



City of Mesquite, Texas

Minutes - Final City Council

Tuesday, September 2, 2025

5:30 PM

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

Present: Mayor Daniel Alemán, Jr., and Councilmembers Jeff Casper, Tandy Boroughs, Kenny Green, Elizabeth Rodriguez-Ross and Brandon Murden, City Manager Cliff Keheley and City Secretary Sonja Land.

Absent: Councilmember B.W. Smith.

PRE-MEETING - TRAINING ROOMS A&B - 5:30 P.M.

AGENDA REVIEW

STAFF PRESENTATIONS

- 1 Receive briefing regarding annual investment activity and proposed changes to the City's Investment Policy.

EXECUTIVE SESSION - COUNCIL CONFERENCE ROOM - 6:25 P.M.

Mayor Alemán 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. 20 – Discuss an economic development redevelopment project at the corner of Town East Boulevard and IH-635); whereupon, the City Council proceeded to meet in Council Conference Room. After the closed meeting ended at 6:53 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

EXECUTIVE SESSION - COUNCIL CONFERENCE ROOM - 6:53 P.M.

Mayor Alemán 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 (Item No. 19 – Discuss Municipal Court Associate Judge position); whereupon, the City Council proceeded to meet in the Council Conference Room. After the closed meeting ended at 7:04 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

REGULAR CITY COUNCIL MEETING - CITY COUNCIL CHAMBER - 7:09 P.M.**INVOCATION**

Dr. W. R. Willis, Calvary Temple Community Church, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

City Staff.

SPECIAL ANNOUNCEMENTS

1. Mr. Casper invited citizens to attend the next Town Hall Meeting on Tuesday, September 9, 2025, at 6:30 p.m., at City Hall in Training Rooms A and B. City Manager Cliff Keheley will be discussing capital improvement projects, City programs, budget, and other initiatives. Submit your questions ahead of time and learn more at www.cityofmesquite.com/TownHallTuesdays.
2. Mr. Green stated that the Mesquite Symphony Orchestra will open the 2025-26 season on Saturday, September 13, 2025, with a show titled "Enduring Light." The performance will begin at 7:00 p.m. at the Mesquite Arts Center, 1527 North Galloway Avenue. Later in the month, the Symphony will present a family concert on Saturday, September 20, 2025, at 1:00 p.m., based on Lemony Snicket's "The Composer is Dead" picture book. To learn more and purchase tickets, visit www.MesquiteSymphony.org.
3. Mr. Green invited citizens to attend a District 2 Neighborhood Meeting on Saturday, September 6, 2025, at 10:00 a.m., at Florence Recreation Center, 2501 Whitson Way.
4. Mr. Rodriguez-Ross stated that in celebration of Hispanic Heritage Month and as part of the City's "Get Fit Mesquite" program, you are invited to the Vida Sana health fair on Saturday, September 20, 2025, from 2:00 p.m. to 4:00 p.m., at the Mesquite Arts Center. This free event is geared toward the Hispanic community and will offer a variety of fitness classes, healthy living education sessions, and the chance to win raffle prizes.
5. Mr. Boroughs stated that a special Patriot Day event will be held on Thursday, September 11, 2025, at 8:30 a.m., at Mesquite Freedom Park, located on the north lawn of the Mesquite Arts Center, to honor those who lost their lives in the 2001 terrorist attacks. The Mesquite Police and Fire Honor Guards will participate along with the Mesquite Fire Department Pipes and Drums Corps. The event will also feature performances by students from Mesquite High School and Florence Black Elementary School. For those of you who may not know, Mesquite Freedom Park features an actual piece of steel from one of the original Twin Towers that was destroyed on September 11, 2001, in New York City.
6. Mr. Boroughs welcomed Fire Chief Keith Hopkins back to work after his recent kidney transplant surgery.
7. Mr. Murden announced that the last Movies in the Park in this year's series will be held on Saturday, September 13, 2025, at 7:00 p.m., at Rorie-Galloway Day Camp, 3100 Lawson Road. There will be outdoor games and free face painting, then at dusk, everyone will watch "Shrek." Food will be available for purchase. Bring your lawn chairs and blankets and enjoy the show!

