

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO FINALIZE AND EXECUTE A GRANT AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION, AVIATION DIVISION, FOR THE REIMBURSEMENT OF \$103,500.00 FROM THE ACQUISITION OF 2.9 ACRES OF LAND LOCATED AT 4180 SCYENE ROAD IN MESQUITE, DALLAS COUNTY, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City of Mesquite, Texas (the “**City**”), purchased 2.9 acres of land located at 4180 Scyene Road in Mesquite, Dallas County, Texas, for a total cost of \$115,132.66, to secure the Runway Protection Zone for Runway 18 at the Mesquite Metro Airport, authorized by City Council action on March 2, 2015, resulting from executive session on agenda item 17; and

WHEREAS, by following the process set forth by the Aviation Division of the Texas Department of Transportation (“**TxDOT**”), this land purchase is now eligible for a reimbursement of up to 90 percent of the acquisition cost, being \$103,500.00; and

WHEREAS, TxDOT has requested a resolution from the City whereby the City acknowledges the project will be placed on the July 2021 TxDOT Commission agenda for approval; and

WHEREAS, if approved by the TxDOT Commission, the City and TxDOT shall enter into an Airport Project Participation Agreement to formalize and provide for the 90 percent reimbursement to the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. The City Council finds it necessary and appropriate to seek reimbursement from TxDOT of up to 90 percent of the \$115,132.66 acquisition cost for the purchase of approximately 2.9 acres located at 4180 E. Scyene Road, Mesquite, Texas that was purchased to secure the Runway Protection Zone for Runway 18 at the Mesquite Metro Airport, said reimbursement being \$103,500.00, and acknowledges this matter will be placed on the July 2021 TxDOT Commission agenda for consideration and approval.

SECTION 2. The City of Mesquite, Texas, names the Texas Department of Transportation (“**TxDOT**”) as its agent for the purposes of applying for, receiving and disbursing all funds for this land acquisition reimbursement and for the administration of contracts necessary for the implementation of the land acquisition reimbursement.

SECTION 3. Upon approval of this matter by the TxDOT Commission and to facilitate reimbursement of the City, the City Manager or his designee is hereby authorized to finalize and execute on behalf of the City of Mesquite, Texas, an Airport Project Participation Agreement with the State of Texas, represented by TxDOT, Aviation Division, which shall be in a final form acceptable to the City Attorney or his designee.

SECTION 4. The City Manager or his designee is hereby authorized to do any and all things, execute any and all documents, and take any action necessary to complete the intent of this resolution.

SECTION 5. Should any word, sentence, clause, paragraph or provision of this resolution be held to be invalid or unconstitutional, the validity of the remaining provisions of this resolution shall not be affected and shall remain in full force and effect.

SECTION 6. All resolutions or portions thereof in conflict with the provisions of this resolution, to the extent of such conflict are hereby repealed. To the extent that such resolutions or portions thereof are not in conflict herewith, the same shall remain in full force and effect.

SECTION 7. This resolution shall become effective immediately upon its adoption.

DULY RESOLVED by the City Council of the City of Mesquite, Texas, on the 6th day of July 2021.

Bruce Archer
Mayor

ATTEST:

Sonja Land
City Secretary

APPROVED AS TO LEGAL FORM:



David L. Paschall
City Attorney