



CITY COUNCIL PRE-MEETING – COUNCIL CONFERENCE ROOM
757 NORTH GALLOWAY AVENUE
6:00 P.M. – DECEMBER 5, 2011

Discuss the items on the Regular Agenda and receive briefing regarding Texas Special Events Trust Fund Application.

EXECUTIVE SESSION – 6:00 P.M.
757 NORTH GALLOWAY – CITY COUNCIL CONFERENCE ROOM

- (1) PENDING AND CONTEMPLATED LITIGATION (See Notice of Executive Session – Litigation for Listing of Subjects.)
- (2) APPOINTMENT AND EVALUATION OF PUBLIC OFFICIALS (See Notice of Executive Session – Personnel Matters for Listing of Subjects.)

REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBER
7:00 P.M.

INVOCATION

(Fred Bacon, Pastor, First Christian Church, Mesquite, Texas.)

PLEDGE OF ALLEGIANCE

(Members of Girl Scout Troop #3205.)

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 ten (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 November 21, 2011.
2. Bid No. 2012-036 - Annual Miscellaneous Concrete Repairs and Asphaltic Concrete Repairs.
(Authorize the City Manager to execute a contract with low bidder Laughley Bridge & Construction, Inc., in the amount of \$793,400.00.)
3. Bid No. 2012-040 - Opal Lawrence Historical Park, Phase 2, Paving, Grading and Site Lighting Improvements.
(Authorize the City Manager to execute a contract with low bidder Concord Commercial Services, Inc., in the amount of \$278,713.18.)
4. Bid No. 2012-055 – Purchase of 2012 Ford F-350 6.7L Diesel Chassis Ambulance Remount-1.
(Staff recommends award to low bidder Frazer, Ltd., in Houston, Texas, from Sterling McCall Ford through the Houston-Galveston Area Council of Governments Cooperative Purchasing Program, in the amount of \$103,725.00.)
5. Approve Amendment No. 1 to the 2011-12 Police Seizure Budget in compliance with Chapter 59 of the Texas Code of Criminal Procedure in the amount of \$750,000.00.

PUBLIC HEARING

6. Conduct a public hearing and consider an ordinance for Application No. 1-40-2011, submitted by Boris Mason of Mason Personal Care Home, for a zoning change from Planned Development - Single Family Residential to Planned Development - Single Family Residential with a Conditional Use Permit to allow a group home with up to eight residents located at 1819 Arapaho Trail.
(Twelve letters in opposition to the proposed amendment have been received. Fourteen persons appeared in opposition to the proposed amendment at the hearing before the Planning and Zoning Commission. The Commission recommends denial of the application.)
7. Conduct a public hearing for Application 1461-141A-2011, submitted by Ray Monks of Fenton Motors of Dallas, Inc., for a zoning change from Commercial to Commercial with a Conditional Use Permit for a used car dealership located at 16190 LBJ Freeway.

APPOINTMENT TO BOARDS AND COMMISSIONS

8. Consider appointment of two representatives to attend the City/School Joint Tax Office Advisory Board meeting on December 6, 2011, at 10:30 a.m.

Adjournment.

NOTICE OF EXECUTIVE SESSION

Pending or 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. PKG Contracting, Inc. v. City of Mesquite – Filed 10-30-03
2. Elijah Robinson v. City of Mesquite and Johnathan Yates – Filed 8-27-10
3. Betty Erwin v. City of Mesquite, Texas, and the Board of Adjustment for the City of Mesquite, Texas – Filed 12-30-10
4. City of Mesquite v. Melba Horn – Filed 5-17-11
5. Paul Pecena v. Joel Martin, David Valencia, Mark Bradford and Evan Hook – Filed 8-22-11
6. Patricia Ramirez v. City of Mesquite – Filed 9-22-11

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).