



City of Mesquite, Texas

Meeting Agenda

City Council

Monday, April 1, 2013

12:30 PM

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

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

AGENDA REVIEW

STAFF PRESENTATIONS

- 1 Discuss the 2013 Mosquito Control Program.

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

Chad Flowers, Assistant Pastor, Emmanuel Pentecostal Church, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

Recreation After School Program participants from Dunford 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.

APPOINTMENTS FOR PERSONAL APPEARANCE

- 2 Appointment - Preston Patterson, 1829 Briargate Lane.
(Mr. Patterson will request installation of stop signs in the Cedarbrook subdivision.)

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 March 18, 2013.
- 4 A resolution directing publication of Notice of Intention to Issue City of Mesquite , Texas, Combination Tax and Revenue Certificates of Obligation , Series 2013 and resolving other matters related thereto.
- 5 Bid No. 2013-025 - Annual Supply of Fire Protective Clothing.
(Staff recommends award to Casco Industries, Inc., for jackets and pants in the amount of \$64,310.40 and to Wilson Fire Rescue for boots in the amount of \$9,878.75 for a total amount of \$74,189.15.)
- 6 Bid No. 2013-056 - Annual Landscape Maintenance of the TxDOT High Visibility Interchanges .
(Authorize the City Manager to execute a contract with Good Earth Corporation in the amount of \$62,324.00.)
- 7 Bid No. 2013-062 - Mesquite Golf Course Renovations.
(Authorize the City Manager to execute a contract with Mid-America Golf and Landscape, Inc., in the amount of \$1,713,679.59.)
- 8 Bid No. 2013-078 - Mesquite Golf Course - Club House Renovation.
(Authorize the City Manager to execute the required documents with Concord Commercial Services, Inc., through Bid No. 2012-006, Time and Materials, in the amount of \$252,117.00.)
- 9 Authorize the Mayor to execute an Interlocal Cooperation Agreement with the Texas Department of Public Safety for hangar space at the Mesquite Metro Airport.

CONSIDERATION OF ORDINANCE

- 10 Consideration of the use of eminent domain to condemn property, to include consideration of an ordinance of the City of Mesquite, Texas, declaring the necessity to acquire fee simple title to 0.103 acres (4,492 square feet) of land comprised of six separate parcels situated in the Country Club Estates 2, the Casa View Heights No. 15, and the Whitson Gardens 1 Additions to the City of Mesquite, Texas, and the John Hardin Survey, Abstract No. 545, in Dallas County, Texas, with street addresses in the 4300 through the 4700 blocks of Gus Thomasson Road for roadway expansion, reconstruction and other improvements in connection with the Thomasson Square Sustainable Development Project; determining the public necessity for such acquisition; authorizing the acquisition of property rights necessary for the roadway expansion, reconstruction and improvements project; appointing a negotiator as necessary; authorizing the City Manager to establish just compensation for the property rights to be acquired; authorizing the City Manager or designee to take all steps necessary to acquire the needed property rights in compliance with all applicable laws and ordinances; and authorizing the City Attorney or designee to institute condemnation proceedings to acquire the property if purchase negotiations are not successful.

APPOINTMENTS TO BOARDS AND COMMISSIONS

- 11 Consider appointment of one regular member and one alternate member to the Board of Adjustment for terms to expire January 1, 2015 and one alternate member for a term to expire January 1, 2014, who will also serve on the Automated Traffic Signal Enforcement Advisory Committee, and one reserve alternate member for a term to expire January 1, 2014 and one reserve alternate member for a term to expire January 1, 2015.

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
5. The authorization of condemnation proceedings for the acquisition of the Thomasson Square Properties located between the 4300 and 4700 blocks of Gus Thomasson Road.

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:

- 12 Discuss the authorization of condemnation proceedings for the acquisition of the Thomasson Square Properties located between the 4300 and 4700 blocks of Gus Thomasson Road. (Consideration of Ordinance, Item No. 10)

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:

- 13 Consider an economic development incentive for a business prospect located near the intersection of Belt Line Road and Range Drive.

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.