

MINUTES OF THE WORK AND REGULAR CITY COUNCIL MEETING HELD BEGINNING AT NOON, JUNE 1, 2009, CITY COUNCIL CHAMBER, CITY HALL, 711 N. GALLOWAY.

Present: Mayor John Monaco and Councilmembers Shirley Roberts, Greg Noschese, Bill Porter, Al Forsythe, Stan Pickett 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 Work and Regular Agenda and discuss: (1) 2009-10 Medical Plan Funding and (2) CDBG-R budget.

(2) It was Council consensus to direct staff to proceed with the CDBG-R allocation as presented.

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

Work Session Item C was taken out of order.

C. **BRIEFING REGARDING THE 2009 REAL. TEXAS. FESTIVAL. – RECEIVED.**

Daren Watkins, Special Events/Economic Development Coordinator, recognized the members of the 2009 Real. Texas. Festival. planning committee – Charlene Orr, Terry McCullar, Judy Skowron, John Mayner, Cliff Keheley and Valerie Bradley. Those not in attendance were Jessa Thomas, Paula Reisdorfer, Rachel Lopez, Marshall Hervey and Leslie Price.

Mr. Watkins stated that the Real. Texas. Festival. achieved one of the goals of Project Renewal which is to raise the profile of the City of Mesquite. The survey data from the Real. Texas. Festival. revealed that 60 percent of the festival attendees were not Mesquite residents. Total estimated spending from out-of-town guests was approximately \$426,850.00. The survey data indicated that four percent of persons responding stayed in a Mesquite hotel during the festival weekend. One hotel sold out both Friday and Saturday nights largely in part to festival events.

Mr. Watkins explained that there was a 200 percent increase in attendance from 2008. Ticket sales and parking generated \$90,000.00, which doubled the revenue received in 2008.

Mark Miller, General Manager of the Mesquite Championship Rodeo, stated that prior to the Real. Texas. Festival. the average rodeo attendance during the same weekend in 2006 was 3,731 people. During the 2009 Real. Texas. Festival. weekend, 7,912 people attended the rodeo, many were first time attendees, which is a positive sign for the rodeo.

Lindsey Mills, Sales Manager at the Courtyard by Marriott, stated that the hotel partnered with the Real. Texas. Festival. to create a VIP festival package, which included a night at the Courtyard by Marriott and VIP access to the festival for two people.

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The Courtyard by Marriott experienced a 30 percent occupancy increase compared to the same weekend in 2008.

Mr. Watkins explained that the Real. Texas. Festival. partnered with the Dallas Regional Medical Center by promoting a food drive during the festival. The food drive netted a total of 3,200 pounds of food with Mesquite Social Services and Sharing Life Community Outreach receiving 1,600 pounds each.

Kevin Carbo, Vice President of the Hispanic Forum of Mesquite (HFM), stated that the HFM participated in all three days of the festival this year compared to only Sunday in 2008. The HFM hosted a play area with several activities and were able to speak to guests about the services that the City of Mesquite provides to its residents. He stated that the HFM assisted in sponsoring entertainer Jay Perez.

Mr. Watkins stated that the Battle of the Bands consisted of four participants. He explained that the value of the measured media was \$308,000.00, which included television ads, additional radio ads, newspaper ads and outdoor billboards. The festival received national recognition in *Men's Health* magazine as well as local coverage in *D Magazine* and *Dallas Morning News' Guide Live*. KPLX 99.5 The Wolf has indicated their support in the future for the Real. Texas. Festival. Being only the third year for the festival, the Real. Texas. Festival. has garnered conversation towards additional sponsors for the 2010 event.

Councilmembers thanked Mr. Watkins and the Real. Texas. Festival. planning committee for their efforts towards a successful festival.

A. MONTHLY FINANCIAL REPORTS FOR APRIL 2009 – RECEIVED.

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

B. BRIEFING REGARDING THE REMODEL OF MARKET EAST SHOPPING CENTER – RECEIVED.

Tom Palmer, Manager of Economic Development, introduced Stacie Bowen, Crestview Real Estate, to unveil the plans on the proposed façade improvements at the Market East Shopping Center.

