

CITY COUNCIL PRE-MEETING – COUNCIL CONFERENCE ROOM
711 NORTH GALLOWAY
NOON – OCTOBER 6, 2008

Discuss the items on the Work and Regular Agenda and discuss: (1) legislative agenda for the 2009 session, (2) Motley Drive pavement section design, (3) Municipal Setting Designations, (4) code enforcement activity and (5) grant award from HUD's Neighborhood Stabilization 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) **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.)**

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

- A. Receive annual report from the Mesquite Arts Council.
- B. Review proposed Business Incentive Program Policy Application and Worksheet. (Consent Item No. 3)

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

INVOCATION

(Terry Turner, Pastor, Mesquite Friendship Baptist Church, Mesquite, Texas.)

PLEDGE OF ALLEGIANCE

(Recreation participants from Evans Senior Citizens Center.)

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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.)

PRESENTATION OF PLAQUE

1. Presentation of a plaque to Tony Apel in recognition of his service as a member of the Planning and Zoning Commission and Capital Improvements Advisory Committee.

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 September 15, 2008.
3. A resolution adopting guidelines and criteria for evaluating business incentive applications and establishing guidelines and criteria governing business incentive agreements.
4. Bid No. 2008-022 – US 80 and Town East Boulevard Interchange 24-Inch Water and Sanitary Sewer Main Relocation.
(Staff recommends the City Manager be authorized to execute a contract with low bidder Jim Bowman Construction Co., L.P., in the amount of \$1,481,606.70.)
5. Bid No. 2008-080 – Alley, Drainage and Sanitary Sewer Reconstruction Project.
(Staff recommends all bids be rejected and rebid at a later date.)
6. Bid No. 2008-081 – Edgemont Park Addition Water Main Replacement Program, Phases 2 and 3.
(Staff recommends the City Manager be authorized to execute a contract with low bidder RKM Utility Services, Inc., in the amount of \$1,515,795.00.)

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7. Bid No. 2009-003 – Six 33,000 GVW Cab and Chassis with Refuse Bodies.
(BuyBoard, sponsored by the Texas Local Government Purchasing Cooperative Contract, recommends award to Rush Truck Center in Houston, Texas, in the amount of \$560,778.00.)
8. Bid No. 2009-004 – One 33,000 GVW Cab and Chassis with Knuckle Boom.
(BuyBoard, sponsored by the Texas Local Government Purchasing Cooperative Contract, recommends award to Rush Truck Center in Houston, Texas, in the amount of \$119,835.00.)
9. Bid No. 2009-005 – Two 27,000 GVW Cab and Chassis with Dump Bodies.
(BuyBoard, sponsored by the Texas Local Government Purchasing Cooperative Contract, recommends award to Rush Truck Center in Houston, Texas, in the amount of \$125,846.00.)
10. Bid No. 2009-006 – 13 Police Pursuit Vehicles.
(Staff recommends award to Dallas Dodge in Dallas, Texas, through the Houston-Galveston Area Council of Governments Cooperative Purchasing Program in the amount of \$277,851.00.)
11. Bid No. 2009-016 – Mesquite Police Facility Emergency Communication Dispatch Console Furniture.
(Staff recommends award to low bidder Watson Dispatch in the amount of \$69,732.80.)
12. Bid No. 2009-026 – Purchase of Two 2009 Type 1 Generator-Powered Ambulance Remounts.
(Staff recommends award to Frazer, Ltd., from Lawrence Marshall Dodge through the Houston-Galveston Area Council of Governments Cooperative Purchasing Program in the amount of \$164,800.00.)
13. Bid No. 2009-029 – Furniture for the Mesquite Police Building.
(Staff recommends award to BKM Total Office of Texas - \$529,549.47; Facility Interiors, Inc., - \$145,114.12; and Wilson Office Interiors - \$183,790.41 for a total amount of \$858,454.00 through the Texas Multiple Awards Schedule [TXMAS] and the Texas Comptroller of Public Accounts.)
14. Bid No. 2009-033 – Purchase of Motorola Police Radios.
(Staff recommends award to Motorola through the Houston-Galveston Area Council of Governments in the amount of \$166,216.40.)

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15. Authorize the City Manager to execute a Letter of Authorization with North Central Texas Council of Governments for the FY 2009 Regional Storm Water Monitoring Program in compliance with the Texas Pollution Discharge Elimination System (TPDES) Storm Water Discharge Permit in an amount not to exceed \$42,461.00.
16. Authorize the City Manager to execute a Letter of Authorization with North Central Texas Council of Governments to provide administrative and implementation assistance in compliance with the Texas Pollutant Discharge Elimination System (TPDES) Storm Water Discharge Permit in an amount not to exceed \$6,568.00.
17. Authorize the City Manager to execute a Park Use Permit with Old Town Mesquite, Inc., for the 2008 Pumpkin Fest to be held Saturday, October 18, 2008, at City Lake Park.
18. Authorize the City Manager to execute a contract with Source through the Department of Information Resources for the purchase and installation of new telephone system equipment for the new Police Facility and for upgrading the current telephone system at various City facilities in the total amount of \$639,255.36.
19. Authorize an interlocal agreement with the City of Dallas for Biomedical Online Medical Supervision in an amount not to exceed \$54,600.00 for fiscal year 2008-09.

PUBLIC HEARINGS

20.
 - A. Conduct a public hearing to consider a program with Midwest Air Technologies to promote economic development and stimulate business and commercial activity.
 - B. Consider a resolution approving the terms and conditions of a program with Midwest Air Technologies to promote economic development and stimulate business and commercial activity.
21. 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.

APPOINTMENT TO BOARDS AND COMMISSIONS

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22. Consider appointment of one member to the Automated Traffic Signal Enforcement Advisory Committee for a term to expire January 1, 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. Karen Fernanders, Individually and as Next Friend of Kaland Fernanders v. Rochelle Renea Moore, Individually and as Next Friend of LaMarcus Lynn Allen Moore and/or LaMarcus Lynn Allen Moore, Individually and City of Mesquite – Filed 12-21-07
4. Wayne Fletcher v. City of Mesquite and Jason Taylor – Filed 3-13-08
5. Thomas Bryon Kuykendall and Cynthia Kuykendall v. Christopher Pennington and the City of Mesquite – Filed 8-15-07
6. PKG Contracting, Inc. v. City of Mesquite – Filed 10-30-03
7. 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

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.

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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. Economic development incentives for a residential development near Cartwright Road and Lawson Road.

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)