

MINUTES OF WORK AND REGULAR CITY COUNCIL MEETING HELD BEGINNING AT NOON, FEBRUARY 4, 2008, CITY COUNCIL CHAMBER, CITY HALL, 711 N. GALLOWAY.

Present: Mayor John Monaco and Councilmembers David Paschall, John Heiman, Dennis Tarpley and Stan Pickett, City Manager Ted Barron and City Secretary Judy Womack.

Absent: Councilmember Shirley Roberts.

**PRE-MEETING – CITY COUNCIL CONFERENCE ROOM – NOON.**

The City Council met in the City Council Conference Room beginning at Noon, to discuss the items on the Work and Regular Agenda.

**WORK SESSION – CITY COUNCIL CHAMBER – 1:04 P.M.**

A. **BRIEFING REGARDING THE NEW DEVELOPMENT REVIEW PROCESS – RECEIVED.**

Richard Gertson, Director of Community Development, stated that in late 2007, staff from Planning, Administration, Parks and Recreation, Traffic Engineering, Community Development, Public Works, Engineering, Economic Development, Building Inspection and Fire departments met over several months to reform the development review process. The meetings were facilitated by Bill Bancroft with Conbrio, a strategic planning firm. The group established eight goals for process reform: (1) create a clear, defined development review process; (2) expand team problem solving capability; (3) focus on the vision for the community; (4) provide excellent customer service; (5) support quality development; (6) remain sensitive to the financial implications of development; (7) solidify the review team – “One Team, One City” and (8) protect the public’s health, safety and welfare. He stated that reforming the development review process is a necessary part of the Project Renewal initiative. With new development on the horizon, staff must be prepared to respond in an appropriate way.

Mr. Gertson introduced Jerry Dittman, Assistant Director of Public Works, who continued the briefing. Mr. Dittman stated that staff desired a clear and decisive process that would provide customer-friendly service to the development community. The review process must focus on the Council’s vision for the City, support Project Renewal and neighborhood revitalization and be sensitive to the financial impact it would have on the development community. Mr. Dittman added that in support of the Council’s goals, the process should encourage a quality of development that would improve the image of the City and quality of life for its citizens. Also, the process improvements should not adversely impact or compromise the health, safety and welfare of citizens.

Mr. Dittman stated that during the workshop, it was determined that some projects had two site plans being reviewed simultaneously by two different departments, Planning and Engineering. The new review process ensures that only one site plan will be reviewed by the entire team and will be approved by the Planning Division. In the event there is an unforeseen need to modify an approved site plan, the modification must go back through the process and be approved by the Planning Division.

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Mr. Dittman stated that a consensus was reached to eliminate Development Review Committee (DRC) meetings which would free staff time for pre-application meetings, the purpose of which is to explain the City development process, introduce key players, understand the developer's intent and point out any circumstances that may significantly affect the cost of development such as rezoning, drainage problems, etc.

Mr. Dittman stated that one key feature of the new development review process is the assignment of a Case Manager from the Planning Division for every development application who will oversee the process from beginning to end. The Case Manager will host the pre-application meeting, answer questions, ensure issues are resolved and track the development process. The pre-application meetings will be scheduled in 30-minute intervals at the time DRC meetings were once held. Developers that attend are required to provide staff minimal information such as the location of the development and their intent by Friday before the meeting. This information is distributed to staff and decisions are made regarding which staff members should attend the pre-application meeting.

Mr. Dittman explained that the site plan is the key document to the development review process and upon its approval, provides assurance to the developer that the project can be constructed. The new development process will be fully automated with a tracking and approval system that will be accessible by staff and developers on the City's Web site.

Mr. Gertson stated that all permit applications have been revised to ensure consistency and all application forms are backed up by internal check lists. He stated that once the automated development review process is completed, the process will be accessible on the City's Web site and will be an important tool for developers and staff.

Councilmembers expressed support for the new development review process.

The Work Session ended at 1:45 p.m.

