



CITY OF GAINESVILLE

NOTICE OF REGULAR CALLED CITY COUNCIL MEETING

August 05, 2025

06:30 PM

MUNICIPAL BUILDING, 200 SOUTH RUSK, GAINESVILLE, TEXAS

1. **CALL TO ORDER**
2. **INVOCATION**
3. **PLEDGE TO THE FLAG**
4. **OATH OF OFFICE TO APPOINTED OFFICIALS**
Linda Lewis, Council Member Ward 1
5. **RECOGNITIONS/ PROCLAMATIONS**
6. **REPORTS**
 - a. Report on Downtown Parking Study - Chief Phillips
 - b. Tavia Josey - Ripples HOT Funds Request
 - c. David Jones - Blues & Tattoos Festival HOT Funds Request
 - d. Jennifer Shumate - Chamber of Commerce HOT Funds Request
 - e. Suzanne Canon - Downtown Gainesville Alliance HOT Funds Request
 - f. Susan Kleven - Frank Buck Zoological Society HOT Funds Request
 - g. David Jones - State Theater HOT Funds Request
 - h. Lynette Scruggs - Historic South Gainesville Neighborhood Association HOT Funds Request
 - i. Chris McIntosh - North Texas Wine Association Wine Trail HOT Funds Request
 - j. Gabrielle Fletcher - Cooke County Arts Council HOT Funds Request
 - k. Guy George - Butterfield Stage HOT Funds Request
 - l. Chris McIntosh - North Texas Wine Association Wine and Country Festival HOT Funds Request
 - m. Beth Sharp - Cooke County Heritage Society and Morton Museum HOT Funds Request
 - n. Lynette Pettigrew - Medal of Honor HOT Funds Request
 - o. Paulina Schutt-Swiatkowski - Communication & Outreach HOT Funds Request
7. **CITIZEN COMMENTS**
8. **CONSENT AGENDA**
 - a. Approve Minutes of the July 15, 2025 City Council Meeting.

- b. Approve Minutes of the July 19, 2025 Budget Workshop Meeting.
- c. Consideration of and action on a resolution authorizing the City of Gainesville, Texas to accept a donation of an approximate 0.1439-acre tract identified as Cooke CAD property ID 6297, commonly known as 611 Belcher, Gainesville, TX, being a portion block 140 of the Gainesville Addition, from Smokin S Properties, LLC, and authorizing the City Manager to execute any and all documents necessary to transfer ownership.
- d. 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 authorized the Board President to execute a severance agreement between the Gainesville Economic Development Corporation and William Myers.
- e. Consideration of and action on a resolution of the City of Gainesville, Texas authorizing the City Manager to sign the participation form for the Opioid Settlement Agreement with Purdue Pharma L.P. and the Sackler Family.

9. **ACTION ITEMS**

- a. Consideration and action on a Proposed Tax Rate for the City of Gainesville for Fiscal Year 2025-2026.
- b. Consideration of and action on scheduling public hearing dates for the proposed 2025-2026 Tax Rate.
- c. Consideration of and action on scheduling the public hearing date for the proposed 2025-2026 Budget.
- d. Consideration of and action on a resolution of the City of Gainesville adopting the Cooke County 2025 Hazard Mitigation Action Plan.
- e. 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 lease agreement with JC Millwork, Inc. for approximately 10 acres located at 2600 Airport Drive; authorizing the President to execute said lease agreement and any and all related documents; and providing for an effective date.
- f. 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: Rufina Garcia v. City of Gainesville, Texas 4:24-cv-00735-ALM; Haley Hall v. Daniel Harp 4:24-cv-00741; Bethany Kaley Farber v. City of Gainesville 4:23-cv-552-ALM-KPJ; Lauren Trevino vs. City of Gainesville, Texas cv25-00031

Under Government Code §551.072 - Real Property

RECONVENE INTO OPEN SESSION

- g. 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 Rufina Garcia.

10. **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.

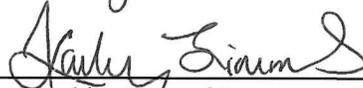
vi. Persons with disabilities who plan to attend this meeting and who may need assistance should contact the City Secretary at (940) 668-4500 two working days prior to the meeting so that appropriate arrangements can be made.

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 3:20 a.m./p.m. on August 1, 2025.



