



City of Mesquite, Texas

Minutes - Final City Council

Monday, May 15, 2023

5:15 PM

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

Present: Mayor Daniel Alemán, Jr., and Councilmembers Tandy Boroughs, B. W. Smith, Kenny Green, Jeff Casper, and Jennifer Vidler, Assistant City Manager Raymond Rivas and City Secretary Sonja Land.

Absent: Councilmember Debbie Anderson.

EXECUTIVE SESSION - TRAINING ROOMS A & B - 5:15 P.M.

Mayor Alemán announced that the City Council would meet in Executive Session pursuant to Section 551.087 of the Texas Government Code to consider commercial or financial information regarding business prospects or projects (Item No. 17 - Discuss economic development incentives for an industrial development at IH-20 and Lawson Road in Mesquite, Texas); whereupon, the City Council proceeded to meet in Training Rooms A & B. After the closed meeting ended at 5:36 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

PRE-MEETING - TRAINING ROOMS A&B - 5:36 P.M.

AGENDA REVIEW

EXECUTIVE SESSION - COUNCIL CONFERENCE ROOM - 5:59 P.M.

Mayor Alemán announced that the City Council would meet in Executive Session pursuant to Section 551.087 of the Texas Government Code to consider commercial or financial information regarding business prospects or projects (Item No. 15 - Discuss economic development incentives for a project at Gus Thomasson Road and Town East Boulevard; Item No. 16 - Discuss economic development incentives for a prospective Development on IH-30 near Motley Drive); whereupon, the City Council proceeded to meet in the Council Conference Room. After the closed meeting ended at 6:13 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

EXECUTIVE SESSION - COUNCIL CONFERENCE ROOM - 6:13 P.M.

Mayor Alemán announced that the City Council would meet in Executive Session pursuant to Section 551.071 of the Texas Government Code to conduct a private consultation with its attorney related to pending or contemplated litigation; a settlement offer; and issues in which there exists a duty of the City Attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas (Receive update on pending litigation cases); whereupon, the City Council proceeded to meet in the Council Conference Room. After the closed meeting ended at 6:39 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

CITY COUNCIL/STAFF WORK SESSION - CITY COUNCIL CHAMBER - 6:42 P.M.

- 1 Receive financial statements for the period October 1, 2022, through March 31, 2023.

Cindy Smith, Director of Finance, presented financial statements for the period covering October 1, 2022, through March 31, 2023.

The Work Session ended at 6:59 p.m.

REGULAR CITY COUNCIL MEETING - CITY COUNCIL CHAMBER - 7:00 P.M.**INVOCATION**

Andre Wadye, Reverend, Mesquite Friendship Baptist Church, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

Members of the Mesquite Citizens Police Academy Alumni Association (MCPAAA) in honor of National Police Appreciation Week.

SPECIAL ANNOUNCEMENTS

1. Mr. Casper invited citizens to attend the Mesquite Arts Council's "Mesquite Rocks!" concert series on Thursday, May 18, 2023, at 7:00 p.m., at the Mesquite Arts Center, 1527 North Galloway Avenue, featuring PriMadonna, a Madonna tribute band. This family-friendly concert series is held on the 3rd Thursday of each month through July and will feature a variety of performers.
2. Mr. Casper stated that the City's Parks and Recreation Department offers a variety of summer camps for children from Kindergarten through Sixth Grade. Activities will include games, field trips, swim days, crafts and much more. Registration is now open at www.cityofmesquite.com/Camps and space is limited.
3. Mr. Green announced that the City has launched a new monthly road report, "Word On The Street", which will include current and future road work information and can be found on the City's website at www.cityofmesquite.com/WordOnTheStreet. The May 2023 edition includes information regarding construction on Skyline Drive and Town East Boulevard to Peachtree Road. The City also offers an interactive map of all current and future City of Mesquite transportation projects at www.cityofmesquite.com/PublicWorksProjects.

