



City of Mesquite, Texas

Minutes - Final City Council

Monday, September 20, 2021

5:00 PM

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

Present: Mayor Bruce Archer and Councilmembers Robert Miklos, Dan Aleman, Tandy Boroughs, Kenny Green, B. W. Smith and Sherry Wisdom, City Manager Cliff Keheley and City Secretary Sonja Land.

PRE-MEETING - TRAINING ROOMS A&B - 5:00 P.M.

AGENDA REVIEW

STAFF PRESENTATIONS

- 1 Receive briefing regarding trash container conversion program.

It was Council consensus not to proceed with the trash container conversion program at this time.

CITY COUNCIL/STAFF WORK SESSION - CITY COUNCIL CHAMBER - 6:48 P.M.

- 2 Receive quarterly activity report from the Economic Development Department.

Kim Buttram, Director of Economic Development, presented the Economic Development Department quarterly report covering April 1, 2021 through June 30, 2021. She reviewed sales tax collection, building permits issued and certificates of occupancy that were finalized. Front Street Station's Grand Opening was held on May 22, 2021, and the Downtown Farmers Market opened on June 12, 2021. The Mesquite Convention and Visitors Bureau (CVB) website had 152,641 website views and 246,317 page views.

She stated that the air conditioning unit for Alejandro's at Front Street Station was installed this week. It is anticipated that the City will release the building to Alejandro's in October or November 2021, for final preparation.

Councilmembers expressed appreciation to the Economic Development staff for their efforts in promoting the City of Mesquite.

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

Deputy Mayor Pro Tem Dan Aleman.

PLEDGE OF ALLEGIANCE

City Staff.

PRESENTATIONS

- 3** Receive presentation of Preservation Texas Honor Award for the restoration of out buildings at Opal Lawrence Historical Park.

Toyia Pointer, Manager of Historic Preservation, stated that the Lawrence Farmstead is listed on the National Register for Historic Places, recorded as a Texas Historic Landmark and recognized as a Texas Century Farm. She presented before and after photos of the outbuildings - wash house, root cellar and curing shed. She stated that the Opal Lawrence Outbuilding Restoration Project was completed in 2018 under the stewardship of previous Historic Mesquite, Inc., Executive Director, Charlene Orr, who is also a current Preservation Texas Board Member. Ron Siebler lead the full restoration of the outbuildings.

Ms. Pointer introduced Evan Thompson, Executive Director of Preservation Texas who presented the City with the Preservation Texas 2021 Honor Award – Lawrence Outbuildings.

SPECIAL ANNOUNCEMENTS

1. Mr. Aleman invited citizens to attend Pumpkin Fest on Saturday, October 16, 2021, from Noon to 5:00 p.m., at Valley Creek Park, 2482 Pioneer Road. Activities include carnivals games, food vendors, children's costume contest, pumpkin pie eating contest and dog costume contest. Admission and parking are free.
2. Mr. Smith stated that the City has begun the process of replacing existing water meters at all homes and businesses in Mesquite with upgraded meters, which will allow for better accuracy and transparency for all water utility customers. The process is estimated to take approximately two years to complete. For more details, visit www.cityofmesquite.com/MeterProject.
3. Mr. Boroughs reminded citizens that new requirements for solid waste customers go into effect in October 2021. This includes placing trash in a bag and placing the bag into a trash can. If any citizen needs help with a special circumstance, call the Solid Waste staff at 972-216-6285. Citizens can review frequently asked questions regarding the new requirements at www.cityofmesquite.com/SolidWaste.

4. Mr. Miklos commended the Mesquite Fire Department (MFD) for the outstanding 9/11 Memorial ceremony with the help of the Mesquite Police Department, Parks and Recreation Department and the Mesquite Arts Center. The MFD also participated in the Dallas 9/11 Memorial Stair Climb on Saturday, September 4, 2021. Twenty-five firefighters climbed 110 flights of stairs at Fountain Place in downtown Dallas wearing full bunker gear and an air pack, representing the 110 floors of the World Trade Center. The City of Mesquite had the most firefighters participate out of the 101 departments represented at the event.