### **EXECUTIVE SESSION – CITY COUNCIL CONFERENCE ROOM – 2:13 P.M.**

Mayor Monaco announced that the City Council would meet in Executive Session pursuant to Section 551.087 of the Texas Government Code to consider commercial or financial information regarding a business prospect or project (prospect seeking to locate in the Skyline Industrial District and development proposal for the Peachtree Towne Center site); whereupon, the City Council proceeded to meet in the City Council Conference Room. After the closed meeting ended at 2:54 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

### **REGULAR CITY COUNCIL MEETING – CITY COUNCIL CHAMBER – 3:00 P.M.**

Invocation was given by Harry Sewell, Pastor, Family Cathedral of Praise, Mesquite, Texas.

The Pledge of Allegiance was led by Miguel Corrales, Megan Bilyeau and Lilliana Cavazos, fourth grade students from Tosch Elementary School.

**PRESENTATION OF PLAQUE.**

1. PRESENTATION OF A PLAQUE TO SUSI YOUNG IN RECOGNITION OF HER SERVICE AS A MEMBER OF THE KEEP MESQUITE BEAUTIFUL, INC., BOARD OF DIRECTORS.

Mayor Monaco presented a plaque to Susi Young in recognition of her service as a member of the Keep Mesquite Beautiful, Inc., Board of Directors from December 2001 to December 2007.

**CONSENT AGENDA.**

Mr. Pickett moved to approve the items on the Consent Agenda, as follows. Motion was seconded by Mr. Heiman and approved unanimously.

2. MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD JANUARY 22, 2008.
3. ORDINANCE NO. 3929 – REVISING CHAPTER 4 OF THE GENERAL GOVERNMENT POLICIES AND PROCEDURES MANUAL REGARDING NEPOTISM RESTRICTIONS.

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, REVISING CHAPTER 4 OF THE GENERAL GOVERNMENT POLICIES AND PROCEDURES MANUAL BY DELETING SECTION 4.3 IN ITS ENTIRETY AND ADDING A NEW SECTION 4.3 REGARDING NEPOTISM RESTRICTIONS; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE THEREOF. (Ordinance No. 3929 recorded on page                      of Ordinance Book No. 89.)

4. RESOLUTION NO. 07-2008 – CALLING THE ANNUAL CITY ELECTION TO BE HELD MAY 10, 2008.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, CALLING THE ANNUAL CITY ELECTION. (Resolution No. 07-2008 recorded on page                      of Resolution Book No. 40.)

5. BID NO. 2008-029 – ANNUAL MOWING OF CITY MEDIANS AND ORPHAN RIGHTS-OF-WAY – CITY MANAGER AUTHORIZED TO EXECUTE A CONTRACT WITH 3-D MOWING SERVICES IN THE AMOUNT OF \$67,071.76.

6. CITY MANAGER AUTHORIZED TO EXECUTE A CONTRACT WITH MOTOROLA, INC., THROUGH THE HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS COOPERATIVE PURCHASING PROGRAM, TO EQUIP AND FURNISH THE BACK-UP DISPATCH AND EMERGENCY OPERATIONS CENTER AT FIRE STATION NO. 7 IN THE AMOUNT OF \$213,361.22.

**END OF CONSENT AGENDA.**

**PUBLIC HEARINGS.**

7. A. PUBLIC HEARING – PARKS AND RECREATION DEPARTMENT YOUTH PROGRAMS STANDARDS OF CARE – HELD.

A public hearing was held to consider the Parks and Recreation Department Youth Programs Standards of Care.

Oscar Martinez, Manager of Recreation Services, explained that State law allows municipalities to adopt a Standards of Care policy providing for self-regulation of after school and summer youth programs. A Standards of Care policy is adopted by ordinance and reviewed annually, after holding a public hearing. He stated this is the seventh year programs such as the Recreation After School Program (RASP) and day camp programs have been offered at the City's recreation centers.

