

MINUTES

LANCASTER CITY COUNCIL REGULAR MEETING OF JANUARY 9, 2023

The City Council of the City of Lancaster, Texas, met in a called Regular Meeting in the Council Chambers of City Hall on January 9, 2023, at 7:00 p.m. with a quorum present to-wit:

Councilmembers Present (City Hall & Zoom):

Mayor Clyde C. Hairston
Carol Strain-Burk
Stanley M. Jaglowski
Marco Mejia
Keithsha C. Wheaton
Deputy Mayor Pro-Tem Mitchell Cheatham
Mayor Pro-Tem Betty Gooden-Davis

City Staff Present (City Hall & Zoom):

Opal Mauldin-Jones, City Manager
Sorangel O. Arenas, City Secretary
David T. Ritter, City Attorney
Carey Neal, Assistant City Manager
Chris Youngman, Emergency Management Chief
Dori Lee, Director of Human Resources
Lisa Wube, Director of Parks and Recreation
Ray Silva-Reyes, Assistant City Manager
Shane Shepard, Director of Economic Development
Vicki Coleman, Director of Development Services
Keturah Barnett, Assistant to the City Manager
Ron Gleaves, IT Manager
Reginald Lewis, Executive Assistant to the City Manager
Marcus Talton, Assistant Police Chief

Call to Order:

Mayor Hairston called the meeting to order at 7:00 p.m. on January 9, 2023.

Invocation:

Reverend Mitchell Cheatham, Lancaster Interdenominational Ministerial Alliance gave the invocation.

Pledge of Allegiance:

Mayor Pro-Tem Gooden-Davis led the pledge of allegiance.

Public Testimony/Citizen's Comments:

Keturah Barnett, 211 N. Henry St. Lancaster, TX 75146, shared information regarding the upcoming Dr. Martin Luther King Jr. parade.

Kenitra Eagans, 267 Oakwood Dr. Lancaster, TX, 75146, shared information regarding the services the nonprofit "TO YOU FROM US" offers.

Tasha LaFlore, 645 Francis St. Lancaster, TX 75146, introduced her family and shared her gratitude to Assistant City Manager, Ray Silva-Reyes by presenting him a thank you card and plaque from their neighborhood.

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Coy and Katrina Poitier, 1510 Rogers Ave, Lancaster, TX 75134, shared their support to the City of Lancaster as master gardeners and certified landscapers.

Stephan Wade, 337 S. Dallas Ave, Lancaster, TX 75146, shared his support for action items 6,7, and 8.

Alex Temblador, 131 W 4th St. Lancaster, TX 75146, shared that as an author and travel writer, she supports items 6,7, and 8.

Robert Ruffino, 1411 Flintwood Dr, Richardson, TX 75081 shared he is in support of item 6.

Laura Wiswall, 415 N. Winnetka, Dallas, TX 75208 shared her support for action item 6 as a real estate professional.

Carolyn Miller, 537 N. Dallas Ave, Lancaster, TX 75146 shared her support for action item 6.

Terri Reed, 328 S. Centre, Lancaster, TX 75146 shared her support for action items 6,7, and 8.

Suzi Weaver, 411 S. Centre, Lancaster, TX 75146 shared her support for action items 6,7, and 8.

Deah Berry Mitchell, 350 N. St. Paul, Dallas, TX 75201, shared her support for action items 6,7, and 8.

Jeremy Reed, 204 S. Henry St. Lancaster TX 75146, shared his support for action items 6,7, and 8.

Paul Hutzler, 507 S. Barnett Ave, Dallas, TX 75211, shared his support for action item 6.

Everett Young, 4512 Hedgdon Dr. Dallas, TX 75216, shared his support for action items 6,7, and 8.

Richmond Escarlton, 1709 Dartmouth Dr. Glenn Heights, TX 75154, shared his support for action items 6, 7, and 8.

Angie Whitehead, 405 S. Wood St. Ferris, TX, 75125, wishes not to speak, however, would like the record to show support for action item 6.

Susan Bolden, 225 Southwood Dr. Lancaster, TX, 75146 wishes not to speak, however, would like the record to show support for action item 6.

Charles Bolden, 225 Southwood Dr. Lancaster, TX, 75146 wishes not to speak, however, would like the record to show support for action item 6.

Michael Morales, 101 Troy Ln. Red Oak, TX 75154, wishes not to speak, however, would like the record to show support for action item 6.

Elisa Morales, 101 Troy Ln. Red Oak, TX 75154, wishes not to speak, however, would like the

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record to show support for action item 6.

