

**CITY COUNCIL PRE-MEETING – COUNCIL CONFERENCE ROOM**  
**711 NORTH GALLOWAY**  
**NOON – APRIL 21, 2008**

**Discuss the items on the Work and Regular Agenda and discuss: (1) request from D. R. Horton, Inc. regarding Park Chase Addition, Phase 2, (2) results of speed hump study, (3) water and sewer costs and future rates, (4) proposed regulations regarding secondary metal recyclers and (5) expansion of MTED service and (6) receive an update regarding Texas Engineering Extension Service (TEEX) activity.**

**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.)**

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

- A. Receive the Trails Master Plan report.

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

**INVOCATION**

(Kevin Strempeke, Pastor, New Covenant United Methodist Church.)

**PLEDGE OF ALLEGIANCE**

(Luis Bolanos, Reggie Herron, Keidy Hidalgo and Jordan Haynes, fourth grade students from Hanby Elementary School.)

**SPECIAL ANNOUNCEMENTS**

## **Agenda for City Council meeting**

**April 21, 2008**

**Page 2 of 4**

(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 AWARDS**

1. Presentation of meritorious awards to Police Department employees.

### **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 April 7, 2008.
3. An ordinance adopting Supplement No. 35 to the Code of Ordinances for the City of Mesquite.
4. A resolution supporting the Real. Texas. Festival. to be held April 25-27, 2008.
5. A resolution authorizing the conveyance of City-owned property located at 826 S. Sam Houston Road for less than fair market value, finding conveyance to constitute a public interest of neighborhood revitalization and authorizing the Mayor to execute the necessary documents to complete conveyance.
6. Receive Change Order Report from City Manager.

### **PUBLIC HEARINGS**

7. Conduct a public hearing and consider an ordinance for Application No. 594-33 submitted by Kevin Patel for a zoning change from Commercial to Commercial with a Conditional Use Permit to allow a limited service hotel in the William Forman Survey, Abstract No. 486, and in the Henry Harter Survey, Abstract No. 594. This property is further described as a 2.0-acre tract located 1,000 feet east of North Galloway Avenue fronting the north side of the U.S. Highway 80 East frontage road.

## **Agenda for City Council meeting**

**April 21, 2008**

**Page 3 of 4**

(One letter in opposition to the proposed amendment has been received. The Planning and Zoning Commission recommends denial of the application without prejudice.)

8. Conduct a public hearing and consider an ordinance for Application No. 1462-259 submitted by Lakeside Auto Auction for a zoning change from Planned Development-Commercial, Ordinance No. 1110, to Planned Development-Commercial to allow an auto, boat and recreational vehicle auction in the Daniel Tanner Survey, Abstract 1462, Tract 1.1. This property is further described as a 20-acre tract located at 3200 East U.S. Highway 80.

(Twenty-three letters in opposition to the proposed amendment have been received. Four persons appeared at a hearing before the Planning and Zoning Commission in opposition to the proposed amendment. The Commission recommends denial of the application.)

### **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. City of Mesquite, Texas v. DFW Convenience Stores, L.P., et al – Filed April 2006
3. Brenita S. Dunn v. Connie S. Evans and the City of Mesquite – MTED – Filed 2-6-08
4. Eastfield Partners, LTD dba Eastfield Plaza Apartments v. City of Mesquite – Filed 12-18-07
5. 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
6. Wayne Fletcher v. City of Mesquite and Jason Taylor – Filed 3-13-08
7. J. Dale Hagler v. City of Mesquite – Filed 3-13-06
8. Daniel Hernandez dba Hernandez Heating & Air Conditioning v. Tywell Construction Company and City of Mesquite – Filed 7-27-06

## **Agenda for City Council meeting**

**April 21, 2008**

**Page 4 of 4**

9. Thomas Bryon Kuykendall and Cynthia Kuykendall v. Christopher Pennington and the City of Mesquite – Filed 8-15-07
10. PKG Contracting, Inc. v. City of Mesquite – Filed 10-30-03
11. Johnny Spencer v. City of Mesquite – Filed 2-6-07
12. 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 subject may be discussed:

1. Acquisition of property near 300 W. Kearney Street.

### **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).**