

MINUTES OF WORK AND REGULAR CITY COUNCIL MEETING HELD BEGINNING AT NOON, APRIL 7, 2008, CITY COUNCIL CHAMBER, CITY HALL, 711 N. GALLOWAY.

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

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) request from the Transit Authority Partnership Subcommittee of the Regional Transportation Council and (2) potential improvements to Town East Pool.

WORK SESSION – CITY COUNCIL CHAMBER – 1:10 P.M.

B. REPORT FROM MESA DESIGN GROUP REGARDING THE ASSESSMENT PHASE OF THE I-30 GATEWAY PROJECT.

Work Session Item B was taken out of order.

Richard Gertson, Director of Community Development, introduced Robin McCaffrey with Mesa Design Group who presented an overview of Phase I of the I-30 Gateway Project.

Mr. McCaffrey stated that the Phase I of this project includes defining the market demand and assessing the limitations that keep Mesquite from accessing the market. Phase 2 will provide ideas to overcome these limitations.

Mr. McCaffrey stated that at one time, Mesquite was on the outer edge of a growing metropolitan area but with development now moving east along the I-30 corridor to Hunt County and along the Highway 80 corridor to Terrell, Mesquite is in the center of the new development. Mr. McCaffrey stated that Mesquite was once dominated by Town East Mall which attracted shoppers from the East Texas area. Most retail was located at the mall which left lower-end businesses occupying the freeway frontage.

Steve Shwiff, Economist with Texas A&M University at Commerce, Department of Accounting, Economics and Finance, explained that they compared various cities' progression from past to present to help determine how Mesquite will evolve.

Mr. McCaffrey stated that there is very little land available for development along the I-30 corridor. Businesses have developed along the edge of the freeway which depreciates the land behind it. He also mentioned that since North Galloway Avenue and Northwest Drive pass over I-30 rather than under the freeway, it tends to disassociate development along the frontage from the street. Without a major amenity in the middle of the area, it causes a destination deficiency that cannot be overcome. One solution would be to reconfigure the roads that bisect I-30 into a loop road which tends to have structure.

Mr. McCaffrey stated that the I-30 frontage towards Dallas contains various outdated uses from an older freeway system such as a truckstop, auto and RV dealerships and mobile home dealers. These businesses appeared along the freeway frontage as retail moved to Town East Mall. The land fronting the I-30 corridor toward Dallas is more valuable than the businesses that occupy the property. Much of the City's fabric is in this type of transition. The frontage pads are shallow and narrow and ramp configurations are rural in style which disassociates the frontage of the intersection from the development. If the ramps were reconfigured into a more urban style, a different type of development would occur.

Mr. McCaffrey stated that there are structural impediments that restrict Mesquite from taking full advantage of a marketing opportunity along the freeway systems. These impediments fall into four general categories: (1) parcel configuration – or making land parcels that are more symmetrical with today's market. As an example, a 300-foot-deep parcel is not useful in today's market because there are more vehicles which requires more parking; (2) value resolution – in many instances, the current land value exceeds the value of the business; (3) accessibility – current freeway ramps are outdated and need to be redesigned and (4) context definition – a need to create contextual conditions that reinforce investment.

Councilmembers expressed support for moving forward with the I-30 Gateway Project.

A brief recess was taken.

Mr. Heiman left for the remainder of the Work Session.

A. MONTHLY FINANCIAL REPORT FOR JANUARY 2008 – RECEIVED.

Don Simons, Director of Finance, presented the monthly financial report for January 2008.

The Work Session ended at 2:30 p.m.

EXECUTIVE SESSION – CITY COUNCIL CONFERENCE ROOM – 2:45 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 purchase, exchange, lease or value of real property (lease property located at IH 30 and Northwest Drive); whereupon, the City Council proceeded to meet in the City Council Conference Room. After the closed meeting ended at 2:52 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 Rocky Pope, Pastor, Mimosa Lane Baptist Church, Mesquite, Texas.

The Pledge of Allegiance was led by Recreation After School Program participants from Dunford Recreation Center.

CITIZENS FORUM.

