

**CITY COUNCIL PRE-MEETING – COUNCIL CONFERENCE ROOM**  
**711 NORTH GALLOWAY**  
**NOON – NOVEMBER 17, 2008**

**Discuss the items on the Regular Agenda and discuss:**

- (1) City Council district boundaries, (2) options for banner poles and changeable event signs, (3) consistency of permit and administrative processing fees and (4) weed and grass billing and collections.**

**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**

(Dan Aleman, Pastor, Creek Crossing Harvest Church, Mesquite, Texas.)

**PLEDGE OF ALLEGIANCE**

(Santos Bernal, Daisy Torres, Nicole Owens and Anthony Owens, fourth grade students from Range Elementary School.)

**SPECIAL ANNOUNCEMENTS**

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

## **Agenda for City Council meeting**

**November 17, 2008**

**Page 2 of 6**

### **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 November 3, 2008.
2. An ordinance amending Section 9-150 of the City Code revising the speed limit along a portion of Big Town Boulevard from the north city limits to Samuell Boulevard, effective December 1, 2008.
3. An ordinance amending the Community Appearance Manual pertaining to rehabilitation and remodeling of existing structures.
4. An ordinance amending Chapter 16 of the City Code establishing variance and appeal procedures for the extension of water lines for developments.
5. A resolution authorizing the Mayor to execute an Interlocal Cooperative Purchasing Agreement with Collin County for purchase of goods and services.
6. Bid No. 2009-017 – Annual Contract for Billing and Collection of Emergency Medical Services.  
(Staff recommends award to Southwest General Services of Dallas, L.L.C., through an interlocal agreement with the City of Richardson for an annual cost of seven percent of actual cash collections, effective upon acceptance of the Electronic Patient Care Reporting system, and the City Manager be authorized to execute an Ambulance Billing and Collection Contract for Electronic Patient Care Reporting and patient billing.)
7. Bid No. 2009-020 – Annual Contract for Custom Application of Bulk Fertilizer and Purchase of Bagged Fertilizer.  
(Staff recommends award to low bidder Justin Seed Company, Inc., Justin, Texas, in the amount of \$56,936.00.)

**Agenda for City Council meeting**

**November 17, 2008**

**Page 3 of 6**

8. Bid No. 2009-027 – Reconstruction of Water Main Replacement Parts for Fiscal Year 2008-09.  
(Staff recommends award to low bidder HD Supply Waterworks, LTD in the amount of \$71,610.75.)
9. Bid No. 2009-031 – Two ¾-Ton Cab and Chassis with Utility Bodies.  
(BuyBoard, sponsored by the Texas Local Government Purchasing Cooperative Contract, recommends award to Caldwell Country Chevrolet in Caldwell, Texas, in the amount of \$52,281.14.)
10. Bid No. 2009-032 – Five ½-Ton Pickups.  
(BuyBoard, sponsored by the Texas Local Government Purchasing Cooperative Contract, recommends award to Caldwell Country Chevrolet in Caldwell, Texas, in the amount of \$99,570.85.)
11. Bid No. 2009-045 – Three Four-Door Sedans.  
(BuyBoard, sponsored by the Texas Local Government Purchasing Cooperative Contract, recommends award to Caldwell Country Chevrolet in Caldwell, Texas, in the amount of \$54,286.71.)
12. Bid No. 2009-053 – Industrial Tractor with Three-Gang Flail Mowing Unit.  
(BuyBoard, sponsored by the Texas Local Government Purchasing Cooperative Contract, recommends award to Tiger Corporation in the amount of \$90,819.36.)
13. Bid No. 2009-056 – Computers and Equipment for the New Police Building.  
(Staff recommends award for personal computers to Dell, Inc., in the amount of \$84,810.46, software licenses to SHI-Government Solutions in the amount of \$6,180.00 and KVMs and LCD/Keyboard trays to Workhorse Computers in the amount of \$3,923.00, through the Texas Department of Information Resources, in the total amount of \$94,913.46.)
14. Bid No. 2009-057 – Annual Supply of Asphaltic Materials.  
(Staff recommends award to APAC Texas, Inc., through an Interlocal Cooperative Purchasing Agreement with Dallas County in an amount not to exceed \$395,000.00.)
15. Authorize the City Manager to execute a contract with Via Partnership, LLP for consulting services in conjunction with the City Hall/Municipal Court Public Art Project in the amount of \$26,400.00.
16. Authorize the City Manager to execute Amendment No. 3 to a contract with Binkley & Barfield Consulting Engineers, Inc., for additional engineering and planning services in conjunction with the 2005-06 Alley Reconstruction and Drainage Improvement Project in the amount of \$18,600.00.

