

City Council Regular Meeting Agenda

July 02, 2026 at 6:00 PM

Keene City Hall - Robert G. Cooper Council Chamber
1000 N. Old Betsy Rd., Cleburne, Texas 76031

Live Stream at <https://www.youtube.com/@cityofkeenetexas>

**Samantha Gillin - Place 2, Mayor Pro Tem | Troy Smith - Place 1 | Bob Chapman - Place 3
Rob Foster - Ward 1 | Johnny Shaw - Ward 2 | Chuck Easley - Ward 3**

1. Call to Order, Invocation, Pledge of Allegiance, Pledge to Texas Flag

2. Mayor Announcements

Cell phones are to be placed on vibrate/silent only. No conversation or comment from the audience is permitted unless specifically called upon by the Mayor.

3. Public Comments

Each person in attendance who wishes to speak to the City Council on an item NOT posted on the agenda shall speak during this section.

A speaker card must be filled out and given to the City Secretary before addressing the City Council. Each speaker will be allotted three (3) minutes.

City Council may only take action on items posted on the agenda. The Texas Open Meetings Act prohibits the City Council from deliberating or taking action on an item not listed on the agenda. City Council may, however, receive your comments on the unlisted item, ask clarifying questions, respond with facts, and explain policy.

Each person in attendance who wishes to speak to the City Council on an item posted on the agenda shall speak when the item is called forward for consideration.

4. Reports

Informational reports only; no action to be taken.

A. Receive an update from the City Manager and Director of Finance on the Fiscal Year 2024 and Fiscal Year 2025 audits, Local Government Code Chapter 103, and the letter received from the Office of the Attorney General, and update on the IRS audit.

B. City Manager's Comments: General City Development Updates, City Secretary Holly Russell is officially TRMC Certified, Candidate Orientation, Elisa Carver Park, Fire Marshal hired

5. Consent Agenda

All items listed below have been previously discussed, require no deliberation, or are routine by the City Council and will be enacted with one motion. There will be no separate discussion of the items. Items to be withdrawn from the Consent Agenda for separate discussion by the City Council. If discussion is desired, the item will be removed from the consent agenda and considered separately. Otherwise, approval of the consent agenda authorizes the City Manager to implement each item in accordance with the staff's recommendation.

A. Consider approval of the minutes of the regular Keene City Council meeting held on May 07, 2026.

6. Public Hearing Items

There are no public hearings scheduled for this meeting.

7. General

General business items for discussion:

- A. Discuss and receive information from the City Manager and City Hall staff to address misinformation circulating on social media regarding city matters.
- B. Review, discuss, and take action on a resolution approving of the establishment of a Business Improvement Grant program to be provided by the Keene Economic Development Corporation (Type A) Board.
- C. Review, discuss, and consider action on a Petition for Release from the City's Extraterritorial Jurisdiction (ETJ) from the property owner(s) of Tract 288 of the Seth Morris Survey, Abstract Number 536, in Johnson County, Texas, also designated as 6572 FM 3136, Alvarado, Texas.

8. Executive Session

NOTE: The City Council reserves the right to meet in executive session closed to the public at any time during the course of this meeting to discuss matters listed on the agenda, as authorized by the Texas Open Meetings Act, Texas Government Code, Chapter 551, including § 551.071 (private consultation with the attorney for the city); § 551.072 (discussing purchase, exchange, lease or value of real property); § 551.073 – (deliberation regarding prospective gift); § 551.074 (discussing personnel or to hear complaints against personnel); § 551.076 (deliberation regarding security devices or security audit); § 551.087 (discussing economic development negotiations); § 551.089 (deliberation regarding security devices or security audits, and/or other matters as authorized under the Texas Government Code). Any decision on such matters will be taken or conducted in open session following the conclusion of the executive session.

9. Reconvene into Open Session

To take action on the above-listed Executive Session item(s), if any.

10. Requests for Future Agenda Items

11. Adjourn

This is to certify that a true and correct copy of this Notice of Meeting was posted on the bulletin board at the Keene City Hall, 1000 N. Old Betsy Road, Cleburne, Texas a place readily accessible to the general public at all times and to the City's website www.keenetx.com, in compliance with Chapter 551, Texas Government Code, three business days prior to the start of this meeting.

Date: 06/26/2026 Time: 3:00 PM By: Holly B. Russell
Holly Russell, City Secretary

Accessibility Statement

The Keene City Hall is wheelchair accessible. The entry ramp is at the front, with entry at the front entrance to City Hall. Reasonable accommodation to furnish auxiliary aids or assistance to assist persons with special needs will be provided when seventy-two (72) hours advance notice is given. Please contact the City Secretary's Office at 817-641-3336 ext. 105.



City Council Regular Meeting

July 2, 2026, at 6:00 PM

Submitted by:

Jonathan Seitz and Mira Lam
citymanager@keenetx.com

Report Item 4A

SUBJECT:

Receive an update from the City Manager and Director of Finance on the Fiscal Year 2024 and Fiscal Year 2025 audits, Local Government Code Chapter 103, and the letter received from the Office of the Attorney General, and update on the IRS audit.

BACKGROUND:

- 2024 Audit is ongoing, making strong progress and waiting for the auditors to review and give feedback. Getting to this point has been very cumbersome.
- 2025 Audit will begin subsequent to the 2024 audit report given by the auditor. This audit should be much smoother.
- Ken Paxton sent a letter to our Finance Department that went to a Junk Folder in May. Once we discovered the letter, we reviewed it with our team and city attorneys, then sent a response letting them know we had received the letter and will comply with the Local Government Code Chapter 103.
- IRS Audit 2025 is fully reconciled, 2024 is completed, and 2023 is waiting for IRS review. Once reviewed IRS audits should be completed.

FINANCIAL IMPACT:

- Audit costs have continued to rise due to the complexities that have arisen because of not following best practices. Audit cost has risen to \$50,000 plus, but with new SOP's in place this cost should come down drastically.
- Attorney General Ken Paxton's letter cost to the city has yet to be determined.
- IRS Audit has cost the city \$12,128.24 so far with an attorney that specializes in dealing with the IRS that TML recommended.

ATTACHMENTS:

- Texas Local Government Code Chapter 103 Definition
- OAG Determination Letter
- OAG Determination Response Letter

Texas Local Government Code Chapter 103 regulates the **Audit of Municipal Finances**, requiring all cities to undergo an annual financial audit and publicly file the resulting financial statement.

Key components of the statute include:

- **Annual Requirement (§ 103.001):** Municipalities must have their accounts audited annually by a licensed CPA or a qualified regular employee, and a financial statement must be prepared based on that audit.
- **Filing & Public Record (§ 103.003):** The annual financial statement and auditor's opinion must be filed with the municipal secretary or clerk within 120 days of the end of the city's fiscal year. These documents are considered public records.
- **Retirement Valuation (§ 103.004):** If a city provides retirement, disability, or death benefits for its employees, the annual financial statement must include an actuarial valuation of the program's assets and liabilities (exempting the Texas Municipal Retirement System or life insurance-funded programs).
- **Tax Penalties (§ 103.005):** A municipality that fails to complete or timely file its audit faces strict penalties. If the Texas Attorney General determines a city is in violation of Chapter 103, the city is prohibited from adopting an ad valorem property tax rate that exceeds its no-new-revenue tax rate until the audit is successfully completed and filed



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

May 13, 2026

City of Keene
finance.director@keenetx.com

Dear Keene City Official:

On September 1, 2025, Senate Bill 1851 became effective. State law has long required that municipalities comply with Local Government Code Chapter 103, which requires municipalities to undergo an annual audit and file a financial statement, including the auditor's comments, within 180 days of the end of the municipality's fiscal year. Senate Bill 1851 added new enforcement provisions and non-compliance penalties to these requirements. If the Attorney General determines that a municipality has not undergone an audit or has not prepared a financial statement in accordance with state law, then the municipality may not adopt an ad valorem tax rate that exceeds the municipality's no-new-revenue tax rate.¹

Upon review, and based on the information and representations you made to our office, I have determined that the City of Keene did not comply with the requirements under Local Government Code Chapter 103 for fiscal year 2025. Therefore, the City of Keene is subject to the penalties specified in Local Government Code 103.005(c).

If you wish to correspond with my office regarding this determination, then you may e-mail: OAGMunicipalAuditReview@oag.texas.gov

For Texas,

A handwritten signature in black ink that reads "Ken Paxton".

Ken Paxton
Attorney General of Texas

¹ Texas Local Government Code, Title 4, Subtitle A, Chapter 103.005.



June 15, 2026

Office of the Attorney General of Texas

Municipal Audit Review

OAGMunicipalAuditReview@oag.texas.gov

Re: OAG Determination Letter Dated May 13, 2026, Local Government Code Chapter 103,
City of Keene

Dear Counsel:

The City understands that, based on the Office of the Attorney General's determination, the City has been found not to have complied with the audit and financial statement requirements applicable under state law and is therefore subject to the enforcement provisions set out in Local Government Code 103.055(c).

The City remains committed to transparency, fiscal responsibility and full compliance with Texas law, and intends to make every effort to achieve compliance.

Under the applicable statute, the City may not adopt an ad valorem tax rate that exceeds its no-new-revenue tax rate until compliance is achieved. The City intends to be in compliance as soon as possible, and the City will continue working diligently to address this matter.

The City of Keene is prepared to assure compliance with Section 103.005(c). If the determination remains in effect at the time of tax rate adoption for tax year 2026, the City Council will adopt an ad valorem tax rate that does not exceed the City's no-new-revenue tax rate.