5. Mr. Miklos reminded citizens to be considerate and abide by the law by picking up after your dog.

6. Mr. Green stated that mental health is an important issue in our community. Last week, City Manager Cliff Keheley led a discussion on the topic with a panel of experts as part of National Suicide Prevention Awareness Month. He encouraged the public to watch the replay of the presentations on a variety of mental health issues that may help them or someone they know. The presentation is available on the City's website at www.cityofmesquite.com/CommunityHealthForums.

7. Mayor Archer commended long-time Mesquite resident Shirley Weddle for being a suicide prevention advocate.

8. Ms. Wisdom stated that Kathy Fonville, Sustainability Program Coordinator, has been elected as Chair of the Resource Conservation Council, which provides advice to the North Central Texas Council of Governments on conservation and recycling efforts. Kathy has been with the City for 14 years and provides environmental programs and classes for Mesquite residents. She congratulated Kathy on this leadership accomplishment.

CITIZENS FORUM

1. Brett Yniguez, 1023 South Bryan Street, expressed concerns regarding dead vegetation in South Mesquite Creek due to chemical spraying.

2. Ukiah Swain, invited citizens to register to vote at Mardi Gras Daiquiris, 1336 North Galloway Avenue, Suite 116, on Saturday, October 2, 2021. Participants will be eligible for free gifts.

CONSIDERATION OF RESOLUTION

20 Consider a resolution naming the future park on Emporium Square as Mike Anderson Park.

This item was removed from the Consent Agenda and taken out of order.

Cindy Hodges, Shackelford Drive, and David Burris, 4229 Coryell Way, expressed support for naming the park after the Country Meadows neighborhood or after persons involved in working to have the area dedicated as park land.

Mayor Archer read the resolution into the record. He stated that Mike Anderson served as a City Councilmember from April 1986 to January 1994. He also served as Mayor from May 1997 to August 2007. During his tenure as Mayor, the City experienced significant economic growth. He initiated the effort to create the Towne Centre Tax Increment Finance Reinvestment Zone No. Two that captured millions of dollars in funds that have been used to expand roadways and infrastructure projects that benefited the Town East and Towne Centre retail

areas. He was instrumental in the passage of the Mesquite Quality of Life Corporation (4B) Sales Tax which has led to increased public safety funding, better parks and better roadways throughout the community. Mr. Anderson is a life-long resident of the City of Mesquite and a proud Mesquite High School graduate who has dedicated a lifetime of commitment and leadership to the Mesquite community and its citizens.

Mayor Archer unveiled a rendering of the future Mike Anderson Park.

Mr. Aleman moved to approve Resolution No. 57-2021, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, NAMING THE FUTURE PARK ON EMPORIUM SQUARE AS MIKE ANDERSON PARK. Motion was seconded by Ms. Wisdom and approved unanimously. (Resolution No. 57-2021 recorded in Resolution Book No. 63.)

CONSENT AGENDA

Approval of the Consent Agenda

Mr. Miklos requested that Item No. 10 be removed from the Consent Agenda to be considered separately. Mr. Aleman moved to approve the remaining items on the Consent Agenda, as follows. Motion was seconded by Mr. Green and approved unanimously.

- 4 Minutes of the regular City Council meeting held September 7, 2021

Approved on the Consent Agenda.

- 5 An ordinance amending Appendix D - the Comprehensive Fee Schedule of the Mesquite City Code, as amended, by making certain deletions and additions in Appendix D for fees collected by the City of Mesquite.

Approved on the Consent Agenda.

Ordinance No. 4900, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING APPENDIX D – THE COMPREHENSIVE FEE SCHEDULE OF THE MESQUITE CITY CODE, AS AMENDED, BY MAKING CERTAIN DELETIONS AND ADDITIONS IN APPENDIX D FOR FEES COLLECTED BY THE CITY OF MESQUITE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED \$4,000.00; AND PROVIDING AN EFFECTIVE DATE. (Ordinance No. 4900 recorded in Ordinance Book No. 125.)

