



City of Mesquite, Texas

Minutes - Final City Council

Monday, March 3, 2014

12:30 PM

City Hall | Council Chamber
757 N. Galloway | Mesquite, Texas

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

PRE-MEETING - COUNCIL CONFERENCE ROOM - 12:30 P.M.

AGENDA REVIEW

STAFF PRESENTATIONS

- 1 Receive briefing regarding entryway signage.

 A program of monument signage for primary and secondary entry points into the City was reviewed. Following discussion, staff recommended the development of artist renderings, detailed cost estimates and traffic counts for specific sites to facilitate further Council consideration.

- 2 Receive briefing regarding the City's landscape ordinance.

 Council was interested in receiving information regarding the cost impacts on new developments (either increases or savings) for the proposed changes as part of its review process.

- 3 Discuss vacant property registration.

 It was Council consensus to incorporate certain changes into the International Property Management Code to facilitate staff's dealing with problem properties as opposed to developing a separate registration process.

EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 12:36 P.M.

The City Council met in Executive Session pursuant to Section 551.087 of the Texas Government Code to consider commercial or financial information regarding business prospects or projects (consider economic development incentives for a business seeking to locate on Gus Thomasson Road within the Towne Centre Tax Increment Finance Reinvestment Zone No. Two); whereupon, the City Council proceeded to meet in the Executive Conference Room. After the closed meeting ended at 1:23 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

CITY COUNCIL/STAFF WORK SESSION - CITY COUNCIL CHAMBER - 1:31 P.M.

- 4 Receive quarterly investment report for period covering October 1, 2013, through December 31, 2013.

Debbie Mol, Director of Finance, presented the Investment Report for the period covering October 1, 2013, through December 31, 2013.

- 5 Receive financial statement for period covering October 1, 2013, through December 31, 2013.

Debbie Mol, Director of Finance, presented the financial statement for the period covering October 1, 2013, through December 31, 2013.

The work session ended at 1:47 p.m.

REGULAR CITY COUNCIL MEETING - CITY COUNCIL CHAMBER - 3:01 P.M.**INVOCATION**

Ron Ward, Pastor, A Church Without Walls, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

Mesquite Public Library volunteers and book club members.

SPECIAL ANNOUNCEMENTS

Mr. Noschese thanked everyone who attended the Mesquite ISD Education Foundation's 8th Annual Lone Star Legacy Gala and Concert that was held on Saturday, March 1, 2014 at the Mesquite Arena. He expressed appreciation for their support as the proceeds from this event will help fund campus grants.

CITIZENS FORUM

Michael Pate, representing Electric Guard Dog, spoke in favor of amending the City's regulations for electric security fences.

APPOINTMENT FOR PERSONAL APPEARANCE

- 6 Appointment - Nadine Ward, President, Mesquite Quality of Life Corporation.
(Ms. Ward will present the Board's Fiscal Year 2012-13 annual report.)

Nadine Ward, President, Mesquite Quality of Life Corporation, presented the annual report for the Mesquite Quality of Life Corporation. Since the inception of this board in 1999, a total revenue of \$132,687,766.00 has been received and a total of \$126,990,217.00 has been expended for projects. Councilmembers expressed appreciation to the Mesquite Quality of Life Corporation Board of Directors for their dedicated service to the City of Mesquite.

CONSENT AGENDA**Approval of the Consent Agenda**

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

- 7 Minutes of the regular City Council meeting held February 17, 2014.

Approved on the Consent Agenda.

- 8 A resolution authorizing the Mayor to execute a Joint Election Contract and Election Services Agreement with Dallas County Elections Department in connection with the annual City election to be held May 10, 2014.

Approved on the Consent Agenda.

Resolution No. 04-2014, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE A JOINT ELECTION CONTRACT AND ELECTION SERVICES AGREEMENT WITH DALLAS COUNTY ELECTIONS DEPARTMENT. (Resolution No. 04-2014 recorded on page of Resolution Book No. 46.)

- 9 A resolution appointing a representative to serve on the Early Voting Ballot Board for the May 10, 2014, Joint Election.

Approved on the Consent Agenda.

Resolution No. 05-2014, 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 10, 2014, JOINT ELECTION. (Resolution No. 05-2014 recorded on page of Resolution Book No. 46.)