The City's fiscal year 2025 audit is actively in progress, and we anticipate filing the completed audit report and financial statement with the Comptroller well before the City's tax rate adoption deadline. With that in mind, we respectfully request guidance on two points:

1. The procedure, if any, by which the Attorney General's office will update or rescind a non-compliance determination once the municipality files its audit and financial statement in accordance with Chapter 103.
2. Confirmation of the documentation your office will require from the City to evidence completion of the Chapter 103 filing.

We want to ensure the City takes every appropriate step under state law and remains in good standing with your office going forward.

Please direct any further correspondence regarding this matter to the contact below.

Respectfully,



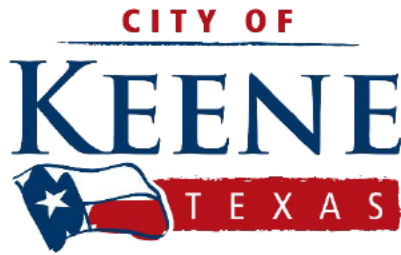
Jonathan M. Seitz

City Manager

City of Keene

(817) 641-3336

citymanager@keenetx.com



City Council Regular Meeting

July 2, 2026, at 6:00 PM

Submitted by:

Jonathan Seitz, City Manager

citymanager@keenetx.com

Report Item 4B

SUBJECT:

City Manager's Comments: General City Development Updates, City Secretary Holly Russell is officially TRMC Certified, Candidate Orientation, Elisa Carver Park, Fire Marshal hired

BACKGROUND:

- Positive growth continues to progress in Keene
- On June 25, Holly Russell received her official Texas registered Municipal Clerk (TRMC) Certificate and we all could not be prouder of her accomplishment because of all her hard work and dedication.
- Candidate Orientation was organized and will be conducted by our City Secretary, Holly Russell, to help residents that are interested in running for office learn the process and what is expected of them. This class will be held on Tuesday, July 7, at 6:00pm in the evening at City Hall. Individuals can RSVP by calling in to City Hall or emailing Holly directly at citysecretary@keenetx.com. For anyone that is unable to attend, they can also schedule an appointment with the City Secretary at their convenience.
- Ms. Elisa Carver herself came into City Hall to complement our staff on the exceptional job our employees are doing to beautify our city park and thank the EDC Type B Board for their continued financial support.
- City's new Fire Marshal, Archie Gerbine, will begin July 13.

FINANCIAL IMPACT:

- Johnson County ESD will supplement the Fire Marshal salary by 75% this upcoming year.

ATTACHMENTS:

None



City Council Regular Meeting

July 02, 2026, at 6:00 PM

Submitted by:

Holly Russell, City Secretary
citysecretary@keenetx.com

Consent Agenda Item 5A

SUBJECT:

Consider approval of the minutes of the regular Keene City Council meeting held on May 07, 2026.

ATTACHMENTS:

- *DRAFT* – Minutes of the regular City Council Meeting held May 07, 2026.



City Council Regular Meeting Minutes

May 07, 2026 at 6:00 PM

Keene City Hall - Robert G. Cooper Council Chamber
1000 N. Old Betsy Rd., Cleburne, Texas 76031

Recorded Live Stream at <https://www.youtube.com/@cityofkeenetexas>

Members present: Samantha Gillin, Mayor Pro Tem; and Council Members Bob Chapman, Chuck Easley, Rob Foster, Johnny Shaw, and Troy Smith.

Members Absent: none

City Staff present: Jonathan Seitz, City Manager; Holly Russell, City Secretary; Don Martin, Director of Development & Neighborhood Services; Mira, Lam, Director of Finance; Chief James Kidd, Keene Police Department; Chief Dan Warner, Keene Fire & Rescue; Keith Barrow, Digital Marketing Coordinator; Maggie Alegria, Development Services Coordinator.

1. Call to Order, Invocation, Pledge of Allegiance, Pledge to Texas Flag

Mayor Pro Tem Gillin called the meeting to order at 6:00 p.m. and Council Member Smith gave the invocation.

2. Mayor Announcements

Mayor Pro Tem Gillin announced that City Hall offices will be closed for Memorial Day, and the Project Hero Bike Ride is this coming Saturday through Keene. She shared the proclamations she gave in observance of professional recognition weeks: International Firefighters Day, Municipal Clerks Week, National Police Week, and National Public Works Week. She also announced a proclamation will be given in honor of Ms. Ruth Just upon her retirement from teaching for over 35 years at Keene Adventist Elementary.

3. Public Comments

Roy Robinson, former Mayor of Keene and longtime resident, spoke about not receiving the notification letter for the rezone request. He also thanked all of Council for everything they are doing for the city.

4. Reports

Informational reports only; no action to be taken.

- A. *Receive the Quarterly Financial and Investment Reports for the months of January 1 through March 31, 2026, from Mira Lam, Director of Finance.*

Mira Lam, Director of Finance gave the quarterly Financial and Investment Report for the quarter ending March 31, 2026, to Council. The General Fund revenue is currently 11 percent over the budgeted amount, and expenses are three percent under budget thanks to staff being conservative with spending. The Water/Sewer fund revenue is five percent under the budgeted amount for the fiscal year, but was 19 percent higher than the amount received for this same time last fiscal year. While the residential utility billing is still generating more than compared to the same time of the fiscal year last year, it is still nine percent lower than what was budgeted. Water/Sewer Fund expenditures is currently two percent under budget. Mr. Seitz explained that there are currently two wells down, and the city is still waiting on parts to arrive. Council Member Foster asked if the loss is recoverable, to which it was answered that it is once the well systems are back online.

- B. *City Manager's Comments – SWAU Callicott Student Park sidewalk dedication, Project Hero, Downtown Revitalization Grant, City Comprehensive Plan (RCP) Grant, Luz Arauzo Park, City Development*

Jonathan Seitz, City Manager, shared that SWAU was dedicating the walking trail at Callicott Student Park this evening in memory of Wizan Sebulburo; invited anyone interested in welcoming the Project Hero riders to City Hall on Saturday to arrive about 8:00 a.m.; gave status updates on the Downtown Revitalization Grant and the Resilient Communities Grant; the EDC Type B Board has already started considering equipment for the Luz Arauzo Park; and that the Stonehurst development has began building homes as well; and shared the notice from Republic Services on the contracted rate increase. He also shared a report from Paul Gnadl to update Council on the meeting that was held to plan the Memorial Day service, and it will now be held in the fall for Veterans Day. Council Member Easley asked about considering a new well or water source. Mr Seitz shared that the city has

5. Consent Agenda

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A. Consider approval of the minutes of the regular Keene City Council meeting held on April 02, 2026.

There was a motion to approve the consent agenda as presented, and seconded. The motion carried unanimously.

Motion made by Smith, Seconded by Shaw.

Voting Yea: Mayor Pro Tem Gillin, Chapman, Easley, Smith, Shaw

Voting Abstaining: Foster

6. Public Hearing Items

Public hearing and take possible action regarding the following items.

A. Hold a public hearing to hear citizen comments and hold a discussion on a zoning change request from Agricultural (A-G) to Single-Family Residential (SF-2) submitted by Nathan Bowers with Ambition Group, LLC for the following property:

A 9.270-acre tract of land located in the Jeremiah Williams Survey, Abstract No. 890, within the City of Keene, Johnson County, Texas.

Mayor Pro Tem Gillin opened the public hearing at 6:34 p.m. She asked if there was anyone from the public here to make a comment. No one was present to speak from the public. The public hearing was closed at 6:36 p.m.

Don Martin, Director of Neighborhood and Development Services, introduced the item to Council. He explained the developer wishes to divide the property into four lots. Council Members asked questions about the concerns of the property being divided into four long, narrow lots. Mr. Phillip Jackson, Chair of the Planning & Zoning Commission, gave the recommendation to approve to Council on this request. Adam Bartells with Ambition Group was present to also take questions. Mr. Martin and the City Attorney addressed Mr. Robinson's concern that he had not received a notice letter of the public hearings, stating that a letter was mailed to his address as instructed by law, but it cannot be responsible for the letter not arriving once it has been given over to the postal service.

Ms. Gillin announced that item General Business Discussion Item 7A would be considered before Public Hearing Item 6B.

7A. Review, discuss and consider action on the zoning change request submitted by Nathan Bowers with Ambition Group, LLC., by ordinance.

Ms. Gillin asked if there was any further discussion on this item, and there was none. A motion was made to approve the rezone request by Ordinance No. 2026-693 approving the change

from Agricultural (A-G) to Single-Family Residential (SF-2) submitted by Nathan Bowers with Ambition Group, LLC; failed for lack of a second. Council then went on to Public Hearing Item 6B

The following discussion happened after General Business Discussion Item 7G, when Council Member Foster asked to revisit this item.

Council Member Foster spoke to not wanting developers or landowners thinking that they could not approach Council for approval because a plan or plat does not make sense to Council. He wanted the public to know that Council is open to all plans and options. Don Martin, Director of Neighborhood & Development Services, asked why the rezone failed to be approved. Several Council mentioned they did not like the replat into four narrow lots. The City Attorney shared the city's ordinances that outline the reasons in which the Council can deny a request. Ms. Gillin asked for another motion on 7A. A motion was made to approve the rezone request by Ordinance No. 2026-693 approving the change from Agricultural (A-G) to Single-Family Residential (SF-2) submitted by Nathan Bowers with Ambition Group, LLC; and was seconded. The motion failed.

