



**CITY OF GAINESVILLE  
NOTICE OF REGULAR CALLED CITY COUNCIL MEETING  
Tuesday, September 7, 2021, 6:30 P.M.  
MUNICIPAL BUILDING, 200 SOUTH RUSK, GAINESVILLE, TEXAS**

*Carolyn Hendricks, Councilmember, Ward 1  
Brandon Eberhart, Councilmember, Ward 2  
Michael Hill, Councilmember, Ward 3*

*Tommy Moore, Mayor*

*Ken Keeler, Councilmember, Mayor Pro Tem  
Martin Phillips, Councilmember, Ward 5  
Mary Jo Dollar, Councilmember, Ward 6*

**AGENDA**

1. **CALL TO ORDER.....Mayor Tommy Moore**
2. **INVOCATION**
3. **PLEDGE TO THE FLAG**
4. **RECOGNITIONS/PROCLAMATIONS**  
**Constitution Week Proclamation**
5. **REPORTS**
6. **CITIZEN COMMENTS**
7. **CONSENT AGENDA**
  - A. Approve Minutes of August 17, 2021 City Council Meeting
  - B. Consideration of and action on a Resolution making an appointment to the Texoma Community Center Board of Trustees.
8. Consideration of and action on an Ordinance of the City of Gainesville, Texas amending the Code of Ordinances, Chapter 8- Health, creating Article V. Public and Semi-Public Swimming Pools and Spas for the Regulation of Public and Semi-Private Pools and Public Interactive Water Features; providing for a findings clause; providing for a severability clause; providing for a savings clause; providing for a cumulative repealer; providing for a penalty clause; and providing for an effective date.
9. Public Hearing on a Resolution establishing the City of Gainesville PACE Program.

**OPEN PUBLIC HEARING \_\_\_\_\_ p.m.**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**MOTION to CLOSE PUBLIC HEARING.**

Motion by: Councilmember \_\_\_\_\_

Seconded by: Councilmember \_\_\_\_\_

Vote of \_\_\_\_\_ Ayes; \_\_\_\_\_ Nays; \_\_\_\_\_ Abstentions; and \_\_\_\_\_ Absent

**CLOSE PUBLIC HEARING \_\_\_\_\_ p.m.**

- 10. Consideration of and action on a Resolution establishing the City of Gainesville PACE Program.
- 11. Consideration of and action on a Resolution approving an amendment to the water tower lease for Cingular Wireless to add a generator to the area.
- 12. Consideration of and action on an Ordinance of the City Council of the City of Gainesville, Texas, designating the intersection of South Clements Street and Young Street in the City of Gainesville, Texas, as a two-way stop intersection, to be controlled by stop signs for Northbound and Southbound traffic on South Clements Street at the intersection of Young Street; authorizing the erection of signs at the intersection; providing for repeal of conflicting provisions; providing for publication; providing for suspension of the charter provision requirement of reading on three separate occasions; providing an effective date; and making an open meeting finding.
- 13. Public Hearing on the Proposed Budget for City of Gainesville for the Fiscal Year 2021-2022.

**OPEN PUBLIC HEARING \_\_\_\_\_ p.m.**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**MOTION to CLOSE PUBLIC HEARING.**

Motion by: Councilmember \_\_\_\_\_

Seconded by: Councilmember \_\_\_\_\_

Vote of \_\_\_\_\_ Ayes; \_\_\_\_\_ Nays; \_\_\_\_\_ Abstentions; and \_\_\_\_\_ Absent

**CLOSE PUBLIC HEARING \_\_\_\_\_ p.m.**

- 14. Consideration of and action on FIRST READING of an ordinance establishing appropriations for the support, maintenance, buildings and improvements for the City of Gainesville, Texas, for the fiscal year from October 1, 2021 through September 30, 2022 and revising the budget for October 1, 2020 through September 30, 2021; providing an effective date; and making an open meeting finding; and providing for ratification of the property tax increase reflected in the fiscal year 2021-2022 operating budget by separate vote.
- 15. Public Hearing on an Ordinance levying, assessing and fixing the ad valorem tax rate for the City of Gainesville, Texas General Fund and Interest and Sinking Fund for the fiscal year from October 1, 2021 through September 30, 2022; appropriating each levy for the specific purpose; providing for the assessment of all annual occupational taxes provided by law; requiring publication; providing an effective date; and making an open meeting finding.