- 10 A resolution establishing precincts and the location of polling places for the annual City election.

Approved on the Consent Agenda.

Resolution No. 06-2014, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, ESTABLISHING PRECINCTS AND THE LOCATION OF POLLING PLACES FOR THE ANNUAL CITY ELECTION; AND DECLARING AN EFFECTIVE DATE. (Resolution No. 06-2014 recorded on page of Resolution Book No. 46.)

- 11 A resolution authorizing the City Manager to execute an agreement with the Texas Department of Transportation for the temporary closure of State right-of-way on April 5, 2014, for the City of Mesquite Rodeo Parade, commemorating the 57th anniversary of the Mesquite Championship Rodeo.

Approved on the Consent Agenda.

Resolution No. 07-2014, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE TEMPORARY CLOSURE OF STATE RIGHT-OF-WAY ON APRIL 5, 2014, FOR THE

CITY OF MESQUITE RODEO PARADE, COMMEMORATING THE 57TH ANNIVERSARY OF THE MESQUITE CHAMPIONSHIP RODEO. (Resolution No. 07-2014 recorded on page of Resolution Book No. 46.)

- 12 A resolution authorizing the City Manager to execute an agreement with the Texas Department of Transportation for the temporary closure of State right-of-way from April 25, 2014, through April 26, 2014, for the eighth annual Real.Texas.Festival. signature event commemorating the 57th anniversary of the Mesquite Championship Rodeo.

Approved on the Consent Agenda.

Resolution No. 08-2014, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE TEMPORARY CLOSURE OF STATE RIGHT-OF-WAY FROM APRIL 25, 2014, THROUGH APRIL 26, 2014, FOR THE EIGHTH ANNUAL REAL. TEXAS. FESTIVAL. SIGNATURE EVENT COMMEMORATING THE 57TH ANNIVERSARY OF THE MESQUITE CHAMPIONSHIP RODEO. (Resolution No. 08-2014 recorded on page of Resolution Book No. 46.)

- 13 A resolution authorizing the filing of a project application in the amount of \$37,143.00 with the North Central Texas Council of Governments (NCTCOG) for a Regional Solid Waste Program Local Implementation Project, authorizing the City Manager to act on behalf of the City in all matters related to the application and pledging that if funding for this project is received, the City will comply with all project requirements of the NCTCOG, the Texas Commission on Environmental Quality and the State of Texas.

Approved on the Consent Agenda.

Resolution No. 09-2014, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE FILING OF A PROJECT APPLICATION IN THE AMOUNT OF \$37,143.00 WITH THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS ("NCTCOG") FOR A REGIONAL SOLID WASTE PROGRAM LOCAL IMPLEMENTATION PROJECT; AUTHORIZING THE CITY MANAGER TO ACT ON BEHALF OF THE CITY OF MESQUITE, TEXAS, IN ALL MATTERS RELATED TO THE APPLICATION; AND PLEDGING THAT IF FUNDING FOR THIS PROJECT IS RECEIVED, THE CITY OF MESQUITE, TEXAS, WILL COMPLY WITH ALL PROJECT REQUIREMENTS OF THE NCTCOG, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY AND THE STATE OF TEXAS. (Resolution No. 09-2014 recorded on page of Resolution Book No. 46.)

- 14 A resolution authorizing the City Manager to execute the First Amendment to the Project Specific Agreement to the Master Agreement governing Major Capital Transportation Improvement Projects with Dallas County for the purpose of transportation improvements on the LaPrada Drive Major Capital Improvement Program Project 20210B from Millmar Drive to Motley Drive.

Approved on the Consent Agenda.

Resolution No. 10-2014, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE THE FIRST AMENDMENT TO THE PROJECT SPECIFIC AGREEMENT TO THE MASTER AGREEMENT GOVERNING MAJOR CAPITAL TRANSPORTATION IMPROVEMENT

PROJECTS WITH DALLAS COUNTY FOR THE PURPOSE OF TRANSPORTATION IMPROVEMENTS ON THE LAPRADA DRIVE MAJOR CAPITAL IMPROVEMENT PROGRAM ("MCIP") PROJECT 20210B FROM MILLMAR DRIVE TO MOTLEY DRIVE. (Resolution No. 10-2014 recorded on page of Resolution Book No. 46.)