Tonya Morales, 101 Troy Ln. Red Oak, TX 75154, wishes not to speak, however, would like the record to show support for action item 6.

Alex Bazan, 612 N. Dallas Ave. Lancaster, TX 75146, wishes not to speak, however, would like the record to show support for action item 6.

Isabel Bazan, 612 N. Dallas Ave. Lancaster, TX 75146 wishes not to speak, however, would like the record to show support for action item 6.

Emily Reed, 204 S. Henry St. Lancaster, TX 75146 shared her support on action items 6, 7, and 8.

Susie Jansson, 305 Crestview, Red Oak, TX 75154, wishes not to speak, however, would like the record to show support for action item 6.

Lonnie Jansson, 305 Crestview, Red Oak, TX 75154, wishes not to speak, however, would like the record to show support for action item 6.

Consent Agenda:

- 1. Consider approval of minutes from the Regular Meeting held on November 14, 2022, and the Special Meeting held on December 5, 2022.**
- 2. Consider a resolution amending the terms and conditions of a Professional Service Agreement with Catholic Charities of Dallas for the purpose of administering the City of Lancaster Emergency Assistance Program (EAP) by amending Exhibit A Eligibility Criteria for Utility Assistance for non-homeowners with funds received from the American Rescue Plan Act (ARPA) Coronavirus Local Fiscal Recovery Funds (CLFRF).**
- 3. Consider a resolution approving a professional services agreement between the City of Lancaster and Gap Strategies for the purpose of updating the City's Comprehensive Plan in an amount not to exceed \$422,000.**

MOTION: Mayor Pro-Tem Gooden-Davis made a motion, seconded by Councilmember Mejia to approve consent items C1 – C3. The vote was cast 7 for, 0 against.

Mayor Hairston shared that action 5 would be read first and then Council would return to public hearing item 4.

Action:

- 5. M22-35 Discuss and consider a resolution authorizing the City Manager to execute a development agreement with DALCO LLC for the ACU Development, relating to building materials for the construction of property located at the southwest**

intersection of West Pleasant Run Road and Rolling Hills Place, addressed as 3200 West Pleasant Run Road, City of Lancaster, Dallas County, Texas.

Assistant City Manager Neal shared that this item is to consider a resolution authorizing the City Manager to execute a development agreement with DALCO LLC for the ACU Development, located at 3200 West Pleasant Run Road. The subject property is currently split-zoned Commercial Highway (CH) and Single-Family Residential (SF-5) within the Medical District Corridor and Mixed Density Residential sub-districts, within the Medical District Overlay. The Future Land Use Plan of the Comprehensive Plan identifies this site as Suburban Mixed Use. The proposed restaurant, office, retail, and apartment uses are consistent with the Comprehensive Plan. This item appeared on the December 12, 2022, regular meeting, the applicant understood the desires of the council and made several changes. Some notable changes made; the items of residential units have been decreased from 24 units at 400 sq. ft to 12 units at 900 sq. ft to accommodate the City Council's request for larger units. The original request had material to include corrugated metal, brick, and glass. The new proposal for Phase I is 76% brick and in Phase II the applicant has removed the corrugated metal and Corten Steel and replaced it with brick. This is a companion item to zoning case M22-29, a special exception request. The purpose of this development agreement is to ensure ACU Development develops utilizing building materials identified in the Development Agreement. The City Attorney has reviewed and approved the agreement and resolution as presented.

MOTION: Mayor Pro-Tem Gooden-Davis made a motion, seconded by Councilmember Strain-Burk to approve item 5. The vote was cast 7 for, 0 against.

Public Hearing:

- 4. M22-29 Conduct a public hearing and consider several exception requests on the property addressed as 3200 West Pleasant Run Road for a mixed use development. The property is known as Lot 1, Block 1, out of the Gateway Plaza East Addition, City of Lancaster, Dallas County, Texas.**

Assistant City Manager Neal shared that this item is a companion to the previous item, the applicant is requesting to develop this site for commercial and residential use. The changes noted in the previous item pertain to this item being presented. This item is being considered at a Regular Meeting of the City Council noticed in accordance with the Texas Open Meetings Act. The applicant did agree to the Development Agreement that Council just approved. Staff recommends approval as it has been presented.

Mayor Hairston opened the public hearing.

Alexa Mendez, [no address provided], wishes not to speak, however, would like the record to show support for public hearing item 4.