Motion made by Foster, Seconded by Mayor Pro Tem Gillin.

Voting Yea: Mayor Pro Tem Gillin, Foster

Voting Against: Chapman, Easley, Smith, Shaw

There were more discussion and questions between staff and Council, and consideration of tabling the item. Most of Council was not in favor of making the applicant wait until July 2, and could not give staff clear direction to give the applicant on possible changes to make. A motion was made to approve the rezone request by Ordinance No. 2026-693 approving the change from Agricultural (A-G) to Single-Family Residential (SF-2) submitted by Nathan Bowers with Ambition Group, LLC; and was seconded. The motion passed.

Motion made by Shaw, Seconded by Mayor Pro Tem Gillin.

Voting Yea: Mayor Pro Tem Gillin, Foster, Shaw

Voting Against: Chapman, Smith

Voting Abstaining: Easley

ORDINANCE NO. 2026-693

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KEENE, TEXAS, AMENDING THE ZONING ORDINANCE TO REZONE PROPERTY DESCRIBED AS APPROXIMATELY A 29.270-ACRE TRACT OF LAND LOCATED IN THE JEREMIAH WILLIAMS SURVEY, ABSTRACT NO. 890, WITHIN THE CITY OF KEENE, JOHNSON COUNTY, TEXAS, GENERALLY LOCATED AT 2929 COUNTY ROAD 805, WITHIN THE CITY OF KEENE, TEXAS, FROM ZONING CLASSIFICATION (A) AGRICULTURAL TO (SF-2) SINGLE-FAMILY RESIDENTIAL DISTRICT-2; AMENDING THE OFFICIAL ZONING MAP; PROVIDING A PENALTY OF UP TO \$2,000 PER DAY; PROVIDING REPEALING, SAVINGS, AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

- B. *Hold a public hearing to hear citizen comments and hold a discussion on a zoning change request from Single-Family Residential (SF-2) to Commercial District-Office and Light Retail (C-2) submitted by Dan Griffin with Provident Land Investors, LLC for the following four properties:*
- *A 2.014-acre tract of land located in the J. Pennington Survey, Abstract No. 701, and the D. Mize Survey, Abstract No. 567 within the City of Keene, Johnson County, Texas. (ROW)*
 - *A 2.824-acre tract of land located in the J. Pennington Survey, Abstract No. 701, the D. Mize Survey, Abstract No. 567 and the B.B.B.&C. RR. CO. Survey, Abstract No. 114 within the City of Keene, Johnson County, Texas.*
 - *A 2.03-acre tract of land located in the J. Pennington Survey, Abstract No. 701 within the City of Keene, Johnson County, Texas.*
 - *A 1.61-acre tract of land located in the J. Pennington Survey, Abstract No. 701 and the David Mize Survey, Abstract No. 567 within the City of Keene, Johnson County, Texas.*

Mayor Pro Tem Gillin opened the public hearing at 6:56 p.m. There were no comments made. The public hearing was closed at 6:57 p.m.

Don Martin, Director of Neighborhood and Development Services, introduced the item to Council. He explained the developer went back to the residents near this property after Council considered the request last February and took no action. He listened to their concerns and has resubmitted this request so that portions of his properties against the neighboring properties will stay residential, allowing there to be a natural buffer of greenspaces in between the commercial portions and the neighboring properties. Mr. Steve Reid with Provident Land Investors was present to take questions, and reiterated their discussions with the residents to reach a compromise on the rezoning request. Mr. Phillip Jackson, Chair of the Planning & Zoning Commission, gave the recommendation to approve the rezone to Council on this request.

7. General

Item 7A was moved before Public Hearing Item 6B.

- B. Review, discuss and take action on the zoning change request submitted by Dan Griffin with Provident Land Investors, LLC., by ordinance.*

Ms. Gillin asked if there was any further discussion on this item. A motion was made to approve the rezone request by Ordinance No. 2026-692 approving the change from Single-Family Residential (SF-2) to Commercial District-Office and Light Retail (C-2) submitted by Dan Griffin with Provident Land Investors, LLC; and was seconded. The motion carried unanimously.

Motion made by Foster, Seconded by Chapman.

Voting Yea: Mayor Pro Tem Gillin, Chapman, Foster, Smith

ORDINANCE NO. 2026-692

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KEENE, TEXAS, AMENDING THE ZONING ORDINANCE OF (4) FOUR PROPERTIES DESCRIBED AS APPROXIMATELY A 2.014-ACRE TRACT OF LAND LOCATED IN THE J. PENNINGTON SURVEY, ABSTRACT NO. 701, AND THE D. MIZE SURVEY, ABSTRACT NO. 567 (ROW); A 2.824-ACRE TRACT OF LAND LOCATED IN THE J. PENNINGTON SURVEY, ABSTRACT NO. 701, THE D. MIZE SURVEY, ABSTRACT NO. 567 AND THE B.B.B.&C. RR. CO. SURVEY, ABSTRACT NO. 114; A 2.03-ACRE TRACT OF LAND LOCATED IN THE J. PENNINGTON SURVEY, ABSTRACT NO. 701; AND A 1.61-ACRE TRACT OF LAND LOCATED IN THE J. PENNINGTON SURVEY, ABSTRACT NO. 701, AND THE DAVID MIZE SURVEY, ABSTRACT NO. 567, ALL GENERALLY LOCATED AT 201 EAST US HWY 67, WITHIN THE CITY OF KEENE, TEXAS, FROM (SF-2) SINGLE-FAMILY RESIDENTIAL DISTRICT-2 TO (C-2) GENERAL COMMERCIAL DISTRICT-OFFICE AND LIGHT RETAIL; AMENDING THE OFFICIAL ZONING MAP; PROVIDING A PENALTY OF UP TO \$2,000 PER DAY; PROVIDING REPEALING, SAVINGS, AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

- C. Receive a report from representative of Metalplate, detailing their business and plans for use of the Industrial Park property they purchased; and discussion regarding the project and give direction to staff, if any.*

Gray Sloop of Metalplate came forward to thank Keene for the warm welcome, introduced the company, and what they plan for their location at the Industrial Park. They are an employee-owned company, and looking to hire locally those who want a long-time career with the company. They began in Alabama in the 1960's then expanded to Houston. Texas in the 1990's. Matt Perez will be the Plant Manager, and Jesse Lopez the Plant Superintendent. There was no action taken on this item.

- D. *Receive an update from the City Manager on the assessment of the water-runoff/drainage issue brought to Council's attention by residents of Shelly Drive and give further direction to staff, if any.*

Mr. Seitz spoke about meeting with the residents who had submitted a petition to Council for attention to a matter of a failing wall that has caused years of water runoff/drainage issues. The City Attorney spoke to the city's responsibility on the matter, stating that it was private property owner issue, and the city has no responsibility to correct this issue. She stated the city did due diligence in the building and permitting when all the houses were built. She noted that the state says a city must spend funds on public issues, and this is not a public issue or for a public purpose. An Engineer from Jacob & Martin was present to give their opinion on the wall and the issue it has caused. There is no record of who put in the wall as there are no plans showing the wall to be placed. There was no direction given and no action taken on this item.

- E. *Review, discuss, and take action to approve a resolution awarding an application and engineering services contract for the 2026 Downtown Revitalization grant and authorize the City Manager to negotiate contract terms.*

Mr. Seitz shared that the city sent out a Request for Qualifications for an Engineering Firm that would handle the Downtown Revitalization project, in anticipation of the grant being awarded. Six firms responded and were reviewed by administration and Council Member Easley. The top scoring firm was Jacob & Martin, who is being recommended for Council to award the contract for this project. A motion was made to approve Resolution No. 2026-498 awarding an application and engineering services contract for the 2026 Downtown Revitalization grant to Jacob & Martin and authorize the City Manager to negotiate contract terms, and seconded. The motion carried unanimously.

Motion made by Shaw, Seconded by Smith.

Voting Yea: Mayor Pro Tem Gillin, Chapman, Easley, Foster, Smith, Shaw

RESOLUTION NO. 2026-498

A RESOLUTION OF THE CITY OF KEENE, TEXAS, AUTHORIZING PROFESSIONAL SERVICE PROVIDER SELECTION FOR A 2026 TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM – DOWNTOWN REVITALIZATION PROGRAM (DRP) PROJECT THROUGH THE TEXAS DEPARTMENT OF AGRICULTURE (TDA).

- F. *Review, discuss, and give direction to regarding posting a dress code for those who attend and wish to speak to Council or to revise the Rules of Order and Procedure.*

Mayor Pro Tem Gillin asked Council what questions or discussion they had for this item. Mr. Seitz spoke to being open to all who come through the doors, and the city should consider acting with grace. Though staff will do what Council wishes, he does not recommend legislating this issue. The City Attorney was in agreement. Ray Johnson, 1009 Christine Street, spoke to allowing people to dress comfortably but respectfully. Council gave no direction and took no action on this item.

- G. *Review, discuss to reconsider, and take possible action on the need for the June 18, 2026, regular Council meeting date.*

Mr. Seitz asked if Council still wished to keep the date of June 18th for the next meeting. He recommend cancelling June 18. A motion was made to cancel the June 18 meeting, and seconded. The motion carried unanimously.

Motion made by Foster, Seconded by Shaw.

Voting Yea: Mayor Pro Tem Gillin, Chapman, Easley, Foster, Smith, Shaw

Mr. Foster made a motion to return to Item 6A, and was seconded by Smith. All Council was in favor, and the motion carried. *The discussion after this motion is recorded under items 6A/7A.*

Motion made by Foster, Seconded by Smith.

