



City of Mesquite, Texas

Meeting Agenda City Council

Tuesday, January 22, 2013

11:30 AM

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

GROUNDBREAKING CEREMONY - MESQUITE METRO AIRPORT - 11:30 A.M.

Groundbreaking Ceremony for the Air Traffic Control Tower
Mesquite Metro Airport, Terminal Building
1340 Airport Boulevard, Mesquite, Texas, 75181

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

AGENDA REVIEW

STAFF PRESENTATIONS

- 1 Discuss Implementation of Night Flash Operation.
- 2 Discuss Implementation of Flashing Yellow Arrow (FYA) Operation.

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

Dr. Tom Wilbanks, Pastor, First Presbyterian Church, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

Recreation After School Program participants from Rutherford Recreation Center.

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 .)

- 3 Minutes of the regular City Council meeting held January 7, 2013.
- 4 An ordinance amending Chapter 9 of the City Code by adding a school zone on Bear Drive for Berry Middle School, effective January 28, 2013.
- 5 An ordinance repealing Ordinance No. 1470 and adopting a new ordinance regarding the organizational structure and operating rules for the Mesquite Housing Board.
- 6 Bid No. 2013-020 - Annual Supply of Ammunition.
(Staff recommends all bids be rejected and rebid at a later date .)
- 7 Bid No. 2013-051 - Annual TxDOT IH635/IH30/Highway 80 Corridor Maintenance and Litter Control Contract.
(Authorize the City Manager to execute a contract with low bidder Good Earth Corporation in the amount of \$344,531.40.)
- 8 Authorize the City Manager to execute a Memorandum of Agreement with the Texas Commission on Environmental Quality for Vehicle Idling Limitations extending the term through December 31, 2018.
- 9 Authorize the City Manager to execute an engineering design services contract with Freeman-Millican, Inc., for preparation of the Southeast Pump Station Site Master Plan in the amount of \$89,000.00.
- 10 Authorize the City Manager to execute an agreement with W.A. Ridge Ranch, LLC, for drainage improvements at the Rorie Galloway Day Camp property.
- 11 Approve an Interlocal Agreement with the City of Dallas for Biomedical Online Medical Supervision in an amount not to exceed \$66,074.00 for fiscal year 2012-13.
- 12 Receive semiannual report from the Capital Improvements Advisory Committee in accordance with Section 395.058(c)(4) of the Texas Local Government Code.

PUBLIC HEARINGS

- 13** Conduct a public hearing and consider an ordinance for Application No. 74-21-2012, submitted by Lonnie Craine, for a zoning change from R-3 Single-Family Residential and General Retail to Planned Development - Agriculture with a Conditional Use Permit allowing livestock production specifically for miniature donkeys on an 11.838-acre tract located at 1007 Rodeo Center Boulevard. (Six letters in favor of the proposed zoning request have been received. The Planning and Zoning Commission recommends approval of the application with certain stipulations. This item was postponed at the January 7, 2013, City Council meeting.)
- 14** Conduct a public hearing and consider an ordinance for Zoning Text Amendment No. 2013-01 amending Section 1-300 creating an exception to nonconforming situations caused by right-of-way acquisitions.

APPOINTMENTS TO BOARDS AND COMMISSIONS

- 15** Consider appointment of one member to the Mesquite Veterans' Affairs and Memorial Advisory Board for a term to expire September 7, 2014.
- 16** Consider appointment of one member to the Mesquite Industrial Development Corporation for a term to expire January 28, 2016.

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. Heather Marshall, Individually and as Next Friend of Sydnee Marshall v. City of Mesquite – Filed 3-6-12
2. Paul Leslie Aliff v. Officer D. L. Wiley, Officer Justin Williams, Mesquite Police Department – Filed 9-5-12
3. Robin Faulkner Johnson v. City of Mesquite – Filed 9-21-12
4. Cindy E. Schwarzkopf v. Kohl's Department Stores, Inc., Wanda (Cheryl) Cox, Mark McCoy and City of Mesquite – Filed 10-15-12

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.