



TOWN COUNCIL SPECIAL MEETING

Town of Westlake

Town Hall Council Chamber
1500 Solana Blvd, Building 7, Suite 7100,
Westlake, TX 76262

Monday, August 17, 2026, 4:00 P.M.

SPECIAL MEETING AGENDA

Town Council meetings are available for viewing online via live-stream or on-demand at <https://www.westlake-tx.org/787/Watch-Meetings-Live>. In an effort to improve meeting efficiency, anyone wishing to speak must submit a speaker request form to the Town Secretary prior to the start of the meeting.

Pursuant to Texas Government Code Section 551.127, one or more members of the Town Council may participate in this meeting by video-conference call. A quorum of the Town Council and the presiding officer will be present at the physical location of the meeting.

NOTE: As authorized by Section 551.071 of the Texas Government Code, the Town Council may enter into closed Executive Session for the purpose of seeking confidential legal advice from the Town Attorney on any agenda item listed herein.

A. CALL MEETING TO ORDER AND ANNOUNCE A QUORUM PRESENT

B. INVOCATION AND PLEDGES OF ALLEGIANCE

C. RECEIVE BRIEFING FROM MAYOR AND TOWN ATTORNEY

Receive a briefing from the Mayor and Town Attorney regarding the Town Council's legal authority, responsibilities, and procedural role in considering the proposed Development Agreement associated with improvements for a proposed data center.

D. CITIZEN/PUBLIC COMMENTS

This is an opportunity for citizens/public to address the Town Council on any matter, whether or not it is posted on the agenda. Anyone wishing to speak on action items must submit a speaker request form to the Town Secretary prior to the start of the meeting. Individual comments are normally limited to three (3) minutes. The Town Council/Board of Trustees cannot by law take action nor have any discussion or deliberations on any presentation made at this time concerning an item not listed on the agenda. The Town Council will receive the information, ask staff to review the matter, or an item may be noticed on a future agenda for deliberation or action.

E. ACTION ITEM

E.1. Discuss, consider and act regarding to approve Resolution 26-25 approving a Development Agreement between the Town of Westlake, Texas and Circle T Owner, LP, for the infrastructure and other related improvements for a data center development to be designed and built on an approximately 87.96-acre tract of land that is generally located at the northeast corner of United States Highway 377 and Westport Pkwy, Westlake, Texas.

F. ADJOURNMENT

I certify that the above notice was posted on the bulletin board at the Town of Westlake Town Hall located at 1500 Solana Blvd., Building 7, Suite 7100, Westlake, TX 76262 in compliance with the Texas Open Meetings Act, Chapter 551 of the Texas Government Code.

Dianna Buchanan

Dianna Buchanan, CMC Town Secretary

 **Disabilities Notice:** *If you plan to attend the meeting and have a disability that requires special needs, please contact the Town Secretary's Office 48 hours in advance by calling phone number 817-490-5711 and reasonable accommodation will be made to assist you.*



Town Council/Board of Trustees AGENDA ITEM REPORT

DATE: August 17, 2026 **AGENDA ITEM NO:** E.1.
FROM: Jason Alexander, Deputy Town Manager, Town Manager's Office
SUBJECT: Discuss, consider and act regarding to approve Resolution 26-25 approving a Development Agreement between the Town of Westlake, Texas and Circle T Owner, LP, for the infrastructure and other related improvements for a data center development to be designed and built on an approximately 87.96-acre tract of land that is generally located at the northeast corner of United States Highway 377 and Westport Pkwy, Westlake, Texas.

ATTACHMENTS:

1. Resolution 26-25

SUMMARY :

The purpose of this Resolution is to approve a development agreement between the Town of Westlake, Texas (the "Town") and Circle T Owner, LP. (the "Developer"). The terms and the conditions that are contained within the development agreement are informed by the provisions found in Sec. 102-316 of the Town's Code of Ordinances entitled, "Development agreements", as well as the directive issued from the Governor concerning comprehensive data center audits on August 3, 2026 and the site plan that was approved with conditions by the Planning and Zoning Commission on August 4, 2026. The development agreement as presented, provides for the timing of constructing public improvements, the timing for development, the ownership and maintenance obligations, and the standards for development. The Office of the Town Manager recommends approval of the development agreement as presented.

BACKGROUND AND DISCUSSION:

As established by Sec. 102-316 of the Town's Code of Ordinances, a development agreement is required for "all land which is platted for development purposes and all planned development zoning". Prior to making an application for any construction permits, the Developer must have an approved development agreement that provides for the timing of constructing public improvements and the acceptance of the same; the ownership and maintenance obligations concerning infrastructure and other related improvements; and other standards for development that will ensure the community's expectations for architecture and landscape architecture are achieved.

The development agreement --- and the ability of the Developer to receive a certificate of occupancy to operate the data center are predicated upon the Developer's compliance with the directive from the

Governor concerning the comprehensive data center audit process that --- based on the press release issued on August 3, 2026 --- will be performed by the Public Utility Commission of Texas ("PUCT") and the Electric Reliability Council of Texas ("ERCOT"). The development agreement is written to require that the Developer provide the appropriate documentation that confirms the Developer's full compliance with the applicable requirements imposed by the PUCT and ERCOT related to the Governor's directive prior to the issuance of a final certificate of occupancy. In the event that the Developer is unable to receive the appropriate documentation from the PUCT and ERCOT that the data center is compliant with the Governor's directive, then the Town Manager may request that the Developer repurpose the buildings on the site for another land use as allowed by the applicable zoning regulations and rules of the Town.