Monte Anderson, 100 S. Main St. Duncanville, TX 75137, the applicant, wishes not to speak, however, would like the record to show support for public hearing item 4.

Josh Allen, 1300 S Polk St. Dallas, TX 75224, wishes not to speak, however, would like the record to show support for public hearing item 4.

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MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Wheaton to close the public hearing. The vote was cast 7 for, 0 against.

Councilmember Jaglowski questioned the applicant and staff regarding the exception for Lot Coverage.

City Manager Mauldin-Jones further clarified the exceptions for the Lot Coverage; Per Section 3.1, maximum lot coverage of sixty (60%) percent has been proposed to provide for circulation, setbacks, and small open spaces. The site is currently paved with asphalt and is almost 100% impervious cover. Re-development of this site will reduce a small portion of impervious cover through landscaping. City Manager Mauldin-Jones further clarified that the applicant exceptions are half for the commercial side and a half for the residential side.

Councilmember Mejia shared his opinions regarding the applicant overlay look and the residential units.

Applicant Monte Anderson shared that they took into consideration Council's request on the overlay and downsized the number of residential units

Mayor Pro-Tem Gooden-Davis thanked the applicant for listening to Council recommendations.

MOTION: Councilmember Strain-Burk made a motion, seconded by Mayor Pro-Tem Gooden-Davis to approve item 4. The vote was cast 7 for, 0 against.

Action:

- 6. Discuss and consider a resolution ratifying a performance agreement with Stewarding Space, LLC in an amount not to exceed six hundred thousand dollars (\$600,000), from funds collected from one-fourth (1/4) of one (1) percent additional sales and use tax for the promotion and development of new and expanded business enterprises, as authorized by state law.**

City Manager Mauldin-Jones shared that this item is to consider a performance agreement with Stewarding Space, LLC which is a Dallas-based business that plans to purchase eight separate properties in the downtown Lancaster area. At least one of the properties will be improved to be used as the corporate headquarters of the company. Stewarding Space is required to place restaurant, café, beverage, or general food and beverage-associated businesses in a minimum of four sites. To be eligible to receive this incentive, at least six of the eight properties, seventy-five percent (75%) of the total space, must be occupied. The incentive is based on occupied spaces; the maximum incentive will be available only when one hundred percent (100%) of the properties are leased. If six of the spaces are occupied, the developer will receive seventy-five percent (75%) of the annual incentive. The anticipated cost of the project including building improvements, equipment, facilities, infrastructure, and related expenses is approximately one million six hundred thousand dollars (\$1,600,000). Estimated operating expenses of approximately four hundred seventy-three thousand dollars (\$473,000) are estimated over the first five years of business. The applicant will be required to meet the following obligations for the incentive; Executed Sale Contract and Transfer of Ownership to Stewarding Space, LLC., the

Occupation of the Facility, Tenant Selection and Requirements, Certificate of Occupancy, Capital Investment, Payment of City Fees, Definition of and Documentation of Development Costs, Performance, Marketing, General Requirements, and Other Requirements. The total incentive cost will not exceed six hundred thousand dollars (\$600,000) over the term of the agreement. Adequate funds are available in the Lancaster Economic Development Corporation fund balance but will require a budget amendment. The Lancaster Economic Development Corporation recommended approval of the item at their December 15, 2022, Regular Meeting. Staff recommends approval of this item as it has been presented.

Councilmember Wheaton shared her support for new business entering the City of Lancaster but is concerned about the dollar amount of the incentive given.

Councilmember Mejia shared his support for the individual ownership of the City of Lancaster's downtown square and the performance agreement that the new owner has to abide by.

Mayor Hairston shared his excitement for the new development entering the City of Lancaster's downtown square.

Deputy Mayor Pro-Tem Cheatham shared his support for the investment of small businesses in the City of Lancaster.

MOTION: Mayor Pro-Tem Gooden-Davis made a motion, seconded by Councilmember Strain-Burk to approve item 6. The vote was cast 7 for, 0 against.

