



CITY OF GAINESVILLE
NOTICE OF REGULAR CALLED CITY COUNCIL MEETING
Tuesday, July 18, 2023 6:30 P.M.
MUNICIPAL BUILDING, 200 SOUTH RUSK, GAINESVILLE, TEXAS

Keanna Franklin, Councilmember, Ward 1
Brandon Eberhart, Councilmember, Ward 2
Michael Hill, Councilmember, Ward 3

Tommy Moore, Mayor

Ken Keeler, Councilmember, Mayor Pro Tem
Jeff Johnson, 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.....Municipal Judge Christopher Cypert**
Jeff Johnson.....Councilmember Ward 5
5. **RECOGNITIONS/PROCLAMATIONS**
Americans with Disabilities Act 33rd Anniversary Proclamation
Zoo Keeper Appreciation Week Proclamation
6. **REPORTS**
Water Quality Report 2022.....Allen McDonald and Billy Burgan
Noah's Ark Budget.....Shelly Gomulak
7. **CITIZEN COMMENTS**
8. **CONSENT AGENDA**
 - A. Approve Minutes of June 20, 2023 City Council Meeting.
 - B. Approve Minutes of July 8, 2023 City Council Workshop.
 - C. Consideration of and action on a Resolution making an appointment to the Texoma Community Center Board of Trustees.
 - D. Consideration of and action on a Resolution authorizing the City Manager of the City of Gainesville, Texas to enter into an interlocal agreement with the Texoma Council of Governments (TCOG) for E9-1-1 Public Safety Answering Point Services.
 - E. Consideration of and action on a Resolution of the City Council of the City of Gainesville, Texas authorizing the City of Gainesville, Texas to open an account with First State Bank for Federal Seizure Funds.
 - F. Consideration of and action on a Resolution of the City Council of the City of Gainesville making appointments to the Parks and Recreation Board.
 - G. Consideration of and action on a Resolution making an appointment to the Planning and Zoning Commission.
 - H. Consideration of and action on a Resolution waiving impact fees for the construction of a property owned by Habitat for Humanity, located at 907 South Taylor.
 - I. Consideration of and action on a Resolution waiving impact fees for the construction of a splash pad at the Boys and Girls Club of Cooke County.

9. Public Hearing on an Ordinance amending Ordinance: 1219-12-2008; The Zoning Ordinance of the City Council of the City of Gainesville, Texas authorizing the rezone from an Industrial (I) Zoning District to a Low Density Multi-Family (MF-1) Zoning District of plus or minus 0.37 acres; Cooke County Appraisal District Property ID Number 20010; commonly known as 1128 N Commerce Street.
10. Consideration of and action on an Ordinance amending Ordinance: 1219-12-2008; The Zoning Ordinance of the City Council of the City of Gainesville, Texas authorizing the rezone from an Industrial (I) Zoning District to a Low Density Multi-Family (MF-1) Zoning District of plus or minus 0.37 acres; Cooke County Appraisal District Property ID Number 20010; commonly known as 1128 N Commerce Street; 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.
11. Public Hearing on an Ordinance of the City Council of the City of Gainesville, Texas, providing for the approval of a Special Use Permit (SUP) located in the Lindsay Addition; Lots 7-9; Block 5; commonly known as 311 S. Denton Street; located in the Single-Family Zoning District; to operate a Short-Term Rental within the City Limits of Gainesville, Cooke County, Texas.
12. Consideration of and action on an Ordinance of the City Council of the City of Gainesville, Texas, providing for the approval of a Special Use Permit (SUP) located in the Lindsay Addition; Lots 7-9; Block 5; commonly known as 311 S. Denton Street; located in the Single-Family Zoning District; to operate a Short-Term Rental within the City Limits of Gainesville, Cooke County, Texas.
13. Consideration of and action on an Ordinance amending the Code of Ordinances of the City of Gainesville, Texas providing for the repeal of Article III – Juvenile Curfew; providing a severability clause; providing for repeal of conflicting ordinances; providing an effective date; and making an open meeting finding.
14. Consideration of and action on a Resolution of the City of Gainesville, Texas finding that Oncor Electric Delivery Company LLC's application to amend its distribution cost recovery factor and update generation riders to increase distribution rates within the City should be denied; authorizing participation with the Steering Committee of Cities served by Oncor; authorizing hiring of legal counsel; finding that the City's reasonable rate case expenses shall be reimbursed by the company; finding that the meeting at which this Resolution was passed is open to the public as required by law; requiring notice of this Resolution to the company and legal counsel.
15. Public hearing on an Ordinance amending Ordinance: 1219-12-2008; the Zoning Ordinance of the City of Gainesville, Texas authorizing the rezoning of plus or minus 5.0315 acres to a Planned Development (PD) zoning district including the rezone from Single-Family (SF-2) zoning district to Planned Development (PD) zoning district of property legally described as Clements I Addition; Block 4; Lot 1 W PT, Lot 2, Lot 1 NEC, Lot 1 W PT; Cooke County Appraisal District Property ID Numbers (PID) 14054, 3530, 1679, 1813; commonly known as 120 N Clements, 200 N Clements, 115 Ritchey, 1305 E California; and the rezone from General Commercial (C-2) Loft Overlay District to Planned Development (PD) zoning district of Clements 1 Addition, Block 3 PT of PID