Ann Yates, 1300 Douglas Drive, expressed concern regarding loud car stereos and barking dogs in her neighborhood. Also Ms. Yates stated she was recently told that City ordinances prohibit her from keeping four hens in her backyard.

SPECIAL ANNOUNCEMENT.

Mr. Heiman recognized former U.S. Congressman John Bryant who was in the audience.

SPECIAL RECOGNITION.

1. STUDENT GOVERNMENT DAY PARTICIPANTS FROM WEST MESQUITE HIGH SCHOOL AND POTEET HIGH SCHOOL.

Mayor Monaco recognized the Student Mayors, City Councils, City Managers and City Secretaries from West Mesquite High School and Poteet High School who will be participating in Student Government Day activities on April 11, 2008.

PRESENTATION OF PLAQUE.

2. PRESENTATION OF A PLAQUE TO GREG NOSCHESE IN RECOGNITION OF HIS SERVICE AS A MEMBER OF THE MESQUITE QUALITY OF LIFE CORPORATION BOARD OF DIRECTORS.

Mayor Monaco presented a plaque to Greg Noschese in recognition of his service as a member of the Mesquite Quality of Life Corporation Board of Directors from August 1999 to February 2008.

APPOINTMENTS FOR PERSONAL APPEARANCE.

3. APPOINTMENT – JOYCE HICKS, CHAIRPERSON, PARKS AND RECREATION ADVISORY BOARD AND TREE BOARD.

Joyce Hicks, Chairperson, Parks and Recreation Advisory Board and Tree Board, presented the fiscal year 2006-07 annual reports for the Parks and Recreation Advisory Board and Tree Board.

4. A. APPOINTMENT – REPRESENTATIVE OF RBC CAPITAL MARKETS – REVIEWED THE FINANCING PLAN FOR THE ISSUANCE AND SALE OF BONDS.

Minutes of regular City Council meeting held April 7, 2008

Page 4

Don Simons, Director of Finance, stated that meetings were held on April 4, 2008, in Dallas at the RBC Capital Markets offices with the rating agencies. He introduced Gary Machak representing RBC Capital Markets who reviewed the financing plan for the issuance and sale of Combination Tax and Revenue Certificates of Obligation, Series 2008.

Mr. Machak stated for the upcoming bond sale, interest rates are projected at below five percent on average. Confirmation of existing bond ratings of Aa3 with Moody's and AA with Standard and Poor's are expected. These are strong ratings. Consideration is being given to the possibility of refunding the 1998 General Obligation Bonds and 1998 Certificates of Obligation as well as the 1998, 1999 and 2000 Waterworks and Sewer System bonds. These refundings are dependent upon interest rates available at the time of the 2008 sale. There is also a possibility of acquiring a surety bond with FSA Insurance to use in place of the current Waterworks and Sewer Systems debt service reserve fund. Using the surety bond would free up the cash that is currently set aside in the Waterworks and Sewer System debt service reserve fund for the City's use.

Mr. Machak stated that the bond sale is scheduled for May 14, 2008. Ordinances will be presented at the May 19, 2008, City Council meeting authorizing the issuance of the bonds with funds being delivered on June 18, 2008.

B. RESOLUTION NO. 15-2008 – DIRECTING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CITY OF MESQUITE, TEXAS, COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2008.

Mr. Heiman moved to approve Resolution No. 15-2008, A RESOLUTION DIRECTING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CITY OF MESQUITE, TEXAS, COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2008. Motion was seconded by Ms. Roberts and approved by all voting "Aye." (Resolution No. 15-2008 recorded on page of Resolution Book No. 41.)

CONSENT AGENDA.

Item Nos. 8 and 20 was removed from the Consent Agenda to be considered separately. Mr. Pickett moved to approve the remaining items on the Consent Agenda, as follows. Motion was seconded by Ms. Roberts and approved unanimously.

5. MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD MARCH 17, 2008.
6. ORDINANCE NO. 3945 – ABANDONING A PORTION OF A FIVE-FOOT UTILITY EASEMENT WITHIN EAST DALLAS ESTATES ADDITION.