- 6 A resolution endorsing and accepting the 2021-2022 Comprehensive Safety Grant (the “Grant”) for the Selective Traffic Enforcement Program (the “STEP Program”); authorizing the filing of the application for the Grant; approving the contribution of City funds in the amount of \$10,272.94; designating the City Manager as the official representative of the City in connection with the Grant; and authorizing the City Manager to take all actions and execute all documents with the Texas Department of Transportation in connection with such Grant and STEP Program.

Approved on the Consent Agenda.

Resolution No. 53-2021, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, ENDORSING AND ACCEPTING THE 2021-2022

COMPREHENSIVE SAFETY GRANT (THE "GRANT") FOR THE SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (THE "STEP PROGRAM"); AUTHORIZING THE FILING OF THE APPLICATION FOR THE GRANT; APPROVING THE CONTRIBUTION OF CITY FUNDS IN THE AMOUNT OF \$10,272.94; DESIGNATING THE CITY MANAGER AS THE OFFICIAL REPRESENTATIVE OF THE CITY IN CONNECTION WITH THE GRANT; AND AUTHORIZING THE CITY MANAGER TO TAKE ALL ACTIONS AND EXECUTE ALL DOCUMENTS WITH THE TEXAS DEPARTMENT OF TRANSPORTATION IN CONNECTION WITH SUCH GRANT AND STEP PROGRAM. (Resolution No. 53-2021 recorded in Resolution Book No. 63.)

- 7 A resolution adopting an Investment Policy and declaring that the City Council completed its review of the investment policies and investment strategies.

Approved on the Consent Agenda.

Resolution No. 54-2021, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, ADOPTING AN INVESTMENT POLICY; DECLARING THAT THE CITY COUNCIL COMPLETED ITS REVIEW OF THE INVESTMENT POLICIES AND INVESTMENT STRATEGIES; AND DECLARING AN EFFECTIVE DATE THEREOF. (Resolution No. 54-2021 recorded in Resolution Book No. 63.)

- 8 A resolution authorizing the Mayor to execute an Election Services Contract with Dallas County on behalf of the Dallas County Elections Administrator in connection with the Special and General Election to be held November 2, 2021.

Approved on the Consent Agenda.

Resolution No. 55-2021, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE AN ELECTION SERVICES CONTRACT WITH DALLAS COUNTY ON BEHALF OF THE DALLAS COUNTY ELECTIONS ADMINISTRATOR IN CONNECTION WITH THE SPECIAL AND GENERAL ELECTION TO BE HELD NOVEMBER 2, 2021. (Resolution No. 55-2021 recorded in Resolution Book No. 63.)

- 9 A resolution authorizing the Mayor to execute an Election Services Contract with Kaufman County on behalf of the Kaufman County Elections Administrator in connection with the Special and General Election to be held November 2, 2021.

Approved on the Consent Agenda.

Resolution No. 56-2021, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE A CONSTITUTIONAL AMENDMENT AND JOINT ELECTION CONTRACT FOR JOINT ELECTION SERVICES WITH THE ELECTIONS ADMINISTRATOR OF KAUFMAN COUNTY IN CONNECTION WITH THE SPECIAL AND GENERAL ELECTION TO BE HELD NOVEMBER 2, 2021. (Resolution No. 56-2021 recorded in Resolution Book No. 63.)

- 11 RFP No. 2021-062 - Loncy Leake Ballfield Renovation: Construction Contract. (Staff recommends all bids be rejected.)

Approved on the Consent Agenda.

