

MINUTES OF THE WORK AND REGULAR CITY COUNCIL MEETING HELD BEGINNING AT NOON, AUGUST 2, 2010, CITY COUNCIL CHAMBER, CITY HALL, 711 N. GALLOWAY.

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

Absent: Councilmember Stan Pickett

**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 (1) Discuss creation of Mesquite Memorial Advisory Board, (2) Discuss proposed 2010-11 budget for the self-funded employee/retiree medical plans and (3) Discuss park hours of operation.

(1) It was Council consensus to proceed with the creation of Mesquite Memorial Advisory Board.

(3) Council directed staff to obtain additional information on the policies of other cities and to present the information to the Parks and Recreation Advisory Board.

**EXECUTIVE SESSION – CITY COUNCIL CONFERENCE ROOM – 1:05 P.M.**

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 Pioneer Road Paving and Drainage Improvement Project); whereupon, the City Council proceeded to meet in the City Council Conference Room. After the closed meeting ended at 1:22 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

**WORK SESSION – CITY COUNCIL CHAMBER – 1:30 P.M.**

A. MONTHLY FINANCIAL REPORT FOR JUNE 2010 – RECEIVED.

Don Simons, Director of Finance, presented the monthly financial report for June 2010.

The work session ended at 1:39 p.m.

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

Invocation was given by Fernando Hinojosa, Pastor, Castillo del Rey, Mesquite, Texas.

The Pledge of Allegiance was led by Barbara Dunn, Judy Brown, Sandra Eckstein and Valarie Semrinec, participants in the Book Club at the Mesquite Public Library.

**APPOINTMENT FOR PERSONAL APPEARANCE.**

1. APPOINTMENT – CLINT SCHELBITZKI, DIRECTOR OF PUBLIC AFFAIRS, UNION PACIFIC RAILROAD.

Daren Watkins, Special Events Coordinator, introduced Clint Schelbitzki, Director of Public Affairs, and Eric Anderson, Superintendent of Intermodal Operations, Union Pacific Railroad. Mr. Schelbitzki presented foundation grants to Charlene Orr and William Holliman of Historic Mesquite, Inc., Jessa Thomas of Keep Mesquite Beautiful, Inc., and Alex Priakos of Mesquite Social Services, Inc.

**CONSENT AGENDA.**

Item No. 3 was removed from the Consent Agenda to be considered separately. Mr. Tarpley moved to approve the remaining items on the Consent Agenda, as follows. Motion was seconded by Mr. Porter and approved unanimously.

2. MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD JULY 19, 2010, AND THE SPECIAL CITY COUNCIL MEETING HELD JULY 26, 2010.
4. RESOLUTION NO. 34-2010 – RESOLUTION SUPPORTING THE CANDIDACY OF MAYOR JOHN MONACO FOR THE POSITION OF PRESIDENT-ELECT OF THE TEXAS MUNICIPAL LEAGUE.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, SUPPORTING THE CANDIDACY OF MAYOR JOHN MONACO FOR THE POSITION OF PRESIDENT-ELECT OF THE TEXAS MUNICIPAL LEAGUE. (Resolution No. 34-2010 recorded on page        of Resolution Book No. 44.)

5. CITY MANAGER AUTHORIZED TO EXECUTE A CHANGE ORDER TO BID NO. 2009-088, ANNUAL SUPPLY OF AUTOMOTIVE BRAKES, PADS AND ACCESSORIES, WITH RUSSELL & SMITH FORD, INC. – \$16,000.00, BOB TOMES FORD – \$4,000.00, NAPA AUTO PARTS – \$3,000.00 AND OGBURN’S TRUCK PARTS – \$8,000.00, FOR A TOTAL AMOUNT OF \$31,000.00.

**CONSENT AGENDA ITEM CONSIDERED SEPARATELY.**

3. RESOLUTION NO. 33-2010 – SUPPORTING THE THOMASSON SQUARE SUSTAINABLE DEVELOPMENT PROJECT, COMMITTING TO A LOCAL FUNDING MATCH AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL COOPERATIVE AGREEMENT WITH THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS – APPROVED.

Mr. Hutcheson abstained from voting on this item and left the meeting.

Richard Gertson, Director of Community Development, described the grant-funded project sponsored by the Regional Transportation Council and the importance of

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the project to the surrounding neighborhoods. The \$3.75 million project encompasses a three-block area of Gus Thomasson Road from Moon Drive on the south to Karla Drive on the north. Gus Thomasson Road will be converted into a complete street, which reduces the current street from six lanes to four lanes with outside medians, local access lanes, a dedicated bicycle lane and on-street parking. The two-block area, known as Broadway Square, on the northeast side of Gus Thomasson Road and Oates Drive, would redevelop into a vertical mixed use and would also include the redevelopment of Ace Hardware. The project will create 172 residential units and 315 jobs in the community.

Councilmembers expressed support for the redevelopment project.