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, PROVIDING FOR THE ABANDONMENT OF A PORTION OF A FIVE-FOOT UTILITY EASEMENT BETWEEN LOTS 8 AND 8A OF THE EAST DALLAS ESTATES ADDITION SITUATED IN THE S. W. CALDWELL SURVEY, ABSTRACT NO. 337, CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AS

RECORDED IN VOLUME 78054, PAGE 3255, MAP RECORDS OF DALLAS COUNTY, TEXAS; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY. (Ordinance No. 3945 recorded on page _____ of Ordinance Book No. 90.)

7. RESOLUTION NO. 16-2008 – ADOPTING A FAÇADE IMPROVEMENT PROGRAM FOR BUSINESSES WITHIN TARGET REVITALIZATION AREAS.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, ADOPTING A FAÇADE IMPROVEMENT PROGRAM AND ASSOCIATED POLICIES FOR THE VISUAL IMPROVEMENT OF BUSINESSES WITHIN TARGET REVITALIZATION AREAS. (Resolution No. 16-2008 recorded on page _____ of Resolution Book No. 41.)

9. BID NO. 2008-020 – MESQUITE ARTS CENTER PARKING EXPANSION, PHASE 1 AND UTILITY RELOCATION – CITY MANAGER AUTHORIZED TO EXECUTE A CONTRACT WITH LOW BIDDER NORTH TEXAS CONTRACTING, INC., IN THE AMOUNT OF \$405,450.00.
10. RFP NO. 2008-046 – PURCHASE AND INSTALLATION OF MOBILE DATA COMPUTERS – AWARDED TO INSIGHT PUBLIC SECTOR IN THE AMOUNT OF \$1,074,127.00.
11. BID NO. 2008-050 – ANNUAL SUPPLY OF HEATING, VENTILATION AND AIR CONDITIONING (HVAC) SUPPLIES – AWARDED TO AACA AIR CONDITIONING AND HEATING PARTS AND SUPPLIES FOR GROUP NOS. 1, 2, 3, 4, 5, 8, 10, 11, 12 AND 14 IN THE AMOUNT OF \$71,171.25 AND FILTER SYSTEMS FOR GROUP NO. 13 IN THE AMOUNT OF \$5,145.56.
12. BID NO. 2008-059 – ANNUAL SUPPLY OF VEHICLE REPLACEMENT PARTS – AWARDED TO LOW BIDDERS O'REILLY AUTO PARTS WITH A DISCOUNT OF 41 PERCENT OR BETTER OFF OF LIST PRICE AND MIDWAY AUTO SUPPLY WITH A DISCOUNT OF 10 TO 25 PERCENT OFF OF CATALOG PRICE.
13. BID NO. 2008-062 – ANNUAL SUPPLY OF CONSTRUCTION MATERIALS – AWARDED TO LOW BIDDERS CRADDOCK LUMBER COMPANY IN THE AMOUNT OF \$6,602.81 AND RAM TOOL AND SUPPLY COMPANY IN THE AMOUNT OF \$54,247.65 FOR A TOTAL AMOUNT OF \$60,850.46.
14. BID NO. 2008-064 – PURCHASE AND INSTALLATION OF A 350-KW EMERGENCY BACK-UP GENERATOR – AWARDED PURCHASE TO WAUKESHA-PEARCE INDUSTRIES IN HOUSTON, TEXAS, THROUGH THE HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS COOPERATIVE PURCHASING PROGRAM IN THE AMOUNT OF \$79,736.00 AND AWARDED

INSTALLATION TO CONCORD COMMERCIAL SERVICES, INC., THROUGH BID NO. 2006-093, ANNUAL FACILITY MAINTENANCE, TIME AND MATERIAL, REPAIR AND REMODELING, IN THE AMOUNT OF \$11,500.00 FOR A TOTAL AMOUNT OF \$91,236.00.

