



City of Mesquite, Texas

Meeting Agenda

City Council

Monday, September 17, 2012

1:00 PM

City Hall | Council Chambers
757 N. Galloway | Mesquite, TX

PRE-MEETING - COUNCIL CONFERENCE ROOM - 1:00 P.M.

AGENDA REVIEW

EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 1:00 P.M.

In accordance with Chapter 551 of the Texas Government Code, the City Council reserves the right to adjourn into executive session to discuss any of the following:

- Pending and/or Contemplated Litigation
- Purchase, Exchange, Lease or Value of Real Property
- Personnel Matters
- Economic Development

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

INVOCATION

Danny Wegman, Pathway of Life Church, Dallas, Texas.

PLEDGE OF ALLEGIANCE

Dominica Esquivel, Tracy Dao and Rhagan Marshall, students from Shaw Elementary School.

SPECIAL ANNOUNCEMENTS

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 (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 September 4, 2012.
- 2 An ordinance amending the organizational structure of the Mesquite Veterans' Affairs and Memorial Advisory Board.
- 3 A resolution endorsing the 2012-13 Speed Safety Grant for the Speed Selective Traffic Enforcement Project and authorizing the City Manager to execute the necessary documents with the Texas Department of Transportation.
- 4 A resolution adopting an Investment Policy.
- 5 Bid No. 2012-105 - Neighborhood Stabilization Program for Residential Repairs Located at 418 Dinalynn, 1017 Paintbrush and 2006 Picadilly.
(Authorize the City Manager to execute a contract with Texas Remodelers and Builders, Inc., in the amount of \$44,370.85.)
- 6 Bid No. 2013-009 - Annual Radio Maintenance Contract.
(Authorize the City Manager to execute a contract with sole source provider Motorola, Inc., in the amount of \$269,808.12.)
- 7 Authorize the City Manager to execute a Memorandum of Understanding/Interlocal Agreement with Dallas County among participating local governments for law enforcement data sharing via Dallas County Incident Module software.
- 8 Consider approval of a 60-day extension to the existing Memorandum of Understanding between the City of Mesquite and the Mesquite Police Association under Subchapter B of Chapter 142 of the Texas Local Government Code (Meet and Confer) to expire on November 30, 2012.
- 9 Ratification of the actions taken on August 20, 2012, and August 31, 2012, to purchase real property located at 4545 North Gus Thomasson Road for future transportation and economic development purposes.

PUBLIC HEARINGS

- 10 Conduct a public hearing and consider an ordinance for Application No. 1397-29-2012, submitted by Paul R. Leake on behalf of owner Ima Lawson, for a zoning change from R-3 Single-Family Residential to Planned Development - General Retail allowing for future non-residential development on a 0.672-acre tract located at 1230 North Galloway Avenue.
(One letter in favor of the proposed amendment has been received. The Planning and Zoning Commission recommends approval of the application with certain stipulations. This item was postponed at the September 4, 2012, City Council meeting.)

- 11 Conduct a public hearing and consider an ordinance for Application No. 342-14C-2012, submitted by Daryl Quigley, Texas Lifeline Corporation, for a Conditional Use Permit to conduct ambulance and dispatch services on property located at 1210 West Scyene Road, Suite D.
(No opposition to the proposed amendment has been received. The Planning and Zoning Commission recommends approval of the application with certain stipulations.)
- 12 Conduct a public hearing and consider an ordinance for Application No. 1607-6-2012, submitted by Dawn Stubbs, for a zoning change from Mixed Use to Mixed Use with a Conditional Use Permit to allow the sale of used furniture and fixtures on property located at 536 South Bryan-Beltline.
(One letter in favor and one letter in opposition to the proposed amendment have been received. The Planning and Zoning Commission recommends approval of the application with certain stipulations.)

OTHER BUSINESS

Consider passage of the following ordinances relating to the 2012-13 budget:

- 13 Consider an appropriation ordinance relating to the 2012-13 budget.
- 14 Consider an ordinance adopting revisions to the 2011-12 amended budget.
- 15 Consider an ordinance designating the official population of the City of Mesquite, Texas, as 139,950.
- 16 Consider an ordinance amending Chapter 4 of the City Code establishing new adoption rates for the City of Mesquite Animal Shelter and Adoption Center.
- 17 Consider an ordinance amending Chapter 14 of the City Code regarding residential solid waste collection rates, effective October 1, 2012.
- 18 Consider an ordinance amending Chapter 14 of the City Code regarding apartment and commercial solid waste collection rates, effective October 1, 2012.
- 19
 - A. Consider an ordinance amending Chapter 16 of the City Code regarding water rates, effective October 1, 2012.
 - B. Consider an ordinance amending Chapter 16 of the City Code regarding sewer rates, effective October 1, 2012.
- 20 Consider an ordinance adopting the 2012-13 General Government Pay Plan, and the Police and Fire Pay Plan, effective October 1, 2012.
- 21 Consider an ordinance levying the ad valorem taxes for the year 2012.
- 22 Consider a resolution expressing official intent to reimburse 2013 Certificate of Obligation and Water and Sewer Revenue Bond project costs incurred prior to the date of issuance of the obligations.
- 23 Consider an ordinance temporarily increasing the number of positions in the Fire Department in the classification of Captain from 28 to 29.

APPOINTMENTS TO BOARDS AND COMMISSIONS

- 24 Consider appointment of three regular members to the Planning and Zoning Commission/Capital Improvements Advisory Committee for terms to expire September 30, 2014, one alternate member for a two-year term beginning September 30, 2012, and one member to the Capital Improvements Advisory Committee for a term to expire September 30, 2014.
- 25 Consider appointment of one member to the Mesquite Veterans' Affairs and Memorial Advisory Board for a term to expire September 7, 2014.

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 or contemplated litigation subjects or settlement offers. The following cases/subjects may be discussed:

1. City of Mesquite v. Melba Horn – Filed 5-17-11
2. Paul Pecena v. Joel Martin, David Valencia, Mark Bradford and Evan Hook – Filed 8-22-11
3. Heather Marshall, Individually and as Next Friend of Sydnee Marshall v. City of Mesquite – Filed 3-6-12

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 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:

- 26 Consider economic development incentives for a business prospect seeking a location within the Towne Centre Tax Increment Finance Reinvestment Zone No. 2.

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 regarding Real Property), 551.073 (Deliberations regarding Gifts or Donations), 551.074 (Personnel Matters), 551.076 (Deliberations regarding Security Devices or Security Audits) and 551.087 (Economic Development); Texas Tax Code Section 321.3022 (Sales Tax Information) and Texas Government Code Section 418.183(f) (Emergency Management).

The City Hall is wheelchair accessible. Any requests for sign interpretive services must be made 48 hours in advance of the meeting. To make arrangements, call the City Secretary's office at 972-216-6244 or TDD 1-800-735-2989.