8. Mayor Alemán stated that Hispanic Heritage Month begins on Monday, September 15, 2025, and there's a wide variety of events planned to celebrate. Ms. Rodriguez-Ross has already shared information about the Vida Sana event on Saturday, September 20, 2025. A couple of other highlights include a guided tour of local taco shops, hosted by Visit Mesquite, called the "Mesquite Taco Crawl" on Saturday, September 20, 2025, at 3:00 p.m. Call the Visitor Center at 972-204-4925 for tickets. The Library System is hosting activities at both branches celebrating Hispanic culture including special events, book clubs, and bilingual story times. Also, the Mesquite Arts Center will have online programs as well as the Annual Dia de los Muertos celebration on Saturday, October 25, 2025.

CITIZENS FORUM

1. Adolfo Martinez, 3749 Seth Place, expressed concerns regarding juvenile issues in the area near Horn High School.
2. Rodney Fenimore, 4417 Ivy Drive, expressed concerns regarding issues he has experienced the last two years.

CONSENT AGENDA

Approval of the Consent Agenda

Mr. Green moved to approve the items on the Consent Agenda as follows. Motion was seconded by Mr. Boroughs and approved unanimously.

- 2 Minutes of the regular City Council meeting held August 18, 2025.

Approved on the Consent Agenda.

- 3 An ordinance determining the population of the City of Mesquite, Texas, to be 157,436 as of October 1, 2025.

Approved on the Consent Agenda.

Ordinance No. 5191, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, DETERMINING THE POPULATION OF THE CITY OF MESQUITE, TEXAS, TO BE 157,436 AS OF OCTOBER 1, 2025; AND DECLARING AN EFFECTIVE DATE. (Ordinance No. 5191 recorded in Ordinance Book No. 135.)

- 4 An ordinance, on first reading, approving a negotiated settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division regarding the Company's 2025 Rate Review Mechanism filing; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest; approving an attachment establishing a benchmark for pensions and retiree medical benefits; requiring the Company to reimburse ACSC's reasonable ratemaking expenses; determining that this ordinance was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of this ordinance to the Company and the ACSC's legal counsel.

Approved on the Consent Agenda.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CITY OF MESQUITE, TEXAS, ON FIRST READING, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE ("ACSC") AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY'S 2025 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHMENT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; REQUIRING THE COMPANY TO REIMBURSE ACSC'S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE ACSC'S LEGAL COUNSEL.

- 5 A resolution authorizing the City Manager to execute a Standard Utility Agreement with the State of Texas, through the Texas Department of Transportation (TxDOT), to receive reimbursement for utility relocations completed in preparation for the construction of highway improvements on Interstate Highway 30 between Northwest Drive and the eastern City limits of the City of Mesquite.

Approved on the Consent Agenda.

Resolution No. 30-2025, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS; AUTHORIZING THE CITY MANAGER TO EXECUTE A STANDARD UTILITY AGREEMENT WITH THE STATE OF TEXAS THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION TO RECEIVE REIMBURSEMENT FOR UTILITY RELOCATIONS COMPLETED IN PREPARATION FOR THE CONSTRUCTION OF THE INTERSTATE HIGHWAY 30 BETWEEN NORTHWEST DRIVE AND THE EASTERN CITY LIMITS OF THE CITY OF MESQUITE. (Resolution No. 30-2025 recorded in Resolution Book No. 70.)

- 6 A resolution 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 4, 2025.

Approved on the Consent Agenda.

Resolution No. 31-2025, 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 4, 2025. (Resolution No. 31-2025 recorded in Resolution Book No. 70.)

- 7 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 4, 2025.

Approved on the Consent Agenda.

Resolution No. 32-2025, 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 4, 2025. (Resolution No. 32-2025 recorded in Resolution Book No. 70.)

- 8 Bid No. 2025-151 – Avior PRO Remote Broadcast System Upgrade.
(Authorize the City Manager to finalize and execute a contract with Granicus LLC, through The Interlocal Purchasing System (TIPS) Contract No. 220105, in an amount not to exceed \$138,958.69.)

Approved on the Consent Agenda.

- 9 Authorize the City Manager to finalize and execute a Professional Engineering Services Contract with Lee Engineering, LLC, an Arizona limited liability company, duly licensed to do business in the State of Texas, for development and implementation of optimized signal timing plans along five corridors, in the amount of \$389,900.00.

Approved on the Consent Agenda.