4. Ms. Vidler stated that Historic Mesquite, Inc., will be offering free admission to active-duty military personnel and their family members this summer. Free admission will be offered from Armed Forces Day on May 20, 2023, to Labor Day on September 4, 2023. This includes Mesquite's Florence Ranch Homestead and Opal Lawrence Historical Park. For more information, contact the Historic Mesquite, Inc.'s office at 972-216-6468 or visit www.cityofmesquite.com/HMI.
5. Ms. Vidler invited citizens to attend a District 3 Neighborhood Meeting and Picnic on Saturday, June 3, 2023, from 11:00 a.m. to 1:00 p.m., at Town East Park, 2724 North Town East Boulevard.
6. Mr. Boroughs invited citizens to attend Movies in the Park and a Touch-A-Truck event on Friday, May 19, 2023, at 6:00 p.m., at Paschall Park, 1001 New Market Road. Touch-A-Truck provides kids the opportunity to climb on and learn about their favorite big trucks and vehicles including police cars, dump trucks, tractors and fire trucks. Vehicle operators will be available to answer any questions. Afterwards, Movies in the Park will begin at dusk featuring the Disney movie, "Lightyear."
7. Mr. Boroughs shared that he had a heart attack on May 5, 2023, and thanked everyone for their thoughts and prayers.
8. Mr. Smith invited citizens to a District 5 Neighborhood Meeting and Picnic on Saturday, May 20, 2023, from 11:00 a.m. to 1:00 p.m., at Rutherford Recreation Center, 900 Rutherford Drive.
9. Mr. Smith stated that children will soon be out of school for summer break and reminded citizens to "Drive Like Your Family Lives Here."
10. Mayor Alemán invited citizens to attend a Memorial Day service on Monday, May 29, 2023, at the Mesquite Veterans Memorial, 425 South Galloway Avenue. A brief program will honor the men and women who died while serving in the United States Armed Forces. The service will begin at 2:55 p.m. to coincide with the National Moment of Remembrance at 3:00 p.m. The program will include a reading of the names of those Mesquite residents who gave the ultimate sacrifice.
11. Battalion Chief Phillip Cunningham, President of the Mesquite Firefighters Association, announced that the Muscular Dystrophy Association (MDA) Fill-the-Boot Campaign will be held on May 19, 2023, May 26, 2023, and June 2, 2023. Firefighters will be collecting donations on street corners for one hour in the morning and two hours in the evening. He thanked the citizens for their continued support of MDA and stated that since 2011, the citizens of Mesquite have donated \$347,000.00 to the Fill-the-Boot Campaign. Donations fund research and MDA Summer Camps. He thanked Mr. Boroughs for his long-time support of MDA and for volunteering at the Summer Camps. Mr. Boroughs kicked off the campaign by making the first donation followed by other Councilmembers.

CITIZENS FORUM

Charlotte Clouch, 3007 Portsmouth Drive, expressed concerns regarding fees charged through the Mesquite Pay portal.

CONSENT AGENDA

Approval of the Consent Agenda

Mr. Green moved to approve the items on the Consent Agenda as follows. Motion was seconded by Mr. Boroughs and approved unanimously.

- 2 Minutes of the regular City Council meeting held May 1, 2023.

Approved on the Consent Agenda.

- 3 An ordinance amending the budget for the Fiscal Year 2022-23, as heretofore approved by Ordinance No. 4976 of the City of Mesquite, Texas, adopted on August 15, 2022, appropriating and setting aside the necessary funds out of

the general and other revenues of the City of Mesquite for Fiscal Year 2022-23, for the maintenance and operation of various departments and activities of the City, for capital and other improvements of the City and for all other expenditures included in said amended budget.

Ordinance No. 5022, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE BUDGET FOR THE FISCAL YEAR 2022-23 AS HERETOFORE APPROVED BY ORDINANCE NO. 4976 OF THE CITY OF MESQUITE, TEXAS, ADOPTED ON AUGUST 15, 2022, APPROPRIATING AND SETTING ASIDE THE NECESSARY FUNDS OUT OF THE GENERAL AND OTHER REVENUES OF THE CITY OF MESQUITE FOR FISCAL YEAR 2022-23 FOR THE MAINTENANCE AND OPERATION OF VARIOUS DEPARTMENTS AND ACTIVITIES OF THE CITY, FOR CAPITAL AND OTHER IMPROVEMENTS OF THE CITY AND FOR ALL OTHER EXPENDITURES INCLUDED IN SAID AMENDED BUDGET; AND PROVIDING A SEVERABILITY CLAUSE. (Ordinance No. 5022 recorded in Ordinance Book No. 128.)

Approved on the Consent Agenda.

- 4 A resolution authorizing the City Manager to execute an Amendment and Extension to the Dallas County New Directions in Public Safety Grant for an amount not to exceed \$1,250,000.00 for a term beginning May 1, 2023, to April 30, 2024.