10251, commonly known as 206 N Grand Avenue; within the City of Gainesville, Cooke County, Texas.

16. Consideration of and action on an Ordinance amending Ordinance: 1219-12-2008; the Zoning Ordinance of the City of Gainesville, Texas authorizing the rezoning of plus or minus 5.0315 acres to a Planned Development (PD) zoning district including the rezone from Single-Family (SF-2) zoning district to Planned Development (PD) zoning district of property legally described as Clements I Addition; Block 4; Lot 1 W PT, Lot 2, Lot 1 NEC, Lot 1 W PT; Cooke County Appraisal District Property ID Numbers (PID) 14054, 3530, 1679, 1813; commonly known as 120 N Clements, 200 N Clements, 115 Ritchey, 1305 E California; and the rezone from General Commercial (C-2) Loft Overlay District to Planned Development (PD) zoning district of Clements 1 Addition, Block 3 PT of PID 10251, commonly known as 206 N Grand Avenue; 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.
17. Consideration of and action on a Resolution of the City of Gainesville, Texas determining the costs of certain authorized improvements to be financed by Liberty Pointe Public Improvement District; approving a Preliminary Service Plan and Assessment Plan; including proposed assessment rolls; calling a regular meeting and noticing a public hearing for August 15, 2023 to consider an Ordinance levying assessments on property located within Liberty Pointe Public Improvement District; directing the filing of the proposed assessment rolls with the City Secretary to make available for public inspection; directing city staff to publish and mail notice of said public hearing; and resolving other matters incident and related thereto.
18. Consideration of and action on a Resolution of the City Council of the City of Gainesville, Texas approving a Ground Lease Assignment from DH & DS Properties to Dustin Turner, located at 2301 Florida, Gainesville, Texas.

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 §551.072 Real Property

RECONVENE INTO OPEN SESSION _____

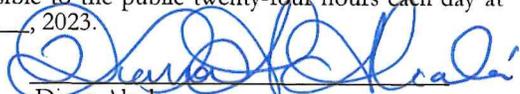
ADJOURN _____

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.

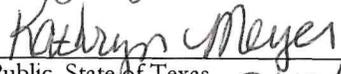
- i. *Citizen comments will be limited to persons who have registered with the City Secretary in advance, except by majority vote of the City Council. In accordance with the Open Meetings Act, the Council will hear comments of public interest, but any discussion shall be limited to placing the item on 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 Alcala, 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 12:10 a.m./1 p.m. on July 14, 2023.


Diana Alcala

Sworn to and subscribed before me on this the 14th day of July, 2023.


Notary Public, State of Texas
My Commission expires: 3/23/26