- 12 Bid No. 2021-108 - Annual Supply of Tools. (Authorize the City Manager to finalize and execute contracts with White Cap, L.P., dba White Cap Construction Supply for Group 1 - Item Nos. 4, 6, 8-10,

12-14, 16 and 17 in the amount of \$5,440.70, Group 2 - Item Nos. 2, 3, 8 and 9 in the amount of \$13,330.70, and Group 4 - Item Nos. 3-5, 7-9, 11, 13, 20-23, 25-26 and 28 in the amount of \$10,610.84, for a total amount of \$29,382.24; and Sid Tool Co., Inc., dba MSC Industrial Supply Co. for Group 1 - Item Nos. 1-3, 5, 7, 11, 15 and 18 in the amount of \$4,037.21, Group 2 - Item Nos. 1 and 4-7 in the amount of \$3,099.92, Group 3 - Item Nos. 1-8, 11-15, 17 and 19 in the amount of \$48,244.89, and Group 4 - Item Nos. 1, 2, 6, 10, 12, 14-19, 24, 27, 29 and 30 in the amount of \$8,013.50, for a total amount of \$63,395.52, for a total bid amount of \$92,777.76. The term of the contract is for a one-year period, with four additional one-year renewal options. The City Manager is authorized to exercise the renewal options, subject to annual appropriation of sufficient funds.)

Approved on the Consent Agenda.

13

Bid No. 2021-109 - Annual Supply of Garbage Can Liners.
(Authorize the City Manager to execute a contract with low bidder Houston Poly Bag I, Ltd., in the amount of \$292,450.00. The term of this contract is for a one-year period, with four additional one-year renewal options. The City Manager is authorized to exercise the renewal options, subject to annual appropriation of funds.)

Approved on the Consent Agenda.

14

Bid No. 2021-113 - Evans and DeBusk Parks: Replace Playground Safety Surface (PIP).
(Authorize the City Manager to finalize and execute a contract with Robertson Industries, Inc., through Omnia Partners, Purchasing Cooperative Contract No. R162204, in the amount of \$132,403.70.)

Approved on the Consent Agenda.

15

Authorize the City Manager to finalize and execute a Professional Engineering Services Contract with Grantham & Associates, Inc., for the survey, engineering design and preparation of bidding and construction documents for the installation of approximately 4,300 linear feet of 12-inch water main in the amount of \$98,940.00.

Approved on the Consent Agenda.

16

Authorize the City Manager to finalize and execute an Interlocal Agreement with the Collin County Community College District to provide emergency medical services education and training in the classroom and through internship with the Mesquite Fire Department. The term of this contract is for one year, with two additional one-year renewal options. The City Manager is authorized to exercise the renewal options.

Approved on the Consent Agenda.

17

Authorize the City Manager to finalize and execute a Professional Engineering Services Contract with Garver, LLC, for the Paschall Park Odor Control Project located within Paschall Park in the amount of \$163,106.00.

Approved on the Consent Agenda.

- 18 Authorize the City Manager to approve Change Order No. 3 to Bid No. 2020-049, Town Ridge, Pecan Bend, Woodlawn, Skyline Neighborhoods, with Estrada Concrete Company, LLC, for additional services in the amount of \$569,840.00.

Approved on the Consent Agenda.

- 19 Approve the purchase of a tract of land containing approximately 3.45 acres and being located in the John Pike Survey, Abstract Number 1174, City of Mesquite, Dallas County, Texas, and being commonly referred to as 2100 Berry Drive, Mesquite, Texas (the "Property") from Paul R. Leake and Stephen A. Leake (the "Seller") for the purchase price of \$150,000.00, plus closing costs, authorize the City Manager to finalize and execute a Commercial Sales Contract-Unimproved Property between the Seller and the City for the purchase of the Property, and authorize the City Manager to execute all other documents and take all other actions necessary or requested to finalize the closing and purchase of the Property.

Approved on the Consent Agenda.

CONSENT AGENDA ITEM TO BE CONSIDERED SEPARATELY

- 10 A resolution repealing existing City Council Policies and Procedures and Rules of Procedure and adopting new City Council Policies and Procedures and Rules of Procedure for the conduct of City Council business and meetings.
(This item was postponed at the September 7, 2021, City Council meeting.)

Mr. Miklos moved to table the resolution repealing existing City Council Policies and Procedures and Rules of Procedure and adopting new City Council Policies and Procedures and Rules of Procedure for the conduct of City Council business and meetings. Motion was seconded by Mr. Green and approved unanimously.

