

MINUTES OF THE WORK AND REGULAR CITY COUNCIL MEETING HELD BEGINNING AT NOON, JULY 6, 2009, 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.

Absent: Greg Noschese

**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 and discuss proposed 2009-10 budgets for the Housing and Community Services Department, Finance Department, Information Technology Department and Airport and (2) receive briefing regarding dynamic speed display signs.

(2) Council concurred with staff recommendation to purchase two solar-powered dynamic speed display signs for use on Tripp Road.

**WORK SESSION – CITY COUNCIL CHAMBER – 1:14 P.M.**

A. MONTHLY FINANCIAL REPORTS FOR MAY 2009 – RECEIVED.

Don Simons, Director of Finance, presented the monthly financial report for May 2009.

The work session ended at 1:25 p.m.

**REGULAR CITY COUNCIL MEETING – CITY COUNCIL CHAMBER – 3:02 P.M.**

Invocation was given by Craig Christina, Pastor, Shiloh Terrace Baptist Church, Dallas, Texas.

The Pledge of Allegiance was led by Denica Diaz, Nicole Diaz, Madeline Keheley and Ella Keheley, participants in the Summer Reading Club at the Mesquite Public Library.

**CONSENT AGENDA.**

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

1. MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD JUNE 15, 2009.
2. RESOLUTION NO. 21-2009 – AUTHORIZING THE CITY MANAGER TO EXECUTE A LOCAL PROJECT ADVANCE FUNDING AGREEMENT FOR TRAFFIC SIGNALS WITH THE TEXAS DEPARTMENT OF TRANSPORTATION

TO PROVIDE MATERIALS FOR THE NORTH GALLOWAY AVENUE AT  
HIGHLAND VILLAGE DRIVE PROJECT.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AND APPROVE A LOCAL PROJECT ADVANCE FUNDING AGREEMENT FOR TRAFFIC SIGNALS WITH THE TEXAS DEPARTMENT OF TRANSPORTATION TO PROVIDE MATERIALS FOR THE NORTH GALLOWAY AVENUE AT HIGHLAND VILLAGE DRIVE PROJECT. (Resolution No. 21-2009 recorded on page of Resolution Book No. 42.)

3. RESOLUTION 22-2009 – SUPPORTING A TRUCK LANE RESTRICTION  
INITIATIVE BY THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, SUPPORTING A TRUCK LANE RESTRICTION INITIATIVE BY THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS. (Resolution No. 22-2009 recorded on page of Resolution Book No. 42.)

4. RESOLUTION 23-2009 – AUTHORIZING THE CITY MANAGER TO EXECUTE  
THE 2009 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG)  
PROGRAM FUNDS SHARING AND FISCAL AGENCY AGREEMENT BETWEEN  
THE COUNTY OF DALLAS AND THE CITIES OF DALLAS, ADDISON, BALCH  
SPRINGS, CARROLLTON, CEDAR HILL, DESOTO, DUNCANVILLE,  
GARLAND, GRAND PRAIRIE, IRVING, LANCASTER, MESQUITE AND  
RICHARDSON ALLOCATING THE AMOUNT OF \$41,296.84 TO THE CITY OF  
MESQUITE AND DESIGNATING THE POLICE CHIEF AS THE RESPONSIBLE  
OFFICER FOR THE PURPOSE OF SIGNING ALL DOCUMENTS ASSOCIATED  
WITH THE GRANT.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE THE 2009 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FUNDS SHARING AND FISCAL AGENCY AGREEMENT BETWEEN THE COUNTY OF DALLAS AND THE CITIES OF DALLAS, ADDISON, BALCH SPRINGS, CARROLLTON, CEDAR HILL, DESOTO, DUNCANVILLE, GARLAND, GRAND PRAIRIE, IRVING, LANCASTER, MESQUITE AND RICHARDSON ALLOCATING THE AMOUNT OF \$41,296.84 TO THE CITY OF MESQUITE AND DESIGNATING THE POLICE CHIEF AS THE RESPONSIBLE OFFICER FOR THE PURPOSE OF SIGNING ALL DOCUMENTS ASSOCIATED WITH THE GRANT. (Resolution No. 23-2009 recorded on page of Resolution Book No. 42.)