Voting Yea: Mayor Pro Tem Gillin, Chapman, Easley, Foster, Smith, Shaw

8. Executive Session

Pursuant to the Texas Open Meetings Act, Chapter 551, Texas Government Code, the City Council may recess to Executive Session at any time during the meeting that a need arises for the City Council to seek advice from the City Attorney as to any posted item and by the following authority:

- A. Texas Government Code Section 551.071** - Consultation with an attorney for advice about pending litigation (Cause No. DC-C202600174 Vincent Carl Castro v. City of Keene, Texas, Jonathan Seitz, Troyce Samantha Gillin, Robert Allan Foster, Troy William Smith, Johnny Ray Shaw, Robert Eugene Chapman)
- B. Texas Government Code Section 551.071** - Consultation with an attorney for advice about pending litigation (Cause No. DC-C202600200 City of Keene v. Lloyd Thomas, Bonnie Thomas, the Unknown Members of Med Surge North Texas, LLC, all persons claiming any title or interest in land under deed heretofore given to City of Keene)
- C. Texas Government Code Section 551.074** – Personnel Matters to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: Application received for appointment to the Keene EDC-A Board.

Ms. Russell read the Executive Session agenda items as listed on the published meeting agenda, and Mayor Pro Tem Gillin recessed into Executive Session at 8:24 p.m.

9. Reconvene into Open Session

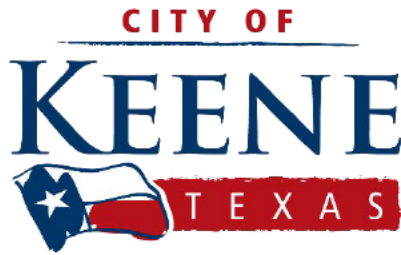
Mayor Pro Tem Gillin reconvened the open meeting at 9:18 p.m. There was no action taken for Executive Session items.

10. Requests for Future Agenda Items

Council Member Foster asked for the general address of a property, when speaking of a location, be included along with the legal description.

11. Adjourn

There being no further business to discuss, the meeting was adjourned at 9:20 p.m.



City Council Regular Meeting

July 02, 2026, at 6:00 PM

Submitted by:

Jonathan Seitz, City Manager

citymanager@keenetx.com

Agenda Item 7A

SUBJECT:

Discuss and receive information from the City Manager and City Hall staff to address misinformation circulating on social media regarding city matters.

BACKGROUND:

There are external social media posts that have surfaced with inaccurate information that is potentially misdirecting or confusing Keene residents.

FINANCIAL IMPACT:

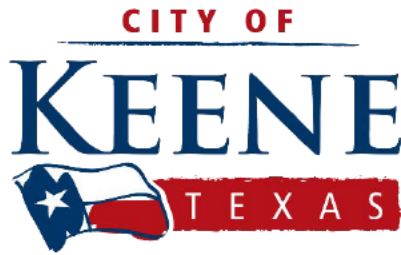
There may be minimal attorney fees associated with ensuring certain items are not considered slander or if any comments should be taken down and archived.

RECOMMENDATION:

To continue to monitor social media and do our best to put accurate information out to the community. We want to ensure Keene residents are presented with correct information and decisions the city is making on their behalf.

ATTACHMENTS:

- None



City Council Regular Meeting

July 02, 2026, at 6:00 PM

Submitted by:

Holly Russell, City secretary
citysecretary@keenetx.com

Agenda Item 7B

SUBJECT:

Review, discuss, and take action on a resolution approving of the establishment of a Business Improvement Grant program to be provided by the Keene Economic Development Corporation (Type A) Board.

BACKGROUND:

The Keene Economic Development Corporation (Type A) Board discussed and approved of the establishment of a grant program to assist local businesses that need financial assistance with improvements. The grant guidelines, application, and a resolution to approve the program were reviewed by legal and later approved by the EDC-A Board Members at their April 15, 2026, regular meeting. The program needs Council approval to be finalized and available to local businesses.

FINANCIAL IMPACT:

Funds provided to the grant program will be from the EDC-A Board budget.

RECOMMENDATION:

Staff recommend approval of this item.

ATTACHMENTS:

- *DRAFT* – Resolution No. 2026-500 A resolution of the City of Keene City Council, establishing a business improvement grant program for new or existing businesses located within the city limits of Keene, Texas.
- Business Improvement Grant Program Guidelines and Application
- Minutes of the Keene EDC (Type A) Board, held on April 15, 2026
- Resolution No. 2026-499 – A resolution of the Keene EDC, establishing a business improvement grant program for new or existing businesses located within the city limits of Keene, Texas.

CITY OF KEENE, TEXAS
RESOLUTION NO. 2026-500

A RESOLUTION ESTABLISHING A BUSINESS IMPROVEMENT GRANT PROGRAM FOR NEW OR EXISTING BUSINESSES LOCATED WITHIN THE CITY LIMITS OF KEENE, TEXAS; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, at a meeting of the Board of Directors of the Keene Economic Development Corporation, (“KEDC”) duly held on April 15, 2026, a general discussion was held concerning and Resolution No. 2026-499 passed, establishing a business improvement grant program for new or existing businesses located within the city limits of Keene, Texas; and

WHEREAS, at a meeting of the City Council of Keene, Texas, duly held on July 02, 2026, a general discussion was held concerning the approval of the KEDC establishing a business improvement grant program for new or existing businesses located within the city limits of Keene, Texas; and

WHEREAS, it is the understanding of the City Council of Keene, Texas, that a business improvement grant program for new or existing businesses located within the city limits of Keene, Texas, will provide up to \$10,000 in grant assistance; and

WHEREAS, this improvement program would complement the existing efforts of the KEDC to bolster economic development in the City of Keene.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF KEENE, TEXAS, THAT:

SECTION 1: The Keene City Council hereby approves of the KEDC establishing a business improvement grant program for new or existing businesses located within the city limits of Keene.

SECTION 2: The Chairman of Keene Economic Development Corporation or designee is hereby authorized to execute the documents necessary for said grant program on behalf of the Keene Economic Development Corporation.

SECTION 3: This Resolution shall be in full force and effect from and after its passage and adoption.

PASSED AND ADOPTED this 02nd day of July 2026.

Samantha Gillin, Mayor Pro Tem

ATTEST:

Holly Russell, City Secretary

**KEENE ECONOMIC DEVELOPMENT CORPORATION (4A)
BUSINESS IMPROVEMENT GRANT POLICY AND GUIDELINES**

Program Overview

The Keene Economic Development Corporation (KEDC) *provides* the Keene Business Improvement Grant Program to stimulate commercial investment and development in Keene. This program is sponsored, funded, and monitored by the KEDC Board of Directors who may amend or eliminate this program at any time, for any reason.

Program Goal

The Business Improvement Grant Program is intended to enhance the economic development of the City of Keene by offering matching grant funds for improvements to a commercial building or other approved exterior and/or interior property improvements.

Scope of Program

This program is limited to businesses located within the city limits of the City of Keene. The KEDC shall maintain a budget for each fiscal year for the Business Improvement Grant Program. The budgeted amount for the Business Improvement Grant Program is subject to change each fiscal year and must be approved by the Board of Directors during the annual budget planning and approval process. The grant award decisions of the KEDC Board of Directors are final.

Type of Improvements allowed by Grant

Exterior Improvement – Examples of improvements to storefronts and certain exterior areas that are included in the grant program:

- Exterior improvements
 - Windows
 - Paint
 - Signage
 - Parking lot striping/painting
 - ADA compliance items
 - Exterior plumbing related to installation of fire suppression
 - Replacement/restoration of walls, brick structures
 - Other items at the discretion of the KEDC board

Interior Improvement - Examples of interior improvements that are included in the grant program:

General Interior improvements

- Items that pertain to EHS, Environmental, Health and Safety
- Electrical systems

- Items related to code compliance
- Fire breaks
- ADA compliance items
- Other items at the discretion of the KEDC board

Fire Suppression Upgrade Site Enhancements

Fire suppression upgrades, including, without limitation, sprinkler systems, to bring a building up to City of Keene Code compliance.

Signage Improvement – New signs, replacement, and/or renovation or removal of existing signs.

Property Improvement – Landscaping, parking lot resurfacing, parking lot striping, driveway improvements, and exterior lighting are eligible for consideration. *Plumbing and leveling of foundations are not eligible.*

Improvements that are not included in the grant program:

- New structures
- Roof repairs or replacements
- Interior walls
- Interior paint
- HVAC systems
- Furniture
- Computer systems
- Security systems
- Flooring
- Grease traps
- Inventory costs, Operating expenses, or Payroll costs
- Rent
- Vehicles
- Portable equipment
- General Upkeep or Maintenance

Approval of projects for interior grants are at the sole discretion of the KEDC board and the KEDC board reserves the right to approve or deny any grants submitted for any reason.

Grant Award

The maximum size of the Grant award shall be \$10,000, with a required equal match from the property owner. The minimum grant amount shall be \$1,000.00.

Example 1 – A property owner secures an approved business improvement grant and invests \$50,000 in eligible improvements. Upon completion of work, inspection, and approval by the KEDC board, the KEDC would issue payment for the grant in the amount of \$10,000.

Example 2 – A property owner secures an approved business improvement grant and invests \$20,000 in eligible improvements. Upon completion of work, inspection, and approval by the KEDC board, the KEDC would issue payment for the grant in the amount of \$10,000.