End of Consent Agenda

RECEIPT OF RESIGNATION

- 21 Receive resignation from Chanteau "Janice" Chennault as a member of the Municipal Library Advisory Board.

Mr. Miklos moved to accept the resignation of Chanteau "Janice" Chennault as a member of the Municipal Library Advisory Board. Motion was seconded by Mr. Green and approved unanimously.

OTHER BUSINESS

- 22 Consider cancelling the regular City Council meeting scheduled for Monday, September 27, 2021.

Mr. Miklos moved to approve cancelling the regular City Council meeting scheduled for Monday, September 27, 2021. Motion was seconded by Mr. Green and approved unanimously.

PUBLIC HEARINGS

23

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 Agreement (Chapter 380 Agreement) with Creation RE, LLC, for the construction and development of a Class A Industrial Business Park located at 1600 East US Highway 80 and 2000 East US Highway 80, Mesquite, Texas, and authorizing the City Manager to finalize, execute and administer the agreement on behalf of the City.

A public hearing was held to consider an Economic Development Program Agreement (Chapter 380 Agreement) with Creation RE, LLC.

Kim Buttram, Director of Economic Development, stated that Creation RE, LLC, LGE DesignBuild and LGE DesignGroup propose to develop Mesquite 365, a Class A office/industrial campus, at the southeast corner of US Highway 80 and IH-635. The proposed development includes three buildings totaling approximately 555,000 square feet on a 38-acre tract of land with a capital investment of approximately \$60 million.

She stated that the developer has requested incentives to offset exceptional costs for infrastructure required to make the site viable for development which includes the reconstruction of Santa Maria Drive. Incentives requested by the developer are for the City to construct an approximately 4,300-linear-foot water line along the western portion of the development adjacent to IH-635 by May 31, 2022, as well as a grant equal to the amount of 100 percent of Roadway Impact Fees, not to exceed \$700,000.00.

She stated that the development is subject to building material and development standards as contained in the Chapter 380 Agreement and is required to receive a Certificate of Occupancy for at least a 159,000-square-foot building by April 30, 2023, with completion and receipt of a Certificate of Occupancy on all remaining building obligations by April 30, 2026.

Applicant Taylor Mitcham, Vice-President of Transactions with Creation Equity, stated that the development will be a Class A Warehouse and Office Campus and will consist of three buildings located at the southeast corner of IH-635 and US Highway 80. He stated that the truck court will be located in the center of the project. The groundbreaking is planned for the Fall of 2021.

No one appeared regarding the Economic Development Program Agreement (Chapter 380 Agreement) with Creation RE, LLC.

Mr. Boroughs moved to approve Resolution No. 58-2021, 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 WITH CREATION RE, LLC, FOR THE CONSTRUCTION AND DEVELOPMENT OF A CLASS A INDUSTRIAL BUSINESS PARK LOCATED AT 1600 EAST US HIGHWAY 80 AND 2000 EAST US HIGHWAY 80, IN THE CITY OF MESQUITE, TEXAS; AND AUTHORIZING THE CITY MANAGER TO FINALIZE, EXECUTE, AND ADMINISTER THE AGREEMENT ON BEHALF OF THE CITY. Motion was seconded by Mr. Smith and approved

unanimously. (Resolution No. 58-2021 recorded in Resolution Book No. 63.)

24

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 of Mesquite, authorizing the City Manager to finalize and execute an Economic Development Program Agreement (Chapter 380 Agreement) with TDI Valleybrooke, LLC, for the construction and development of the property located at 2400 Mesquite Valley Road and 2800 Mesquite Valley Road, Mesquite, Texas, and authorizing the City Manager to finalize, execute and administer the agreement on behalf of the City.

A public hearing was held to consider an Economic Development Program Agreement (Chapter 380 Agreement) with TDI Valleybrooke, LLC.