- 7. Discuss and consider a resolution ratifying a performance agreement between the Lancaster Economic Development Corporation (LEDC) and Saviana Winery, LLC in an amount not to exceed seventy-five thousand dollars (\$75,000), from funds collected from one-fourth (1/4) of one (1) percent additional sales and use tax for the promotion and development of new and expanded business enterprises, as authorized by state law.**

Assistant City Manager Neal shared that this item is to consider a resolution ratifying a performance agreement between the Lancaster Economic Development Corporation (LEDC) and Saviana Winery, LLC. Saviana Winery is a local small business that makes small-batch wines with one location in Cedar Hill. Saviana uses Texas-grown grapes and fruit exclusively for its wines. Saviana Winery is seeking to open a second location located at 116 Historic Town Square, Lancaster, Texas. The business has plans to renovate the building and the associated open space to the north of the building (106 Historic Town Square). The use, upon completion, will be a wine retail store and tasting room with an outdoor seating area. The applicant submitted an incentive request for seventy-five thousand dollars (\$75,000), which will be issued annually for up to four (4) years. The applicant is required to meet the following obligations: an Executed Lease, Occupation of Facility, Certificate of Occupancy and Operation of the Facility, Capital Investment/ Marketing/ Promotion, Payment of City Fees, Definition of and Documentation of Development Cost, and Perform and to perform and comply with all terms. This item is being considered at a Regular Meeting of the City Council, noticed and held in accordance with the Texas Open Meetings Act. The City Attorney has reviewed and approved the resolution as it has been presented. The Lancaster Economic Development Corporation recommended approval of

the item at their December 15, 2022 meeting. Staff recommends approval of this item as it has been presented.

MOTION: Councilmember Strain-Burk made a motion, seconded by Deputy Mayor Pro-Tem Cheatham to approve item 7. The vote was cast 6 for, 1 against. [Hairston]

8. **Discuss and consider a resolution ratifying the terms and conditions of an economic development performance agreement by and between the Lancaster Economic Development Corporation (LEDC) and Kyoto Brew LLC, in an amount not to exceed seventy-five thousand dollars (\$75,000) from funds collected from the one-fourth (1/4) of one (1) percent additional sales and use tax for the promotion and development of new and expanded business enterprises, as authorized by state law.**

Assistant City Manager Neal shared that this item is to consider a resolution ratifying a performance agreement between the Lancaster Economic Development Corporation (LEDC) and Kyoto Brew LLC, which is a local startup business that plans to renovate a small building and adjacent open space in Lancaster. The 765-square-foot building is located at 121 Historic Town Square. The project also includes a vacant lot (open space) located at 108 North Dallas Avenue. The applicant submitted an incentive request for seventy-five thousand dollars (\$75,000) to offset a portion of the construction, equipment, renovation, and land costs. The building was formerly the site of the Six Shooters Restaurant/Bar. It has been vacant for over three years. The applicant will be required to meet the following obligations: Occupation of Facility, Certificate of Occupancy, Documentation of Cost, Payment of City Fees, and submit annual reports. LEDC covenants and agrees to provide a Development Grant up to an aggregate total not to exceed seventy-five thousand dollars (\$75,000). Reimbursement of funds to the Developer will be made according to the following schedule: \$15,000 upon issuance of a Certificate of Occupancy for the Facility and \$15,000 annually for up to four (4) years issued on the anniversary of a Certificate of Occupancy for the Facility if the business maintains business hours when it is open to the public including the hours of 5:00 p.m. until 10:00 p.m. on Thursday, Friday, and Saturday and 7:00 a.m. until 2:00 p.m. on Monday through Wednesday (notwithstanding holidays). This item is being considered at a Regular Meeting of the City Council, noticed and held in accordance with the Texas Open Meetings Act. The City Attorney has reviewed and approved the resolution and agreement as formed. The Lancaster Economic Development Corporation recommended approval of the item at their December 1, 2022, Special Meeting. Staff recommends approval of this item as it has been presented.

Councilmember Jaglowski gave thanks to the Lancaster Economic Development department and the director for all the new businesses they have brought to the City of Lancaster.

Councilmember Mejia shared that the City Council is willing to help with the developments and business deals that are coming into the City of Lancaster.

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Wheaton to approve item 8. The vote was cast 7 for, 0 against.

9. **Discuss and consider a resolution approving a Chapter 380 Economic Development Agreement by and between the City of Lancaster, Texas, and Best Buy Stores, LP.**

