



City of Mesquite, Texas

Meeting Agenda

City Council

Monday, October 1, 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

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

- 1 Receive annual report from the Mesquite Arts Council.

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

INVOCATION

Joe Chiles, Pastor, First Assembly of God, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

Recreation After School Participants from various City recreation centers.

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.)

- 2 Minutes of the regular City Council meeting held September 17, 2012.
- 3 An ordinance amending Chapter 11 of the City Code updating the grading permit ordinance.
- 4 A resolution authorizing the City Manager to execute an Interlocal Agreement with Dallas County in conjunction with the Dallas Area Household Hazardous Waste Network for fiscal year 2012-13 in an amount not to exceed \$88,271.00.
- 5 Bid No. 2012-003 - Alley Reconstruction Project (Four Alleys).
(Authorize the City Manager to execute a contract with low bidder B&B Concrete Sawing, Inc., in the amount of \$401,529.00.)
- 6 Bid No. 2012-041 - Concrete Street Rehabilitation Project (Gus Thomasson Road from Town East Boulevard to US Highway 80).
(Staff recommends all bids be rejected)
- 7 Authorize the City Manager to execute a grant agreement with the Texas Department of Transportation (TxDOT), Aviation Division, for participation in the Routine Airport Maintenance Program (RAMP) in the amount of \$100,000.00.
- 8 Authorize the City Manager to execute a Park Use Permit with Old Town Mesquite, Inc., for the 2012 Pumpkin Fest to be held Saturday, October 20, 2012, at City Lake Park.
- 9 Approve a petition requesting installation of speed bumps in the alley between 1001-1045 Cavern Drive and 2720-2756 Cameron Way from 2644 Guadalupe Drive to 2636 Guadalupe Drive.

PUBLIC HEARING

- 10 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.
(Two letters in opposition to the proposed amendment have been received. The Planning and Zoning Commission recommends approval of the application with certain stipulations. This item was postponed at the September 17, 2012, City Council meeting.)

APPOINTMENTS TO BOARDS AND COMMISSIONS

- 11 Consider appointment of one member to the Keep Mesquite Beautiful, Inc., Board of Directors for a term to expire December 31, 2012.

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
4. Southwestern Bell Telephone Company dba AT&T Texas v. City of Mesquite, Texas – Filed 9-17-12

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.

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.