



City of Mesquite, Texas

Meeting Agenda

City Council

Monday, May 6, 2013

12:30 PM

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

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

AGENDA REVIEW

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

Reginald Jefferson, Pastor, New Hope Baptist Church, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

Edwin Acuna, Kenna Eckstein, Alyssa Elledge and Kyla Mitchell, fourth grade students from Florence Black 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.)

- 1 Minutes of the regular City Council meeting held April 15, 2013.
- 2 An ordinance amending Chapter 9 of the City Code concerning school zones for Austin Elementary School, McDonald Middle School and Poteet High School.
- 3 Bid No. 2013-073 - Annual Mowing of City Medians and Orphan Rights-Of-Ways.
(Authorize the City Manager to execute a contract with Earth Green Landscaping and Maintenance, Inc., in the amount of \$67,051.08.)
- 4 Bid No. 2013-077 - Annual Contract for Asphalt Material Street Rehabilitation.
(Staff recommends award to APAC Texas, Inc., through an Interlocal Cooperative Purchasing Agreement with Dallas County, in an amount not to exceed \$640,174.46.)
- 5 Authorize the City Manager to execute the North Central Texas Public Works Mutual Aid Agreement to provide voluntary assistance to Metroplex cities during times of disasters and/or civil emergencies.

PUBLIC HEARING

- 6 Conduct a public hearing and consider a request submitted by Mozar Islam, on behalf of Salma Mashar, M.D., to allow for a modification of the screening and buffering requirement for a proposed medical office building to be located at 1210 North Galloway Avenue.

APPOINTMENTS TO BOARDS AND COMMISSIONS

- 7 Consider appointment of one regular member and one alternate member to the Mesquite Housing Board for terms to expire December 3, 2014, and one alternate member for a term to expire December 3, 2013.

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

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:

- 8 Proposed property exchange with Mesquite Independent School District regarding the Range Elementary School reconstruction.

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:

- 9 Consider economic development incentives for a business seeking to locate on Oates Drive.
- 10 Consider economic development incentives for a proposed residential development in southeast Mesquite.

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.