Kim Buttram, Director of Economic Development, stated that TDI Valleybrooke, LLC, was awarded RFP No. 2021-079 for the purchase of 2800 Mesquite Valley Road, a 19.984-acre tract currently owned by the City of Mesquite. TDI Valleybrooke's affiliate, TDI, GP, LLC, has an adjacent 31.66-acre tract under contract with plans to combine the two tracts to construct a master-planned, low density, single-family residential development. The proposed planned community offers deed restrictions, design guidelines, open space, trails and amenities, and a professionally managed homeowner's association for perpetual maintenance.

She stated that a Chapter 380 Agreement and Contract for Sale outlines the terms and conditions for the sale of the City-owned tract to TDI Valleybrooke, LLC, for \$271,000.00 and provides a performance incentive to TDI Valleybrooke, LLC, as a grant of \$271,000.00. Performance includes the timely construction of public trails and amenities, as well as other public improvements to be dedicated to the City. The site plan contains 223-home lots and sales prices are estimated to average \$300,000.00. The proposed community is to be named Valley Brooke and is adjacent to the proposed new City of Mesquite Copeland Park in which the trail system will connect.

Applicant Philip Duncan, representing Taylor Duncan Interests, stated that they have been working on this project for over 18 months. He stated that the home builders for this development will be MI Homes and Impression Homes and projects that the development will add \$80 million tax base to the City.

No one appeared regarding the Economic Development Program Agreement (Chapter 380 Agreement) with TDI Valleybrooke, LLC.

Mr. Aleman moved to approve Resolution No. 59-2021, 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 WITH TDI VALLEYBROOKE LLC, FOR THE CONSTRUCTION AND DEVELOPMENT OF THE PROPERTY LOCATED AT 2400, 2402, 2404, AND 2800 MESQUITE VALLEY ROAD IN THE CITY OF MESQUITE, TEXAS; AND AUTHORIZING THE CITY MANAGER TO FINALIZE, EXECUTE, AND ADMINISTER THE AGREEMENT ON BEHALF OF THE CITY. Motion was seconded by Mr. Smith and approved unanimously. (Resolution No. 59-2021 recorded in Resolution Book No. 63.)

25

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 of Mesquite, authorizing the City Manager to finalize and execute an amendment to a Master Development Agreement and Chapter 380 Agreement with Alcott Logistics Partners, LP, and Alcott Logistics Station Tract D, LP, for the early exercise of second purchase option of Tract C, identifying a third party developer for the acquisition and development of Tract C, and authorizing the City Manager to administer the amendment for such purposes and to take all actions necessary or advisable to complete the transactions contemplated by the amendment on behalf of the City.

A public hearing was held to consider an amendment to a Master Development Agreement and Chapter 380 Agreement with Alcott Logistics Partners, LP, and Alcott Logistics Station Tract D, LP.

Kim Buttram, Director of Economic Development, stated that Alcott Logistics Partners, LP, (Developer), and Alcott Logistics Station Tract D, LP, (Tract D Developer), entered into a Master Development Agreement and Chapter 380 Agreement dated effective May 26, 2021, (MDA), for the development of Alcott Logistics Station Tract B, Tract C, and Tract D, as part of Tax Reinvestment Zone Fourteen (TIRZ No. 14), City of Mesquite.

She stated that the Developer and Tract D Developer have requested an amendment to the MDA to allow for early exercise of second purchase option and notice of exercise of purchase option for Tract C and identified an affiliate of Jackson-Shaw Company as a third-party developer. Jackson-Shaw proposes to construct a build-to-suit facility for lease by a national manufacturing tenant which requires the accelerated development of Tract C. Jackson-Shaw proposes to construct a minimum 300,000-square-foot building within 24 months of commencement of construction, following plans and specifications for the building in accordance with the terms of the MDA.

