

**SPECIAL MEETING OF THE CITY OF RED OAK
INDUSTRIAL DEVELOPMENT CORPORATION
MONDAY, NOVEMBER 18, 2019 – 6:30 PM
200 LAKEVIEW PARKWAY
RED OAK, TEXAS 75154**

MINUTES

I. CALL TO ORDER

President Goodwyn called the meeting to order at 6:30 p.m. He confirmed that a quorum was present.

Board Members Present:

Ben Goodwyn, President
Casey Hargrove, Secretary
Alan Hugley, Member
Weylan McAnally, Vice President

Staff Present:

Todd Fuller, City Manager
Lee McCleary, Director of Economic Development

Board Members Absent:

David Wells, Treasurer

II. NEW BUSINESS

- A. Discussion and possible action in approving the Temporary Construction Easement and the Permanent Utility Easement for Compass Datacenters DFW III for an off-site wastewater line.

President Goodwyn read Agenda Item A into the record. City Manager Fuller spoke and gave a detailed explanation of this agenda item.

Board Members and City Manager Fuller further discussed this agenda item.

Member Hugley made the motion, seconded by Vice President McAnally, to approve the Temporary Construction Easement and the Permanent Utility Easement for Compass Datacenters DFW II for an off-site wastewater line. The motion carried unanimously.

III. EXECUTIVE SESSION

Texas Government Code, Section 551.071: As authorized by Chapter 551 of the Texas Government Code, the City of Red Oak Industrial Development Corporation ("ROIDC") reserves the right to adjourn into Executive Session at any time during the course of this meeting to seek legal advice from the Corporate Attorney about any matters listed on the agenda.

- A. Pursuant to Texas Government Code, Section §551.071 – **Consultation with the City Attorney** concerning pending litigation: *Rockett Special Utility District v. Botkin, et al.*, Cause No. 19-CV-1007-RP, W.D. Tex.
- B. Pursuant to Texas Government Code, Section §551.087 – Deliberations Regarding Economic Development Negotiations
1. Discuss or deliberate regarding commercial or financial information from a business prospect that seeks to locate, stay or expand in the City of Red Oak.
 2. Discuss or deliberate an offer, if any, with such business prospect.

C. Pursuant to Texas Government Code, Section §551.072 – Deliberations Regarding the Purchase, Exchange, Lease, or Value of Real Property

1. Discuss or deliberate acquisition, sale and/or exchange of Real Properties generally located east of I-35E, west of SH 342, north of Red Oak Road, and south of the Ellis County line, Red Oak, Texas.
2. Discuss or deliberate acquisition, sale and/or exchange of Real Properties generally located east of Uhl Road, west of I-35E, south of Red Oak Road, and north of the Oaks Boulevard, Red Oak, Texas.
3. Discuss or deliberate acquisition, sale and/or exchange of Real Properties generally located east of Houston School Road, west of SH 342, south of the Ellis County line, and north of Ovilla Road, Red Oak, Texas.

IV. **CONVENE INTO EXECUTIVE SESSION – President Goodwyn opened the board into Executive Session at 6:36 p.m. He invited Todd Fuller and Lee McCleary into Executive Session.**

V. **RECONVENE INTO REGULAR SESSION – President Goodwyn reconvened the Board into Open Session at 7:08 p.m. The following action was taken.**

Lee McCleary, Economic Development Director, read the following motion into the record:

Motion to authorize the Executive Director to hire the law firms of Lloyd Gosselink [Rochelle and Townsend, P.C.] and Nichols, Jackson, Dillard, Hager and Smith, L.L.P., to file appropriate federal or state litigation to contest any federal debt and/or guarantees under federal law and/or to authorize payment of same to said firms or the City of Red Oak to retain legal representation to protect current sale of real property to Alamo Mission, LLC, and related matters with the ROIDC.

Secretary Hargrove moved the motion, seconded by Vice President McAnally. The motion carried unanimously.

IV. **ADJOURNMENT**

Vice President McAnally made the motion, seconded by Member Hugley, to adjourn the meeting at 7:09 p.m. The motion carried unanimously.

Submitted by: 
Ben Goodwyn, President

Attested: 
Casey Hargrove, Secretary