Ms. Bowen stated that until recently, Market East Shopping Center has maintained a high occupancy rate. Due to the closure of Mervyn's, Wickes Furniture and Comp USA and with the construction of SuperTarget, they realized the need to update the architecture of the Market East Shopping Center.

Ms. Bowen explained that Jeff Good with Good Fulton & Farrell originally designed the Market East Shopping Center as a power center in the 1980s. Crestview decided to return to the original designer and transform the existing plan into a more modern concept.

Ms. Bowen stated that redevelopment will occur in three phases. The first phase has been completed with the demolition of the Mervyn's and Wickes Furniture buildings. The second phase began today with the façade being remodeled and raised in certain areas with stone and added glass features as well as new steel roof caps. The pylon sign at the corner of Town East Boulevard and Emporium Circle will be renovated to match the new design and monument signs. Metal and fabric awnings will be utilized along with new decorative lighting fixtures. The fabric awnings will be constructed of the highest quality material and replaced every five to seven years. A majority of the sidewalks will be replaced with patterned stained concrete. All of the tenant signs will be replaced through a contract with Reynolds Sign Company. The third phase will incorporate two new junior anchors.

Ms. Bowen stated that Crestview has selected Spring Valley Construction Company as the general contractor to complete the remodel project. The overall remodel project totals over seven million dollars with an additional 12 million dollars when the new junior anchor tenants are secured. SuperTarget is scheduled to open on October 11, 2009, with the shopping center renovations to be completed by mid-December 2009.

Ms. Bowen explained that the Market East Shopping Center was the first power center in the Metroplex which started the trend. A significant amount of landscaping will be added by using a softscape design with benches and flower containers.

Mr. Palmer stated that he will coordinate a visit to the construction office for the Council.

D. BRIEFING REGARDING TRAFFIC SIGNALIZATION AND RESTRIPIING IMPROVEMENTS AT THE INTERSECTION OF OATES DRIVE AND SARAZEN DRIVE – RECEIVED.

Jerry Dittman, Assistant Director of Public Works, explained that the Fire Department requested installation of a traffic signal at the intersection of Oates Drive and Sarazen Drive to permit the safe egress of Fire Department apparatus from Fire Station No. 2. After completing a traffic study, Traffic Engineering staff determined that a traffic signal at this location was warranted and received Council approval in March 2008.

Mr. Dittman stated that Oates Drive is a six-lane arterial street with 100 feet of right-of-way. There are no left-turn lanes along Oates Drive from Gus Thomasson Road to North Galloway Avenue and the median is only four-foot wide. There are approximately 165 cars each hour that turn left from Oates Drive onto Sarazen Drive each morning and afternoon. There are two significant traffic generators, Vanston Park and Pool and Vanston Middle School, on the north side of Oates Drive. Over the past five years, on average, one right angle accident has occurred at this intersection each year.

Staff recommends re-striping the area on Oates Drive to create left-turn lanes for north and southbound Sarazen Drive. The traffic signal will allow both left-turn lanes to turn at the same time.

The work session ended at 2:01p.m.

EXECUTIVE SESSION – CITY COUNCIL CONFERENCE ROOM – 2:06 P.M.

Mayor Monaco announced that the City Council would meet in Executive Session pursuant to Section 551.072 of the Texas Government Code to consider the purchase, exchange, lease or value of real property (Acquisition of property in conjunction with the Pioneer Road Paving, Drainage, Water and Sanitary Sewer Improvement Project); whereupon, the City Council proceeded to meet in the City Council Conference Room. After the closed meeting ended at 2:19 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

REGULAR CITY COUNCIL MEETING – CITY COUNCIL CHAMBER – 3:01 P.M.

Invocation was given by Fred Bacon, Pastor, First Christian Church, Mesquite, Texas.

The Pledge of Allegiance was led by Hannah Bailey, Zachary Thomson and Mitchell Frankum, participants in the Summer Reading Club at the Mesquite Public Library.

SPECIAL ANNOUNCEMENT.

Mr. Noschese wished good luck to the Poteet High School Lady Pirates who are competing in the UIL State Softball Tournament.

PRESENTATION OF CERTIFICATES.

