

City of Mesquite, Texas

Legislation Text

File #: 19-4291, **Version:** 1

Conduct a public hearing and consider a resolution repealing Resolution No. 43-2019 and approving a Chapter 380 Agreement with MM Mesquite 50, LLC, (the “Developer”), providing a grant to reimburse the Developer for certain costs and expenses incurred by the Developer in connection with the design and reconstruction of a portion of Peachtree Road, located within Mesquite Rodeo City Reinvestment Zone, Number One, as part of the Iron Horse Project and authorizing the City Manager to administer the agreement on behalf of the City. (This item was postponed at the July 15, 2019, City Council meeting.)

On June 3, 2019, the City Council held a public hearing and passed Resolution No. 43-2019 adopting an economic development program agreement to reimburse the Developer of Iron Horse Village costs to widen a portion of Peachtree Road. The Iron Horse Village development includes 90 townhomes on an 8.318-acre tract abutting South Peachtree Road (directly across from McDonald’s), and the west right-of-way of Peachtree Road that abuts the development will need to be widened in order to facilitate double access entry into the townhome development. For consideration of the conveyance of the 5.315-acre City-owned tract to the Developer, the Iron Horse Development Agreement requires the Developer to set aside \$650,000.00 within their private construction loan financing to pay for the widening of Peachtree Road and the relocation of an existing traffic signal mast arm at the intersection of Scylene Road.

The reimbursement will be made pursuant to a Peachtree Road Economic Development Agreement (the “Agreement”) and shall total the lesser of: (1) the actual costs of the Peachtree Road improvements plus accrued interest on the private construction loan financing, which interest component shall only be that accrued on the \$650,000.00; or (2) the sum of \$694,000.00.

Resolution No. 43-2019 also authorized the City Manager to finalize and execute the Agreement. At the July 15 City Council meeting, Council had concerns that certain deadline dates which triggered automatic default and reversion of the City-owned Tract allowed too much time for the Developer to commence and complete construction of the Peachtree Road improvements. With subsequent negotiations with the Developer, the Agreement has been further revised to specify a commencement date of no later than August 5, 2020, and completion and acceptance of Peachtree Road following 18 months from date of commencement. The revised Agreement has been reviewed by the Developer and has been executed.

Recommended/Desired Action

City staff recommends approval of the resolution and revised Chapter 380 Agreement.

Attachment(s)

Resolution and revised Chapter 380 Agreement
Redline Version

Drafter

Ted Chinn

Head of Department

Ted Chinn