She stated that as part of the MDA, common public improvements are identified as eligible projects for reimbursement from TIRZ No. 14, including but not limited to the realignment of East Glen Boulevard. In the event that the identified common public improvement work is performed by the third-party developer, Jackson-Shaw, the proposed amendment entitles Jackson-Shaw to receive City increment from TIRZ No. 14 according to the terms in the MDA. Any increment paid to Jackson-Shaw is to be included in the reimbursement cap as defined in the TIRZ reimbursement agreement with the Developer and Tract D Developer.

No one appeared regarding an amendment to a Master Development Agreement and Chapter 380 Agreement with Alcott Logistics Partners, LP, and Alcott Logistics Station Tract D, LP.

Mr. Aleman moved to approve Resolution No. 60-2021, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE CITY MANAGER TO FINALIZE AND EXECUTE A FIRST AMENDMENT TO THE MASTER DEVELOPMENT AGREEMENT AND CHAPTER 380 AGREEMENT BETWEEN ALCOTT LOGISTICS PARTNERS, LP, ALCOTT LOGISTICS STATION TRACT D, LP, AND THE CITY OF MESQUITE, TEXAS, FOR THE EARLY EXERCISE OF SECOND PURCHASE OPTION OF TRACT C, IDENTIFYING A THIRD-PARTY DEVELOPER FOR THE ACQUISITION AND DEVELOPMENT OF TRACT C AND RELATED MATTERS; AND

AUTHORIZING THE CITY MANAGER TO ADMINISTER THE AMENDMENT FOR SUCH PURPOSES AND TO TAKE ALL ACTIONS NECESSARY OR ADVISABLE TO COMPLETE THE TRANSACTIONS CONTEMPLATED BY THE AMENDMENT ON BEHALF OF THE CITY. Motion was seconded by Mr. Green and approved unanimously. (Resolution No. 60-2021 recorded in Resolution Book No. 63.)

26

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 Agreement (Chapter 380 Agreement) with Jackson-Shaw Company, for the construction and development of the property located at 2700 East Scyene Road, Mesquite, Texas, and authorizing the City Manager to finalize, execute and administer the agreement on behalf of the City.

A public hearing was held to consider an Economic Development Program Agreement (Chapter 380 Agreement) with Jackson-Shaw Company.

Kim Buttram, Director of Economic Development, stated that under a Master Development Agreement (MDA) between the City of Mesquite and Alcott Logistics Partners, LP, and Alcott Logistics Station Tract D, LP, otherwise known as Urban Logistics Realty (ULR), is entering into a formal agreement to sell Tract C to developer Jackson-Shaw Company to construct Building 3 as a build-to-suit for a prospective industrial tenant.

She stated that Jackson-Shaw Company has requested incentives for the development of the proposed 310,000-square-foot industrial building on the 18-acre tract of land on the south side of Scyene Road, west of Faithon P. Lucas, Sr. Boulevard. The project has a capital investment of approximately \$20 million in real property to be leased to a proposed tenant adding \$10 million in business personal property and creating 315 new jobs.

She stated that incentives include a grant equal to the amount of fifty percent of the Local Sales/Use Taxes received by the City on taxable purchases by the developer for the construction of Building 3, 100 percent of Impact Fees and Building Permit Fees, and 50 percent of real property taxes collected on the new value created by the building improvement for 10 years. The development is subject to building material and development standards as contained in the MDA and is required to receive a Certificate of Occupancy by December 31, 2022.

No one appeared regarding an Economic Development Program Agreement (Chapter 380 Agreement) with Jackson-Shaw Company.

Mr. Aleman moved to approve Resolution No. 61-2021, 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 WITH JACKSON-SHAW COMPANY FOR THE CONSTRUCTION AND DEVELOPMENT OF THE PROPERTY LOCATED AT 2700 EAST SCYENE ROAD IN THE CITY OF MESQUITE, TEXAS; AND AUTHORIZING THE CITY MANAGER TO FINALIZE, EXECUTE AND ADMINISTER THE AGREEMENT ON BEHALF OF THE CITY. Motion was seconded by Mr. Smith and approved unanimously. (Resolution No. 61-2021 recorded in Resolution Book No.

63.)