Resolution No. 20-2023, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT AND EXTENSION TO THE DALLAS COUNTY NEW DIRECTIONS IN PUBLIC SAFETY GRANT FOR AN AMOUNT NOT TO EXCEED \$1,250,000.00 FOR A TERM BEGINNING MAY 1, 2023, TO APRIL 30, 2024; AND PROVIDING AN EFFECTIVE DATE. (Resolution No. 20-2023 recorded in Resolution Book No. 67.)

Approved on the Consent Agenda.

- 5 Bid No. 2023-055 - Annual Supply of Water Parts.
(Staff recommends award of Groups I, III, and IV to Core & Main LP and to authorize the City Manager to finalize and execute contracts in an amount not to exceed \$584,353.11, and Group II to Ferguson Enterprises, LLC, in an amount not to exceed \$192,846.31. The term of each contract is for a one-year period, with four additional one-year renewals. The City Manager is authorized to exercise the renewal options on each contract, subject to the annual appropriation of sufficient funds.)

Approved on the Consent Agenda.

- 6 RFQ No. 2023-063 - Housing Study Assessment.
(Authorize the City Manager to finalize and execute a Professional Services Agreement with Stantec Consulting Services, Inc., in an amount not to exceed \$100,000.00.)

Approved on the Consent Agenda.

- 7 Bid No. 2023-065 - City of Mesquite Arts Center Building Exterior Painting.
(Authorize the City Manager to finalize and execute a contract and any required documents with CCS Custard Construction Services, Inc., through The Interlocal Purchasing System (TIPS) Contract No. 211001, in an amount

not to exceed \$179,438.92.)

Approved on the Consent Agenda.

- 8 RFQ No. 2023-075 - Materials Testing Service for the Construction of the Service Center Field Service Building.
(Authorize the City Manager to finalize and execute a Professional Services Agreement with Terracon Consultants, Inc., for materials testing services for the addition to and remodel of the Mesquite Service Center Field Services Building in an amount not to exceed \$70,755.00.)

Approved on the Consent Agenda.

- 9 Bid No. 2023-077 - Purchase of Two Ford Escapes for Airport.
(Authorize the City Manager to finalize and execute a contract and any required documents with Silsbee Ford, Inc., for the purchase of two vehicles, through The Interlocal Purchasing System (TIPS) Contract 210907, in an amount not to exceed \$61,607.00.)

Approved on the Consent Agenda.

- 10 Bid No. 2023-083 - Cross Elementary School Park: Playground.
(Authorize the City Manager to finalize and execute a contract and any required documents with Whirlix Design, Inc., for the purchase and installation of playground equipment, through BuyBoard Purchasing Cooperative Contract No. 679-22, in an amount not to exceed \$191,523.53.)

Approved on the Consent Agenda.

- 11 Authorize the City Manager to execute Change Order No. 2 with Motorola Solutions, Inc., to Mesquite Contract No. 853 for the purchase of replacement radios for P25 Radio System in the amount of \$1,504,636.49.

Approved on the Consent Agenda.

PUBLIC HEARINGS

- 12 A. Conduct a public hearing under Chapter 311 of the Texas Tax Code to consider approving a Second Amended Project Plan and Reinvestment Zone Financing Plan for Reinvestment Zone Number Twelve, City of Mesquite, Texas (IH-20 Business Park) (the "Zone") and increasing the total estimated project costs for the Zone.

B. Consider an ordinance approving a Second Amended Project Plan and Reinvestment Zone Financing Plan for Reinvestment Zone Number Twelve, City of Mesquite, Texas (IH-20 Business Park) (the "Zone") and increasing the total estimated project costs for the Zone.

A public hearing was held under Chapter 311 of the Texas Tax Code to consider an ordinance approving a Second Amended Project Plan and Reinvestment Zone Financing Plan for Reinvestment Zone Number Twelve (IH-20 Business Park).

Kim Buttram, Director of Economic Development, and Cindy Smith, Director of

Finance, presented Item Nos. 12, 13 and 14. Ms. Buttram stated that Tax Increment Reinvestment Zone (TIRZ) No. 12 (IH-20 Business Park) was created on June 4, 2018, by Resolution No. 31-2018, to provide a funding mechanism for the improvements needed to develop the land for commercial use. TIRZ No. 12 is a 50 percent TIRZ which would put 50 percent of the real property value in the TIRZ Zone into an allocated account for projects. This TIRZ continues until 2051. The first amendment to TIRZ No. 12 in 2021 expanded the TIRZ Zone. She stated that tonight, we are proposing a second amendment to update feasibility numbers. TIRZ No. 12 contains 1,053 acres, 58 parcels and 21 property owners and includes the Airport Logistics Center (Dalfen Industrial Area), Airport East Business Park, Mesquite Metro Airport and IH-20 Business Park and Retail Area. The building square footage is broken down by major developments totaling approximately 8.7 million square feet at build out.