1. CERTIFICATES OF ELECTION PRESENTED TO MAYOR JOHN MONACO AND COUNCILMEMBERS BILL PORTER, PLACE 1, AL FORSYTHE, PLACE 2 AND DENNIS TARPLEY, PLACE 6.

Certificates of Election were presented to Mayor John Monaco and Councilmembers Bill Porter, Place 1, Al Forsythe, Place 2 and Dennis Tarpley, Place 6.

APPOINTMENT FOR PERSONAL APPEARANCE.

2. A. APPOINTMENT – REPRESENTATIVE OF RBC CAPITAL MARKETS – REVIEWED PRICING FOR THE ISSUANCE AND SALE OF BONDS.

Gary Machak, representing RBC Capital Markets, reviewed pricing for the issuance and sale of four bond issues: (1) \$11,260,000, Combination Tax and Revenue Certificates of Obligation, Series 2009; (2) \$1,865,000, Public Property Finance Contractual Obligations, Series 2009; (3) \$4,245,000, General Obligation Refunding Bonds, Series 2009 and (4) \$8,380,000 Waterworks and Sewer System Revenue Refunding and Improvement Bonds, Series 2009.

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Mr. Machak stated that even though there is significant turmoil in the market, there was sufficient demand from banks and retail. For the first time in a long time, the bonds were issued as bank qualified. The recent stimulus legislation increased the cap from 10 million dollars per year to 30 million dollars per year, which resulted in lower rates.

Mr. Machak stated that Standard & Poor's affirmed the City's credit rating for the Waterworks and Sewer System and General Obligation at "AA." Moody's affirmed the City's credit rating for the Waterworks and Sewer System at "A1" and the General Obligation at "Aa3." The Waterworks and Sewer System revenue bonds were bond insured. By purchasing a surety bond for the Water and Sewer Revenue Reserve Fund, the City saved \$310,000.00. The rating agencies cited the following reasons for the City's stand-alone rating affirmation: strong financial position; pay-as-you-go financing of capital improvements; location in regional economy; growing and diverse tax base; good management; financial performance; a high level of reserve position; and aggressively pursuing economic development within the City, specifically the Peachtree Towne Center project.

Mr. Machak stated that a comparison was done on the All-In Total Interest Cost (TIC) compared to the bonds issued in 2008 with each bond receiving a lower rate than last year with the exception of the General Obligation Refunding Issue because it is financed for a longer term. By keeping the issuance of bonds in the spring, when other cities are not in the market, the City continues to receive favorable rates. The bond closing is anticipated for June 30, 2009.

Mr. Machak stated that when the current economic development initiatives are in effect and bringing in revenue, the credit agencies will be more willing to discuss revising the ratings. The large undeveloped/unzoned land for single-family housing was mentioned in the credit agencies report. The credit agencies like to see a diverse economic base and single family housing is one of those bases that add to the diversity.

Councilmembers expressed appreciation to Mr. Machak and his staff for the work they perform for the City.

- B. ORDINANCE NO. 4049 – AUTHORIZING THE ISSUANCE OF CITY OF MESQUITE, TEXAS, COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2009, APPROVING AN OFFICIAL STATEMENT, AUTHORIZING THE EXECUTION OF A PURCHASE AGREEMENT, MAKING PROVISIONS FOR THE SECURITY THEREOF AND ORDAINING OTHER MATTERS RELATING TO THE SUBJECT – APPROVED.

Mr. Pickett moved to approve Ordinance No. 4049, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE ISSUANCE OF CITY OF MESQUITE, TEXAS, COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2009, APPROVING AN OFFICIAL STATEMENT, AUTHORIZING THE EXECUTION OF A PURCHASE AGREEMENT, MAKING PROVISIONS FOR THE SECURITY THEREOF, AND

ORDAINING OTHER MATTERS RELATING TO THE SUBJECT. Motion was seconded by Mr. Noschese and approved by all voting "Aye." (Ordinance No. 4049 recorded on page of Ordinance Book No. 93.)

