

MINUTES
CITY OF GAINESVILLE
CITY COUNCIL WITH REINVESTMENT BOARD NO. 2 JOINT MEETING
200 South Rusk
Gainesville, Texas 76240
December 19, 2023

The City Council of the City of Gainesville, Texas met in regular session December 19, 2023 at 6:30 p.m. with the following persons in attendance.

MEMBERS PRESENT: Mayor Tommy Moore, Mayor Pro Tem Ken Keeler, Keanna Franklin, Brandon Eberhart, Michael Hill, Jeff Johnson, and Mary Jo Dollar.

MEMBERS ABSENT: None.

STAFF PRESENT: Barry Sullivan, City Manager; Diana Alcalá, City Secretary; Allen McDonald, Public Works Director; Dave Vinton, Airport Director; JI Johnson, Finance Director; Kevin Phillips, Police Chief; Mike Doughty, Community Development Director; William Myers; GEDC Director.

OTHERS PRESENT: Anna Beall, Delania Raney, Kirk Franklin, Mike Gordon, Kelly Bub Smith, Ocie Vest, Tony Dresser (Videographer).

CALL TO ORDER

Mayor Tommy Moore called the meeting to order at 6:30 p.m.

INVOCATION & PLEDGE OF ALLEGIANCE

Barry Sullivan gave the invocation.

Mayor Tommy Moore led the pledge to the flag.

REPORTS

2020 Wastewater System Master Plan FY 2023 Update...Allen McDonald, Public Works Director

2020 Water System Master Plan FY 2023 Update....Allen McDonald, Public Works Director

CONSENT AGENDA

The following Consent Agenda items were approved by Council.

- A. Approve Minutes of December 5, 2023 City Council Meeting.
- B. Consideration of and action on a Resolution authorizing the purchase of a Skid Steer Loader for Parks and Recreation.
- C. Consideration of and action on a Resolution authorizing the City Manager, for and on behalf of the City of Gainesville, to execute a Professional Service Agreement with Utility Service Company for the Water Tank Maintenance for the Gateway Tank.

Councilmember Keeler **moved to approve the Consent Agenda**. The motion was seconded by Councilmember Dollar and carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

PUBLIC HEARING UNDER SECTION 311.003 OF THE TEXAS TAX CODE REGARDING THE PROPOSED CREATION OF A TAX INCREMENT REINVESTMENT ZONE CONTAINING APPROXIMATELY 3,034.99 ACRES OF LAND GENERALLY LOCATED WEST OF INTERSTATE 35, WEST OF FARM TO MARKET 1199, SOUTH OF FARM TO MARKET 1202, AND NORTH OF

THE ELM FORK TRINITY RIVER, AND BEING WHOLLY LOCATED WITHIN THE EXTRATERRITORIAL JURISDICTION AND CORPORATE LIMITS OF THE CITY OF GAINESVILLE, TEXAS AND PRELIMINARY PROJECT AND FINANCE PLAN (REINVESTMENT ZONE NO. 2, CITY OF GAINESVILLE, TEXAS).

Mayor Tommy Moore opened the public hearing at 6:33 p.m. and called for public comment.

No citizen came forward to speak on behalf of the item.

Councilmember Dollar **moved to close the public hearing**, seconded by Councilmembers Keeler and Johnson, the motion carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

The public hearing was closed at 6:34 p.m.

ORDINANCE NO. 1553-12-2023 - AN ORDINANCE AMENDING THE CITY OF GAINESVILLE CODE OF ORDINANCES, CHAPTER 19 WATER AND SEWERS, ARTICLE III INDUSTRIAL WASTES; AMENDING SECTION 19-72, NUMBER 13 PROHIBITED DISCHARGES AND LIMITATIONS.

This Ordinance amends the current ordinance to update the chart for elements and maximum concentrations to reflect the two constituents that were added and the changes to the allowable concentrations. TCEQ has determined that the City of Gainesville pretreatment program technically based local limits are now complete and that all changes be completed by January 18, 2024.