Cindy Smith, Director of Finance, stated that in 2021, which is the base year for TIRZ No. 12, the taxable value was \$4,386.00. With the proposed second amendment, the projected 2051 taxable value is \$771 million. By the year 2051, the City will receive \$51.6 million in TIRZ revenue, which is a \$17.3 million increase from the first plan amendment. Expenditures will include the infrastructure such as water, sewer, roads, drainage and more. These costs are estimated at \$40.9 million which includes Mesquite IH-20 Retail - \$6.8 million; Mesquite IH-20 Industrial - \$23.9 million; Mesquite Airport East - \$6.4 million; Mesquite Airport Logistics Center - \$3.4 million; and Administrative Costs - \$400,000.00.

Ms. Buttram stated that the infrastructure costs are funded by the private sector by the developer rather than by the City, unless the City chooses to.

Developers Scott Rohrman and Sergio Izquierdo, representing 42 Real Estate, provided an overview of the company. Mr. Izquierdo stated that 42 Real Estate is an investment and development company based in Dallas, Texas, specializing in corporate build-to-suits, retail developments, industrial developments and community redevelopments. 42 Real Estate has developed properties in 32 states and Canada. He stated that one of the projects was the FedEx Ground facility located at the former Big Town Mall site in Mesquite which was a 352,034-square-foot-project. Mr. Rohrman stated that users for the proposed development may include data centers, manufacturing, distribution centers.

No one appeared regarding an ordinance approving a Second Amended Project Plan and Reinvestment Zone Financing Plan for TIRZ No. 12 (IH-20 Business Park).

Ms. Vidler moved to approve Ordinance No. 5023, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, APPROVING A SECOND AMENDED PROJECT PLAN AND REINVESTMENT ZONE FINANCING PLAN FOR REINVESTMENT ZONE NUMBER TWELVE, CITY OF MESQUITE, TEXAS (IH-20 BUSINESS PARK) (THE "ZONE"); INCREASING THE TOTAL ESTIMATED PROJECT COSTS FOR THE ZONE; MAKING A FINDING REGARDING FEASIBILITY; PROVIDING REPEALER AND SEVERABILITY CLAUSES; AND PROVIDING AN EFFECTIVE DATE THEREOF. Motion was seconded by Mr. Green and approved unanimously. (Ordinance No. 5023 recorded in Ordinance Book No. 128.)

Conduct a public hearing and consider a resolution approving the terms and conditions of a program to promote local economic development and stimulate business and commercial activity in the City, authorizing the City Manager to

finalize and execute a TIRZ No. 12 Reimbursement Agreement, Repurchase Option Agreement, and City Chapter 380 Incentive and Performance Agreement for such purposes with IH 20 IP, LLC (the "Developer"), and the Board of Directors of Reinvestment Zone No. 12, City of Mesquite, Texas (IH-20 Business Park) (the "TIRZ") regarding the developer's construction of an approximately 210.026-acre Class A Industrial Park in the TIRZ located at 925 McKenzie Road, 3400 McKenzie Road, 2700 McKenzie Road, 4800 Lasater Road, and 4900 Lasater Road, Mesquite, Texas, the acquisition from the City and by the Developer of approximately 100.264 acres of land in the TIRZ and located at 925 McKenzie Road and 3400 McKenzie Road, Mesquite, Texas, and the granting to the Developer of certain TIRZ reimbursements and economic development incentives, and authorizing the City Manager to take such actions and execute such documents as are necessary or advisable to consummate the transactions contemplated by the agreement, and administer the agreement on behalf of the City.

A public hearing was held to consider a resolution approving a Tax Increment Reinvestment Zone (TIRZ) No. 12 Reimbursement Agreement, Repurchase Option Agreement and City Chapter 380 Incentive and Performance Agreement with IH 20 IP, LLC and the Board of Directors of TIRZ No. 12 (IH-20 Business Park).