15. BID NO. 2008-075 – PURCHASE OF BOMB ROBOT – AWARDED TO SOLE-SOURCE PROVIDER REMOTEC, INC., IN THE AMOUNT OF \$90,305.00.
16. CITY MANAGER AUTHORIZED TO EXECUTE A CHANGE ORDER TO CITY CONTRACT NO. 2008-011 FOR ANNUAL SUPPLY OF GARBAGE CAN LINERS WITH CENTRAL POLY CORPORATION FOR A PRICE INCREASE IN THE AMOUNT OF \$24,247.08 REFLECTING A TOTAL ANNUAL CONTRACT AMOUNT OF \$197,655.48.
17. CITY MANAGER AUTHORIZED TO EXECUTE THE NON-STANDARD LIGHTING FIXTURE AGREEMENT – TWO PARTY WITH ONCOR ELECTRIC DELIVERY COMPANY, LLC, FOR THE INSTALLATION, OPERATION AND MAINTENANCE OF NON-STANDARD STREET LIGHTING FIXTURES WITHIN THE ROWS OF TEXAS CORRIDOR.
18. CITY MANAGER AUTHORIZED TO EXECUTE AN AMENDMENT TO THE TIER TECHNOLOGIES, INC., SOFTWARE LICENSE AGREEMENT.
19. CITY MANAGER AUTHORIZED TO EXECUTE A SOFTWARE LICENSE AGREEMENT AND AN IMPLEMENTATION CONSULTING AGREEMENT WITH PERSONNEL DATA SYSTEMS, INC., FOR SOFTWARE AND INSTALLATION OF A HUMAN RESOURCES/PAYROLL SYSTEM IN THE AMOUNT OF \$279,762.50.

CONSENT AGENDA ITEMS CONSIDERED SEPARTELY.

8. RESOLUTION NO. 17-2008 – SUPPORTING REGIONAL EMERGENCY RESPONSE GROUPS AND REGIONAL PLANNING EFFORTS - APPROVED.

Councilmembers commended the many volunteers and public safety employees who were involved with the search for drowning victim Shaun Hebert who lost his life during a rain storm on March 18, 2008.

Mr. Tarpley moved to approve Resolution No. 15-2008, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, SUPPORTING REGIONAL EMERGENCY RESPONSE GROUPS AND PLANNING. Motion was seconded by Mr. Pickett and approved by all voting “Aye.” (Resolution No. 17-2008 recorded on page of Resolution Book No. 41.)

20. PETITION REQUEST FOR THE INSTALLATION OF SPEED BUMPS IN THE ALLEY BETWEEN 4855 PALOS VERDES DRIVE AND 4811 PALOS VERDES DRIVE FROM 4900 MORNINGSIDE COURT TO 4831 PALOS VERDES DRIVE - APPROVED.

Richard Gertson, Director of Community Development, presented the petition request for the installation of speed bumps in the alley between 4855 Palos Verdes Drive and 4811 Palos Verdes Drive from 4900 Morningside Court to 4831 Palos Verdes Drive.

Mr. Heiman moved to approve a petition request for the installation of speed bumps in the alley between 4855 Palos Verdes Drive and 4811 Palos Verdes Drive from 4900 Morningside Court to 4831 Palos Verdes Drive. Motion was seconded by Mr. Tarpley and approved by all voting "Aye."

END OF CONSENT AGENDA.

RECEIPT OF RESIGNATIONS AND APPOINTMENTS TO BOARDS AND COMMISSIONS.

21. RESIGNATIONS RECEIVED FROM GARY WESTPHAL, POLICE CHIEF, AND MARCO A. CISNEROS, DIRECTOR OF PARKS AND RECREATION, AS MEMBERS OF THE MESQUITE YOUTH SERVICES, INC., BOARD OF DIRECTORS.

Mr. Heiman moved to accept the resignations of Gary Westphal, Police Chief, and Marco A. Cisneros, Director of Parks and Recreation, as members of the Mesquite Youth Services, Inc., Board of Directors. Motion was seconded by Ms. Roberts and approved unanimously.

22. APPOINTMENT OF TWO MEMBERS TO THE MESQUITE YOUTH SERVICES, INC., BOARD OF DIRECTORS.

Mr. Pickett moved to appoint Derek Rohde, Police Chief, and Robert Piccioni, Assistant Police Chief, as members of the Mesquite Youth Services, Inc., Board of Directors for terms to expire May 31, 2008. Motion was seconded by Mr. Tarpley and approved unanimously.

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

Judy Womack
City Secretary

John Monaco
Mayor