Councilmember Keeler **moved to SUSPEND THE CHARTER**. The motion was seconded by Councilmember Johnson and carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

Councilmember Keeler **moved to approve the Ordinance**. The motion was seconded by Councilmember Dollar and carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

AN ORDINANCE AMENDING ORDINANCE 1219-12-2008; THE ZONING ORDINANCE OF THE CITY OF GAINESVILLE, TEXAS, AUTHORIZING THE REZONE FROM AN OUTDOOR COMMERCIAL (C-3) ZONING DISTRICT TO AN INDUSTRIAL (I) ZONING DISTRICT OF PLUS OR MINUS 12.126 ACRES OUT OF THE A. BOUTWELL SURVEY, ABSTRACT 0099, A PORTION OF PARCEL ID NUMBER 3273, COMMONLY KNOWN AS 1471 SOUTHLAND DRIVE, 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 AND OPEN MEETING FINDING.

This Ordinance would change the zoning district from an Outdoor Commercial (C-3) zoning district to an Industrial (I) zoning district of plus or minus 12.126 acres out of the A. Boutwell Survey, abstract 0099, a portion of parcel ID number 3273, commonly known as 1471 Southland Drive.

This Ordinance was read for the second time for consideration for rezoning 1471 Southland Drive from an Outdoor Commercial (C-3) zoning district to an Industrial (I) zoning district.

Councilmember Keeler **moved to SUSPEND THE CHARTER**. The motion was seconded by Councilmember Johnson and carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

Councilmember Keeler **moved to disapprove the Ordinance**. The motion was seconded by Councilmember Franklin and carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

ORDINANCE NO. 1554-12-2023 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS, DESIGNATING A GEOGRAPHIC AREA WITHIN THE CITY AND EXTRATERRITORIAL JURISDICTION AS A TAX INCREMENT REINVESTMENT ZONE PURSUANT TO CHAPTER 311 OF THE TEXAS TAX CODE, TO BE KNOWN AS REINVESTMENT ZONE NUMBER TWO, CITY OF GAINESVILLE, TEXAS; DESCRIBING THE BOUNDARIES OF THE ZONE; CREATING A BOARD OF DIRECTORS FOR THE ZONE AND APPOINTING MEMBERS OF THE BOARD; ESTABLISHING A TAX INCREMENT FUND (TIRZ FUND) FOR THE ZONE; CONTAINING FINDINGS RELATED TO THE CREATION OF THE ZONE; PROVIDING A DATE FOR THE TERMINATION OF THE ZONE; PROVIDING A PRELIMINARY PROJECT AND FINANCE PLAN; PROVIDING THAT THE ZONE TAKE EFFECT IMMEDIATELY UPON PASSAGE OF THE ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

This Ordinance creates a Tax Increment Reinvestment Zone on approximately 3,000 acres of which 1,200 is the Municipal Airport and 900 acres are in the Extraterritorial Jurisdiction. Hence, roughly 70% of the land in the TIRZ is not taxed (or has limited taxes) by the City at this time.

Councilmember Hill **moved to SUSPEND THE CHARTER.** The motion was seconded by Councilmember Franklin and carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

Councilmember Hill **moved to approve the Ordinance.** The motion was seconded by Councilmember Franklin and carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

CITY COUNCIL RECESS 6:48 p.m.

REINVESTMENT ZONE NO. 2 BOARD AGENDA

CALL TO ORDER REGULAR REINVESTMENT ZONE NO. 2 BOARD MEETING

Chairman Tommy Moore called the meeting to order at 6:48 p.m.

DISCUSS, CONSIDER, AND TAKE ACTION ON APPROVAL OF THE FINAL PROJECT AND FINANCE PLAN FOR REINVESTMENT ZONE NUMBER TWO, CITY OF GAINESVILLE, TEXAS, AN APPROXIMATE 3,034.99 ACRES OF LAND GENERALLY LOCATED WEST OF INTERSTATE 35, WEST OF FARM TO MARKET 1199, SOUTH OF FARM TO MARKET 1202, AND NORTH OF THE ELM FORK TRINITY RIVER.

