



# City of Mesquite, Texas

## Meeting Agenda

### City Council

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Monday, February 4, 2013

2:00 PM

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

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#### **PRE-MEETING - COUNCIL CONFERENCE ROOM - 2:00 P.M.**

##### **AGENDA REVIEW**

#### **EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 2:00 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**

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

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

Lizbeth Calderon, Jacqueline Serratos and Donte Brown, fourth grade students from Shands 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.

**PRESENTATIONS**

- 1 Presentation of a plaque to Dianne Mendoza in recognition of her service as a member of the Board of Adjustment/Automated Traffic Signal Enforcement Advisory Committee.
- 2 Presentation of a plaque to Lonnie Craine in recognition of his service as a member of the Board of Adjustment/Automated Traffic Signal Enforcement Advisory Committee.

**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 22, 2013.
- 4 A resolution calling the annual City election.
- 5 A resolution increasing the City's share for construction of airport improvements to the Mesquite Metro Airport and authorize the City Manager to finalize and execute all documents with the Texas Department of Transportation for improvements to the Mesquite Metro Airport .
- 6 Bid No. 2013-033 - Annual Contract for Parts and Labor to Repair Freightliner Trucks .  
(Staff recommends the award of bid to sole source provider ATC Freightliner in the amount of \$85,000.00.)
- 7 Bid No. 2013-055 - Reconstruction Water Main Replacement Supplies for FY 2012-13 for Rancho Drive, Hollow Bend, Greenhill Drive, Las Lomas Drive, Lakeshore Drive, Larchmont Drive, Barbara Street, Paldao Drive and Leyenda Street.  
(Staff recommends award to low bidder HD Supply-Royse City in the amount of \$152,790.07.)
- 8 Authorize the City Manager to execute a professional engineering services contract with Kimley-Horn and Associates, Inc., to conduct a route study for large diameter transmission water mains in accordance with the City Water System Master Plan 2011 update in the amount of \$130,000.00.

**PUBLIC HEARINGS**

- 9 Conduct a public hearing and consider an ordinance for Application No. 342-18A-2013, submitted by Alex Priakos on behalf of Mesquite Social Services, for a zoning change from Commercial to Commercial with a Conditional Use Permit for Used Merchandise Sales on property located at 1035 Military Parkway.  
(No opposition to the proposed amendment has been received. The Planning and Zoning Commission recommends approval of the application with certain stipulations.)
- 10 Conduct a public hearing and consider an ordinance for Application No. 1461-147-2013, submitted by Shannon Rodden, for a zoning change from Light Commercial to Light Commercial with a Conditional Use Permit for Used Car Sales on property located at 16160 IH 635.  
(No opposition to the proposed amendment has been received. The Planning and Zoning Commission recommends approval of the application with certain stipulations.)

**RECEIPT OF RESIGNATION**

- 11 Receive resignation from Charles Bryant as a member of the Mesquite Housing Board.

**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.

**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:

- 12 Discuss economic development incentives for a catalyst project in the North Gus Thomasson Corridor Revitalization District.
- 13 Discuss revising an economic development incentive for a proposed development located at the Peachtree Towne Center site.

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.