

MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD BEGINNING AT NOON,
MARCH 1, 2010, CITY COUNCIL CHAMBER, CITY HALL, 711 N. GALLOWAY.

Present: Mayor John Monaco and Councilmembers Al Forsythe, Bill Porter, Stan Pickett, Shirley Roberts and Dennis Tarpley, City Manager Ted Barron and City Secretary Sonja Land.

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 Regular Agenda and discuss: (1) revisions to contract change order processing and reporting and (2) request from the City of Crandall regarding the release and exchange of approximately 30 acres in the extraterritorial jurisdiction (ETJ).

- (1) Council concurred with staff recommendations.
- (2) It was Council consensus to decline the ETJ exchange request.

EXECUTIVE SESSION – CITY COUNCIL CONFERENCE ROOM – 12:36 P.M.

Ms. Roberts abstained from discussion regarding this item and left the meeting.

The City Council met in Executive Session pursuant to Section 551.072 of the Texas Government Code to discuss the purchase, exchange, lease or value of real property (Acquisition of property in conjunction with the Neighborhood Stabilization Program); whereupon, the City Council proceeded to meet in the City Council Conference Room. After the closed meeting ended at 12:41 p.m., the City Council reconvened in Open Session.

See Consent Agenda Item No. 10A for executive action taken.

EXECUTIVE SESSION – CITY COUNCIL CONFERENCE ROOM – 12:41 P.M.

Ms. Roberts returned to the meeting.

The City Council met in Executive Session pursuant to Section 551.071 of the Texas Government Code to consider pending and contemplated litigation subjects; whereupon, the City Council proceeded to meet in the City Council Conference Room. After the closed meeting ended at 12:47 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

EXECUTIVE SESSION – CITY COUNCIL CONFERENCE ROOM – 12:47 P.M.

The City Council met in Executive Session pursuant to Section 551.074 of the Texas Government Code to 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 other city employees (Appointment of a Municipal Court Judge); whereupon, the City Council proceeded to meet in the City Council Conference Room. After the closed meeting ended at 1:02 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 Bruce Archer, Pastor, At the Cross Church, Mesquite, Texas.

The Pledge of Allegiance was led by Rachel Witcher, Baylee Newbern and Elizabeth Nguyen, fourth grade students from Kimball Elementary School.

SPECIAL ANNOUNCEMENT.

Mayor Monaco recognized Evelyn Williams, Chairperson for Leadership Mesquite who introduced the following participants from the 2009-10 Leadership Mesquite class that was present to observe the City Council meeting: Anastasia Lankford, Brian Abraham, David Lindsey, Jessa Thomas, Kathryn Bohling, Linda Lentz, Richard Armand, Susan Harris, Susie Court and Tammy Bendorf.

PRESENTATION OF PROCLAMATION.

1. **PRESENTATION OF PROCLAMATION TO BETTY KINDER.**

Mayor Monaco presented a proclamation to Betty Kinder in honor of her birthday.

CONSENT AGENDA.

Ms. Roberts abstained from voting on this item.

Mr. Pickett moved to approve the items on the Consent Agenda, as follows. Motion was seconded by Mr. Porter. On call for a vote on the motion, the following votes were cast:

Ayes: Pickett, Porter, Monaco, Forsythe, Tarpley
Nays: None
Abstentions: Roberts

Motion carried.

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2. MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD FEBRUARY 15, 2010.
3. ORDINANCE NO. 4078 – ADOPTING THE GENERAL GOVERNMENT POLICIES AND PROCEDURES MANUAL WITH AMENDMENTS EFFECTIVE APRIL 1, 2010.

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, ADOPTING THE GENERAL GOVERNMENT POLICIES AND PROCEDURES MANUAL WITH AMENDMENTS; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE OF APRIL 1, 2010. (Ordinance No. 4078 recorded on page _____ of Ordinance Book No. 94.)

4. RESOLUTION NO. 07-2010 – AUTHORIZING THE MAYOR TO EXECUTE A JOINT ELECTION AGREEMENT AND ELECTION SERVICES CONTRACT IN CONNECTION WITH THE ANNUAL CITY ELECTION.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE A JOINT ELECTION AGREEMENT AND ELECTION SERVICES CONTRACT WITH DALLAS COUNTY ELECTIONS DEPARTMENT. (Resolution No. 07-2010 recorded on page _____ of Resolution Book No. 43.)