**Agenda for City Council meeting**

**November 17, 2008**

**Page 4 of 6**

17. Authorize the City Manager to execute an amendment to an engineering services contract with Freeman-Millican, Inc., for additional engineering and planning services in conjunction with design improvements and rehabilitation of the Barnes Bridge Pump Station in the amount of \$40,453.50.
18. Authorize the City Manager to execute a change order to City Contract No. 2008-027, Annual Contract for Temporary Personnel Services, with Labor Ready.
19. Authorize the City Manager to execute Change Order No. 4 to City Contract No. 2007-004 with Rebcon, Inc., in conjunction with the Tripp Road Paving, Drainage, Water, Sanitary Sewer and Aesthetic Enhancement Project in the amount of \$43,682.87.
20. Authorize the City Manager to execute Amendment No. 2 to the City Hall/Municipal Court Project contract with Brinkley Sargent Architects for additional civil engineering services in the amount of \$81,000.00.
21. Receive Change Order Report from City Manager.  
(CE 28-8420, T-Hangar Construction – \$2,291.54; CE 2008-020, Mesquite Arts Center Parking Expansion, Phase 1 and Utility Relocations, – \$15,865.00; CE 2008-097, Annual Purchase of Street Signs – \$11,124.99; CE I133-2008, Contract for Replacement of Landscape Materials at Various City Locations – \$2,500.00.)

**PUBLIC HEARINGS**

22. A. Conduct a public hearing to receive citizen input regarding the Neighborhood Stabilization Program budget for fiscal year 2008-09.  
  
B. Consider a resolution approving and adopting the Neighborhood Stabilization Program budget and amendments to the fiscal year 2008-09 Community Development Block Grant Annual Action Plan in an amount not to exceed \$2,083,933.48.
23. A. Conduct a public hearing to consider amendments to the Mesquite Comprehensive Plan to create and modify neighborhood-related land uses and development policies.

## **Agenda for City Council meeting**

**November 17, 2008**

**Page 5 of 6**

- B. Conduct a public hearing to consider Zoning Text Amendment No. 2008-8 creating a new zoning classification to be known as the North Gus Thomasson Corridor (NGTC) District, which shall incorporate the Gus Thomasson Revitalization Code containing new or amended procedural requirements, standards for site design, and regulations affecting building form, building design, setback, parking, signage, landscaping and permitted uses.
- C. Conduct a public hearing to consider Application Nos. 705-7, 706-4, 1461-144 and 545-22 to rezone all properties with frontage on Gus Thomasson Road from IH 30 north to the city limit line, and, in addition, all properties lying within 1,500 feet of Gus Thomasson Road except for such properties that are currently zoned R-1, R-2 or R-3 Single-Family Residential from their current zoning classifications to the new North Gus Thomasson Corridor District classification.

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

- 24. Consider appointment of two representatives to attend the City/School Joint Tax Office Advisory Board meeting on December 2, 2008, at 10:30 a.m.

### **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. Charger Square Joint Venture v. City of Mesquite and Richard Gertson, Individually – Filed 9-10-08
- 2. Eastfield Partners, LTD dba Eastfield Plaza Apartments v. City of Mesquite – Filed 12-18-07
- 3. Wayne Fletcher v. City of Mesquite and Jason Taylor – Filed 3-13-08
- 4. Thomas Bryon Kuykendall and Cynthia Kuykendall v. Christopher Pennington and the City of Mesquite – Filed 8-15-07
- 5. PKG Contracting, Inc. v. City of Mesquite – Filed 10-30-03
- 6. Estate of Steven Everett Shaw; Mark Shaw; Elisandra Lopez as Mother and Next Friend of Dominic Taylor Shaw, a Minor; and Dale Roberts v. Nicolas Sierra, Police Officer, and Todd Cavaliere, Police Officer – Filed 10-9-08

## **Agenda for City Council meeting**

**November 17, 2008**

**Page 6 of 6**

7. City of Webster and the Webster Economic Development Corporation as Original Plaintiffs with the Cities of Denton, Humble b , Lewisville, Mesquite, North Richland Hills and Plano, Denton County Transportation Authority and Fort Worth Transportation Authority as Third-Party Intervenor 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 Intervenor – Filed 4-18-07
8. City of Mesquite v. B.J. & B.M. Investments, Inc., a Texas corporation, dba Inn on the Creek and Bharatkumar Patel aka Bobby Patel (Manager) – Filed 10-24-08
9. City of Mesquite v. Bharatkumar Patel aka Bobby Patel and SHRI Jalyan Investment, Inc. dba Executive Inn and Suites – Filed 10-24-08

### **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.

### **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 project. The following subject may be discussed:

1. Prospect seeking to locate in the Rodeo City Tax Increment Finance Reinvestment Zone No. 1.

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)**