- 10 Authorize the City Manager to finalize and execute Supplemental Agreement No. 1 (Phase II) to Bid No. 2025-050, Construction Manager-at-Risk (CMaR) Services for the Remodel of the Mesquite Convention Center, with SCI Construction, Ltd., to establish the Guaranteed Maximum Price (GMP) of \$3,801,046.00.

Approved on the Consent Agenda.

- 11 Approve Amendment No. 3 to the 2024-25 Police State Seizure Budget in accordance with Title 28, Section 524, of the United States Code and Chapter 59 of the Texas Code of Criminal Procedure in the amount of \$85,000.00.

Approved on the Consent Agenda.

END OF CONSENT AGENDA

OTHER BUSINESS

- 12 Consider an application to allow a fee in lieu of parkland dedication for the Aura Fairways Multifamily, located at 5201 Northwest Drive.

Adam Bailey, Director of Planning and Development Services, stated that earlier this year, the applicant received zoning approval for a 300-unit multifamily development and is now requesting to pay a fee in lieu of dedicating parkland. Under the Parkland Dedication Ordinance, the project is required to provide 5.45 acres of parkland. The ordinance allows up to a 50 percent credit toward this requirement for private recreational facilities.

Mr. Bailey stated that the applicant is providing at least 1.11 acres of private recreational and open space, qualifying for a 20 percent credit. In addition, the development includes 87,000 square feet of open space within drainage easements and was not included in determining the credit. Therefore, the remaining requirement of 4.34 acres must be met through either dedication or a

fee in lieu of. The applicant proposes to pay a fee in lieu of totaling \$856,615.20, or \$2,855.38 per dwelling unit.

Mr. Bailey stated that Proctor Oates Park, located approximately one-quarter mile from the site, is the closest park, although it remains undeveloped. Palos Verdes Lake Park is the nearest developed public park to the proposed development.

Applicant Cole Murphy, representing Trinsic Residential Group, stated that the amenities will include a resort style pool with shaded lounging areas, a fenced in courtyard with an outdoor fireplace and games, and a dog park with benches and other features.

Mr. Casper moved to approve an application to allow a fee in lieu of parkland dedication, with a 20 percent credit, for the Aura Fairways Multifamily, located at 5201 Northwest Drive. Motion was seconded by Mr. Green and approved unanimously.

APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

- 13 Consider appointment of one Regular Member (Position No. 3) to the Youth Advisory Board for a term to expire December 31, 2025.

Mr. Casper moved to appoint DeMarko Grant as a Regular Member (Position No. 3) to the Youth Advisory Board for a term to expire December 31, 2025. Motion was seconded by Mr. Murden and approved unanimously.

PUBLIC HEARINGS

- 14 Conduct a public hearing and consider an ordinance amending Chapter 9 (Motor Vehicles and Traffic), Chapter 10 (Offenses – Miscellaneous), Chapter 11 (Planning and Development), and Chapter 15 (Streets and Sidewalks) of the City Code for the purpose of updating cross references, and amending Appendix D – the Comprehensive Fee Schedule of the City Code by revising the fee amounts collected by the City for the purpose of the annual review and update to the City's fees, reauthorizing all building permit fees and other City fees in accordance with Texas Local Government Code, Chapter 214, Subchapter Z, Section 214.908.

A public hearing was held to consider an ordinance amending Chapter 9 (Motor Vehicles and Traffic), Chapter 10 (Offenses - Miscellaneous), Chapter 11 (Planning and Development), and Chapter 15 (Streets and Sidewalks) of the City Code, and amending Appendix D - the Comprehensive Fee Schedule of the City Code.

Ted Chinn, Director of Finance, stated that during the annual budget process, each department analyzes the necessary fees within their operations and determines if current fees should be adjusted. The fees are based on market analysis and compared to the fees that surrounding Cities are charging. Per State law, a public hearing is required to reauthorize building permit fees. If approved, the proposed fee changes would go into effect as early as October 1, 2025.

Adolfo Martinez, 3749 Seth Place, expressed concerns with the fees affecting the tax rate.

No others appeared regarding the proposed ordinance.