Example 3 – A property owner secures a business improvement grant and invests \$2,000 in eligible improvements. Upon completion of work, inspection, and approval by the KEDC board, the KEDC would issue payment for the grant in the amount of \$1,000. (Any improvement below \$2,000 would be ineligible.)

Eligibility

Any existing businesses located in the City of Keene shall be eligible for this program. This includes startup businesses who require construction prior to their official opening date, provided that the business provides ownership of the subject business or businesses. Businesses are required to remain operational for a minimum of three (3) years following project completion or completion of improvements.

Guidelines & Requirements

- (A) Proof of applicant's ownership of the subject business or businesses.
- (B) If the owner of a business currently operated or planned to operate within a leased facility, then copies of a valid lease agreement, written permission of the owner(s), and proof of ownership of the leased facility shall be required.
- (C) The applicant shall provide at least three (3) cost estimates from bona fide contractors/suppliers of all proposed improvements. Cost estimates must be clearly itemized so that a determination can be made related to which items are covered under the business improvement grant guidelines. Cost estimates must include contact information (phone or email) for each contractor.
- (D) The applicant shall provide “before” photos of the building/property that is proposed to be improved/renovated. The applicant shall provide “after” photos of the building/property after improvements and/or renovations have been completed.
- (E) The applicant shall provide verification and compliance with all relevant zoning and code requirements before being reimbursed by 4A for the project.
- (F) The applicant shall provide a true copy of relevant proposed building/construction and/or site plans. It is understood that applicants may not have formal site plans, and, in these cases, applicants must provide written details that clearly state the activities requested for Business Improvement grant funds.
- (G) The applicant must provide a current tax certificate demonstrating that all property taxes are

currently paid and that there are no back taxes owed to any taxing entities.

(H) A business may only apply for one (1) of the grants set forth herein within any calendar year. A business that receives grant funding during a calendar year shall not be prohibited from making subsequent applications for funding in following years.

(I) All grants are reimbursement grants, and will only be funded after completion of the project in accordance with drawings, specifications, and executed agreement approved by the KEDC and after the applicant submits to KEDC proof of paid receipts for all applicable labor and/or materials. Photographs of the completed work shall also be required.

(J) Reimbursement grants are a cash match for funds disbursed by the applicant and are not to exceed the limits set forth in the type and amount of Grant Section above. In-kind contributions may not be used as any part of the applicant's match. Only cash matches of the applicant's expenditures may be used.

(K) The applicant shall be obligated to make the improvements in accordance with the application and applicable Agreement, as the case may be, submitted to and approved by the KEDC Board of Directors. Thereafter, any modifications must first receive the written approval of the KEDC Board of Directors. Failure to obtain such written approval prior to making any such modifications shall render the applicant ineligible to receive grant funding for the modification(s).

(L) The applicant shall be responsible for all applicable permits related to the improvement project, and failure to do so will render the applicant ineligible to receive grant funding.

(M) The improvements, as presented in the application, and applicable Agreement, must be completed in their entirety. Failure to complete all of the stated improvements shall render the applicant ineligible to receive grant funding.

(N) Upon approval of a grant application, and during the construction of the improvements, a representative or representatives of the KEDC shall have the right, at all reasonable times, to have access to and inspect the work in progress.

(O) The applicant shall not begin any improvements prior to receiving written approval of grant funding from the KEDC.

(P) The applicant must begin the improvement project within three (3) months of receiving written approval therefore from the KEDC and execution of an agreement and complete the improvement project within six (6) months from project start. Failure to complete the improvements within the required time period may result in the loss of the grant funds allocated for the project unless the KEDC Board of Directors approves a requested extension.

(Q) Applicant certifies that applicant shall comply with Chapter 2264, Texas Government Code. Applicant further certifies that in the event that applicant is convicted of a violation under 8 U.S.C.

Section 1324a(f), applicant shall repay the amounts previously paid to or otherwise granted to the applicant by the KEDC pursuant to this program.

Application and Approval Requirements

(A) Applications filed with the KEDC on or before three (3) business days (72 hours) before the next regular KEDC meeting shall be considered at the next regular KEDC Board meeting. Applicants must present an overview of the project in the KEDC meeting in person and answer any questions from the KEDC board.

(B) Applications must be made on a form provided by the KEDC, which form shall be made available at Keene City Hall; Offices located at 1000 N. Old Betsy Rd., Keene, Texas.

(C) All applications must be approved by a majority vote of the Board of Directors of the KEDC.

(D) All equipment purchased with grant funds that are affixed or attached to any permanent structure shall remain at the location; unless the KEDC is reimbursed for the grant funds.

(E) An applicant shall be notified in writing of the KEDC's decision to approve or disapprove the application. In the event of a disapproval, the KEDC will state the reason why the application was denied.

(F) The KEDC may award grant funds to an applicant, with certain provisions, conditions, or other requirements the KEDC deems necessary or appropriate; including but not limited to a requirement to return all grant funds in full or on a pro-rated basis for failure to comply with any of the requirements of this policy .

Funding of Grant

(A) Upon written notification to the KEDC by the applicant that a project has been completed, an inspection by an KEDC representative or representatives shall be made to confirm that such project has been completed in accordance with the application, or any approved modifications thereto. Such notification shall include, but not be limited to, documentation of paid receipts for materials, labor, permits, inspection reports, or any other item that the KEDC may reasonably deem necessary for determining the project's completion.

(B) Upon completion and verification of the project funding authorization shall take place at the next regular KEDC Board meeting where the Board shall consider the funding approval.

(C) Within fifteen (15) days following an KEDC inspection and the presentation of the receipts by the applicant, a determination is made by the KEDC's representative that the project has not been completed in accordance with the application, or any approved modifications thereof, the KEDC shall issue a letter to the applicant indicating all areas of non-compliance. The applicant shall then have sixty (60) days, from the date of the KEDC letter, to make the modifications necessary to bring the project into compliance. Failure to complete such modifications within said sixty (60)

day period shall be deemed a default of applicant's obligations under the grant.

(D) Available funding: The KEDC budgets a fixed amount each year to fund this grant program. Grant applications received after the available funding has been exhausted may be considered the following fiscal year, which begins each October. The KEDC retains sole discretion to accept or reject applications either received before or after the available funding has been exhausted. The KEDC reserves the right to discontinue this program at any time.

Notice

(A) THE KEENE ECONOMIC DEVELOPMENT CORPORATION (*LOCAL GOVERNMENT CODE CHAPTER 501*) MAY DELIVER A COPY OF THESE GUIDELINES TO ANY APPLICANT FOR HIS/HER REVIEW, BUT THE DELIVERY HEREOF DOES NOT CONSTITUTE AN OFFER OF A BUSINESS IMPROVEMENT GRANT TO THE APPLICANT.

(B) THE LAWS OF THE STATE OF TEXAS SHALL GOVERN THE INTERPRETATION, VALIDITY, PERFORMANCE, AND ENFORCEMENT OF THIS BUSINESS IMPROVEMENT GRANT PROGRAM. IF ANY PROVISION OF THIS BUSINESS IMPROVEMENT GRANT PROGRAM IS HELD TO BE INVALID OR UNENFORCEABLE, THE VALIDITY AND ENFORCEABILITY OF THE REMAINING PROVISIONS SHALL NOT BE AFFECTED THEREBY.

ereKEENE ECONOMIC DEVELOPMENT CORPORATION (4A)**KEENE BUSINESS IMPROVEMENT GRANT APPLICATION**

Date of Application: _____, 20____

Applicant

Name: _____

Business Name: _____

Business Street Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ Cell Phone: _____

Email Address: _____

Business Owner (if different than above):

Name: _____

Business Name: _____

Business Street Address: _____

City: _____ State: _____ Zip Code: _____

Business Telephone: _____ Cell Phone: _____

Email Address: _____

Property Owner (if different than above):

Name: _____

Business Name: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Business Telephone: _____ Cell Phone: _____

Email Address: _____

Describe the type of improvement _____

Amount requested: \$ _____

Attach set of site plans drawn to scale and before photos. Note final plans drawn to scale will be required prior to final approval.

Attach three (3) estimates of the total cost of improvements. **To the best of our knowledge the above information is accurate as provided:**

Applicant:

Name (please print): _____

Signature: _____ Date: _____, 20____

Building Owner Approval of Application:

Name (please print): _____

Signature: _____ Date: _____, 20____

Please see the Business Improvement Grant Policy and Guidelines, as amended for other required documents to be included with your application. By signature above the applicant acknowledges receipt of and agrees to abide by and be subject to the terms and conditions of the Business Improvement Grant Policy and Guidelines, as amended.



Keene Economic Development Corporation (Type A) Board Meeting Minutes

April 15, 2026 at 9:00 AM

Keene City Hall - Robert G. Cooper Council Chamber
1000 N. Old Betsy Rd., Cleburne, Texas 76031

Recorded Live Stream at <https://www.youtube.com/@cityofkeenetexas>

Members Present: Rolando Colindres-Bran, President; and Board Members Gwen Beeson, Efrain Castellanos, and Samantha Gillin

Members Absent: Cody Thornton, Vice President

Staff Present: Jonathan Seitz, Don Martin, Holly Russell, Keith Barrow

1. Call to Order, Invocation, Pledge of Allegiance

Board President Colindres called the meeting to order at 9:01 a.m.

2. President's Remarks

There were no remarks made.

3. City Administration Remarks

Don Martin, Director of Neighborhood and Development Services, shared that businesses are showing interest in Keene and building in the area.

Jonathan Seitz, City Manager, shared that the city continues to meet with and have conversations with TxDOT over the concerns of the city and community.

