

**CITY COUNCIL PRE-MEETING – COUNCIL CONFERENCE ROOM**  
**711 NORTH GALLOWAY**  
**11:30 A.M. – JANUARY 7, 2008**

**Discuss the items on the Regular Agenda and (1) discuss City-owned property and receive briefing regarding: (2) the Section 8 Task Force and (3) FY 2007-08 alley/street improvement funding strategies.**

**EXECUTIVE SESSION – 11:30 A.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**

(Dr. Tom Wilbanks, Pastor, First Presbyterian Church, Mesquite, Texas.)

**PLEDGE OF ALLEGIANCE**

(Recreation participants from Rutherford Senior Citizens Center.)

**SPECIAL ANNOUNCEMENTS**

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

**CITIZENS FORUM**

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(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 sale, purchase, exchange or lease 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 December 17, 2007.
2. A resolution casting a vote for the fourth member of the Board of Directors of the Dallas Central Appraisal District.
3. A resolution approving amendments to the Mesquite Quality of Life Corporation budget for fiscal year 2007-08.
4. A resolution authorizing the filing of a project application in the amount of \$98,700.00 with the North Central Texas Council of Governments to implement a curbside recycling bin pilot program and authorizing the City Manager to act on behalf of the City in all matters related to the application.
5. Bid No. 2008-025 – Three Standard 16-Passenger Cut-Away Chassis-Type Buses.  
(Staff recommends award to low bidder National Bus Sales in the amount of \$171,825.00.)
6. RFP No. 2008-027 – Annual Contract for Temporary Personnel Services.  
(Staff recommends award to Labor Ready.)
7. Bid No. 2008-061 – Annual Maintenance for Computer Aided Dispatch (CAD)/Records Management System (RMS)/Premier Mobile Data Computer (PMDC).  
(Staff recommends the City Manager be authorized to execute a contract with sole source provider Motorola, Inc., in the total amount of \$258,339.00.)
8. Authorize the City Manager to execute Amendment No. 3 to an engineering design services contract with C & P Engineering, LTD., for preparation of bid documents for the Innovative Way Water Main Extension in conjunction with the 2004-05 Street, Water and Sanitary Sewer Reconstruction Project in the amount of \$2,753.00.

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9. Authorize the City Manager to execute Amendment No. 4 to an engineering design services contract with RJN Group, Inc., in conjunction with the preparation of digital record drawings for the IH 635/Bruton Road/Cartwright Road water line crossing project in the amount of \$1,500.00.
10. Authorize the City Manager to execute Amendment No. 7 to an engineering design services contract with Halff Associates, Inc., for additional surveying services in conjunction with the Edwards Church Road Reconstruction Project in the amount of \$1,219.25.
11. Authorize the City Manager to execute an interlocal agreement with North Central Texas Council of Governments (NCTCOG) allowing the City to reduce employment advertising expenses by utilizing The Dallas Morning News for employment advertising through NCTCOG.
12. Authorize the City Manager to execute a contract with MESA Design Group for professional services in conjunction with the I 30 Gateway project in the amount of \$273,300.00.
13. Authorize the City Manager to execute a Letter of Engagement with Burson-Marsteller, LLC, regarding the Comprehensive Communications Plan in an amount not to exceed \$229,800.00.
14. Authorize the purchase and installation of Opticom traffic signal preemption equipment at 23 locations, along with spare parts, through the Houston-Galveston Area Council of Governments, from Consolidated Traffic Controls, Inc., in the amount of \$204,488.24.

## SITE PLAN AND PUBLIC HEARINGS

15. Consider a Planned Development Site Plan for the 259.359-acre Ridge Ranch development located at the southwest corner of Cartwright Road and Lawson Road.
16. Conduct a public hearing to consider Application No. 170-28 submitted by Jaiby Joseph, on behalf of Kwikway Food Store, for a zoning change from Commercial to Commercial with a Conditional Use Permit to allow truck rentals at Belt Line Range, Block B, Lot 1. This property is further described as a 0.64-acre tract located at 1745 North Belt Line Road.  
(No opposition to the proposed amendment has been received. The Planning and Zoning Commission recommends denial of the application.)

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17. Conduct a public hearing and consider an ordinance for Application No. 261-31 submitted by Kent Jones, Inc., for a zoning change from Commercial and Planned Development – Multi-Family to Planned Development – Commercial in the Big Town Addition. This property is further described as an 89.75-acre tract formerly occupied by Big Town Mall located at the southwest corner of U. S. Highway 80 and Big Town Boulevard.  
(One letter in favor of the proposed amendment has been received. The Planning and Zoning Commission recommends approval of the application with certain stipulations. This item was postponed at the December 17, 2007, City Council meeting.)
18. A. Conduct a public hearing to consider a program with Kent Jones, Inc., to promote economic development and stimulate business and commercial activity in conjunction with development in the Big Town Mall Addition, formerly occupied by Big Town Mall.  
  
B. Consider a resolution approving the terms and conditions of a program with Kent Jones, Inc., to promote economic development and stimulate business and commercial activity in conjunction with development in the Big Town Addition, formerly occupied by Big Town Mall, and authorizing the City Manager to execute the agreement.

### **APPOINTMENTS TO BOARDS AND COMMISSIONS**

19. Consider appointment of one regular member to the Board of Adjustment for a term to expire January 1, 2010, and consider changing the terms of current members to expire as follows: the terms of two regular members, one alternate member and one reserve alternate member to expire January 1, 2010, and the terms of two regular members, one alternate member and one reserve alternate member to expire January 1, 2009, to coincide with Ordinance No. 3847 which amended the terms of Board of Adjustment members to expire on January 1 rather than October 14.
20. Consider appointment of one member to the Mesquite Housing Board for a term to expire December 3, 2008.

**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:

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1. Graciela Aleman v. J. W. Abbott, Gary Westphal and the City of Mesquite – Filed 12-1-06
2. Marsha and Jerry Chambers v. State of Texas, County of Dallas, City of Mesquite, Jane/John Doe City of Mesquite Official in Individual Capacity, Officer D. R. McKee in Individual Capacity, Officer McKee in Official Capacity, Officer K. R. Griffin in Individual Capacity, Officer Griffin in Official Capacity, Jane Doe Dallas County District Attorney in Individual Capacity, Judge Danny Clancy in Individual Capacity – Filed 11-9-06
3. City of Mesquite, Texas v. DFW Convenience Stores, L.P., et al – Filed April 2006
4. Eastfield Partners, LTD dba Eastfield Plaza Apartments v. City of Mesquite – Filed 12-18-07.
5. J. Dale Hagler v. City of Mesquite – Filed 3-13-06
6. Daniel Hernandez dba Hernandez Heating & Air Conditioning v. Tywell Construction Company and City of Mesquite – Filed 7-27-06
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

### **Consultation With Attorney:**

Pursuant to Section 551.071 of the Texas Government Code, the City Council will meet in closed session to conduct a private consultation with its attorney. The following subject may be discussed:

1. Legislation passed during the 79<sup>th</sup> Texas Legislative Session regarding Meet and Confer regulations.

### **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

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complete list of the members of the City boards and commissions is on file in the City Secretary's office.

The following positions are scheduled to be reviewed by the City Council at the January 7, 2008, City Council meeting: Police Chief and Council-appointed positions for City Manager, City Attorney, Municipal Court Judge and City Secretary.

**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. Prospect seeking to expand in the Town East Retail and Restaurant Area (TERRA).

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).**