Mr. Tarpley moved to approve Resolution No. 33-2010, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, SUPPORTING THE THOMASSON SQUARE SUSTAINABLE DEVELOPMENT PROJECT, COMMITTING TO A LOCAL FUNDING MATCH, AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL COOPERATIVE AGREEMENT WITH THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS. Motion was seconded by Ms. Roberts. On call for a vote on the motion, the following votes were cast:

Ayes: Tarpley, Roberts, Monaco, Porter, Forsythe  
Nays: None  
Abstention: Hutcheson

Motion carried. (Resolution No. 33-2010 recorded on page of Resolution Book No. 44.)

**END OF CONSENT AGENDA.**

Mr. Hutcheson re-entered the meeting.

**PUBLIC HEARINGS.**

6. A. PUBLIC HEARING – RECEIVE INPUT FROM CITIZENS REGARDING THE PY2010-14 COMMUNITY DEVELOPMENT BLOCK GRANT CONSOLIDATED PLAN – HELD.

A public hearing was held to receive input from citizens regarding the PY2010-14 Community Development Block Grant Consolidated Plan.

Valerie Bradley, Director of Community Services, explained that the City is required to update the Community Development Block Grant (CDBG) Consolidated Plan every five years and introduced Rachel Thompson from BBC Research and Consulting, who presented the Consolidated Plan.

Ms. Thompson stated that the Consolidated Plan is required by the U.S. Department of Housing and Urban Development (HUD) every three to five years for communities that directly receive CDBG grant funding. The overall objectives of the Consolidated Plan is to assist low and moderate income residents, aid in the prevention of slum and blight, provide decent housing, ensure suitable living environments and support

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community development activities. The purpose of the Consolidated Plan is for the community to identify the housing and community development needs and to stipulate how the grant funds will be spent towards those needs. The public participation process included a resident survey, two public meetings, stakeholder focus group, interviews and two public hearings as well as the 30-day public comment period, which ends August 9, 2010.

Ms. Thompson presented the four strategies of the Five-Year Strategic Plan: (1) improve and preserve the city's housing stock; (2) support organizations that provide services for the city's special needs and low and moderate income populations; (3) improve and maintain the city's neighborhoods and (4) create new opportunities for all types of people to reside in Mesquite.

No one appeared regarding the PY2010-14 Community Development Block Grant Consolidated Plan. Mayor Monaco declared the public hearing closed.

- B. RESOLUTION NO. 35-2010 – ADOPTING AND APPROVING THE PY2010-14 COMMUNITY DEVELOPMENT BLOCK GRANT CONSOLIDATED PLAN – APPROVED.

Mr. Tarpley moved to approve Resolution No. 35-2010, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, ADOPTING AND APPROVING THE PY2010-14 COMMUNITY DEVELOPMENT BLOCK GRANT CONSOLIDATED PLAN AS REQUIRED BY THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT. Motion was seconded by Mr. Forsythe and approved by all voting "Aye." (Resolution No. 35-2010 recorded on page of Resolution Book No. 44.)

- 7. A. PUBLIC HEARING – RECEIVE INPUT FROM CITIZENS REGARDING THE PY2010-11 COMMUNITY DEVELOPMENT BLOCK GRANT ANNUAL ACTION PLAN – HELD.

A public hearing was held to receive input from citizens regarding the PY2010-11 Community Development Block Grant (CDBG) Annual Action Plan.

Valerie Bradley, Director of Community Services, stated that the PY2010-11 Annual Action Plan includes an allocation of approximately \$1 million in CDBG funds.

No one appeared regarding the PY2010-11 Community Development Block Grant Annual Action Plan. Mayor Monaco declared the public hearing closed.

- B. RESOLUTION NO. 36-2010 – AUTHORIZING THE FILING OF AN APPLICATION FOR AN AMOUNT NOT TO EXCEED \$992,799 FOR FEDERAL FUNDS UNDER THE HOUSING AND COMMUNITY DEVELOPMENT ACT, APPROVING AND ADOPTING THE PROGRAM YEAR 2010-11 COMMUNITY DEVELOPMENT BLOCK GRANT

ANNUAL ACTION PLAN AND DESIGNATING THE CITY MANAGER AS CHIEF EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE FOR THE PURPOSE OF GIVING REQUIRED ASSURANCES AND ACTING IN CONNECTION WITH SAID APPLICATION – APPROVED.

Ms. Roberts moved to approve Resolution No. 36-2010, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE FILING OF AN APPLICATION FOR AN AMOUNT NOT TO EXCEED \$992,799 FOR FEDERAL FUNDS UNDER THE HOUSING AND COMMUNITY DEVELOPMENT ACT; APPROVING AND ADOPTING THE PROGRAM YEAR 2010-11 COMMUNITY DEVELOPMENT BLOCK GRANT ANNUAL ACTION PLAN; AND DESIGNATING THE CITY MANAGER AS CHIEF EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE FOR THE PURPOSE OF GIVING REQUIRED ASSURANCES AND ACTING IN CONNECTION WITH SAID APPLICATION. Motion was seconded by Mr. Porter and approved by all voting “Aye.” (Resolution No. 36-2010 recorded on page \_\_\_\_\_ of Resolution Book No. 44.)