4. Public Comments

There were no comments made by the public.

5. Public Hearing

There was no public hearing scheduled for this meeting.

6. General

A. *Review, discuss, and consider the special meeting minutes of the Keene EDC (Type A) Board held on March 26, 2026.*

A motion was made to approve the minutes as presented, and seconded. The motion carried unanimously.

Motion made by Gillin, Seconded by Beeson.

Voting Yea: President Colindres-Bran, Gillin, Beeson, Castellanos

B. *Review, discuss, and consider the application of LeRoy Montoya for appointment to the EDC-A Board.*

Holly Russell, City Secretary, introduced this item and explained that Mr. Montoya meets all the eligibility requirements for appointment. A motion was made to recommend the

appointment of Mr. Montoya to the EDC- A Board for a term of two-years, and seconded. The motion carried.

Motion made by Gillin, Seconded by Beeson.

Voting Yea: President Colindres-Bran, Gillin, Beeson, Castellanos

- C. *Review, discuss, and consider action or give direction to staff on the revised version of the local business grant application and information.*

Mr. Seitz presented the updated version of the grant applications, guidelines, and resolution that will need to be passed should the program move forward. All documents have been reviewed by the city attorney. There was a need for direction on the minimum amount one may apply for, and the Board consensus was \$1,000. A motion was made to approve the resolution establishing a business improvement grant program for new or existing businesses located within the city limits of Keene.

Motion made by Gillin, Seconded by Beeson

Voting Yea: President Colindres-Bran, Gillin, Beeson, Castellanos

- D. *Receive a report from the City Manager regarding current marketing activities on behalf of the Keene EDC (Type A) Board.*

Mr. Seitz shared the recent marketing efforts on behalf of the Board. In the past, the budgeted funds for marketing were rarely used. With the City having hired a Digital Marketing Coordinator, there is a staff person that can focus on finding marketing opportunities for the Economic Development Boards. Recently, radio spots with 88.3 The Journey was secured to focus on business and community growth.

7. Executive Session

There was no Executive session held at this meeting.

8. Reconvene into Open Session

There was no action taken.

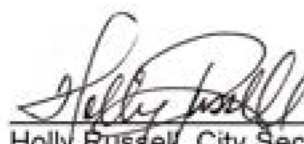
9. Requests for Future Agenda Items

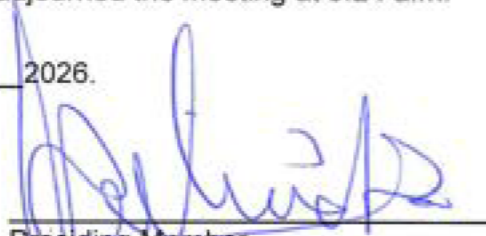
There was a request to look at bringing in a newspaper company and Mr. Seitz noted that staff are actively working on getting this information together to give the Board options. President Colindres would like to add a discussion on the general direction and goals for the Board.

10. Adjourn

There being no further business, President Colindres adjourned the meeting at 9:24 a.m.

Approved this the 15th day of April 2026.


Holly Russell, City Secretary


Presiding Member

KEENE ECONOMIC DEVELOPMENT CORPORATION

RESOLUTION NO. 2026-499

A RESOLUTION ESTABLISHING A BUSINESS IMPROVEMENT GRANT PROGRAM FOR NEW OR EXISTING BUSINESSES LOCATED WITHIN THE CITY LIMITS OF KEENE, TEXAS; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, at a meeting of the Board of Directors of the Keene Economic Development Corporation, ("KEDC") duly held on April 15, 2026, a general discussion was held concerning establishing a business improvement grant program for new or existing businesses located within the city limits of Keene, Texas; and

WHEREAS, it is the recommendation of the "KEDC" to create a business improvement grant program for new or existing businesses located within the city limits of Keene, Texas, that will provide up to \$10,000 in grant assistance; and

WHEREAS, this improvement program would complement the existing efforts of the KEDC to bolster economic development in the City of Keene.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE KEENE ECONOMIC DEVELOPMENT CORPORATION THAT:

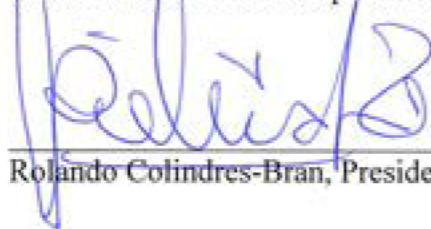
SECTION 1: The Keene Economic Development Corporation hereby approves establishing a business improvement grant program for new or existing businesses located within the city limits of Keene.

SECTION 2: The Chairman of Keene Economic Development Corporation or designee is hereby authorized to execute the documents necessary for said grant program on behalf of the Keene Economic Development Corporation.

SECTION 3: This Resolution shall be in full force and effect from and after its passage and adoption.

PASSED AND ADOPTED this 15th day of April 2026.

Keene Economic Development Corporation

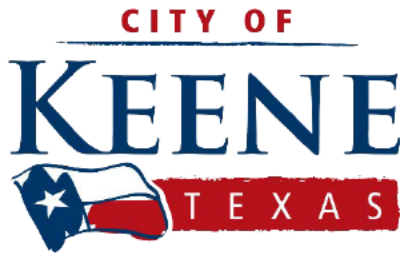


Rolando Colindres-Bran, President KEDC

ATTEST:



Holly Russell, City Secretary



City Council Regular Meeting

July 02, 2026, at 6:00 PM

Submitted by:

Holly Russell, City Secretary
citysecretary@keenetx.com

Discussion Report Item 7C

SUBJECT:

Review, discuss, and consider action on a Petition for Release from the City's Extraterritorial Jurisdiction (ETJ) from the property owner(s) of Tract 288 of the Seth Morris Survey, Abstract Number 536, in Johnson County, Texas, also designated as 6572 FM 3136, Alvarado, Texas.

BACKGROUND:

The City Secretary's office received a Petition for Removal of approximately 13.79 acres of land from the City of Keene ETJ, filed by Luis Alberto Hernandez Zamudio in January 2026. The Petition was filed pursuant to Texas Local Government Code Section 42.102 (effective September 1, 2023) also known as Senate Bill 2038. The Petition was reviewed by the City Secretary and City Attorney and it was not complete or did not satisfy all statutory requirements until April 23, 2026, when the City Secretary received the revised and corrected petition for removal.

RECOMMENDATION:

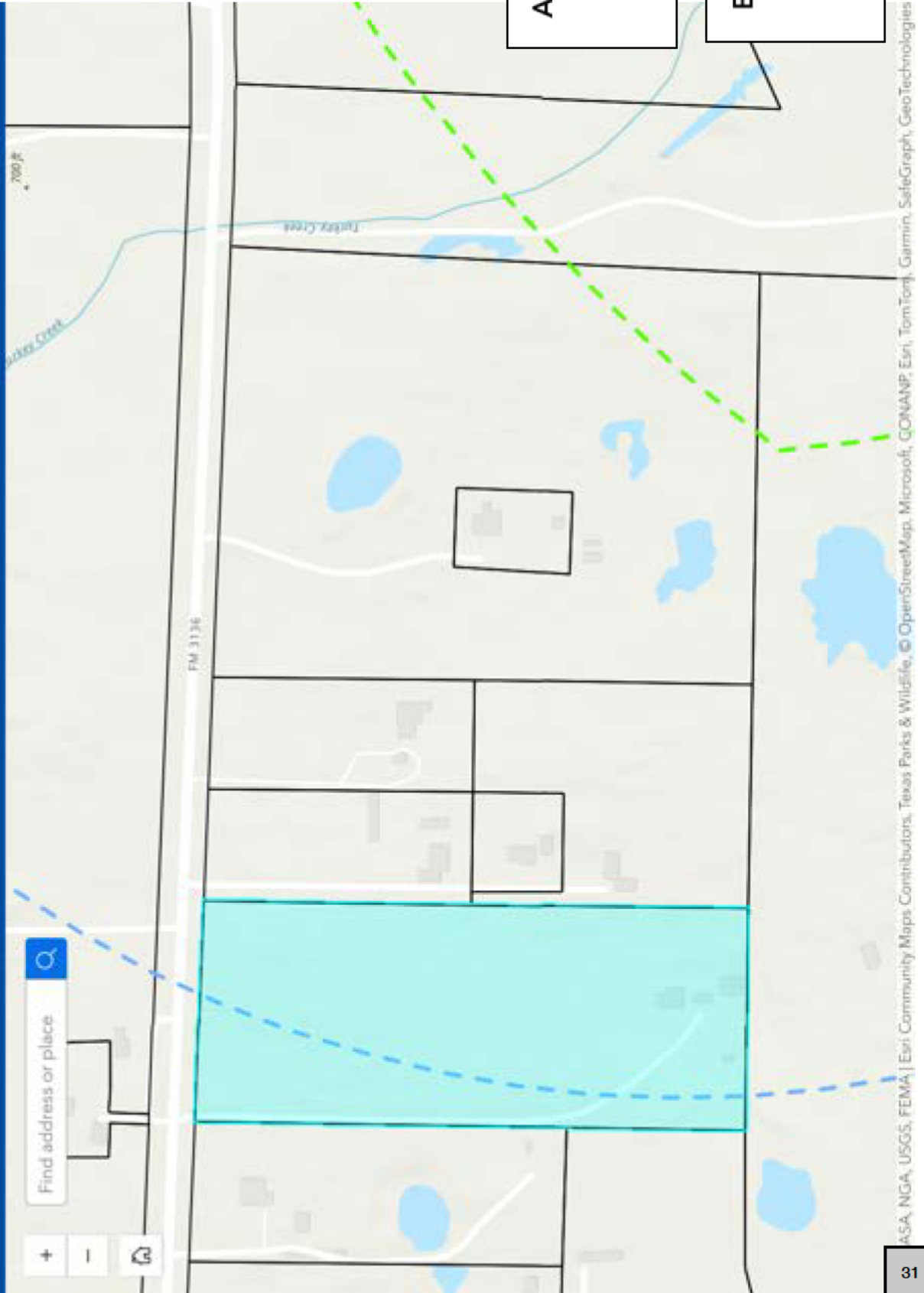
It is the recommendation of the city attorney for Council to take NO ACTION on the petition for removal. The litigation regarding the constitutionality of Senate Bill 2038 now codified in Subchapter B Release of Area by Petition of Landowner or Resident from the Extraterritorial Jurisdiction is on appeal and no final court decision has occurred at this time. Doing so would allow for the city to benefit from a possible future ruling should SB 2038 be declared unconstitutional. Taking no action does not symbolize city council's *consent to the petition* for removal. Should SB 2038 ultimately be held to be unconstitutional, the petitions filed may be determined to be void.