- 15** A resolution authorizing the City Manager to execute an amendment to the International City Management Association Retirement Corporation (ICMA-RC) Retirement Health Savings Plan (ICMA-RC RHS Plan) thereby complying with the prohibition on annual and lifetime limits added through Section 2711 of the Public Health Services Act, as required by the Patient Protection and Affordable Care Act of 2010, by conditioning reimbursement eligibility upon the employee's separation from service.

Approved on the Consent Agenda.

Resolution No. 11-2014, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE INTERNATIONAL CITY MANAGEMENT ASSOCIATION RETIREMENT CORPORATION (ICMA-RC) RETIREMENT HEALTH SAVINGS PLAN THEREBY COMPLYING WITH THE PROHIBITION ON ANNUAL AND LIFETIME LIMITS ADDED THROUGH SECTION 2711 OF THE PUBLIC HEALTH SERVICES ACT, AS REQUIRED BY THE PATIENT PROTECTION AND AFFORDABLE CARE ACT OF 2010, BY CONDITIONING REIMBURSEMENT ELIGIBILITY UPON THE EMPLOYEE'S SEPARATION FROM SERVICE. (Resolution No. 11-2014 recorded on page of Resolution Book No. 46.)

- 16** Bid No. 2014-015 - Large Diameter RCP Sanitary Sewer Rehabilitation by Cured-In-Place (CIPP), Phase 1 (Tripp Road to Bluffview Drive).
(Authorize the City Manager to execute a contract with low bidder Insituform Technologies, LLC, in the amount of \$997,317.00.)

Approved on the Consent Agenda.

- 17** Bid No. 2014-054 - Replacement of Rooftop Heat Pump Units at North Branch Library.
(Authorize the City Manager to execute the required documents with Berger Engineering Company through Bid No. 2012-006, Time and Materials, in the amount of \$82,094.50.)

Approved on the Consent Agenda.

- 18** Bid No. 2014-055 - Preventative Maintenance - Central Plant, Rodeo Arena and Convention Center & Exhibit Hall.
(Authorize the City Manager to execute the required documents with Berger Engineering Company through Bid No. 2012-006, Time and Materials, in the amount of \$65,405.80.)

Approved on the Consent Agenda.

- 19** Authorize the City Manager to execute a professional engineering services contract with BW2 Engineers, Inc., for the design of the Mesquite-Garland Trail Connector Project in the amount of \$75,350.00.

Approved on the Consent Agenda.

- 20 Authorize the City Manager to execute an interlocal agreement with the City of Garland for the purpose of connecting to the City of Garland Water and Wastewater Facilities for operations at the Mesquite Golf Course.

Approved on the Consent Agenda.

- 21 Ratify acceptance of donation of property to the City located at 1301 Americana Lane and authorize the City Manager to execute the necessary documents related to said donation.

Approved on the Consent Agenda.

END OF CONSENT AGENDA

PUBLIC HEARING

- 22 A. Conduct a public hearing regarding the Parks and Recreation Department Youth Programs Standards of Care.

B. Consider an ordinance adopting the Parks and Recreation Department Youth Programs Standards of Care.

A public hearing was held to consider the Parks and Recreation Department Youth Programs Standards of Care.

Elizabeth Harrell, 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 child-care licensing requirements.

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

Mr. Noschese moved to approve Ordinance No. 4301, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, ADOPTING YOUTH PROGRAMS STANDARDS OF CARE; PROVIDING A REPEALER CLAUSE; AND PROVIDING A SEVERABILITY CLAUSE. Motion was seconded by Mr. Tarpley and approved by all voting "Aye." (Ordinance No. 4301 recorded on page of Ordinance Book No. 103.)

RECEIPT OF RESIGNATION

- 23 Receive resignation from Bill Avera as a member of the Mesquite Quality of Life Corporation Board of Directors.

Mr. Pickett moved to accept the resignation of Bill Avera as a member of the Mesquite Quality of Life Corporation Board of Directors. Motion was seconded by Mr. Porter and approved unanimously.

ADJOURNMENT

Mr. Tarpley moved to adjourn the meeting. Motion was seconded by Ms. Roberts and approved unanimously. The meeting adjourned at 3:17 p.m.

Approved:

Attest:

John Monaco, Mayor

Sonja Land, City Secretary