- C. ORDINANCE NO. 4050 – AUTHORIZING THE ISSUANCE OF CITY OF MESQUITE, TEXAS, PUBLIC PROPERTY FINANCE CONTRACTUAL OBLIGATIONS, SERIES 2009, APPROVING AN OFFICIAL STATEMENT, AUTHORIZING THE EXECUTION OF A PURCHASE AGREEMENT, MAKING PROVISIONS FOR THE SECURITY THEREOF AND ORDAINING OTHER MATTERS RELATING TO THE SUBJECT – APPROVED.

Mr. Pickett moved to approve Ordinance No. 4050, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE ISSUANCE OF CITY OF MESQUITE, TEXAS, PUBLIC PROPERTY FINANCE CONTRACTUAL OBLIGATIONS, SERIES 2009, APPROVING AN OFFICIAL STATEMENT, AUTHORIZING THE EXECUTION OF A PURCHASE AGREEMENT, MAKING PROVISIONS FOR THE SECURITY THEREOF, AND ORDAINING OTHER MATTERS RELATING TO THE SUBJECT. Motion was seconded by Mr. Tarpley and approved by all voting "Aye." (Ordinance No. 4050 recorded on page of Ordinance Book No. 93.)

- D. ORDINANCE NO. 4051 – AUTHORIZING THE ISSUANCE OF CITY OF MESQUITE, TEXAS, GENERAL OBLIGATION REFUNDING BONDS, SERIES 2009, APPROVING AN OFFICIAL STATEMENT, AUTHORIZING THE EXECUTION OF A PURCHASE AGREEMENT AND AN ESCROW AGREEMENT, MAKING PROVISIONS FOR THE SECURITY THEREOF AND ORDAINING OTHER MATTERS RELATING TO THE SUBJECT – APPROVED.

Ms. Roberts moved to approve Ordinance No. 4051, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE ISSUANCE OF CITY OF MESQUITE, TEXAS, GENERAL OBLIGATION REFUNDING BONDS, SERIES 2009, APPROVING AN OFFICIAL STATEMENT, AUTHORIZING THE EXECUTION OF A PURCHASE AGREEMENT AND AN ESCROW AGREEMENT, MAKING PROVISIONS FOR THE SECURITY THEREOF, AND ORDAINING OTHER MATTERS RELATING TO THE SUBJECT. Motion was seconded by Mr. Forsythe and approved by all voting "Aye." (Ordinance No. 4051 recorded on page of Ordinance Book No. 93.)

- E. ORDINANCE NO. 4052 – AUTHORIZING THE ISSUANCE OF CITY OF MESQUITE, TEXAS, WATERWORKS AND SEWER SYSTEM REVENUE BONDS, SERIES 2009, APPROVING AN OFFICIAL STATEMENT, AUTHORIZING THE EXECUTION OF A PURCHASE AGREEMENT, MAKING PROVISIONS FOR THE SECURITY THEREOF AND ORDAINING OTHER MATTERS RELATING TO THE SUBJECT – APPROVED.

Mr. Tarpley moved to approve Ordinance No. 4052, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE ISSUANCE OF CITY OF MESQUITE, TEXAS, WATERWORKS AND SEWER SYSTEM REVENUE BONDS, SERIES 2009, APPROVING AN OFFICIAL STATEMENT, AUTHORIZING THE EXECUTION OF A PURCHASE AGREEMENT, MAKING PROVISIONS FOR THE SECURITY THEREOF AND ORDAINING OTHER MATTERS RELATING TO THE SUBJECT. Motion was seconded by Mr. Noschese and approved by all voting "Aye." (Ordinance No. 4052 recorded on page of Ordinance Book No. 93.)

CONSENT AGENDA.

