



# City of Mesquite, Texas

## Meeting Agenda City Council

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Monday, January 6, 2014

1:30 PM

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

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### **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**

Douglas Herrell, Adult Pastor, Family Cathedral of Praise, Mesquite, Texas.

#### **PLEDGE OF ALLEGIANCE**

Recreation participants from Evans Senior Citizens 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.

**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 December 16, 2013.
- 2 A resolution authorizing the City Manager to execute an amendment to the Tax Saver Plan adding a carryover provision and deleting certain grace periods applicable only to health care expense reimbursements as permitted by the Internal Revenue Service in Notice 2013-71 and amending the maximum employee contribution levels for health care expense reimbursements effective for plan years beginning after December 31, 2012, and notifying eligible employees of the amendment.
- 3 Bid No. 2014-017 - Annual Landscape Maintenance of the Creek Crossing Area Medians, Rights-of-Way and Landscape Areas and Mesquite Metro Airport.  
(Authorize the City Manager to execute a contract with low bidder SLM Landscape in the amount of \$132,850.00.)
- 4 Bid No. 2014-046 - Purchase of Three Standard 16-Passenger Cut-Away Chassis Type Buses.  
(Staff recommends award to National Bus Sales & Leasing, Inc., in Justin, Texas, through Texas SmartBuy Contract No. 072-A1, in the amount of \$211,481.41.)
- 5 Approve an Interlocal Agreement with the City of Dallas for Biomedical Online Medical Supervision in an amount not to exceed \$55,260.00 for fiscal year 2013-14 and \$55,260.00 for year 2014-15, for a total amount not to exceed \$110,521.00.

**PUBLIC HEARINGS**

- 6 Conduct a public hearing and consider an ordinance for Application No. 261-32-2013, submitted by Alka Patel, for a zoning change from Service Station to Planned Development - General Retail to allow for the expansion of the main building to include additional businesses for property located at 3021 Big Town Boulevard.  
(No opposition to the proposed amendment has been received. The Planning and Zoning Commission recommends approval of the application with certain stipulations.)
- 7 Conduct a public hearing and consider an ordinance for Application No. 545-24-2013, submitted by Ken Strickler for Stadium Auto, for a zoning change from Commercial to Commercial with a Conditional Use Permit, to allow the sale of new and used cars on two tracts located at 2960 and 3200 Interstate Highway 30.  
(One letter in favor and two letters in opposition to the proposed amendment have been received. Two persons appeared in favor of the proposed amendment before the Planning and Zoning Commission. The Commission recommends approval of the application with certain stipulations.)

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

- 8 Consider appointment of one regular member to the Planning and Zoning Commission/Capital Improvements Advisory Committee for a term to expire September 30, 2015.
- 9 Consider appointment of two regular members and one alternate member to the Board of Adjustment for terms to expire January 1, 2016, and one regular member for a term to expire January 1, 2015, who will also serve on the Automated Traffic Signal Enforcement Advisory Committee.

**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. Cindy E. Schwarzkopf v. Kohl's Department Stores, Inc., Wanda (Cheryl) Cox, Mark McCoy and City of Mesquite – Filed 10-15-12
4. West End Trust 2012-1 v. Allenhurst Partners, LLC, and Your Home Properties, LLC – Filed 2-13-13
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
6. Demetris Mallard v. Mesquite Police Department – Filed 9-3-13

**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:

- 10 Discuss acceptance of offer to donate property at 1301 Hackamore Street.

**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.