8. A. PUBLIC HEARING – CONSIDER TRANSFERRING PARK PROPERTY TO THE MESQUITE INDEPENDENT SCHOOL DISTRICT IN EXCHANGE FOR ADJACENT SCHOOL PROPERTY TO ALLOW FOR THE EXPANSION OF TOSCH ELEMENTARY SCHOOL LOCATED NORTHWEST OF THE INTERSECTION OF RUSTOWN DRIVE AND TOWNE CENTRE DRIVE AND GENERALLY BORDERED BY RUSTOWN DRIVE, LARCHMONT DRIVE AND MOTLEY DRIVE – HELD.

A public hearing was held to consider transferring park property to the Mesquite Independent School District in exchange for adjacent school property to allow for the expansion of Tosch Elementary School located northwest of the intersection of Rustown Drive and Towne Centre Drive and generally bordered by Rustown Drive, Larchmont Drive and Motley Drive.

Cliff Keheley, Director of Parks and Recreation, stated that the Mesquite Independent School District is requesting an exchange of property to adjust the property lines between the school and park sites at Tosch Elementary School as part of the re-platting process for the Tosch Elementary School addition and renovation project. The property exchange will allow for the expansion of the school facility to meet the needs of the growing enrollment of the school’s instructional program.

No one appeared regarding the exchange of property. Mayor Monaco declared the public hearing closed.

- B. MAYOR AUTHORIZED TO EXECUTE A WARRANTY DEED TRANSFERRING PARK PROPERTY TO THE MESQUITE INDEPENDENT SCHOOL DISTRICT LOCATED NORTHWEST OF THE INTERSECTION OF RUSTOWN DRIVE AND TOWNE CENTRE DRIVE AND GENERALLY BORDERED BY RUSTOWN DRIVE, LARCHMONT DRIVE AND MOTLEY DRIVE – APPROVED.

Mr. Tarpley moved to authorize the Mayor to execute a Warranty Deed transferring park property located northwest of the intersection of Rustown Drive and Towne Centre Drive and generally bordered by Rustown Drive, Larchmont Drive and Motley Drive to the Mesquite Independent School District. Motion was seconded by Mr. Forsythe and approved unanimously.

9. PUBLIC HEARING – CONSIDER ANNEXATION OF APPROXIMATELY 2.0 SQUARE MILES OF TERRITORY WITHIN THE CITY OF MESQUITE’S EXTRATERRITORIAL JURISDICTION – HELD.

A public hearing was held to consider annexation of approximately 2.0 square miles of territory within the City of Mesquite’s extraterritorial jurisdiction.

Mayor Monaco announced that this is the third and final public hearing to be held to consider annexation of approximately 2.0 square miles of territory within the City’s extraterritorial jurisdiction.

The following persons spoke in opposition to the proposed annexation: (1) Florence Benedict, 15429 Wisser Road, Mesquite; (2) Charles Benedict, 15429 Wisser Road, Mesquite; (3) Linda Bryant, 15547 Wisser Road, Mesquite; (4) John Morrison, 8338 Union Hill Road, Forney; (5) Frank Morgan, 8372 Union Hill Road, Forney; (6) Tom Neil, 10636 Live Oak Drive, Forney and (7) Brian Andrews, 8540 FM 2757, Forney. Their reasons for opposing the annexation include concerns regarding fire service and ambulance response time, infrastructure improvements, lack of educational facilities and community services, additional taxes and street maintenance.

(1) Christopher Andrews, 8520 FM 2757, Forney; (2) Jim Andrews, 8430 FM 2757, Forney and (3) Donna Andrews, 8540 FM 2757, Forney, submitted registration cards expressing opposition to the proposed annexation but did not wish to speak.

No others appeared regarding the proposed annexation. Mayor Monaco declared the public hearing closed.

**APPOINTMENTS TO BOARDS AND COMMISSIONS.**

10. APPOINTMENT OF TWO ALTERNATE MEMBERS TO THE BOARD OF ADJUSTMENT, ONE FOR A TERM TO EXPIRE JANUARY 1, 2011, AND ONE FOR A TERM TO EXPIRE JANUARY 1, 2012 – POSTPONED UNTIL THE AUGUST 16, 2010, CITY COUNCIL MEETING.

Ms. Roberts moved to postpone the consideration of two alternate members to the Board of Adjustment until the August 16, 2010, City Council meeting. Motion was seconded by Mr. Porter and approved unanimously.

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Mr. Hutcheson moved to adjourn the meeting. Motion was seconded by Mr. Porter and approved unanimously. The meeting adjourned at 4:07 p.m.

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Sonja Land  
City Secretary

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John Monaco  
Mayor