Kim Buttram, Director of Economic Development, stated that IH 20 IP, LLC, an entity of 42 Real Estate and SLJ Company, proposes to construct an approximately 210-acre Class A Industrial Park along IH-20 at Lawson Road. The proposed development combines five tracts of land requiring extensive infrastructure to become viable for development located at 925 McKenzie Road, 3400 McKenzie Road, 2700 McKenzie Road, 4800 Lasater Road and 4900 Lasater Road. Project costs (infrastructure) for the improvements to the site consist of the excavating and grading, retaining walls, relocation and rebuild of McKenzie Road, new sanitary sewer line, water line expansion and potential relocation, creek enhancements, mitigation, and the development of an electric substation.

Ms. Buttram stated that as part of the agreement, the City would grant 100 acres of City-owned property to the developer upon commencement of infrastructure, less three-acres for the Oncor substation. The TIRZ reimbursements to develop the industrial park would not exceed \$25 million.

Ms. Buttram stated that in the event of a default by the developer, the agreement includes terms allowing the City to regain the City's land grant by either regaining the property (if default is prior to the beginning of vertical construction), or requiring the developer to purchase the land for either fair market value or a pre-set amount of approximately \$13 million, whichever is less (if default is after vertical construction has commenced).

Ms. Buttram stated that the proposed Chapter 380 Agreement outlines the terms and conditions on the part of the developer, the City of Mesquite, and TIRZ No. 12, City of Mesquite. Phase One requires the developer to commence infrastructure projects by January 1, 2026, with completion of all infrastructure projects by June 30, 2027. TIRZ reimbursements would begin with the completion of each infrastructure project. The agreement allows the City to take the lead on road and sewer projects and receive prorated TIRZ reimbursements. Phase Two (Facility) requires the construction of at least 450,000 square feet of industrial buildings with a capital investment of at least \$25 million by July 1, 2027, with completion of the building shell(s) by December 31, 2028. Phase

Three (Facility Expansion) requires the vertical construction of at least 1.55 million square feet of industrial buildings with a capital investment of at least \$90 million by July 1, 2030, with completion of the building shell(s) by June 1, 2033. The total required facility construction is two million square feet and \$115 million capital investment by the developer.

Ms. Buttram stated that this agreement allows for Oncor to take ownership of up to a three-acre tract and easements for substation access and transmission lines.

No one appeared regarding a resolution approving a Tax Increment Reinvestment Zone (TIRZ) No. 12 Reimbursement Agreement, Repurchase Option Agreement and City Chapter 380 Incentive and Performance Agreement with IH 20 IP, LLC and the Board of Directors of TIRZ No. 12 (IH-20 Business Park).

Mr. Green moved to approve Resolution No. 21-2023, including the form of the agreement that was provided to the City Council by memorandum last Friday and that the City Manager is authorized to revise the recapture provision as discussed earlier this evening, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF A PROGRAM TO PROMOTE LOCAL ECONOMIC DEVELOPMENT AND STIMULATE BUSINESS AND COMMERCIAL ACTIVITY IN THE CITY; AUTHORIZING THE CITY MANAGER TO FINALIZE AND EXECUTE A TIRZ NO. 12 REIMBURSEMENT AGREEMENT, REPURCHASE OPTION AGREEMENT, AND CITY CHAPTER 380 INCENTIVE AND PERFORMANCE AGREEMENT FOR SUCH PURPOSES WITH IH 20 IP, LLC (THE "DEVELOPER"), AND THE BOARD OF DIRECTORS OF REINVESTMENT ZONE NO. 12, CITY OF MESQUITE, TEXAS (IH-20 BUSINESS PARK) (THE "TIRZ") REGARDING THE DEVELOPER'S CONSTRUCTION OF AN APPROXIMATELY 210.026-ACRE CLASS A INDUSTRIAL PARK IN THE TIRZ LOCATED AT 925 MCKENZIE ROAD, 3400 MCKENZIE ROAD, 2700 MCKENZIE ROAD, 4800 LASATER ROAD, AND 4900 LASATER ROAD, MESQUITE, TEXAS; THE ACQUISITION FROM THE CITY AND BY THE DEVELOPER OF APPROXIMATELY 100.264 ACRES OF LAND IN THE TIRZ AND LOCATED AT 925 MCKENZIE ROAD AND 3400 MCKENZIE ROAD, MESQUITE, TEXAS, AND THE GRANTING TO THE DEVELOPER OF CERTAIN TIRZ REIMBURSEMENTS AND ECONOMIC DEVELOPMENT INCENTIVES; AND AUTHORIZING THE CITY MANAGER TO TAKE SUCH ACTIONS AND EXECUTE SUCH DOCUMENTS AS ARE NECESSARY OR ADVISABLE TO CONSUMMATE THE TRANSACTIONS CONTEMPLATED BY THE AGREEMENT, AND ADMINISTER THE AGREEMENT ON BEHALF OF THE CITY. Motion was seconded by Ms. Vidler and approved unanimously. (Resolution No. 21-2023 recorded in Resolution Book No. 67.)