Assistant City Manager Neal shared that this item is to discuss a resolution approving a Chapter 380 Economic Development Agreement by and between the City of Lancaster and Best Buy Stores, LP. The company plans to occupy a new building located at the southeast corner of East Jefferson Street and East Wintergreen Road containing approximately eight hundred thousand (800,000) square feet of space. The facility will be used for product distribution. The company plans to invest a minimum of three million dollars (\$3,000,000) in Business Personal Property (BPP) for the distribution processes at the facility. The Best Buy facility will result in the addition of a minimum of fifty (50) new jobs with an average salary of a minimum of fifty thousand dollars (\$50,000). This agreement allows for financial incentives as described below: Business Personal Property (BPP) Tax and Sales Tax on Equipment and Construction Material. For the company to be eligible to receive this incentive: The facility must be occupied by October 1, 2024, and a certificate of occupancy must be maintained for the term of the agreement. The facility must be actively operated, the company must invest a minimum of three million dollars (\$3,000,000) for machinery and equipment placed in service at the facility for distribution operations and the company agrees to grant a tour of the facility every four years to City staff. This item is being considered at a Regular Meeting of the City Council noticed and held in accordance with the Texas Open Meetings Act. The City Attorney has reviewed and approved the resolution and agreement as to form. Staff recommends approval of this item as it has been presented.

Councilmember Jaglowski asked if Best Buy Co. Inc would consider a Best Buy retail to be built in the City of Lancaster.

Puna Mahali with Ernest Young representative of Best Buy Co. Inc answered that it could be considered and there is stipulations and language mentioned in the Development Agreement.

MOTION: Councilmember Jaglowski made a motion, seconded by Mayor Pro-Tem Gooden-Davis to approve item 9. **The roll call vote** was cast 7 for, 0 against

10. Discuss and consider a resolution approving the terms and conditions of a Chapter 380 Agreement between the City of Lancaster, Texas, and CH-M Wintergreen Phase I, LLC.

Assistant City Manager Neal shared that this item is to discuss a resolution approving the terms and conditions of a Chapter 380 Agreement between the City of Lancaster, Texas, and CH-M Wintergreen Phase I, LLC who owns a site on the southeast corner of East Jefferson Street and East Wintergreen Road and plans to construct a facility totaling approximately eight hundred thousand (800,000) square feet for a warehousing/distribution facility. The building will be for Best Buy to be used as a distribution facility. The estimated taxable valuation of the completed project is forty million dollars (\$40,000,000). This agreement requires the developer to occupy the facility and obtain a Certificate of Occupancy by October 1, 2024. The project is required to increase and maintain the taxable value of Real Property by thirty-five million dollars (\$35,000,000). The incentive consists of a rebate of Real Property Taxes of up to forty-five percent (45%) for five (5) years on the value of improvements, beginning the tax year after the Certificate of Occupancy is issued for the facility if the taxable value of the facility is between thirty-five million dollars (\$35,000,000) and fifty million dollars (\$50,000,000). If the taxable value of the facility exceeds fifty million dollars (\$50,000,000), the rebate will be for sixty percent (60%) for five (5) years. Based on the estimated value of added capital investment submitted by the company and in

consideration of real property tax rebates on the value of improvements, the project will generate approximately one million three hundred thirty-eight thousand dollars (\$1,338,000) in new revenue to the City over the first five years of property tax collections; the estimated value of the financial incentive over this period is six hundred twenty-one thousand dollars (\$621,000). The facility is expected to generate approximately two hundred seventy-six thousand dollars (\$276,000) annually after the term of the agreement. The City Attorney has reviewed and approved the resolution and agreement as to form. Staff recommends approval of this item as it has been presented.

MOTION: Councilmember Jaglowski made a motion, seconded by Councilmember Jaglowski to approve item 10. The vote was cast 7 for, 0 against.

11. Discuss and consider a resolution approving a Chapter 380 Economic Development Agreement by and between the City of Lancaster, Texas, and Romark Texas, LLC.

City Manager Mauldin-Jones shared that Romark Texas, LLC provides customers with best-in-class third-party logistics to support all facets of the supply chain. They provide logistics services for Mars Petcare at their facility located at 2801 North Houston School Road. To improve capacity at this facility, Romark seeks to purchase approximately six million five hundred thousand dollars (\$6,500,000) of equipment to be installed at the facility. This agreement will provide a sales tax rebate for equipment purchased (and sales tax collected) in Lancaster. Mars Petcare currently operates a distribution facility at this location and has a Certificate of Occupancy. The equipment covered by this agreement will be placed in service before December 31, 2023, and is required to have a taxable value of a minimum of six million five hundred thousand dollars (\$6,500,000). The company must submit receipts for sales tax payments to exercise the incentive. Within sixty (60) days of verification of payment, the City will remit eligible rebate amounts outlined in the agreement, provided that all contractual contingencies are satisfied. The estimated value of sales taxes collected for this new investment is one hundred thirty thousand dollars (\$130,000). The estimated value of the incentive is thirty-two thousand five hundred dollars (\$32,500). Net additional sales tax revenue is ninety-seven thousand five hundred dollars (\$97,500). In addition, the expenditure will generate an estimated forty-four thousand eight hundred fifty dollars (\$44,850) annually in new Business Personal Property taxes. Staff recommends approval of the resolution as presented.

