



# City of Mesquite, Texas

## Meeting Agenda

### City Council

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Monday, November 19, 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 Aetna Aexcel network of providers.
- 2 Receive update regarding the 2013 Real.Texas.Festival.
- 3 Receive presentation regarding entryway signage.

#### **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

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

##### **INVOCATION**

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

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

Madison Ballew, Tristan Gonzales and Ranjeevan Jesudas, fourth grade students from Tisinger 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.)

- 4 Minutes of the regular City Council meeting held November 5, 2012.
  
- 5 An ordinance authorizing the City Manager to finalize and execute an agreement 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. (This item was postponed at the November 5, 2012, City Council meeting.)
  
- 6 Bid No. 2013-006 - Annual Supply of Janitorial Supplies.  
(Staff recommends award to low bidders Sunbeam Foods, Inc., Group I, Items 1-7 in the amount of \$85,333.85; Eagle Brush & Chemical, Inc., Group II, Items 1-60 in the amount of \$107,317.98, Eagle Brush & Chemical, Inc., Group III, Items 3-6, 9-11, 13-16, 18-20, 23-27 and 29-31 in the amount of \$4,242.31 and Janpak, Group III, Items 1, 2, 7, 8, 12, 17, 21, 22 and 28 in the amount of \$5,018.12, for a grand total of \$201,912.26.)
  
- 7 RFP No. 2013-019 - Annual Medical Plan Reinsurance (Stop Loss).  
(Authorize the City Manager to finalize and execute the appropriate documents to purchase the Medical Plan Reinsurance [Stop Loss] policy with Swiss Re for the self-funded medical plan.)
  
- 8 Bid No. 2013-030 - Purchase of Two 14-Foot Extendable Backhoe and Loaders.  
(Staff recommends award to RDO Equipment Company in Irving, Texas, through the Houston-Galveston Area Council of Governments Cooperative Purchasing Program, in the amount of \$150,538.00.
  
- 9 Bid No. 2013-031 - Purchase of Equipment for 2013 Police Vehicles.  
(Staff recommends award to Defender Supply, LLC, in the amount of \$36,695.20 and Lone Star Equipment, LLC, in the amount of \$16,193.60, through a Joint Venture/Cooperative Purchasing Agreement with Tarrant County and other entities, for a total amount of \$52,888.80.)
  
- 10 Authorize the City Manager to execute all necessary documents related to the acquisition of property located at 2008 Stephenson Drive in an amount not to exceed \$45,000.00 for the construction of a pocket park.
  
- 11 Authorize the City Manager to execute a Cooperative Agreement with the North Central Texas Council of Governments for implementation of a Job Access/Reverse Commute Project, specifically COMPASS, for a total reimbursement not to exceed \$460,555.00 within three years.

- 12 Authorize the City Manager to execute a change order for Bid No. 2012-064, Annual Mowing Maintenance of the City Parks and Special Areas, with 4D Property Maintenance in the amount of \$31,123.55.
- 13 Consider approval of an amendment and 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 April 30, 2014.
- 14 Receive Change Order Report from City Manager.  
(Mesquite Hike and Bike Trail, Phase 1, CE11-0100 - \$11,770.00.)

#### **PUBLIC HEARING**

- 15 Conduct a public hearing and consider an ordinance for Application No. 34-46-2012, submitted by United Parcel Service, for a zoning change from Commercial to Commercial with a Conditional Use Permit to allow trailer parking on property located at 2614 Big Town Boulevard.  
(One letter in favor of the proposed amendment has been received. The Planning and Zoning Commission recommends approval of the application.)

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

- 16 Consider appointment of two representatives to attend the City/School Joint Tax Office Advisory Board meeting on Monday, December 3, 2012, 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 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
6. Cindy E. Schwarzkopf v. Kohl's Department Stores, Inc., Wanda (Cheryl) Cox, Mark McCoy and City of Mesquite – Filed 10-15-12

**Real Property:**

Pursuant to Section 551.072 of the Texas Government Code, the City Council will meet in closed session to consider the purchase, exchange, lease or value of real property. The following subjects may be discussed:

- 17 Discuss sale of City-owned property located on South Galloway Avenue.

**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.