

**CITY COUNCIL PRE-MEETING – COUNCIL CONFERENCE ROOM**  
**711 NORTH GALLOWAY**  
**NOON – JUNE 7, 2010**

**Discuss the items on the Work and Regular Agenda and discuss: (1) PY 2010 CDBG Budget and (2) wind turbines at Eastfield College.**

**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.)**

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

- A. Receive monthly financial report for April 2010.

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

**INVOCATION**

(Reginald Jefferson, Pastor, New Hope Baptist Church, Mesquite, Texas.)

**PLEDGE OF ALLEGIANCE**

(Annie Thampan and Sarah Mayfield, volunteers assisting with the Children's and Teen Summer Reading Club at the Mesquite Public Library.)

**SPECIAL ANNOUNCEMENTS**

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

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### **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 CERTIFICATES**

1. Presentation of Certificates of Election to Councilmembers Stan Pickett, Place 3, and Shirley Roberts, Place 4.

### **APPOINTMENT FOR PERSONAL APPEARANCE**

2. Appointment – Jimmy Strait, 1400 Springbrook, Mesquite.  
(Mr. Strait will discuss issues related to security at the Mesquite Metro Airport.)

### **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.)

3. Minutes of the regular City Council meeting held May 17, 2010, and the Special City Council meeting held May 19, 2010.
4. An ordinance adopting the 2009-10 amended budget.
5. An ordinance amending Section 9-150 of the City Code temporarily reducing the speed limit along a portion of US Highway 80 during construction from Town East Boulevard to Gus Thomasson Road, effective June 11, 2010.
6. A resolution authorizing the City Manager to execute the 2010 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Funds Sharing and Fiscal Agency Agreement between the County of Dallas and the Cities of Addison, Balch Springs, Carrollton, Cedar Hill, Dallas, DeSoto, Duncanville, Garland, Grand Prairie, Irving, Lancaster, Mesquite and Richardson allocating the amount of \$37,874.53 to the City of Mesquite and designating the Police Chief as the responsible officer for the purpose of signing all documents associated with the grant.

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7. A resolution authorizing the Mayor to execute an Interlocal Cooperative Purchasing Agreement with the City of Denton to allow the purchase of goods and services.
8. A resolution directing that staff give written notice of the City's intent to annex certain property in its extraterritorial jurisdiction and draft a service plan for such area.
9. Bid No. 2010-080 – Annual Supply of Toner Cartridges and Printer Maintenance Repairs.  
(Staff recommends award to Laserworks, Inc., dba Verity Group, through the State of Texas Department of Information Resources, in the amount of \$55,000.00.)
10. A. Bid No. 2010-081 – Acquisition of Golf Carts and Golf Maintenance Equipment for the Mesquite Golf Course.  
(Staff recommends award to E-Z-GO Golf Carts in the amount of \$277,829.00 through the Texas Multiple Award Schedule [TxMAS] cooperative bidding service contract number TXMAS-5-78010.)  
  
B. Authorize the City Manager to execute a lease purchase agreement for acquisition of golf carts and golf maintenance equipment for the Mesquite Golf Course.
11. Authorize the Mayor to execute a Lease Agreement with John Q. Hammons Hotels Management, LLC, and Camelot Sports & Entertainment, LLC, for the lease and operation of the Mesquite Exhibition Hall.
12. Authorize the City Manager to execute a change order to City Contract No. 2010-069, Annual Contract for Fuels-E85 Ethanol Fuel, Unleaded Gasoline and Diesel Fuel, with Martin Eagle Oil Company as the primary vendor and Douglass Distributing Co., as the secondary vendor for fuel for the Mesquite Golf Course in the amount of \$30,475.80.
13. A. Approve a development agreement with 269 Kaufman Partners, Ltd., pursuant to Section 212.172, et seq., of the Texas Local Government Code for development of approximately 147.217 acres within the City's extraterritorial jurisdiction.  
  
B. A resolution consenting to the creation of a Fresh Water Supply District encompassing approximately 146.738 acres located within the City's extraterritorial jurisdiction.

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### PUBLIC HEARINGS

14. Conduct a public hearing and consider an ordinance for Application No. 1462-263A-2010 submitted by Carolyn Miller, DCJC Investments, for a zoning change from Planned Development – General Retail to Planned Development–Light Commercial. This property is further described as a 0.460-acre tract located at 1320 US Highway 80 East.  
(One letter in favor of the proposed amendment has been received. The Planning and Zoning Commission recommends approval of the application with certain stipulations.)
15. Conduct a public hearing and consider an ordinance for Application No. 1461-108A-2010 submitted by Thomas A. Turnage on behalf of Dallas Services, Inc., for a zoning change from Planned Development – General Retail to Planned Development – General Retail with a Conditional Use Permit to allow the operation of a day care facility. This property is further described as a one-acre tract located at 1615 Oates Drive.  
(No opposition to the proposed amendment has been received. The Planning and Zoning Commission recommends approval of the application.)
16. A. Conduct a public hearing and consider an ordinance amending the Mesquite Comprehensive Plan by establishing policies for the design and location of urban multifamily development in high intensity development areas, and modifying the regional retail and business corridor maps to designate certain areas as appropriate for Urban Multifamily Residential.  
(The Planning and Zoning Commission recommends approval of the amendment. This item was postponed at the May 3, 2010, and May 17, 2010, City Council meetings.)  
  
B. Conduct a public hearing and consider an ordinance for Zoning Text Amendment No. 2010-02 amending Sections 2-100, 2-200, 4-100 and 6-100 of the Mesquite Zoning Ordinance and adding a new Section 4-1500 thereby creating a new zoning classification to be known as the Traditional Neighborhood Multifamily District (TNMF), which shall include new or amended procedural requirements, standards for site design and regulations affecting building form, building design, setbacks, parking, landscaping and permitted uses.  
(The Planning and Zoning Commission recommends approval of the amendment. This item was postponed at the May 3, 2010, and May 17, 2010, City Council meetings.)

### OTHER BUSINESS

17. Consider scheduling a special City Council meeting to canvass the returns for the June 12, 2010, Runoff Election.

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### **APPOINTMENT TO BOARDS AND COMMISSIONS**

18. Consider appointment of a Mayor Pro Tem and Deputy Mayor Pro Tem for one-year terms.

### **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 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 v. 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
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 v. City of Mesquite, Texas, and Ted Barron, City Manager of the City of Mesquite, Texas, Filed – 12-10-09

#### **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.

Following discussions in executive session, the City Council will reconvene in open session where any final action regarding executive session items will be taken.

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**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).**