

**CITY COUNCIL PRE-MEETING – COUNCIL CONFERENCE ROOM**  
**711 NORTH GALLOWAY**  
**NOON – AUGUST 18, 2008**

**Discuss the items on the Work and Regular Agenda and discuss:**  
**(1) proposed ordinance prohibiting use of handheld mobile telephones in**  
**school zones, (2) options for signalizing the intersection at Gus Thomasson**  
**Road and North Mesquite Drive, (3) 2008-09 water and sewer rates,**  
**(4) amendments to bylaws for Mesquite Quality of Life Corporation and**  
**(5) Holiday Operational Plan for the Police Department.**

**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.)**

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

**INVOCATION**

(Nathan Timmerman, National Resource and Development Representative for Chaplaincy Ministries.)

**PLEDGE OF ALLEGIANCE**

(Recreation participants from Rutherford Senior Citizens Center.)

## **Agenda for City Council meeting**

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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.)

### **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 August 4, 2008.
2. A resolution designating the City's official newspaper for fiscal year 2008-09.
3. A resolution approving revisions to the Reservation and Rental Agreement for the Mesquite Arts Center and authorizing the Managing Director of the Mesquite Arts Center as the responsible officer for the purpose of signing the reservation and rental agreements on behalf of the City.
4. Bid No. 2008-069 – Annual Supply of Janitorial Supplies.  
(Staff recommends award to low bidders Empire Paper, Group I, Item 5 in the amount of \$4,759.92; Sunbeam Foods, Inc., Group I, Items 1-4, 6 and 7 in the amount of \$24,346.85; Eagle Brush and Chemical, Inc., Group II, Items 1-52 in the amount of \$65,129.50 and Group III, Items 1-31 in the amount of \$7,232.12 for a total amount of \$101,468.39.)
5. RFP No. 2008-091 – Annual Contract for Recycled Materials Processing.  
(Staff recommends the City Manager be authorized to execute a contract with Greenstar North America [Vista Fibers].)
6. Receive semiannual report from the Capital Improvements Advisory Committee in accordance with Section 395.058(c)(4) of the Texas Local Government Code.
7. Receive Change Order Report from City Manager.

**PUBLIC HEARINGS**

8. Conduct a public hearing for Zoning Text Amendment No. 2008-5 creating a new floating zone classification to be known as the Kaufman-Interstate 20 District (K-20), which shall incorporate the Interim K-20 Development Code containing new or amended procedural requirements, the creation of zoning districts, certain community types and mandatory regulating plans, standards for site design and regulations affecting building form, building design, setback, parking, signage, landscaping and permitted uses.
9. Conduct a public hearing for Application No. Kaufman-1 rezoning all properties within the City of Mesquite located east of the East Fork of the Trinity River from Agricultural to the new floating Kaufman-Interstate 20 District (K-20) at such time as properties are developed.
10. Conduct a public hearing and consider an ordinance for Zoning Text Amendment No. 2008-6 amending Section 2-700 of the Mesquite Zoning Ordinance creating new regulations governing home occupations and adding certain professional services licensed or registered by the State of Texas as permitted uses.  
(Two persons appeared in favor of the proposed amendment at the hearing before the Planning and Zoning Commission. The Commission recommends approval of the application with certain stipulations.)
11. Conduct a public hearing and consider an ordinance for Zoning Text Amendment No. 2008-7 regarding special regulations on nonconforming uses, structures and premises, amending Section 1-300 of the Mesquite Zoning Ordinance prohibiting nonconforming pawnshops from expanding or enlarging.  
(No opposition to the proposed amendment has been received. The Planning and Zoning Commission recommends approval of the application with certain stipulations.)

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

12. Consider appointment of two alternate members to the Planning and Zoning Commission and Capital Improvements Advisory Committee for terms to expire August 18, 2010.
13. Consider appointment of one member to the Keep Mesquite Beautiful, Inc., Board of Directors for a term to expire December 31, 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. Kathryn Blair, Individually and as Administrator of the Estate of Michael K. Wright and Hal Wright, Individually v. Alfonso Cardenas, M.C.; Mesquite Community Hospital n/k/a Dallas Regional Medical Center; Don Conn; Mesquite Police Department; City of Mesquite; Officer R. D. Parker; AEP-EMCARE Medical Group, Inc. and G. Kelly, R.N. – Filed 1-25-08
2. Brenita S. Dunn v. Connie S. Evans and the City of Mesquite – MTED – Filed 2-6-08
3. Eastfield Partners, LTD dba Eastfield Plaza Apartments v. City of Mesquite – Filed 12-18-07
4. 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
5. Wayne Fletcher v. City of Mesquite and Jason Taylor – Filed 3-13-08
6. J. Dale Hagler v. City of Mesquite – Filed 3-13-06
7. Thomas Bryon Kuykendall and Cynthia Kuykendall v. Christopher Pennington and the City of Mesquite – Filed 8-15-07
8. PKG Contracting, Inc. v. City of Mesquite – Filed 10-30-03
9. Johnny Spencer v. City of Mesquite – Filed 2-6-07
10. 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 subjects may be discussed:

1. Acquisition of property near Mesquite Metro Airport.
2. Acquisition of property adjacent to 300 West Kearney Street.

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**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.

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).**