Mr. Boroughs moved to approve Ordinance No. 5192, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING MESQUITE CITY CODE, CHAPTER 9 (MOTOR VEHICLES AND TRAFFIC), CHAPTER 10 (OFFENSES – MISCELLANEOUS), CHAPTER 11 (PLANNING AND DEVELOPMENT), AND CHAPTER 15 (STREETS AND SIDEWALKS) FOR THE PURPOSE OF UPDATING CROSS REFERENCES; AMENDING APPENDIX D – THE COMPREHENSIVE FEE SCHEDULE OF THE MESQUITE CITY CODE BY REVISING THE FEE AMOUNTS COLLECTED BY THE CITY FOR THE PURPOSE OF THE ANNUAL REVIEW AND UPDATE TO THE CITY'S FEES; REAUTHORIZING ALL BUILDING PERMIT FEES AND OTHER CITY FEES IN ACCORDANCE WITH TEXAS LOCAL GOVERNMENT CODE, CHAPTER 214, SUBCHAPTER Z, SECTION 214.908; PROVIDING FOR A PUBLIC HEARING; PROVIDING A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE. Motion was seconded by Ms. Rodriguez-Ross and approved unanimously. (Ordinance No. 5192 recorded in Ordinance Book No. 135.)

15

Conduct a public hearing and consider an ordinance for Zoning Application No. Z0625-0402 submitted by WRA Architects, Inc. on behalf of the Mesquite Independent School District (MISD) for a change of zoning from R-2, Single Family Residential within the Town East Retail and Restaurant Area (TERRA) Overlay District to R-2, Single Family Residential within the TERRA Overlay District with a Conditional Use Permit to allow a high school as a permitted use on the subject property and allow the expansion of North Mesquite High School located at 18201 IH 635.

(No responses in favor or in opposition to the application have been received from property owners within the statutory notification area. The Planning and Zoning Commission recommends approval with certain stipulations.)

A public hearing was held for Zoning Application No. Z0625-0402.

Adam Bailey, Director of Planning and Development Services, stated that Mesquite Independent School District (MISD) is requesting a Conditional Use Permit (CUP) to construct a 32,000-square-foot addition on the south side of North Mesquite High School. The proposed expansion will remove existing portable classrooms and tennis courts, and 20 new classrooms, restrooms, and supporting service spaces will be constructed on the existing tennis court site. The entire addition is designed to function as a storm shelter to satisfy building and fire code requirements. According to MISD, the student population is not expected to increase as a result of the expansion.

Applicant Roland Gentry, representing WRA Architects, Inc., stated that the expansion to North Mesquite High School is the first project out of the MISD bond that passed in May 2025. The expansion is necessary to eliminate the use of portable buildings for classrooms and move the students indoors for safety and security. The new tennis court will be constructed on MISD-owned property that is currently being used as a practice field.

Vivian Johnson, 4538 Live Oak Drive, expressed concerns regarding school traffic.

No others appeared regarding the proposed application.

Mr. Casper moved to approve Zoning Application No. Z0625-0402, as recommended by the Planning and Zoning Commission, with certain stipulations, and to approve Ordinance No. 5193, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE ZONING ORDINANCE BY APPROVING A CHANGE OF ZONING FROM R-2, SINGLE FAMILY RESIDENTIAL WITHIN TERRA OVERLAY TO R-2, SINGLE FAMILY RESIDENTIAL WITHIN TERRA OVERLAY WITH A CONDITIONAL USE PERMIT TO ALLOW A HIGH SCHOOL AS A PERMITTED USE ON THE SUBJECT PROPERTY AND ALLOW THE EXPANSION OF NORTH MESQUITE HIGH SCHOOL ON PROPERTY LOCATED AT 18201 IH-635; REPEALING ALL OTHER ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING PUBLICATION OF THE CAPTION HEREOF; AND PROVIDING AN EFFECTIVE DATE. Motion was seconded by Ms. Rodriguez-Ross and approved unanimously. (Ordinance No. 5193 recorded in Ordinance Book No. 135.)

16

Conduct a public hearing and consider an ordinance for Zoning Application No. Z0625-0404 submitted by Centurion American on behalf of MM Mesquite Retail 3 LLC for a change of zoning to amend Planned Development - Light Commercial Ordinance Nos 4595, 4799, and 5019 to allow the installation of a 30-foot-tall multi-tenant freestanding sign located at 21717 IH 635 (also known as 355 and 375 Rodeo Center Blvd).

(No responses in favor and one response in opposition to the application have been received from property owners within the statutory notification area. The Planning and Zoning Commission recommends approval with certain stipulations.)

A public hearing was held for Zoning Application No. Z0625-0404.

