

ACTION AGENDA

CITY COUNCIL PRE-MEETING – COUNCIL CONFERENCE ROOM **711 NORTH GALLOWAY** **NOON – DECEMBER 20, 2010**

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

- (1) Hazard Mitigation Grant Program submission. Discussed. Council directed staff to proceed with the grant submission.
- (2) Request for a two-year extension to the terms of the Chapter 380 agreement for the Ridge Ranch Development. Discussed. It was Council consensus to grant the extension and directed staff to place an item on a future Council agenda for approval.
- (3) Establishment of a Court of Record. Discussed. It was Council consensus to provide Senator Bob Deuell and State Representative-Elect Cindy Burkett with copies of draft legislation for their introduction for a court of record.

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)

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

INVOCATION

(Councilmember Stan Pickett)

PLEDGE OF ALLEGIANCE

(Helen Page, Hannah Ray Bailey, Leah Salinas and Zachary Thomson, patrons at the Mesquite Public Library.)

SPECIAL ANNOUNCEMENT

Councilmembers wished everyone a Merry Christmas and a Happy and Prosperous New Year.

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CITIZENS FORUM

No one appeared.

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 6, 2010. **Approved.**
2. An ordinance amending Chapter 5 of the City Code providing certain additions and deletions under Section 5-25, thereby defining the scope, authority and additional powers of the Building Standards Board and providing for the review of national model codes prior to adoption or amendment. **Approved by Ordinance 4123.**
3. An ordinance revising Chapter 13 of the General Government Policies and Procedures Manual regarding employee loss of driving privileges policy, effective January 1, 2011. **Approved by Ordinance 4124.**
4. Bid No. 2011-020 – Annual Landscape Maintenance of the Creek Crossing Area Medians, Rights of Way and Landscape Areas.
(Staff recommends the City Manager be authorized to execute a contract with SLM Landscaping and Maintenance in the amount of \$129,000.00.) **Awarded as recommended.**
5. Bid No. 2011-028 – Annual Laundry and Dry Cleaning Services for the Fire Department.
(Staff recommends award to Cinderella Cleaners #3, Comet Cleaners, Debonair Cleaners, Inc., DEZ Cleaners dba Stafford Cleaners, Pro Dry Cleaners and Toudanines Fine Dry Cleaning in the total amount of \$60,502.00.) **Awarded as recommended.**
6. Bid No. 2011-050 – Purchase of Ten ½ Ton Pickups.
(BuyBoard, sponsored by the Texas Local Government Purchasing Cooperative Contract, recommends award to Caldwell County Chevrolet, in Caldwell, Texas, in the amount of \$200,273.70.) **Awarded as recommended.**
7. Bid No. 2011-051 – Purchase of Eight 4-Door Sedans.
(BuyBoard, sponsored by the Texas Local Government Purchasing Cooperative Contract, recommends award to Caldwell County Chevrolet, in Caldwell, Texas, in the amount of \$145,597.28.) **Awarded as recommended.**

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8. Bid No. 2011-061 – Motorola Motobridge System.
(Staff recommends award to Motorola, Inc., through the Houston-Galveston Area Council of Governments Cooperative Purchasing Program, in the amount of \$89,995.00.) **Awarded as recommended.**
9. RFP No. 2011-062 – Medical Reinsurance (Stop Loss) Contract for the 2011 Plan Year. (Staff recommends the City Manager be authorized to finalize and execute the appropriate documents to purchase the Medical Plan Reinsurance [Stop Loss] policy with ING, for the self-funded medical plan.) **Approved.**
10. Appoint Patrick Reyes, James T. Wofford and Richard G. Walker, Jr., as regular members and Rickey Kennedy as an alternate member to the Building Standards Board for terms to expire January 1, 2013. **Appointed.**
11. Appoint Stan Pickett, John Monaco and Shirley Roberts as members to the Rodeo City Tax Increment Finance Reinvestment Zone No. One Board of Directors for terms to expire December 31, 2012, and appoint John Monaco as Chairperson to serve a one-year term beginning January 1, 2011. **Appointed.**
12. Appoint Al Forsythe, Shirley Roberts, John Monaco and Carol Zolnerowich as members to the Towne Centre Tax Increment Finance Reinvestment Zone No. Two Board of Directors for terms to expire December 31, 2012, and appoint Shirley Roberts as Chairperson to serve a one-year term beginning January 1, 2011. **Appointed.**
13. Appoint John Monaco, Bill Porter, Al Forsythe, Stan Pickett, Shirley Roberts, Brian Hutcheson and Dennis Tarpley as members to the Ridge Ranch Tax Increment Finance Reinvestment Zone No. Five Board of Directors for terms to expire December 31, 2012, and appoint John Monaco as Chairperson to serve a one-year term beginning January 1, 2011. **Appointed.**
14. Appoint John Monaco, Bill Porter, Al Forsythe, Stan Pickett, Shirley Roberts, Brian Hutcheson and Dennis Tarpley as members to the Lucas Farms Tax Increment Finance Reinvestment Zone No. Six Board of Directors for terms to expire December 31, 2012, and appoint John Monaco as Chairperson to serve a one-year term beginning January 1, 2011. **Appointed.**
15. Appoint Dennis Tarpley as Chairperson for the Falcon's Lair Tax Increment Finance Reinvestment Zone No. Four Board of Directors to serve a one-year term beginning January 1, 2011. **Appointed**
16. Receive Change Order Report from City Manager.
(CE10-9760, Forney Road Paving, Drainage, Water and Sanitary Sewer Improvements – \$20,921.20 and CE2010-055, Hailey Pump Station Improvements, 1,000kW Emergency Generator and Electrical Improvements – \$8,712.00.) **Received.**

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PUBLIC HEARING

17. A. Conduct a public hearing to consider a Municipal Setting Designation for property located at 4414 Gus Thomasson Road. Postponed until the January 18, 2011 City Council Meeting.
- B. Consider an ordinance prohibiting the use of designated groundwater from beneath certain property generally located at 4414 Gus Thomasson Road and supporting certification of a Municipal Setting Designation by the Texas Commission on Environmental Quality. Postponed until the January 18, 2011 City Council Meeting.

APPOINTMENTS TO BOARDS AND COMMISSIONS

18. Consider appointment of three members to the Keep Mesquite Beautiful, Inc., Board of Directors for terms to expire December 31, 2013. Lillie White, Susie Court and Angel Gregory were appointed as members to the Keep Mesquite Beautiful, Inc. board for terms to expire December 31, 2013.
19. Consider appointment of one member to the Mesquite Veterans' Affairs and Memorial Advisory Board for a term to expire September 7, 2012. Andrew Leake was appointed as a member of the Mesquite Veteran's Affairs and Memorial Advisory Board for a term to expire September 7, 2012.
20. Consider appointment of three regular members and one alternate member to the Board of Adjustment for terms to expire January 1, 2013. Lonnie Crane and Dianne Mendoza were appointed as regular members to the Board of Adjustment, Bruce Archer was moved from an alternate member to a regular member and Judith Zubar was appointed as an alternate member, all for terms to expire January 1, 2013.
21. Consider appointment of three members to the Automated Traffic Signal Enforcement Advisory Committee for terms to expire January 1, 2013. Lonnie Crane, Dianne Mendoza and Judith Zubar were appointed as members to the Automated Traffic Signal Enforcement Advisory Committee for terms to expire January 1, 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:

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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

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 manufacturing prospect seeking to locate in the Skyline Business Park. **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).