5. RFP NO. 2009-23 – PURCHASE AND INSTALLATION OF A PERMIT  
TRACKING SOFTWARE SYSTEM – ALL BIDS REJECTED.

6. BID NO. 2009-091 – ANNUAL SUPPLY OF EMERGENCY MEDICAL SUPPLIES  
– AWARDED TO LOW BIDDER HENRY SCHEIN MARTX MEDICAL IN THE  
AMOUNT OF \$54,430.17.

7. BID NO. 2009-097 – CONCRETE STREET, STREET LIGHTS AND WATER MAIN REHABILITATION PROJECT (TOWN EAST BOULEVARD FROM E. EMPORIUM CIRCLE TO BELT LINE ROAD) – AUTHORIZED THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS WITH LOW BIDDER J&T EXCAVATING, LLC, IN THE AMOUNT OF \$1,350,420.30.
8. BID NO. 2009-100 – INSTALLATION AND CONTAINMENT SYSTEM FOR UNDERGROUND STORAGE WITH CONCRETE REPLACEMENT – AWARDED TO LOW BIDDER ENVIRONMENTAL RECONSTRUCTION SERVICES, INC., IN THE AMOUNT OF \$51,919.91.
9. AUTHORIZED THE ANNULMENT OF BID NO. 2009-094, ANNUAL SUPPLY OF TIRES, ITEM NO. 5, TO DALLAS DODGE CHRYSLER JEEP AND RE-AWARD BID NO. 2009-094, ANNUAL SUPPLY OF TIRES, ITEM NO. 5, TO NEXT LOW BIDDER A TO Z TIRE & BATTERY, INC., IN THE AMOUNT OF \$2,580.00.
10. AUTHORIZED THE CITY MANAGER TO EXECUTE A CONTRACT WITH C&P ENGINEERING, LTD, FOR ENGINEERING DESIGN SERVICES IN CONJUNCTION WITH THE TOWNE CENTRE TAX INCREMENT FINANCE REINVESTMENT ZONE NO. TWO TRAFFIC SIGNALS IMPROVEMENT PROJECT IN THE AMOUNT OF \$63,350.00.
11. AUTHORIZED THE CITY MANAGER TO EXECUTE CHANGE ORDER NO. 2 TO CITY CONTRACT NO. 2009-015, ANNUAL SUPPLY OF FIRE PROTECTIVE CLOTHING, TO CASCO INDUSTRIES, INC., IN THE AMOUNT OF \$4,943.25.
12. AUTHORIZED THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH IPS ADVISORS, INC., IN THE AMOUNT OF \$10,000.00 TO PROVIDE FINANCIAL SERVICES CONSULTING FOR RFP NO. 2009-085, DEFERRED COMPENSATION PLAN – VENDOR AND INVESTMENT PROVIDER.
13. AUTHORIZED THE CITY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT WITH DALLAS COUNTY FOR THE CONCRETE STREET, STREET LIGHTS AND WATER MAIN REHABILITATION PROJECT ON TOWN EAST BOULEVARD FROM LBJ (I635) TO THE EAST CITY LIMIT IN AN AMOUNT NOT TO EXCEED \$300,000.00.
14. AUTHORIZED THE CITY MANAGER TO EXECUTE A PROFESSIONAL ENGINEERING SERVICES CONTRACT WITH BINKLEY & BARFIELD CONSULTING SERVICE FOR THE CONCRETE STREET REHABILITATION PROJECT (TOWNE CENTRE FROM GUS THOMASSON ROAD TO TOWN EAST BOULEVARD) IN THE AMOUNT OF \$63,600.00.

