# City of Mesquite, Texas

## Meeting Agenda

## City Council

**Monday, April 21, 2014** | **12:30 PM** | **City Hall | Council Chamber**
**757 N. Galloway | Mesquite, Texas**

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

### AGENDA REVIEW

### STAFF PRESENTATIONS

**1** Discuss public transportation proposals from STAR Transit.

**2** Receive information regarding a request to allow the use of electric security fencing in non-agricultural zoning districts.

## 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

Rocky Pope, Senior Pastor, Mimosa Lane Baptist Church, 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

**3** 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.)

**4** Minutes of the regular City Council meeting held April 7, 2014.

**5** An ordinance amending Chapter 16 of the City Code thereby providing an update to the Water Conservation and Drought Contingency Plans as required by the Texas Commission on Environmental Quality.

**6** A resolution authorizing the City Manager to execute an agreement with the Texas Department of Transportation for the temporary closure of State right-of-way on June 7, 2014, for the Texas Shrine Association Parade.

**7** Bid No. 2014-041 - Annual Contract for Sidewalk, Handicapped Ramps, Drive Approaches and Curb and Gutter Replacement.
(Authorize the City Manager to execute a contract with low bidder Cam-Crete Contracting, Inc., in the amount of $212,000.00.)

**8** Bid No. 2014-049 - Annual Supply of Vehicle Replacement Parts.
(Staff recommends award to low bidders Midway Auto Parts with a discount range of 10 to 50 percent off catalog price in the amount of $50,000.00 and O'Reilly Auto Parts with a discount of 41 percent or better off list price, in the amount of $50,000.00, for a total amount of $100,000.00.)

**9** Bid No. 2014-061 - Annual Contract for Concrete Crushing Contractor.
(Staff recommends award to low bidder Southwest Crushing, LLC, in the amount of $84,000.00.)

**10** Bid No. 2014-063 - Annual Supply of Sand and Loam.
(Staff recommends award to low bidder DFW Materials in an amount not to exceed $176,682.00.)

**11** Approve Amendment No. 1 to the 2013-14 Police Seizure Budget in accordance with Title 28, Section 524 of the United States Code and Chapter 59 of the Texas Code of Criminal Procedure in the amount of $174,600.00.

**12** Authorize the City Manager to execute an Amended and Restated Memorandum of Understanding between the City of Mesquite and the Mesquite Police Association under Subchapter B of Chapter 142 of the Texas Local Government Code (Meet and Confer) to expire on April 30, 2016.

**PUBLIC HEARING**

**13** Conduct a public hearing and consider an ordinance for Application No. 486-18-2014, submitted by Dan Hopf for Discount Tire, for a zoning change from Commercial to Commercial with a Conditional Use Permit to allow the sale of used tires at 2201 North Galloway Avenue.
(One letter in favor to the proposed amendment has been received. The Planning and Zoning Commission recommends approval of the application. This item was postponed at the April 7, 2014, City Council meeting.)

**RECEIPT OF RESIGNATION**

**14** Receive resignation from Sushil Mathew as a member of the Civil Service Commission and Personnel/Trial 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. Cindy E. Schwarzkopf v. Kohl's Department Stores, Inc., Wanda (Cheryl) Cox, Mark McCoy and City of Mesquite – Filed 10-15-12
2. 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
3. Demetris Mallard v. Mesquite Police Department – Filed 9-3-13
4. Susan Flander v. Department of Public Safety et al – Filed 11-15-13
5. The Mesquite Fire Fighters Association, Billy Massey, Phillip Cunningham and Matt Haisten v. the City of Mesquite – Filed 12-16-13
6. Xavier Davis v. Jeffrey Foster and the City of Mesquite – Filed 12-23-13

**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:

**15** Consider an economic development incentive for a business seeking to locate on Gus Thomasson Road within the Towne Centre Tax Increment Finance Reinvestment Zone No. Two.

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).

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