The development agreement does provide for the Developer to engage in staging and site preparation activities; however, no grading activities will be allowed to commence unless and until the grading plans and drainage plans have been reviewed and approved by the Town Engineer in accordance with all applicable codes, ordinances, and regulations of the Town. This should not be construed to suggest that the grading plans and drainage plans do not have to comply with applicable state and federal law --- both plans must too --- it was important to reinforce that if grading activities violate any applicable code, ordinances, or regulation, the Town may issue a stop-work order with respect to the affected work and require that the Developer correct the violation prior to allowing the affected work to resume.

Moreover, the Developer agrees to construct or to cause to be constructed a "cooling system designed to achieve an annual water usage effectiveness ("WUE") not to exceed 0.25L/kWh as a long-term average and manage water consumption in compliance with applicable state and federal law" to address concerns related to water usage and consumption.

Furthermore, the Developer also agrees --- within this development agreement --- to heightened mitigation efforts for noise reduction. This effort includes the acoustic louvers, berms, and sound barrier walls as preparing a report within 180 days following the completion of construction that demonstrates that the development is compliant with the Town's Code of Ordinances regulating noise and such report will include a-weighted sound levels ("dBA") and measurements for other octave bands that may not be easily heard by humans.

Finally, the development agreement also requires that the Developer provide the following:

- One-time financial contribution:
 - The Developer agrees to provide a one-time financial contribution to the Town in an amount not to exceed \$914,000.00 to upgrade piping at the pump station.
- Additional standards for architecture and landscape architecture:
 - Accessory buildings and structures within the development, excluding perimeter fencing and gates, must be constructed of natural stone exterior finish material for a minimum of 50 percent of the total building wall area of each elevation.
 - Mechanical equipment placed on roof tops must be visually screened from view from all sides by either an opaque screen enclosure or by parapet walls, either of which shall be at least 12 inches greater in height than the equipment on all sides.
 - Retaining walls, where provided, must be constructed of a natural stone or manufactured stone material that is visually compatible with the exterior finish material on the principal buildings.

- Screening walls, where provided, must be constructed of a natural stone or manufactured stone material and have a minimum height that is at least 12 inches taller than the tallest mechanical equipment that is being visually screened.

FISCAL IMPACT:

The development agreement does not waive, reduce, or defer any development-related fees (e.g., plan reviews, inspections, and permits). The development agreement does provide, however, that the Developer will make a one-time cash contribution to the Town in an amount not to exceed \$914,000.00 for the purposes of upgrading the piping at the pump station. This amount is to be paid to the Town within 30 calendar days of the execution of the development agreement.

LEGAL REVIEW:

Yes

RECOMMENDATION:

The Office of the Town Manager recommends approval of the development agreement as presented.

ACTION OPTIONS:

Motion to Approve as Presented

Motion to Approve with Changes/Conditions

Motion to Deny

Motion to Continue or Table

TOWN OF WESTLAKE
RESOLUTION NO. 26-25

A RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF WESTLAKE, TEXAS, APPROVING A DEVELOPMENT AGREEMENT FOR SUBDIVISION IMPROVEMENTS BETWEEN THE TOWN OF WESTLAKE, TEXAS AND CIRCLE T OWNER LP FOR A DATA CENTER DEVELOPMENT WITHIN PD, PLANNED DEVELOPMENT DISTRICT 3-8, AND AUTHORIZING THE TOWN MANAGER OR HIS DESIGNEE TO EXECUTE THE AGREEMENT.

WHEREAS, the Town of Westlake, Texas (the “Town”) is an existing Type A General Law Municipality, created under the laws of the State of Texas, including particularly, but not by way of limitation, Chapter 51, Texas Local Government Code, as amended (the “Code”); and

WHEREAS, Circle T Owner LP, a Delaware Limited Partnership (the “Developer”) owns an approximately 87.96-acre tract of land of real property of land that is generally located at the northeast corner of United States Highway 377 and Westport Parkway situated within the corporate limits of the Town of Westlake, Tarrant County, Texas (the “Property”); and

WHEREAS, the Property is zoned PD, Planned Development District 3-8 (and within the Office / Industrial Sub-District) as approved by Ordinance No. 314 by the Town Council on the September 14, 1998, and as further amended by Ordinance No. 322, Ordinance No. 438, Ordinance No. 592, and Ordinance No. 1015 by the Town Council; and

WHEREAS, the Planning and Zoning Commission met on August 4, 2026, and reviewed, considered, and acted to approve a site plan with conditions for the construction of a data center campus on the Developer's Property; and

WHEREAS, the Town and the Developer desire to enter into a partnership to continue this planned growth through a Development Agreement for Subdivision Improvements, which sets out responsibilities for the Town and the Developer as it relates to development in Westlake and further reinforces the conditions for construction of a data center as imposed by the Planning and Zoning Commission on August 4, 2026 in accordance with the provisions set forth by all applicable codes, ordinances, and regulations of the Town; and,

WHEREAS, the Town Council finds that the passage of this Resolution is in the best interest of the citizens of Westlake.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WESTLAKE, TEXAS:

SECTION 1: That, all matters stated in the Recitals hereinabove are found to be true and correct and are incorporated herein by reference as if copied in their entirety.

SECTION 2: That, the Town Council of the Town of Westlake, Texas (the "Town"), hereby approves the Development Agreement for Subdivision Improvements that is attached hereto as EXHIBIT "A", with the Developer; and further authorizes the Town Manager or his designee to execute said agreements and pursue any necessary procedures on behalf of the Town.

SECTION 3: If any portion of this Resolution shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof

and the Town Council hereby determines that it would have adopted this Resolution without the invalid provision.

SECTION 4: That this Resolution shall become effective from and after its date of passage.

PASSED AND APPROVED ON THIS 17TH DAY OF AUGUST 2026.



Kim Greaves, Mayor

ATTEST:



Dianna Buchanan, Town Secretary

APPROVED AS TO FORM:



Matthew C. G. Boyle, Town Attorney