Chairman Keeler **moved to approve the final plan.** The motion was seconded by Chairman Dollar and carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

DISCUSS, CONSIDER, AND TAKE ACTION ON A TIRZ AGREEMENT BETWEEN THE CITY OF GAINESVILLE, THE REINVESTMENT ZONE NUMBER TWO, CITY OF GAINESVILLE, TEXAS, AND B-29 ADC, LLC RELATING TO TIRZ FUNDING FOR APPROVED AND ELIGIBLE PROJECT COSTS IN ACCORDANCE WITH THE PROJECT AND FINANCE PLAN FOR A PORTION OF THE PROPERTY WITHIN TIRZ NO. 2; AND AUTHORIZING THE BOARD CHAIR TO EXECUTE NECESSARY DOCUMENTS.

Chairman Hill **moved to approve the plan.** The motion was seconded by Chairman Keeler and carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

ADJOURN REINVESTMENT ZONE NO. 2 BOARD MEETING 7:01 p.m.

RECONVENE CITY COUNCIL MEETING 7:02 p.m.

ORDINANCE NO. 1555-12-2023 - 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 TWO, CITY OF GAINESVILLE, TEXAS; MAKING CERTAIN FINDINGS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

This Ordinance approves the final TIRZ Project and Finance Plan for Reinvestment Zone #2 (Airport TIRZ).

Councilmember Dollar **moved to SUSPEND THE CHARTER.** The motion was seconded by Councilmember Johnson and carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

Councilmember Dollar **moved to approve the Ordinance.** The motion was seconded by Councilmember Johnson and carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

RESOLUTION 12-19-2023B - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS, ACCEPTING AND APPROVING A TIRZ AGREEMENT BETWEEN THE CITY OF GAINESVILLE, THE REINVESTMENT ZONE NUMBER TWO, CITY OF GAINESVILLE, TEXAS, AND B-29 ADC, LLC RELATING TO THE TIRZ FUNDING FOR APPROVED AND ELIGIBLE PROJECT COSTS IN ACCORDANCE WITH THE PROJECT AND FINANCE PLAN FOR A PORTION OF THE PROPERTY LOCATED WITHIN TIRZ NO. 2; AUTHORIZING THE MAYOR TO EXECUTE NECESSARY DOCUMENTS; AND PROVIDING AN EFFECTIVE DATE.

This Resolution approves an agreement in TIRZ #2 between the City of Gainesville and B-29 ADC LLC. The main purpose of this agreement is to have the TIRZ reimburse B-29 and the City of Gainesville for development studies in TIRZ #2 (Airport TIRZ).

Councilmember Dollar **moved to approve the Resolution.** The motion was seconded by Councilmember Keeler and carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

EXECUTIVE SESSION

At 7:03 p.m. Mayor Tommy Moore announced that Council would convene into Executive Session in compliance with Vernon's Texas Codes Annotated, Government Code, Chapter 551 (Open Meetings Act), to discuss the following:

Under Government Code §551.074 Personnel – City Manager Evaluation

Council reconvened into open session at 7:51 p.m. and Mayor Tommy Moore announced no action was taken during executive session.

RESOLUTION 12-19-2023C - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS AUTHORIZING THE MAYOR TO AMEND THE CONTRACT FOR EMPLOYMENT WITH CITY MANAGER BARRY SULLIVAN.

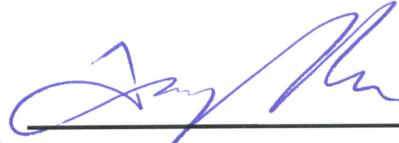
This Resolution authorizes the Mayor of the City of Gainesville to amend the contract for employment with City Manager Barry Sullivan for a 6% raise.

Councilmember Franklin **moved to approve the Resolution.** The motion was seconded by Councilmember Keeler and carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

With no further business to come before the City Council, the meeting was adjourned at 7:52 p.m.
Respectfully submitted,



Diana Alcala, City Secretary



Tommy Moore, Mayor



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