Adam Bailey, Director of Planning and Development Services, stated that the applicant is requesting an amendment to the Iron Horse Planned Development (PD) to allow a 30-foot-tall multi-tenant freestanding sign for the Iron Horse commercial development located along Rodeo Center Boulevard and IH-635. The Iron Horse PD currently does not permit pole signs. Under the Mesquite Sign Ordinance, monument signs are allowed up to 50 square feet in area with a maximum height of 10 feet. For properties adjacent to a freeway with a posted speed limit over 55 mph (as is the case, per the plat showing frontage along IH-635), monument signs may be up to 20 feet in height and 100 square feet in area. The applicant is requesting approval for a sign that exceeds the height limit but maintains a sign face area of 100 square feet.

Mr. Bailey stated that the residential portion of Iron Horse has been completed, and commercial development within the project includes Wave Wash, 7-Eleven, and Panda Express. Additionally, two multi-tenant buildings (355 and 375 Rodeo Center Blvd) have been constructed. Ojos Locos restaurant will occupy the building at 375 Rodeo Center Blvd, while Action Behavior Center, a medical office use, will partially occupy 355 Rodeo Center Blvd.

Applicant Perla Tavera, representing Centurion American, stated that on the proposed sign, the tenants occupying the most square footage will be listed first on the sign.

Councilmembers expressed frustration regarding the lack of high-end restaurants in the Iron Horse development, as promised by Centurion American, and

concerns regarding the type of businesses occupying the retail and restaurant portion of the development.

No one appeared regarding the proposed application.

Mr. Boroughs moved to postpone consideration of Zoning Application No. Z0625-0404 to a date uncertain. Motion was seconded by Mr. Murden and approved unanimously.

17

Conduct a public hearing and consider an ordinance for Zoning Application No. Z0725-0410 submitted by Angelica Chapa on behalf of Zanas 8885 Corporation (Mi Rinconcito) for a change of zoning from General Retail to General Retail with a Conditional Use Permit to allow a convenience store located at 1200 East Davis Street, Suite 127.

(No responses in favor or in opposition to the application have been received from property owners within the statutory notification area. The Planning and Zoning Commission recommends approval with certain stipulations.)

A public hearing was held for Zoning Application No. Z0725-0410.

Adam Bailey, Director of Planning and Development Services, stated that the applicant is requesting a Conditional Use Permit (CUP) to allow Mi Rinconcito to operate as a convenience store in a 1,400-square-foot retail space at 1200 East Davis Street, Suite 127. Mi Rinconcito was issued a Certificate of Occupancy (CO) in December 2021 under the use classification of Gift, Novelty, and Souvenir Shops (SIC 5947), with the business originally indicating sales of ornaments, shirts, and handicrafts from Mexico and Central America. The business now seeks to expand its offerings to include beer, primarily from Latin countries, in addition to its existing merchandise. With this expanded scope of sales, staff has determined that the use constitutes a convenience store, which requires a CUP in the General Retail zoning district.

Applicant Angelica Chapa, on behalf of Zanas 8885 Corporation, stated that the store sells Hispanic-themed products such as candy, clothing, etc., and having beer and wine sales will compliment the merchandise already being sold. They will sell primarily imported beers with some domestic beers. Store hours will be Monday through Saturday 10:00 a.m to 8:00 p.m. and Sunday from 10:00 a.m. to 7:00 p.m.

Ms. Chapa stated that the store has been in business for four years and they have three more years on their lease.

Tammy Jo Strong, 1713 Cool Springs Drive, expressed support for the proposed application.

Mr. Murden moved to approve Zoning Application No. Z0725-0410, as recommended by the Planning and Zoning Commission with certain stipulations, and adding the following stipulations:

1. Subject to the stipulations below, the CUP is granted for a period of three years from the date of approval of this Ordinance after which it shall expire and terminate, subject to review and renewal at the discretion of the City Council.

2. The CUP is approved solely for Zanas 8885 Corporation and the CUP is not

transferable or assignable to a different owner or business.

3. A different business applicant desiring to continue this use must submit a new application requesting to continue the CUP and any such application shall require the procedures outlined in the Mesquite Zoning Ordinance (MZO) for initial approval of a CUP.