27

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 Agreement (Chapter 380 Agreement) with Vehicle Accessories, Inc., for the corporate relocation to and creation of new jobs at the property located at 2700 East Scyene Road, Mesquite, Texas, and authorizing the City Manager to finalize, execute and administer the agreement on behalf of the City.

A public hearing was held to consider an Economic Development Program Agreement (Chapter 380 Agreement) with Vehicle Accessories, Inc.

Kim Buttram, Director of Economic Development, stated that under a Master Development Agreement (MDA) between the City of Mesquite and Alcott Logistics Partners, LP, and Alcott Logistics Station Tract D, LP, otherwise known as Urban Logistics Realty (ULR), is entering into a formal agreement to sell Tract C to developer Jackson-Shaw to construct Building 3 as a build-to-suit for Vehicle Accessories, Inc., a proposed industrial tenant.

She stated that Vehicle Accessories, Inc., has requested incentives for the consolidation of three nationwide facilities into one Mesquite-based operation including manufacturing and corporate headquarters. The development of the proposed 310,000-square-foot industrial building on the 18-acre tract of land on the south side of Scyene Road, west of Faithon P. Lucas, Sr., Boulevard has a capital investment of approximately \$20 million in real property by Jackson-Shaw. Vehicle Accessories, Inc., is proposing to lease the facility from Jackson-Shaw, add \$10 million in business personal property value, and create 315 new jobs with an annual payroll of \$13.5 million.

She stated that incentives include a grant equal to the amount of 100 percent of business personal property taxes collected in years 2024 through 2026, 75 percent in years 2027 through 2029, and 50 percent in years 2030 through 2033. The development is subject to building material and development standards as contained in the MDA, is required to receive a Certificate of Occupancy by December 31, 2022, and maintain the value of business personal property as well as number of jobs through the term of the agreement.

No one appeared regarding an Economic Development Program Agreement (Chapter 380 Agreement) with Vehicle Accessories, Inc.

Mr. Aleman moved to approve Resolution No. 62-2021, 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 WITH VEHICLE ACCESSORIES, INC., FOR THE CORPORATE RELOCATION AND CREATION OF NEW JOBS TO THE PROPERTY LOCATED AT 2700 EAST SCYENE ROAD IN THE CITY OF MESQUITE, TEXAS; AND AUTHORIZING THE CITY MANAGER TO FINALIZE, EXECUTE, AND ADMINISTER THE AGREEMENT ON BEHALF OF THE CITY. Motion was seconded by Mr. Smith and approved unanimously. (Resolution No. 62-2021 recorded in Resolution Book No. 63.)

NOTICE OF EXECUTIVE SESSION - COUNCIL CONFERENCE ROOM - 8:33 P.M.

Mayor Archer 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. 29 – Discuss economic development incentives for a prospective business expansion on East Scyene Road near Lawson Road; Item No. 30 – Discuss economic development incentives for a prospective development on East Scyene Road at Faithon P. Lucas, Sr., Boulevard; and Item No. 31 - Discuss economic development incentives for a prospective development on East Scyene Road near Airport Boulevard); whereupon, the City Council proceeded to meet in Council Conference Room. After the closed meeting ended at 8:49 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

NOTICE OF EXECUTIVE SESSION - COUNCIL CONFERENCE ROOM - 8:49 P.M.

Mayor Archer announced that the City Council would meet in Executive Session pursuant to Section 551.074 of the Texas Government Code to consider the appointment, evaluation, employment, reassignment, duties, discipline or dismissal of the City Manager, City Attorney, Municipal Court Judge, City Secretary, members of the various City boards and commissions, and City officers or other City employees (Agenda Item No. 28 – Discuss Police Chief position); whereupon, the City Council proceeded to meet in the Executive Conference Room. After the closed meeting ended at 9:28 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

ADJOURNMENT

Mr. Smith moved to adjourn the meeting. Motion was seconded by Mr. Green and approved unanimously. The meeting adjourned at 9:28 p.m.

Attest:

Approved:

Sonja Land, City Secretary

Bruce Archer, Mayor