(Authorize the City Manager to execute a contract with low bidder Texas Standard Construction, Ltd., in the amount of \$190,352.00.)
12. Bid No. 2011-047 – Annual Telephone Service – Local and Long Distance.
(Staff recommends award to AT&T through the Texas Department of Information Resources Tex-AN 2000 contract for local services and to DIR-Telecommunication Services Division through Texas Department of Information Resources Tex-AN 2000-SWB-LS contract for long distance services in the total amount of \$286,690.04.)
13. Bid No. 2011-049 – Purchase of Regenerative Air Street Sweeper.
(Staff recommends award to TYMCO, Inc., in Waco, Texas, through the Houston-Galveston Area Council of Governments Cooperative Purchasing Program, in the amount of \$119,040.00.)
14. Bid No. 2011-055 – Purchase of 2011 Ford F-350 6.7L Diesel Chassis Ambulance Remount.
(Staff recommends award to low bidder Frazer, Ltd., in Houston, Texas, from Freeway Ford through the Houston-Galveston Area Council of Governments Cooperative Purchasing Program, in the amount of \$82,925.00.)
15. Authorize the City Manager to execute a professional engineering services contract with David C. Baldwin, Inc., for engineering services in conjunction with the Mesquite Hike and Bike Trail, Phase 1, in the amount of \$355,407.00.

PUBLIC HEARINGS

16. Conduct a public hearing and consider an ordinance for Zoning Text Amendment No. 2010-2A amending Sections 2-100, 4-100 and 4-1500 of the Mesquite Zoning Ordinance amending the name of the Traditional Neighborhood Multifamily District to the Traditional Neighborhood Mixed Residential District.
(The Planning and Zoning Commission recommends approval of the amendment.)

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17. 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.
(This item was postponed at the November 15, 2010, City Council meeting.)
18. 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.
(This item was postponed at the November 15, 2010, City Council meeting.)
19. 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.
(This item was postponed at the November 15, 2010, City Council meeting.)
20. 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.
(This item was postponed at the November 15, 2010, City Council meeting.)

APPOINTMENTS TO BOARDS AND COMMISSIONS

21. Consider appointment of five members to the Mesquite Housing Board for terms to expire December 3, 2011.
22. Consider appointment of four regular members and two alternate members to the Municipal Library Advisory Board for terms to expire December 4, 2012.
23. Consider appointment of three members to the Historic Mesquite, Inc., Board of Directors, one member for a term to expire December 31, 2012, and two members for terms to expire December 31, 2013.

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

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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

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.

The following City Council-appointed position is scheduled to be reviewed at the December 6, 2010, City Council meeting: City Attorney.

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).