And to approve Ordinance No. 5194, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE ZONING ORDINANCE BY APPROVING A CHANGE OF ZONING FROM GENERAL RETAIL TO GENERAL RETAIL WITH A CONDITIONAL USE PERMIT TO ALLOW A CONVENIENCE STORE ON PROPERTY LOCATED AT 1200 EAST DAVIS STREET, SUITE 127 SUBJECT TO CERTAIN STIPULATIONS; REPEALING ALL OTHER ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING PUBLICATION OF THE CAPTION HEREOF; AND PROVIDING AN EFFECTIVE DATE. (Ordinance No. 5194 recorded in Ordinance Book No. 135.)

18

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, execute and administer a Chapter 380 Economic Development Performance Agreement ("Agreement") for such purposes by and between the City of Mesquite, Texas, and 80 Jane Industrial, LLC, ("Developer") and granting to the Developer certain economic development incentives, and authorizing the City Manager to take such actions and execute such documents as are necessary or advisable to consummate the transactions contemplated by the agreement, and administer the agreement on behalf of the City.

A public hearing was held to consider a resolution approving a Chapter 380 Economic Development Performance Agreement with 80 Jane Industrial, LLC.

Kim Buttram, Director of Economic Development, stated that the City of Mesquite proposes to enter into an agreement with 80 Jane Industrial, LLC, to facilitate the commercial development of a seven-acre tract by Simple Development Partners at 2100 East U.S. Highway 80, in Mesquite, Texas, building a minimum 80,000-square-foot industrial building with Manhattan Project Beer Company as the primary tenant.

Ms. Buttram stated that the City Council approved Planned Development Zoning for the tract of land at 2100 East U.S. Highway 80, on July 21, 2025, including allowing industrial development along with the ability to build and operate a tasting room/restaurant/ pavilion on the property which abuts Mesquite's Heritage Trail system.

Ms. Buttram stated that the proposed agreement requires the developer to construct the 80,000-square-foot industrial building with at least 50 percent of the building leased to Manhattan Project Beer Company, being operational by July 31, 2027, under a minimum seven-year lease term.

Ms. Buttram stated that the City, upon full payment of development and impact fees by the developer, would begin reconstruction of Jane Street to a two-lane, curb and gutter City road with sidewalks, a length from the U.S. Highway 80 service road on the north to the end of the land tract on the south. The value of

the incentive is approximately \$860,000.00. As a bonus incentive, should the developer construct a minimum 3,500-square-foot tasting room/restaurant/pavilion on the property and operational by July 31, 2029, the City would provide a five-year 50 percent City Real Property Tax Grant based upon actual City ad valorem taxes paid on all improvements to the tract, as well as a provide a One-percent Sales Tax Grant based upon actual local Sales Taxes paid to the City by Manhattan Project Beer Company for a period of five-years, not to exceed \$250,000.00.

Stephen Graham, representing Simple Development Partners, presented an overview of the proposed development. Manhattan Beer Project will be utilizing the industrial warehouse for manufacturing and hopes to incorporate the restaurant into Phase 1 of the project.

Jamesha Jones, 5015 San Marcos Avenue, expressed concerns regarding emissions and waste from the brewery.

No others appeared regarding the proposed resolution.

Ms. Rodriguez-Ross moved to approve Resolution No. 33-2025, 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, EXECUTE, AND ADMINISTER A CHAPTER 380 ECONOMIC DEVELOPMENT PERFORMANCE AGREEMENT ("AGREEMENT") FOR SUCH PURPOSES BY AND BETWEEN THE CITY OF MESQUITE ("CITY") AND 80 JANE INDUSTRIAL, LLC ("DEVELOPER"), AND GRANTING TO THE DEVELOPER CERTAIN ECONOMIC DEVELOPMENT INCENTIVES; AND AUTHORIZING THE CITY MANAGER TO TAKE SUCH ACTIONS AND EXECUTE SUCH DOCUMENTS AS ARE NECESSARY OR ADVISABLE TO CONSUMMATE THE TRANSACTIONS CONTEMPLATED BY THE AGREEMENT, AND ADMINISTER THE AGREEMENT ON BEHALF OF THE CITY. Motion was seconded by Mr. Green and approved unanimously. (Resolution No. 33-2025 recorded in Resolution Book No. 70.)

ADJOURNMENT

Mr. Casper moved to adjourn the meeting. Motion was seconded by Mr. Green and approved unanimously. The meeting adjourned at 8:56 p.m.

Attest:

Approved:

Sonja Land, City Secretary

Daniel Alemán, Jr., Mayor