Councilmember Jaglowski shared a question with staff regarding the incentive that will be given to Romark Texas, LLC.

Economic Development Director Shepard, clarified the difference between the CH Holding incentive agreement and the Romark Texas, LLC agreement.

MOTION: Councilmember Jaglowski made a motion, seconded by Councilmember Strain-Burk to approve item 11. The vote was cast 7 for, 0 against.

12. Discuss and consider a resolution approving a Chapter 380 Economic Development Agreement by and between the City of Lancaster, Texas, and Electrolux Home Products, Inc.

City Manager Mauldin-Jones shared that this item is from Electrolux Home Products, Inc. ('Electrolux') a leading global appliance company with a 100-year history. The company strives to be at the forefront of sustainability in society through innovative product design and operations. Electrolux brands include Electrolux, AEG, and Frigidaire. The company sells approximately 60 million household products in approximately 120 markets each year. Electrolux leased approximately 343,000 square feet of warehouse space at 2935 Daniieldale Road for the past several years. The company let the City of Lancaster know that they had outgrown this space and were looking at other sites for their expansion, including Lancaster. The City of Lancaster's Business Retention policy encourages local businesses to stay in town as they grow. Electrolux, subject to the approval of incentives, plans to lease approximately 563,000 square feet of warehouse space located at 3701 North Dallas Avenue. This is a sixty-four percent (64%) increase from their existing lease. This is a new facility located in the Midpoint Industrial Park. Finish-out work on the facility is expected to be completed by the fourth quarter of 2023. The company plans to invest a minimum of ten million dollars (\$10,000,000) in taxable Business Personal Property (BPP) at the facility. The incentive package will allow Electrolux to expand operations in Lancaster and execute a ten-year lease for the new facility and retain approximately sixty-five (65) jobs. The incentive is structured to reward the company for staying in Lancaster for a full ten-year period. The proportion of BPP taxes rebated will increase, in steps, during the term of the Agreement. For the company to be eligible to receive this incentive: The facility must be occupied by October 1, 2023, a Certificate of Occupancy must be maintained for the term of the Agreement, the facility must be actively operated, the company must maintain a minimum taxable valuation of ten million dollars (\$10,000,000) for BPP at the Facility, the company agrees to use commercially reasonable efforts to establish its Facility to be designated as a 'place of business' so that sales tax on goods and/or services will be sourced to the City of Lancaster for state law, the company agrees to grant a tour of the facility every four years to City staff. This Agreement enables the City to retain an employer with approximately 65 employees and a taxable BPP of a minimum of ten million dollars (\$10,000,000). The estimated additional tax collections over the ten years will be approximately six hundred ninety thousand dollars (\$690,000) of which the estimated incentive will be approximately two hundred ninety thousand five hundred dollars (\$290,500), assuming a constant tax rate over this period and a taxable BPP valuation of ten million dollars (\$10,000,000). Staff recommends approval of the resolution as presented.

Councilmember Jaglowski shared his opinion regarding the business retention program.

MOTION: Mayor Pro-Tem Gooden-Davis made a motion, seconded by Councilmember Wheaton to approve item 12. The vote was cast 7 for, 0 against.

Executive Session:

13. In accordance with Chapter 551 of the Texas Government Code (the Texas Open Meetings Act), the City Council may meet in executive session to discuss the following:
 1. Section § 551.071(1)(a) of the Texas Government Code to seek legal advice from the City Attorney concerning protesting Rockett Special Utility District's Certificate of Convenience and Necessity (CCN) within the City limits.
14. Reconvene into open session. Consider and take appropriate action(s), if any, on

closed/executive session matters.

The City Council recessed for Executive Session at 8:57 p.m. and reconvened into open session at 9:36 p.m.

MOTION: Councilmember Mejia made a motion, seconded by Councilmember Jaglowski to obtain a professional agreement for special counsel services. The vote was 7 for, 0 against.

Mayor Hairston wished City Secretary Arenas a Happy Birthday.

MOTION: Councilmember Mejia made a motion, seconded by Councilmember Jaglowski to adjourn. The vote was cast 7 for, 0 against.

The meeting was adjourned at 9:38 p.m.

ATTEST:



Sorangel O. Arenas, City Secretary

APPROVED:



Clyde C. Hairston, Mayor