No one appeared regarding the Parks and Recreation Department Youth Programs Standards of Care. Mayor Monaco declared the public hearing closed.

- B. ORDINANCE NO. 3930 – ADOPTING THE PARKS AND RECREATION DEPARTMENT YOUTH PROGRAMS STANDARDS OF CARE – APPROVED.

Mr. Heiman moved to approve Ordinance No. 3930, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, ADOPTING YOUTH PROGRAMS STANDARDS OF CARE; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY. Motion was seconded by Mr. Pickett and approved by all voting "Aye." (Ordinance No. 3930 recorded on page                      of Ordinance Book No. 89.)

8. A. PUBLIC HEARING – CONSIDER A PROGRAM WITH GENERAL GROWTH PROPERTIES TO PROMOTE ECONOMIC DEVELOPMENT AND STIMULATE BUSINESS AND COMMERCIAL ACTIVITY IN CONJUNCTION WITH THE TOWNE CENTRE TAX INCREMENT FINANCE REINVESTMENT ZONE NO. TWO – HELD.

A public hearing was held to consider a program with General Growth Properties to promote economic development and stimulate business and commercial activity in conjunction with the Towne Centre Tax Increment Finance Reinvestment Zone No. Two.

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Tom Palmer, Manager of Economic Development, stated that the Towne Centre Tax Increment Finance Reinvestment Zone No. Two Board of Directors met on January 14, 2008, and approved amendments to the Project and Financing Plan to reimburse General Growth Properties, owners of Town East Mall, for mall improvements including site lighting, closed-circuit security cameras, The Rows of Texas entry ways and emergency call boxes.

Mr. Palmer introduced Sandy LaClave, General Manager of Town East Mall, and Kevin Connell, General Growth Properties – Dallas Regional Office.

Mr. Connell stated that General Growth Properties owns and operates Town East Mall and has recently made significant investments including a major mall renovation. The site lighting project and security camera program being proposed will promote safety and security at Town East Mall. The scope of the project includes replacing 14 existing 150-foot-high light poles and fixtures in the Town East Mall parking lot with 160 50-foot-high light poles and fixtures. Also included will be 20 of The Rows of Texas-themed decorative fixtures and an expansion of the closed-circuit television and security system including 12 cameras along with emergency call boxes scattered throughout the parking lots. Future plans include interfacing the mall security cameras with the Mesquite Police Department's camera technology. Mr. Connell stated these improvements will significantly increase safety at the mall and allow Town East Mall to be more competitive in the marketplace.

No one appeared regarding a program with General Growth Properties to promote economic development and stimulate business and commercial activity in conjunction with the Towne Centre Tax Increment Finance Reinvestment Zone No. Two. Mayor Monaco declared the public hearing closed.

Mr. Paschall outlined past projects that utilized Towne Centre Tax Increment Finance (TIF) Reinvestment Zone No. Two funds including the Towne Centre ramps from IH 635, the Towne Centre Bridge project, North Mesquite Drive/Towne Centre Drive intersection and improvements to North Mesquite High School and noted that Mesquite Independent School District is also a participant in the TIF. These projects have added significant development to the City with businesses such as Best Buy Company, Borders Books, Bed Bath and Beyond, Kohls and others. Recently, Council approved drainage improvements along South Mesquite Creek utilizing TIF funds. Mr. Paschall expressed opposition regarding using TIF funds to replace outdated light fixtures and viewed this expense as routine maintenance. For this reason, he stated that he would be voting in opposition to the proposal to use TIF funds for improvements at Town East Mall.

Mr. Heiman expressed support for the proposed project and explained that General Growth Properties has accounted for approximately 43 percent of the revenue generated by the Towne Centre TIF and General Growth Properties has received approximately 20 percent of the reimbursements made from the TIF.

Mayor Monaco and Mr. Tarpley also expressed support for utilizing Towne Centre TIF funds for the site lighting and security system project at Town East Mall which will provide additional safety for Town East Mall patrons.

