



CITY OF GAINESVILLE
NOTICE OF REGULAR CALLED CITY COUNCIL MEETING
Tuesday, May 16, 2023, 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. **OATH OF OFFICE TO ELECTED OFFICIALS..... Municipal Judge Christopher Cypert**
Mayor
Councilmember Ward 1
Councilmember Ward 2
Councilmember Ward 4
5. **ELECTION OF MAYOR PRO TEM**
NOMINATION for Mayor Pro Tem.
Motion: _____ Nomination: _____
Discussion: _____
Vote of _____ Ayes; _____ Nays; _____ Absent; and _____ Abstentions
6. **RECOGNITIONS/PROCLAMATIONS**
Recognition of City Councilmember Carolyn Hendricks for 20 years of service to the Citizens of Gainesville.
7. **REPORTS**
8. **CITIZEN COMMENTS**
9. **CONSENT AGENDA**
 - A. Approve Minutes of May 2, 2023 Regular City Council Meeting
 - B. Consideration of and action on a Resolution of the City Council approving the distribution of alcohol at the Frank Buck Zoo and Leonard Park, located at 1000 W. California Street, by the Frank Buck Zoo during World Giraffe Day 5k Walk/Run on June 24, 2023.**MOTION to (approve, disapprove, table) Consent Agenda.**
Motion: _____ 2nd: _____
Discussion: _____

Vote of _____ Ayes; _____ Nays; _____ Absent; and _____ Abstentions

- 10. Consideration of and action on a Resolution and Order Canvassing the returns and declaring the results of the Special Election held May 6, 2023.

MOTION to (approve, disapprove, table) the **Resolution**.

Motion: _____ 2nd: _____

Discussion: _____

Vote of _____ Ayes; _____ Nays; _____ Absent; and _____ Abstentions

- 11. Consideration of and action on a Resolution of the City Council of the City of Gainesville, Texas, approving a Final Plat of 6.30 acres located at Hunt County School Land Survey, Abstract 0440, Lot 20, Cooke County Appraisal District Property ID Number 320148; commonly known as 3511 S IH-35; within the City of Gainesville Extraterritorial Jurisdiction (ETJ), Cooke County, Texas; providing for a repealing clause; providing for an effective date.

MOTION to (approve, disapprove, table) the **Resolution**.

Motion: _____ 2nd: _____

Discussion: _____

Vote of _____ Ayes; _____ Nays; _____ Absent; and _____ Abstentions

- 12. Public Hearing on a Resolution of the City Council of the City of Gainesville, Texas approving the actions of the Gainesville Economic Development Corporation, which voted to approve the Gainesville, Texas Economic Plan.

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.

- 13. Consideration of and action on a Resolution of the City Council of the City of Gainesville, Texas approving the actions of the Gainesville Economic Development Corporation, which voted to approve the Gainesville, Texas Economic Development Plan.

MOTION to (approve, disapprove, table) the **Resolution**.

Motion: _____ 2nd: _____

Discussion: _____

Vote of _____ Ayes; _____ Nays; _____ Absent; and _____ Abstentions

- 14. Public Hearing on an Ordinance amending Ordinance: 1219-12-2008; the Zoning Ordinance of the City of Gainesville, Texas authorizing the rezone from Industrial (I) Zoning District to a Multi-Family Low Density (MF1) Zoning District of plus or minus 0.862 acres; legally described as Sparks Addition; Block 26; Lot(s) 9, 10, and 11; and Prairie Addition, Lots 7, 9, and 11, Block 1, Cooke County Appraisal District Property ID Number(s) 8682, 8674, 8673, 19306, commonly known as 1026 N Dixon, 1030 N Dixon, and 1027 Moran; within the City of Gainesville, Cooke County, Texas.

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.

- 15. Consideration of and action on an Ordinance amending Ordinance: 1219-12-2008; the Zoning Ordinance of the City of Gainesville, Texas authorizing the rezone from Industrial (I) Zoning District to a Multi-Family Low Density (MF1) Zoning District of plus or minus 0.862 acres; legally described as Sparks Addition; Block 26; Lot(s) 9, 10, and 11; and Prairie Addition, Lots 7, 9, and 11, Block 1, Cooke County Appraisal District Property ID Number(s) 8682, 8674, 8673, 19306, commonly known as 1026 N Dixon, 1030 N Dixon, and 1027 Moran; within the City of Gainesville, Cooke County, Texas; providing for an amendment of the Official Zoning Map of the City of Gainesville; providing for an effective date; containing a Severability Clause and making an Open Meeting Finding.

MOTION TO SUSPEND THE CHARTER requirement of three separate readings.

Motion: _____ 2nd: _____

Discussion: _____

Vote of _____ Ayes; _____ Nays; _____ Absent; and _____ Abstentions

MOTION to (approve, disapprove, table) the Ordinance.