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Conduct a public hearing and consider a resolution approving the terms and conditions of a program to promote local economic development and stimulate business and commercial activity in the City, authorizing the City Manager to finalize and execute an Economic Development Program Chapter 380 Agreement for such purposes with Oncor Electric Delivery Company, LLC, ("Oncor") for the construction and operation of an electrical facility on approximately three acres of real property (the "Property") owned by the City and located at 925 McKenzie Road in the City of Mesquite, Dallas County, Texas, and the acquisition of the Property from the City by Oncor, and authorizing the City Manager to take such actions and execute such documents as are necessary or advisable to consummate the transactions contemplated by the agreement, and administer the agreement on behalf of the City.

A public hearing was held to consider a resolution approving an Economic Development Program Chapter 380 Agreement with Oncor Electric Delivery Company, LLC.

Kim Buttram, Director of Economic Development, stated that for the development of land for residential, industrial, and commercial use in the southern Mesquite area, a new Oncor substation is needed to be constructed. The terms of the Chapter 380 Agreement with Oncor Electric Delivery Company LLC requires Oncor to purchase the substation tract, a 2.8604-acre tract of City-owned property located at 925 McKenzie Road, and transmission easement through a grant from the City of Mesquite for \$436,100.00. Oncor would be required to begin construction by October 1, 2023, and be completed by October 1, 2024, and to construct an eight-foot-tall screening wall around the substation. Oncor will receive a rebate for \$436,100.00 upon timely completion. Oncor is allowed access to the substation through the currently City-owned tract which will become a developer-owned tract once the developer begins infrastructure improvements to the pending business park. Oncor will also clear a City utility easement parallel to Oncor's transmission easement. Ms. Buttram stated that there is an urgency for the construction of the Oncor substation due to businesses being constructed at IH-635 and U. S. Highway 80.

Ms. Buttram stated that the balance of 925 McKenzie Road is also part of a Chapter 380 Agreement and TIRZ No. 12 Reimbursement Agreement with a developer to construct an approximately 210-acre industrial business park. The lines from the Oncor substation will run through easements within the business park on City land being conveyed to the developer and the developer's land.

No one appeared regarding a resolution approving an Economic Development Program Chapter 380 Agreement with Oncor Electric Delivery Company, LLC.

Mr. Green moved to approve Resolution No. 21-2023 including the form of the agreement that was provided to the City Council by memorandum last Friday, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF A PROGRAM TO PROMOTE LOCAL ECONOMIC DEVELOPMENT AND STIMULATE BUSINESS AND COMMERCIAL ACTIVITY IN THE CITY; AUTHORIZING THE CITY MANAGER TO FINALIZE AND EXECUTE AN ECONOMIC DEVELOPMENT PROGRAM CHAPTER 380 AGREEMENT FOR SUCH PURPOSES WITH ONCOR ELECTRIC DELIVERY COMPANY, LLC ("ONCOR"), FOR THE CONSTRUCTION AND OPERATION OF AN ELECTRICAL FACILITY ON APPROXIMATELY THREE ACRES OF REAL PROPERTY (THE "PROPERTY") OWNED BY THE CITY AND LOCATED AT 925 MCKENZIE ROAD IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND THE ACQUISITION OF THE PROPERTY FROM THE CITY BY ONCOR; AND AUTHORIZING THE CITY MANAGER TO TAKE SUCH ACTIONS AND EXECUTE SUCH DOCUMENTS AS ARE NECESSARY OR ADVISABLE TO CONSUMMATE THE TRANSACTIONS CONTEMPLATED BY THE AGREEMENT, AND ADMINISTER THE AGREEMENT ON BEHALF OF THE CITY. Motion was seconded by Ms. Vidler and approved unanimously. (Resolution No. 22-2023 recorded in Resolution Book No. 67.)

ADJOURNMENT

Mr. Green moved to adjourn the meeting. Motion was seconded by Mr. Casper and approved unanimously. The meeting adjourned at 7:47 p.m.

Attest:

Approved:

Sonja Land, City Secretary

Daniel Alemán, Jr., Mayor