- B. ORDINANCE NO. 3931 – APPROVING AN AMENDMENT TO THE 2004 AMENDED AND RESTATED PROJECT AND FINANCING PLAN FOR THE TOWNE CENTRE TAX INCREMENT FINANCE REINVESTMENT ZONE NO. TWO – APPROVED.

Mr. Heiman moved to approve Ordinance No. 3931, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, APPROVING AMENDMENTS TO THE 2004 AMENDED AND RESTATED PROJECT AND FINANCING PLAN FOR TOWNE CENTRE TAX INCREMENT FINANCE REINVESTMENT ZONE NUMBER TWO, CITY OF MESQUITE, TEXAS; MAKING A FINDING OF FEASIBILITY; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY. Motion was seconded by Mr. Tarpley. On call for a vote on the motion, the following votes were cast:

Ayes:	Heiman, Tarpley, Monaco, Pickett
Nays:	Paschall
Absent:	Roberts

Motion carried. (Ordinance No. 3931 recorded on page of Ordinance Book No. 89.)

- C. RESOLUTION NO. 08-2008 – APPROVING THE TERMS AND CONDITIONS OF A PROGRAM WITH GENERAL GROWTH PROPERTIES TO PROMOTE ECONOMIC DEVELOPMENT AND STIMULATE BUSINESS AND COMMERCIAL ACTIVITY REGARDING A SITE LIGHTING PROJECT AT TOWN EAST MALL IN CONJUNCTION WITH THE TOWNE CENTRE TAX INCREMENT FINANCE REINVESTMENT ZONE NO. TWO AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT – APPROVED.

Mr. Heiman moved to approve Resolution No. 08-2008, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF A PROGRAM TO PROMOTE ECONOMIC DEVELOPMENT AND STIMULATE BUSINESS AND COMMERCIAL ACTIVITY IN THE CITY; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH GENERAL GROWTH PROPERTIES FOR SUCH PURPOSES; AND PROVIDING AN EFFECTIVE DATE. Motion was seconded by Mr. Tarpley. On call for a vote on the motion, the following votes were cast:

Ayes:	Heiman, Tarpley, Monaco, Pickett
Nays:	Paschall
Absent:	Roberts

Motion carried. (Resolution No. 08-2008 recorded on page of Resolution Book No. 40.)

9. PUBLIC HEARING – APPLICATION NO. EDE-22 SUBMITTED BY POGUE ENGINEERING ON BEHALF OF BAKER DRYWALL FOR A ZONING CHANGE FROM COMMERCIAL TO PLANNED DEVELOPMENT – COMMERCIAL AT 415 U. S. HIGHWAY 80 – POSTPONED UNTIL THE FEBRUARY 18, 2008, CITY COUNCIL MEETING.

A public hearing was scheduled to be held to consider Application No. EDE-22 submitted by Pogue Engineering on behalf of Baker Drywall for a zoning change from Commercial to Planned Development – Commercial to allow the property to be used for office-warehousing at East Dallas Estates, Block 1, Lot 4R. This property is located at 415 U. S. Highway 80.

Mayor Monaco announced that the applicant requested postponement of the public hearing until the February 18, 2008, City Council meeting.

Mr. Heiman moved to postpone consideration of Application No. EDE-22 until the February 18, 2008, City Council meeting. Motion was seconded by Mr. Tarpley and approved unanimously.

**RECEIPT OF RESIGNATION.**

10. RESIGNATION RECEIVED FROM AMY MELLETT-MEDFORD AS A MEMBER OF THE MESQUITE YOUTH SERVICES, INC., BOARD OF DIRECTORS.

Mr. Pickett moved to accept the resignation of Amy Mellett-Medford as a member of the Mesquite Youth Services, Inc., Board of Directors. Motion was seconded by Mr. Heiman and approved unanimously.

The meeting adjourned at 3:35 p.m.

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Judy Womack  
City Secretary

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John Monaco  
Mayor