5. RESOLUTION NO. 08-2010 – APPOINTING A REPRESENTATIVE TO THE EARLY VOTING BALLOT BOARD FOR THE MAY 8, 2010, JOINT ELECTION.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, APPOINTING A REPRESENTATIVE TO SERVE ON THE EARLY VOTING BALLOT BOARD FOR THE MAY 8, 2010, JOINT ELECTION. (Resolution No. 08-2010 recorded on page _____ of Resolution Book No. 43.)

6. BID NO. 2010-026 – PADDY HEIGHTS ADDITION PAVING REHABILITATION – CITY MANAGER AUTHORIZED TO EXECUTE A CONTRACT WITH LOW BIDDER J&T EXCAVATING, LLC, IN THE AMOUNT OF \$592,832.30.
7. BID NO. 2010-030 – ANNUAL SUPPLY OF PETROLEUM PRODUCTS – MOTOR OIL, AUTOMOTIVE GREASE, GEAR LUBRICANT, TRANSMISSION FLUID AND HYDRAULIC OILS – AWARDED TO LOW BIDDER DOUGLAS DISTRIBUTING IN THE AMOUNT OF \$73,126.08.
8. BID NO. 2010-049 – ANNUAL SUPPLY OF FIRE HYDRANTS – AWARDED TO LOW BIDDER FERGUSON WATERWORKS IN THE AMOUNT OF \$73,535.00.
9. CITY MANAGER AUTHORIZED TO EXECUTE A LETTER OF INTENT WITH LINCOLN FINANCIAL GROUP TO TRANSITION THE CITY'S 457 DEFERRED COMPENSATION PLANS TO LINCOLN ALLIANCE PROGRAM.

10. CITY MANAGER AUTHORIZED TO EXECUTE A CHANGE ORDER TO CITY CONTRACT NO. 2010-024, CITY HALL EXPANSION, PHASE 2, UTILITY IMPROVEMENTS, WITH MUNIZ CONSTRUCTION, INC., FOR WATER MAIN REALIGNMENT IN THE AMOUNT OF \$21,140.00.

- A. RESOLUTION NO. 09-2010 – IMPLEMENTING THE AMENDMENT TO THE 2008-09 COMMUNITY DEVELOPMENT BLOCK GRANT ANNUAL ACTION PLAN BY AUTHORIZING THE CITY MANAGER TO ACQUIRE FORECLOSED PROPERTIES IN ACCORDANCE WITH THE NEIGHBORHOOD STABILIZATION PROGRAM BUDGET.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, IMPLEMENTING THE AMENDMENT TO THE 2008-09 COMMUNITY DEVELOPMENT BLOCK GRANT ANNUAL ACTION PLAN BY AUTHORIZING THE CITY MANAGER TO ACQUIRE FORECLOSED PROPERTIES IN ACCORDANCE WITH THE NEIGHBORHOOD STABILIZATION PROGRAM BUDGET IN AN AMOUNT NOT TO EXCEED \$1,882,984.00. (Resolution No. 09-2010 recorded on page _____ of Resolution Book No. 43.)

END OF CONSENT AGENDA.

PUBLIC HEARING.

11. 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 a Standards of Care policy is reviewed annually and adopted by ordinance, after holding a public hearing. State law allows municipalities to adopt a Standards of Care policy providing for self-regulation of after school and summer youth programs and exempts the City from state day care licensing.

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

- B. ORDINANCE NO. 4079 – ADOPTING THE PARKS AND RECREATION DEPARTMENT YOUTH PROGRAMS STANDARDS OF CARE – APPROVED.

Mr. Pickett moved to approve Ordinance No. 4079, 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. Forsythe and approved by all voting "Aye." (Ordinance No. 4079 recorded on page _____ of Ordinance Book No. 94.)

RECEIPT OF RESIGNATION.

12. RESIGNATION RECEIVED FROM DAVID DIAZ AS A MEMBER OF THE CIVIL SERVICE COMMISSION/PERSONNEL TRIAL BOARD.

Mr. Pickett moved to accept the resignation of David Diaz as a member of the Civil Service Commission/Personnel Trial Board. Motion was seconded by Ms. Roberts and approved unanimously.

Mr. Pickett moved to adjourn the meeting. Motion was seconded by Mr. Tarpley and approved unanimously. The meeting adjourned at 3:12 p.m.

Sonja Land
City Secretary

John Monaco
Mayor