The statute (Texas Local Government Code 42.105(d)) states the area is released by operation of law, if the city takes no action by the later of the 45th day after receipt of the petition or the next city council meeting that occurs after the passage of 30 days.

ATTACHMENTS:

- GIS map of the property listed in the petition
- Petition submitted to the City Secretary office, received April 23, 2026

Keene Public GIS



Section 7, Item C.

HSE HANNA
SURVEYING
& ENGINEERING LLC.

ETJ Release Letter

I, (name) LUIS ALBERTO HERNANDEZ ZAMUDIO
being the owner(s) of the property addressed as 6572 FM 3136, Alvarado Tx, 76009, also
known as Tract 288 out of the Seth Morris Survey, Abstract Number 536, do petition the
City of Keene to release the above said property from its ETJ under Texas Senate Bill
2038.

Included with this letter is a legal description and an exhibit.

Owner's Signature (of the above described property) _____

Owner's Name (printed) LUIS ALBERTO HERNANDEZ ZAMUDIO Owner's Date of Birth _____

Address and Zip 11551 Forest Central Dr Ste 133 Dallas, TX, 75243

Telephone 214 876 8828

Email [REDACTED]

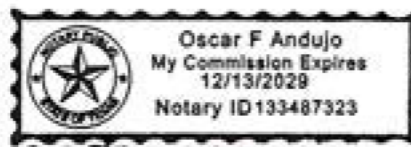
STATE OF TEXAS, COUNTY OF DALLAS

BEFORE ME, the undersigned authority appeared _____ (OWNER)
Who swore on his/her oath that the above and foregoing ETJ Release Letter was true and correct.

EXECUTED on this 13 day of April, 20 26

Oscar Andujo

Notary Public in and for the State of Texas



REC'D BY CSO
APR 23 2026 PM03:03

RTC GF025-1738 AR/MSStovall.jlg [Space Above This Line for Recording Data]

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

General Warranty Deed

Date: December 5, 2025

Grantor: LONNIE RAY HUFFSTUTTLER and LAURA HUFFSTUTTLER, joining herein 'pro forma' to convey homestead interest only, husband and wife

Grantor's Mailing Address: [REDACTED], Arlington, Texas 76012
Tarrant County

Grantee: NIZZA AG, INC., a Texas corporation

Grantee's Mailing Address: 11551 Forest Central Drive, Suite 133, Dallas, Texas 75243
Dallas County

Consideration: TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

Property (including any improvements):

See Exhibit "A" attached hereto and made a part hereof.

Property Address: 6572 FM 3136, Alvarado, Texas 76009

Reservations from Conveyance: None.

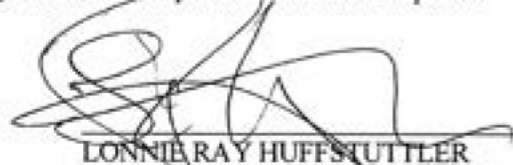
Exceptions to Conveyance and Warranty:

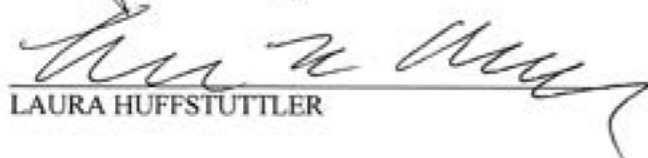
Liens described as part of the Consideration and any other liens described in this Deed as being either assumed or subject to which title is taken; validly existing easements, rights-of-way and prescriptive rights, whether of record or not; all presently recorded and validly existing restrictions, reservations, covenants, conditions, oil and gas leases, mineral interests, geothermal interests, and water interests outstanding in persons other than Grantor, and other instruments, other than conveyances of the surface fee estate, that affect the Property; validly existing rights of adjoining owners in any walls and fences situated on a common boundary;

any discrepancies, conflicts or shortages in area or boundary lines; any encroachments or overlapping of improvements; all zoning laws, regulations and ordinances of municipal and/or other governmental authorities, if any, and taxes for 2025, which Grantee assumes and agrees to pay, and subsequent assessments for that and prior years due to change in land usage, ownership or both, the payment of which Grantee assumes.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

When the context requires, singular nouns and pronouns include the plural.

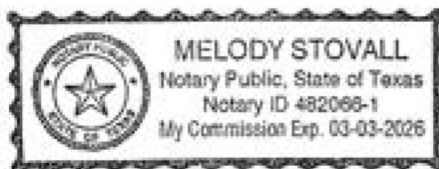

LONNIE RAY HUFFSTUTTLER

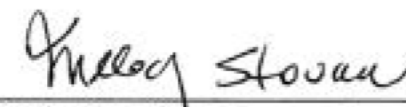

LAURA HUFFSTUTTLER

STATE OF TEXAS §

COUNTY OF Tarrant §

This instrument was acknowledged before me on the 5th day of December 2025, by LONNIE RAY HUFFSTUTTLER and LAURA HUFFSTUTTLER.




Notary Public, State of Texas
My commission expires: 3/3/2026

AFTER RECORDING RETURN TO:
NIZZA AG, INC.
11551 Forest Central Drive, Suite 133, Dallas, Texas 75243

Exhibit "A"
Legal Description

BEING A 13.799 ACRE TRACT OUT OF THE SETH MORRIS SURVEY, ABSTRACT NUMBER 538, JOHNSON COUNTY, TEXAS, AS CONVEYED TO CARL HUFFSTUTTLE AND WIFE, NITA HUFFSTUTTLE, IN A WARRANTY DEED WITH VENDOR'S LIEN, RECORDED IN VOLUME 803, PAGE 192, OF THE DEED RECORDS OF JOHNSON COUNTY, TEXAS (D.R.J.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 3/4-INCH IRON ROD FOUND (CONTROLLING MONUMENT 1), SAID POINT BEING THE MOST NORTHWESTERLY CORNER OF SAID HUFFSTUTTLE TRACT, SAID POINT ALSO BEING THE MOST NORTHEASTERLY CORNER OF A CALLED 5.85 ACRE TRACT, AS CONVEYED TO JAMES W. HARRIS AND WIFE, PATRICIA L. HARRIS, IN A DEED, RECORDED IN VOLUME 3279, PAGE 103, D.R.J.C.T., SAID POINT ALSO BEING ON THE SOUTH LINE OF FARM TO MARKET ROAD 3136, A DEDICATED VARIABLE WIDTH RIGHT-OF-WAY, RECORDED AS TXDOT PROJECT NUMBER CONTROL 3348, SECTION 1;

THENCE DEPARTING THE MOST NORTHEASTERLY CORNER OF SAID HARRIS TRACT, AND FOLLOWING THE SOUTH LINE OF SAID FARM TO MARKET ROAD 3136, SOUTH 88 DEGREES 18 MINUTES 16 SECONDS EAST, A DISTANCE OF 495.70 FEET, TO A 5/8-INCH IRON ROD SET WITH YELLOW CAP STAMPED "HANNA SURV PLS 6647", SAID POINT BEING THE MOST NORTHEASTERLY CORNER OF SAID HUFFSTUTTLE TRACT, SAID POINT ALSO BEING THE MOST NORTHWESTERLY CORNER OF A REMAINDER PORTION OF A CALLED 15.00 ACRE TRACT, AS CONVEYED TO PERRI JON NORVELLE JR., IN A DEED, RECORDED AS INSTRUMENT NUMBER 2015-19201, D.R.J.C.T.;

THENCE DEPARTING THE SOUTH RIGHT-OF-WAY LINE OF SAID FARM TO MARKET ROAD 3136, AND FOLLOWING THE COMMON LINE OF SAID HUFFSTUTTLE TRACT, AND SAID REMAINDER PORTION OF A CALLED 15.00 ACRE TRACT, SOUTH 00 DEGREES 10 MINUTES 12 SECONDS WEST, PASSING, AT A DISTANCE OF 591.12 FEET, A 1/2-INCH IRON ROD FOUND WITH ORANGE CAP STAMPED "RPLS 5236", AND CONTINUING A TOTAL DISTANCE OF 1,200.93 FEET, TO A 1-1/2-INCH IRON PIPE FOUND, FOR THE MOST SOUTHWESTERLY CORNER OF A CALLED 6.975 ACRE TRACT, AS CONVEYED TO PERRI JON NORVELLE JR., IN A DEED, RECORDED AS INSTRUMENT NUMBER 2014-8812, D.R.J.C.T., SAID POINT ALSO BEING THE MOST SOUTHEASTERLY CORNER OF SAID HUFFSTUTTLE TRACT, SAID POINT ALSO BEING ON THE NORTH LINE OF A CALLED 123.028 ACRE TRACT, AS CONVEYED TO BENNIE JETER AND ERIN T. JETER, RECORDED IN VOLUME 2138, PAGE 546, D.R.J.C.T.;