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

3. MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD MAY 18, 2009, AND THE SPECIAL CITY COUNCIL MEETING HELD MAY 20, 2009.
4. BID NO. 2009-039 – INSTALL TRAFFIC SIGNAL SYSTEMS, PHASE 1B – CITY MANAGER AUTHORIZED TO EXECUTE A CONTRACT WITH LOW BIDDER FAIN GROUP, INC., IN THE AMOUNT OF \$407,280.54, CONTINGENT UPON CONTRACT APPROVAL FROM THE TEXAS DEPARTMENT OF TRANSPORTATION AND ADDITIONAL FUNDING FROM THE MESQUITE QUALITY OF LIFE CORPORATION.
5. BID NO. 2009-094 – ANNUAL SUPPLY OF TIRES – AWARDED TO LOW BIDDERS SOUTHERN TIRE MART – \$137,551.90; BLAGG TIRE & SERVICE – \$71,736.23; A TO Z TIRE & BATTERY, INC. – \$24,591.00; PLANO TIRE COMPANY – \$13,669.30; TIRE CENTERS, LLC – \$4,311.78; BILL WILLIAMS TIRE CENTER – \$1,842.02 AND DALLAS DODGE CHRYSLER JEEP – \$1,436.40 FOR A TOTAL AMOUNT OF \$255,138.63.
6. BID NO. 2009-101 – CARPET REPLACEMENT AT THE CONVENTION CENTER – CITY MANAGER AUTHORIZED TO EXECUTE A CONTRACT WITH BAGLEY'S FLOOR SERVICES, LTD., THROUGH THE TEXAS MULTIPLE AWARD SCHEDULE [TXMAS] IN THE AMOUNT OF \$255,974.23.
7. BID NO. 2009-102 – CITY LAKE PARK CONCRETE BAG WALL SHORELINE/EROSION CONTROL, FINAL PHASE – CITY MANAGER AUTHORIZED TO EXECUTE A CONTRACT WITH SOLE SOURCE PROVIDER KNIGHT EROSION CONTROL, INC., IN THE AMOUNT OF \$231,412.00.

APPOINTMENTS TO BOARDS AND COMMISSIONS.

8. APPOINTMENT OF ONE MEMBER TO THE HISTORIC MESQUITE, INC., BOARD OF DIRECTORS FOR A TERM TO EXPIRE DECEMBER 31, 2010.

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Mr. Pickett moved to appoint Suanne Toupal as a member of the Historic Mesquite, Inc., Board of Directors for a term to expire December 31, 2010. Motion was seconded by Mr. Forsythe and approved unanimously.

9. APPOINTMENT OF ONE MEMBER TO THE MESQUITE HEALTH FACILITIES DEVELOPMENT CORPORATION FOR A TERM TO EXPIRE DECEMBER 31, 2009.

Ms. Roberts moved to appoint Bill Porter as a member of the Mesquite Health Facilities Development Corporation for a term to expire December 31, 2009. Motion was seconded by Mr. Tarpley and approved unanimously.

10. APPOINTMENT OF ONE MEMBER TO THE MESQUITE HOUSING FINANCE CORPORATION FOR A TERM TO EXPIRE DECEMBER 31, 2009.

Mr. Tarpley moved to appoint Bill Porter as a member of the Mesquite Housing Finance Corporation for a term to expire December 31, 2009. Motion was seconded by Mr. Noschese and approved unanimously.

11. APPOINTMENT OF ONE MEMBER TO THE RIDGE RANCH TAX INCREMENT FINANCE REINVESTMENT ZONE NO. 5 BOARD OF DIRECTORS FOR A TERM TO EXPIRE DECEMBER 31, 2010.

Mr. Pickett moved to appoint Bill Porter as a member of the Ridge Ranch Tax Increment Finance Reinvestment Zone No. 5 Board of Directors for a term to expire December 31, 2010. Motion was seconded by Mr. Forsythe and approved unanimously.

12. APPOINTMENT OF ONE MEMBER TO THE LUCAS FARMS TAX INCREMENT FINANCE REINVESTMENT ZONE NO. 6 BOARD OF DIRECTORS FOR A TERM TO EXPIRE DECEMBER 31, 2010.

Mr. Forsythe moved to appoint Bill Porter as a member of the Lucas Farms Tax Increment Finance Reinvestment Zone No. 6 Board of Directors for a term to expire December 31, 2010. Motion was seconded by Ms. Roberts and approved unanimously.

13. CONSIDER APPOINTMENT OF A MAYOR PRO TEM AND DEPUTY MAYOR PRO TEM FOR ONE-YEAR TERMS – WITHDRAWN BY STAFF.

Mr. Pickett moved to adjourn the meeting. Motion was seconded by Ms. Roberts and approved unanimously. The meeting adjourned at 3:29 p.m.

Sonja Land
City Secretary

John Monaco
Mayor