**OPEN PUBLIC HEARING \_\_\_\_\_ p.m.**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**MOTION to CLOSE PUBLIC HEARING.**

Motion by: Councilmember \_\_\_\_\_

Seconded by: Councilmember \_\_\_\_\_

Vote of \_\_\_\_\_ Ayes; \_\_\_\_\_ Nays; \_\_\_\_\_ Abstentions; and \_\_\_\_\_ Absent

**CLOSE PUBLIC HEARING \_\_\_\_\_ p.m.**

16. Consideration of and action on FIRST READING of an Ordinance levying, assessing and fixing the ad valorem tax rate for the City of Gainesville, Texas General Fund and Interest and Sinking Fund for the fiscal year from October 1, 2021 through September 30, 2022; appropriating each levy for the specific purpose; providing for the assessment of all annual occupational taxes provided by law; requiring publication; providing an effective date; and making an open meeting finding.
17. Consideration of and action on a Resolution approving the annual Fee Schedule for City of Gainesville Services for Fiscal Year 2021-2022 and providing an effective date.
18. Consideration of and action on a Resolution approving the City of Gainesville Five-Year Capital Improvement Plan (FY 2022-2026).
19. Consideration of and action on a Resolution approving a five-year budget model (FY 2022-2026) for City of Gainesville.
20. Consideration of and action on a Resolution authorizing the City Manager to execute an agreement with each of the agencies receiving Hotel/Motel Occupancy Tax pursuant to Chapter 351 of the property tax code; appropriating certain amounts from said hotel/motel fund; and authorizing payment on the terms and conditions contained therein.
21. Consideration of and action on a Resolution approving actions of the Gainesville Economic Development Corporation of the City of Gainesville, which voted to adopt the Budget for Fiscal Year 2021-2022.

**EXECUTIVE SESSION \_\_\_\_\_**

Adjourn into closed or executive session in compliance with Vernon's Texas Codes Annotated, Government Code, Chapter 551 (Open Meetings Act), to discuss the following:

- Under Government Code §551.071 Attorney-Client Matters
- Under Government Code §551.087 Economic Development

**RECONVENE INTO OPEN SESSION \_\_\_\_\_**

22. Consideration of and action on a Resolution of the City Council of the City of Gainesville, Texas authorizing the City Manager to sign a settlement agreement with SOZO Center, LLC and BYC, LLC.
23. Consideration of and action on a Resolution of the City Council of the City of Gainesville, Texas authorizing the City Manager to sign a 380 Economic Development Agreement with SOZO Center, LLC and BYC, LLC.
24. Consideration of and action on a Resolution approving actions of the Gainesville Economic Development Corporation of the City of Gainesville, which voted to approve the job creation incentive requirements for 2021-2022.
25. Consideration of and action on a Resolution of the City Council approving the sale of alcohol at North Central Texas College during the Medal of Honor Host City Program Banquet.

**ADJOURN \_\_\_\_\_**

*At any time during the meeting and in compliance with the Texas Open Meetings Act, Chapter 551, Government Code, Vernon's Texas Codes, Annotated, the City Council may meet in executive session on any of the above agenda items for consultation concerning attorney-client matters (§551.071); deliberation regarding real property (§551.072); deliberation regarding prospective gift (§551.073); personnel matters (§551.074); deliberation regarding security devices (§551.076); and deliberation regarding economic development negotiations (§551.087). Any subject discussed in executive session may be subject to action during the open meeting.*

- i. *Citizen comments will be limited to persons who have registered with the City Secretary in advance, except by majority vote of the City Council. In accordance with the Open Meetings Act, the Council will bear comments of public interest, but any discussion shall be limited to placing the item on a future agenda for consideration.*
- ii. *Items on the Consent Agenda will be voted on in one motion unless request is made for separate discussion and approved by the City Council.*
- iii. *In order to be fair to all persons who have items on the agenda or interest in one or more of the items, the Council may impose time limitations on speakers in Public Hearings. Applicants must limit presentations to 5 minutes. The Mayor may impose other time constraints at his discretion, depending on other prevailing factors. Speakers will be notified by the Mayor Pro Tem when their time has expired.*
- iv. *The Council reserves the right to retire into executive session concerning any of the items listed on this Agenda, whenever it is considered necessary and legally justified under the Open Meetings Act.*
- v. *The Council reserves the right to suspend the Charter and adopt any ordinance without three readings.*
- vi. *Persons with disabilities who plan to attend this meeting and who may need assistance should contact the City Secretary at (940) 668-4500 two working days prior to the meeting so that appropriate arrangements can be made.*

I, Diana Alcalá, City Secretary, posted this Agenda on the official City of Gainesville bulletin board in the Municipal Building, 200 S. Rusk Street, Gainesville, Texas 76240, which is accessible to the public twenty-four hours each day at 9:00 a.m./p.m. on September 3, 2021.

Diana Alcalá  
Diana Alcalá

Sworn to and subscribed before me on this the 3<sup>rd</sup> day of September, 2021.

Cathy Huddleston  
Notary Public, State of Texas  
My Commission expires: 11-7-2024