Motion: _____ 2nd: _____

Discussion: _____

Vote of _____ Ayes; _____ Nays; _____ Absent; and _____ Abstentions

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 Privilege

Under Government Code §551.072 Real Property

RECONVENE INTO OPEN SESSION _____

- 16. Consideration of and action on a Resolution regarding the creation of Liberty Pointe Public Improvement District and ordering public improvements to be made for the benefit of such district; providing for a severability clause; providing an effective date; and containing other matters relating to the subject.

MOTION to (approve, disapprove, table) the Resolution.

Motion: _____ 2nd: _____

Discussion: _____

Vote of _____ Ayes; _____ Nays; _____ Absent; and _____ Abstentions

- 17. Consideration of and action on a Resolution of the City Council of the City of Gainesville, Texas; Approving and authorizing the Mayor to execute a development

agreement relating to the Liberty Pointe Public Improvement District; and resolving other matters related thereto.

MOTION to (approve, disapprove, table) the Resolution.

Motion: _____ 2nd: _____

Discussion: _____

Vote of _____ Ayes; _____ Nays; _____ Absent; and _____ Abstentions

18. Consideration of and action on a Resolution by the City Council of the City of Gainesville, Texas; approving a Chapter 380 Economic Development Agreement between the City of Gainesville and Lackland Liberty Pointe Development, LLC, a Texas limited liability corporation; authorizing the Mayor to execute the agreement on behalf of the City; and providing an effective date.

MOTION to (approve, disapprove, table) the Resolution.

Motion: _____ 2nd: _____

Discussion: _____

Vote of _____ Ayes; _____ Nays; _____ Absent; and _____ Abstentions

19. Consideration of and action on an Ordinance of the City Council of the City of Gainesville, Texas, approving a final tax increment reinvestment zone project and finance plan for Reinvestment Zone Number One, City of Gainesville, Texas; making certain findings; providing a severability clause; and providing for an immediate effective date.

MOTION TO SUSPEND THE CHARTER requirement of three separate readings.

Motion: _____ 2nd: _____

Discussion: _____

Vote of _____ Ayes; _____ Nays; _____ Absent; and _____ Abstentions

MOTION to (approve, disapprove, table) the Ordinance.

Motion: _____ 2nd: _____

Discussion: _____

Vote of _____ Ayes; _____ Nays; _____ Absent; and _____ Abstentions

20. Consideration of and action on a Resolution of the City Council of the City of Gainesville, Texas, calling for a public hearing in accordance with Chapter 26 of the Texas Parks and Wildlife Code to hear from the public on the proposed use or taking of Sesquicentennial Park; authorizing and directing the publication of notice of the public hearing; providing for a severability clause; and providing an effective date.

MOTION to (approve, disapprove, table) the Resolution.

Motion: _____ 2nd: _____

Discussion: _____

Vote of _____ Ayes; _____ Nays; _____ Absent; and _____ Abstentions

21. Consideration of and action on a Resolution authorizing the City Manager to advertise the sale, conveyance, or exchange of a 58,154 square foot parcel of land located on the south side of Broadway St., the east side of N. Clements St., the north side of Gribble St., and the west side of Ritchey St. and containing the former Sesquicentennial Park and the fire station located at 200 N. Clements Street, for the purposes of economic development in the city, acquiring and improving property for a new fire station, and implementing park improvements.

MOTION to (approve, disapprove, table) the Resolution.

Motion: _____ 2nd: _____

Discussion: _____

Vote of _____ Ayes; _____ Nays; _____ Absent; and _____ Abstentions

- 22. Consideration of and action on a Resolution of the City Council of the City of Gainesville, Texas, authorizing the City Manager to sign an Options and Purchase Agreement to sell Parcel Numbers 26341, 27209, and 25433, which comprises of approximately 82.94 acres.

MOTION to (approve, disapprove, table) the Resolution.

Motion: _____ 2nd: _____

Discussion: _____

Vote of _____ Ayes; _____ Nays; _____ Absent; and _____ Abstentions

- 23. Consideration of and action on a Resolution of the City Council of the City of Gainesville, Texas, authorizing the Mayor to sign a Financing Agreement for Payment of Community Benefit Contribution between the City of Gainesville, Texas and Lackland Liberty Pointe Development, LLC.

MOTION to (approve, disapprove, table) the Resolution.

Motion: _____ 2nd: _____

Discussion: _____

Vote of _____ Ayes; _____ Nays; _____ Absent; and _____ Abstentions

- 24. Consideration of and action on a Resolution supporting the City of Gainesville’s application to the Texas Department of Transportation’s 2023 Transportation Alternatives Set-Aside (TA) call for projects.

MOTION to (approve, disapprove, table) the Resolution.

Motion: _____ 2nd: _____

Discussion: _____

Vote of _____ Ayes; _____ Nays; _____ Absent; and _____ Abstentions

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, Karley Simmons, Administrative Assistant, 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 3:25 a.m./p.m. on May 12, 2023.

Karley Simmons
Karley Simmons

Sworn to and subscribed before me on this the 12th day of May, 2023.

Cathy Huddleston
Notary Public, State of Texas

My Commission expires: 11/7/24