**END OF CONSENT AGENDA.**

**PUBLIC HEARING.**

15. A. PUBLIC HEARING – CONSIDER A PROGRAM WITH BIB PARTNERS, LP, DBA MESQUITE CROSSING TO PROMOTE ECONOMIC DEVELOPMENT AND STIMULATE BUSINESS AND COMMERCIAL ACTIVITY IN CONJUNCTION WITH PROPERTY LOCATED WITHIN THE TOWNE CENTRE TAX INCREMENT FINANCE REINVESTMENT ZONE NO. TWO – HELD.

A public hearing was held to consider a program with BIB Partners, LP, dba Mesquite Crossing to promote economic development and stimulate business and commercial activity in conjunction with property located within the Towne Centre Tax Increment Finance (TIF) Reinvestment Zone No. Two.

Tom Palmer, Manager of Economic Development, stated that the project is located at the northeast corner of Gus Thomasson Road and US Highway 80 and introduced the architect for the project.

David Gunderson, 1738 Auburn Drive, Carrollton, stated that the project is designed for active senior adults and is an age-restricted community for senior adults 55 years of age and older. There is not an assisted living component of the project. The project is scheduled for two phases due to the current financing market. The current project financing plan is through the HUD 221(d)(4) loan program. HUD provides a market rate loan program where HUD provides a guarantee to a third party lender. There are no loan income restrictions with this particular HUD program.

Mr. Gunderson presented the project concept plans revealing a five-story facility with the ground floor consisting of retail services and the remaining four floors consisting of residential units. The proposed project includes 150 units for Phase One and 100 units for Phase Two, with a total build out of 250 units. Due to the market prices of square feet for senior living, the incentive would be to maintain the units for senior adults only. There is a demand for this type of housing due to third party studies the developer has conducted. All of the units will be leased with no ownership potential. The project amenities include tennis courts, a swimming pool, interior landscaped courtyard with three sides and private detached garages.

Rich Billings, 1917 Creekwood, Arlington, stated that BIB Partners is currently in the application process for the HUD funding for the full package of 250 units. They are not certain of the allocation they are eligible to receive. All of the expenditures for the infrastructure will be spent in the first phase of the project. The project leadership team has discussed with City staff transportation to and from the Town East retail district.

No one appeared regarding a program with BIB Partners, LP, DBA Mesquite Crossing, to promote economic development and stimulate business and commercial activity. Mayor Monaco declared the public hearing closed.

Councilmembers expressed concern about the timing of the TIF reimbursements and the ingress and egress of the property.

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Mr. Gunderson explained that the reimbursements BIB Partners are seeking from the TIF are for the initial public infrastructure that is required in Phase One of the project. The ingress and egress design would have to be discussed with the Texas Department of Transportation and City staff. The proposed project timeline includes HUD approval projected to be received by the end of the year with the loan closing in January or February 2010, and a 12-14 month construction time period with leasing beginning the first quarter of 2011.

- B. APPROVING THE TERMS AND CONDITIONS OF A PROGRAM (CHAPTER 380 AGREEMENT) WITH BIB PARTNERS, LP, DBA MESQUITE CROSSING, TO PROMOTE ECONOMIC DEVELOPMENT AND STIMULATE BUSINESS AND COMMERCIAL ACTIVITY AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT IN CONJUNCTION WITH PROPERTY LOCATED WITHIN THE TOWNE CENTRE TAX INCREMENT FINANCE REINVESTMENT ZONE NO. TWO – POSTPONED UNTIL THE JULY 20, 2009, CITY COUNCIL MEETING.

Mr. Pickett moved to postpone consideration of approving the terms and conditions of a program (Chapter 380 agreement) with BIB Partners, LP, dba Mesquite Crossing to promote economic development and stimulate business and commercial activity in conjunction with property located within the Towne Centre Tax Increment Finance Reinvestment Zone No. Two. Motion was seconded by Mr. Tarpley and approved unanimously.

Mr. Porter moved to adjourn the meeting. Motion was seconded by Mr. Forsythe and approved unanimously. The meeting adjourned at 3:45 p.m.

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Sonja Land  
City Secretary

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John Monaco  
Mayor