



City of Mesquite, Texas

Meeting Agenda

City Council

Monday, April 15, 2013

1:30 PM

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

HILLVIEW DRIVE DEDICATION CEREMONY - 1:30 P.M.

The ceremony will be held at the intersection of Hillview Drive and North Galloway Avenue.

PRE-MEETING - COUNCIL CONFERENCE ROOM - 1:30 P.M.

AGENDA REVIEW

EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 1:30 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

Ron Ward, Pastor, A Church Without Walls, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

Recreation After School Participants from Goodbar 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.

PRESENTATIONS

- 1 Presentation of meritorious awards to Police Department employees.

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 .)

- 2 Minutes of the regular City Council meeting held April 1, 2013.
- 3 An ordinance adopting Supplement No. 45 to the Code of Ordinances for the City of Mesquite.
- 4 Bid No. 2013-038 - Purchase of Three ¾-Ton Utility Trucks.
(Staff recommends award to low bidder Randall Reed's Prestige Ford in the amount of \$78,437.70.)
- 5 Bid No. 2013-063 - Annual Contract to Repair Fire Apparatus.
(Staff recommends award to Stewart & Stevenson in the amount of \$77,500.00.)
- 6 Bid No. 2013-080 - Annual Contract for Parts and Labor to Repair International Trucks .
(Staff recommends award to sole source provider Southwest International Trucks , Inc., in the amount of \$65,000.00.)
- 7 Receive Change Order Report from City Manager.
(Town East Elevated Tank Repainting, Electrical and Site Improvements - Engineering Design Services Contract, CE 12-0240 - \$17,965.00.)

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. Ashley Hernandez, Amanda Hodges, Karen Hernandez and Matt Hernandez v. The City of Mesquite, Texas, Officer Daniel Hargrove, Officer Andrew Chance, Officer Shawn Hanley, Officer Prudencio Solis and Unknown Mesquite Police Officers – Filed 3-28-13

Consultation With Attorney:

Pursuant to Section 551.071 of the Texas Government Code, the City Council will meet in closed session to conduct a private consultation with its attorney. The following subjects may be discussed including an update on all pending litigation and a legal briefing from counsel regarding the proposed extension of the contract with Republic Services. This proposal is headed: "PRIVILEGED AND CONFIDENTIAL – PROPRIETARY INFORMATION. The following information is proprietary and exempt from the Public Information Act."

The Settlement Agreement in the 2003 lawsuit Dillard Texas Operating Limited Partnership, L.P. v. the City of Mesquite, Texas; Allied Waste Systems, Inc., dba Trinity Waste Services, Inc. may be discussed by the City Attorney.

Consultation with Attorney:

Pursuant to Section 551.071 of the Texas Government Code, the City Council will meet in closed session to conduct a private consultation with its attorney. The following subject may be discussed:

Briefing from counsel regarding recent developments in the Alpine Open Meeting Act lawsuit Avinash Rangra, Anna Monclova, and All Other Public Officials in Texas v. Frank D. Brown, 83rd Judicial District Attorney, and the State of Texas.

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.