

CITY COUNCIL PRE-MEETING – COUNCIL CONFERENCE ROOM
711 NORTH GALLOWAY
NOON – FEBRUARY 4, 2008

Discuss the items on the Work and Regular Agenda.

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.)**

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

- A. Receive briefing regarding the new Development Review Process.

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

INVOCATION

(Harry Sewell, Pastor, Family Cathedral of Praise, Mesquite.)

PLEDGE OF ALLEGIANCE

(Jeremy Cooper, Miguel Corrales, Megan Bilyeau and Lilliana Cavazos, fourth grade students from Tosch Elementary School.)

SPECIAL ANNOUNCEMENTS

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

Agenda for City Council meeting

February 4, 2008

Page 2 of 5

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 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.)

PRESENTATION OF PLAQUE

1. Presentation of a plaque to Susi Young in recognition of her service as a member of the Keep Mesquite Beautiful, Inc., Board of Directors.

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 January 22, 2008.
3. An ordinance revising Chapter 4 of the General Government Policies and Procedures Manual regarding Nepotism Restrictions.
4. A resolution calling the annual City election to be held on May 10, 2008.
5. Bid No. 2008-029 – Annual Mowing of City Medians and Orphan Rights-of-Way.
(Staff recommends the City Manager be authorized to execute a contract with 3-D Mowing Services in the amount of \$67,071.76.)
6. Authorize the City Manager to execute a contract with Motorola, Inc., through the Houston-Galveston Area Council of Governments Cooperative Purchasing Program, to equip and furnish the Back-Up Dispatch and Emergency Operations Center at Fire Station No. 7 in the amount of \$213,361.22.

PUBLIC HEARINGS

7. A. Conduct a public hearing regarding the Parks and Recreation Department Youth Programs Standards of Care.

Agenda for City Council meeting

February 4, 2008

Page 3 of 5

- B. Consider an ordinance adopting the Parks and Recreation Department Youth Programs Standards of Care.
- 8. A. Conduct a public hearing to consider a program with General Growth Properties to promote economic development and stimulate business and commercial activity in conjunction with the Towne Centre Tax Increment Finance Reinvestment Zone No. Two.
- B. Consider an ordinance approving an amendment to the 2004 Amended and Restated Project and Financing Plan for the Towne Centre Tax Increment Finance Reinvestment Zone No. Two.
- C. Consider a resolution approving the terms and conditions of a program with General Growth Properties to promote economic development and stimulate business and commercial activity regarding a site lighting project at Town East Mall with General Growth Properties in conjunction with the Towne Centre Tax Increment Finance Reinvestment Zone No. Two and authorizing the City Manager to execute the agreement.
- 9. Conduct a public hearing for Application No. EDE-22 submitted by Pogue Engineering on behalf of Baker Drywall for a zoning change from Commercial to Planned Development – Commercial to allow the property to be used for office-warehousing at East Dallas Estates, Block 1, Lot 4R. This property is located at 415 U.S. Highway 80.

RECEIPT OF RESIGNATION

- 10. Receive resignation from Amy Mellett-Medford as a member of the Mesquite Youth Services, Inc., Board of Directors.

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:

Agenda for City Council meeting

February 4, 2008

Page 4 of 5

1. 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
2. City of Mesquite, Texas v. DFW Convenience Stores, L.P., et al – Filed April 2006
3. Eastfield Partners, LTD dba Eastfield Plaza Apartments v. City of Mesquite – Filed 12-18-07.
4. 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.
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

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.

Agenda for City Council meeting

February 4, 2008

Page 5 of 5

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 subjects may be discussed:

1. Prospect seeking to located in the Skyline Industrial District.
2. Development proposal for the Peachtree Towne Center site.

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).