



# City of Mesquite, Texas

## Meeting Agenda

### City Council

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Monday, November 5, 2012

12:30 PM

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

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#### **PRE-MEETING - COUNCIL CONFERENCE ROOM - 12:30 P.M.**

##### **AGENDA REVIEW**

##### **STAFF PRESENTATIONS**

- 1 Receive update regarding the status of Quiet Zone Project implementation.

#### **EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 12:30 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 - 1:30 P.M.**

- 2 Receive monthly financial report for August 2012.
- 3 Receive investment report for the quarters ending June 30, 2012 and September 30, 2012.

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

##### **INVOCATION**

To be determined.

##### **PLEDGE OF ALLEGIANCE**

Members of the American Legion Post #504

**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.)

- 4 Minutes of the regular City Council meeting held October 15, 2012.
- 5 An ordinance amending Section 10-128.5 of the City Code to require the replacement of street trees when installed pursuant to the City's land development ordinances or the specifications of a street improvement project.
- 6 An ordinance changing the name of a portion of the original Mesquite Valley Road to Creek Crossing Road.
- 7 An ordinance granting a private license to Union Pacific Railroad to occupy, maintain and utilize portions of Forney Road right-of-way located south of the intersection of Forney Road and Chase Road for the purpose of installation of conduits for irrigation and private communication lines, providing for the terms and conditions of this license and providing for the compensation to be paid to the City of Mesquite.
- 8 A resolution authorizing the Mayor to execute the 2012 Homeland Security Grant Sub-Recipient Agreements with the Texas Department of Public Safety, Texas Homeland Security State Administrative Agency in the amount of \$145,688.26.
- 9 Bid No. 2012-060 - Sanitary Sewer Rehabilitation by Pipe Bursting, Phase 5.  
(Staff recommends the City Manager be authorized to execute a contract with PM Construction and Rehab, LLC, in the amount of \$3,379,855.35.)
- 10 RFP No. 2012-109 - Real Estate Services for the Neighborhood Stabilization Program (NSP).  
(Staff recommends the City Manager be authorized to execute a contract with Century 21 Alicia Trevino Realtors to provide real estate services in support of the Neighborhood Stabilization Program.)
- 11 Bid No. 2013-002 - Annual Supply of Duplicating Papers.  
(Staff recommends award to low bidder Western BRW Paper Company in the amount of \$90,199.05.)

- 12 Bid No. 2013-003 - Annual Grinding of Brush.  
(Staff recommends award to low bidder Thelin Recycling Company, LP, in the amount of \$1.20 per cubic yard.)
- 12.1 Authorize the Mayor to execute an Amendment to the Commercial Contract for Sale (Bid No. 2012-102 - Sale of City-Owned Land and Improvements in Dallas County, Texas located at 1505 Edwards Church Road) between the City of Mesquite and Mount Zion Fellowship Ministries, Inc., to extend the closing deadline to December 19, 2012.

#### **RECEIPT OF RESIGNATION/APPOINTMENTS TO BOARDS AND COMMISSIONS**

- 13 Receive resignation from Richard Davis as an alternate member of the Planning and Zoning Commission and Capital Improvements Advisory Committee.
- 14 Consider appointment of one member to the Personnel/Trial Board for a term to expire November 7, 2015, who will also serve on the Civil Service Commission.

#### **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. Paul Pecena v. Joel Martin, David Valencia, Mark Bradford and Evan Hook – Filed 8-22-11
2. Heather Marshall, Individually and as Next Friend of Sydnee Marshall v. City of Mesquite – Filed 3-6-12
3. Paul Leslie Aliff v. Officer D. L. Wiley, Officer Justin Williams, Mesquite Police Department – Filed 9-5-12
4. Southwestern Bell Telephone Company dba AT&T Texas v. City of Mesquite, Texas – Filed 9-17-12
5. Robin Faulkner Johnson v. City of Mesquite – Filed 9-21-12

##### **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:**

- 15 Consider economic development incentives for a business seeking to locate on East Glen Boulevard.

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.