THENCE DEPARTING THE COMMON LINE OF SAID HUFFSTUTTLE TRACT AND SAID 6.975 ACRE NORVELLE TRACT, AND FOLLOWING THE COMMON LINE OF SAID HUFFSTUTTLE TRACT AND SAID JETER TRACT, SOUTH 89 DEGREES 59 MINUTES 15 SECONDS WEST, A DISTANCE OF 499.38 FEET, TO A 1-INCH IRON PIPE FOUND, (CONTROLLING MONUMENT 2) FOR THE MOST SOUTHEASTERLY CORNER OF A CALLED 6.423 ACRE TRACT, AS CONVEYED TO DEBRA KELLEY KAYE, IN A DEED, RECORDED IN VOLUME 1325, PAGE 145, D.R.J.C.T., SAID POINT ALSO BEING THE MOST SOUTHWESTERLY CORNER OF SAID HUFFSTUTTLE TRACT;

THENCE DEPARTING THE COMMON LINE OF SAID JETER TRACT AND SAID HUFFSTUTTLE TRACT, AND FOLLOWING THE COMMON LINE OF SAID HUFFSTUTTLE TRACT AND SAID KAYE TRACT, NORTH 00 DEGREES 21 MINUTES 05 SECONDS EAST, PASSING THE MOST EASTERLY COMMON CORNER OF SAID KAYE TRACT AND SAID HARRIS TRACT AT A DISTANCE OF 390.15 FEET, FROM WHICH AN 8-INCH WOOD FENCE POST BEARS, NORTH 89 DEGREES 38 MINUTES 55 SECONDS WEST, A DISTANCE OF 1.22 FEET, AND CONTINUING WITH THE COMMON LINE OF SAID HARRIS TRACT AND SAID HUFFSTUTTLE TRACT, A TOTAL DISTANCE OF 1,215.72 FEET, TO THE POINT OF BEGINNING, AND CONTAINING 601,086.60 SQUARE FEET, OR 13.799 ACRES, MORE OR LESS.

Johnson County
April Long
Johnson County
Clerk

Instrument Number: 2025 - 36437

eRecording - Real Property

Warranty Deed

Recorded On: December 08, 2025 11:03 AM

Number of Pages: 4

" Examined and Charged as Follows: "

Total Recording: \$33.00

******* THIS PAGE IS PART OF THE INSTRUMENT *******

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 2025 - 36437
Receipt Number: 20251208000012
Recorded Date/Time: December 08, 2025 11:03 AM
User: Amanda T
Station: ccl83

Record and Return To:

Simplifile
5072 North 300 West

PROVO UT



STATE OF TEXAS
COUNTY OF JOHNSON

I hereby certify that this Instrument was FILED In the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Records of Johnson County, Texas.

April Long
Johnson County Clerk
Johnson County, TX

April Long

Section

PAGE 1 OF 2



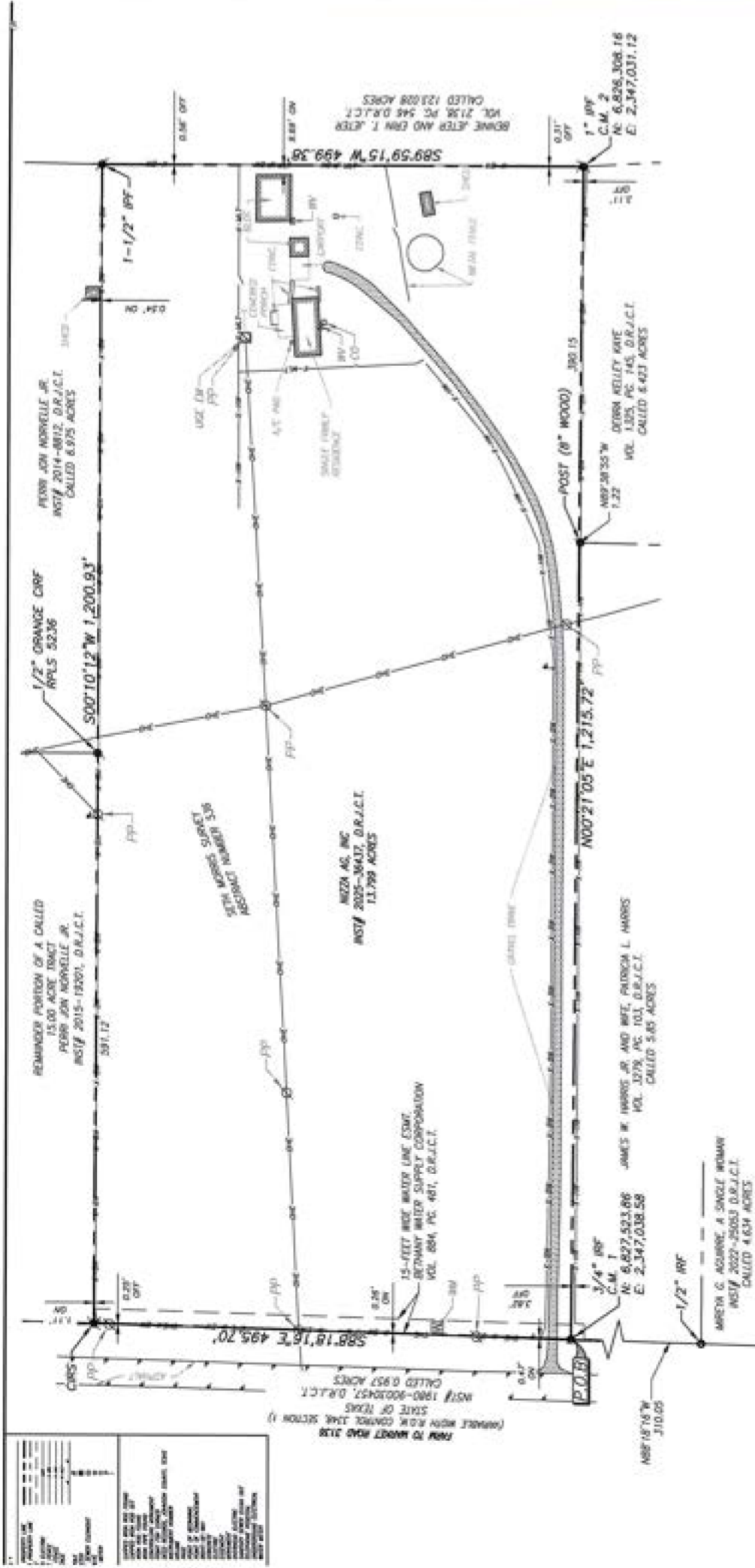
05 MAR 2028

[illegible]

HSE HANNA
SURVEYING
& ENGINEERING LTD

11/11/2019 11:11:11 AM

37



**MINUTES OF SPECIAL JOINT MEETING OF THE BOARD OF DIRECTORS AND
SHAREHOLDERS OF NIZZA AG, INC.**

DATE: March 30, 2026

TIME: 10:00 AM

LOCATION: 11551 Forest Central Drive, Suite 133, Dallas, Texas 75243

ATTENDEES:

Nizza Minette Ackel Gutierrez, President and Director

Luis Alberto Hernandez Zamudio, Treasurer and Director

I. CALL TO ORDER The meeting was called to order by the President. It was noted that a quorum was present, as all Directors and Shareholders of the Corporation were in attendance.

II. PURPOSE OF THE MEETING The purpose of this special meeting was to authorize specific corporate actions regarding all the real properties owned by the Corporation and to clarify the representative authority of the Directors before municipal and state authorities.

III. RESOLUTIONS After due discussion, the following resolutions were UNANIMOUSLY ADOPTED:

RESOLVED, that **LUIS ALBERTO HERNANDEZ ZAMUDIO**, in his capacity as Director and Officer of **NIZZA AG, INC.**, is hereby granted full and absolute authority to act on behalf of the Corporation in all matters pertaining to the petition for release or removal of corporate property from the **Extraterritorial Jurisdiction (ETJ)** of the City of Keene, Texas, or any other municipality.

FURTHER RESOLVED, that **LUIS ALBERTO HERNANDEZ ZAMUDIO** is authorized to execute, sign, and deliver all necessary legal instruments, including but not limited to:

1. Petitions for ETJ Release and related correspondence.
2. Technical property descriptions (Metes and Bounds), surveys, and plats.
3. Affidavits and documents required by the Texas Election Code or Local Government Code.
4. Any other applications for zoning, development, or land use permits.

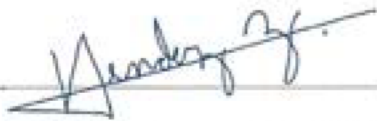
FURTHER RESOLVED, all acts previously performed by Luis Alberto Hernandez Zamudio in pursuit of these objectives are hereby ratified and approved as the official acts of the Corporation.

IV. ADJOURNMENT There being no further business, the meeting was adjourned.

SIGNATURES:



Nizza Minette Ackel Gutierrez President and Director



Luis Alberto Hernandez Zamudio Treasurer and Director