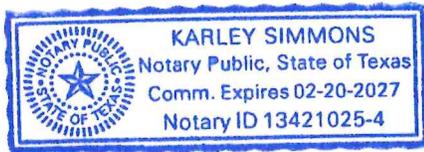
Diana Loch

Sworn to and subscribed before me on this the 1 day of August, 2025.



Notary Public, State of Texas

My Commission expires: 2-20-2027



COUNCIL COMMUNICATION

CAPTION/SUBJECT:

A RESOLUTION AUTHORIZING THE CITY OF GAINESVILLE, TEXAS TO ACCEPT A DONATION OF AN APPROXIMATE 0.1439-ACRE TRACT IDENTIFIED AS COOKE CAD PROPERTY ID 6297, COMMONLY KNOWN AS 611 BELCHER, GAINESVILLE, TX, BEING A PORTION BLOCK 140 OF THE GAINESVILLE ADDITION, FROM SMOKIN S PROPERTIES, LLC, AND AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO TRANSFER OWNERSHIP.

DISCUSSION:

This resolution authorizes the City of Gainesville to accept the donation of a property located at 611 Belcher Street from Smokin S Properties, LLC.

The donation includes an approximately 0.1439-acre tract. The City intends to utilize this property for a public purpose that benefits Gainesville residents, in accordance with all applicable laws and regulations.

ATTACHMENTS:

Resolution
Donation Agreement
Special Warranty Deed
Original Deed

Originating Department Head:

Barry Sullivan, City Manager

City Council Meeting Date:

August 5, 2025

COUNCIL COMMUNICATION

CAPTION/SUBJECT:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS, APPROVING THE ACTIONS OF THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION, WHICH AUTHORIZED THE BOARD PRESIDENT TO EXECUTE A SEVERANCE AGREEMENT BETWEEN THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION AND WILLIAM MYERS.

DISCUSSION:

This resolution authorizes the GEDC to execute a severance agreement with William Myers.

The GEDC voted to approve an agreement with the attorney's recommendation on points discussed in executive session at their July 28, 2025 meeting.

The agreement includes the following key terms:

- Six months of severance pay, distributed in monthly payments
- COBRA health insurance coverage
- Reimbursement of attorney fees up to \$5,000
- Mutual release of all claims by both parties

ATTACHMENTS:

Resolution
Agreement

Originating Department Head:

Gainesville Economic Development Corporation

City Council Meeting Date:

August 5, 2025

COUNCIL COMMUNICATION

CAPTION/SUBJECT:

**A RESOLUTION OF THE CITY OF GAINESVILLE, TEXAS
AUTHORIZING THE CITY MANAGER TO SIGN THE
PARTICIPATION FORM FOR OPIOID SETTLEMENT AGREEMENT
WITH PURDUE PHARMA L.P. AND THE SACKLER FAMILY.**

DISCUSSION:

This Resolution authorizes the City Manager to sign the Participation Form for Opioid Settlement Agreements with Purdue Pharma L.P. and the Sackler Family.

The proposed Settlement requires the Sacklers to pay \$6.5 billion to Texas and its political subdivisions. Of the Settlement Amount, the vast majority is earmarked for use by Texas and its subdivisions to remediate and abate the impacts of the opioid crisis. The Settlements also contain injunctive relief provisions governing the opioid marketing as well as the sale and dispensing practices at the heart of the opioid claims in the lawsuits.

FINANCIAL:

As with the other opioid settlements, the Texas Comptroller of Public Accounts and the Texas Opioid Council will disburse funds to participating political subdivisions in Texas.

ATTACHMENTS:

Resolution
Settlement overview

Originating Department Head:

Barry Sullivan, City Manager

City Council Meeting Date:

August 5, 2025

COUNCIL COMMUNICATION

CAPTION/SUBJECT:

**CONSIDERATION AND ACTION ON A PROPOSED TAX RATE FOR
THE CITY OF GAINESVILLE FOR FISCAL YEAR 2025-2026.**

DISCUSSION:

The City Council is required to develop a proposed tax rate. The City does not have to adopt the proposed tax rate but it cannot adopt a tax rate higher than the proposed tax rate.

We have not yet received the final 2025 Tax Rate Calculation Worksheet from the Cooke County Appraisal District.

Originating Department Head:

Barry Sullivan, City Manager

City Council Meeting Date:

August 5, 2025

COUNCIL COMMUNICATION

CAPTION/SUBJECT:

CONSIDERATION OF AND ACTION ON SCHEDULING PUBLIC HEARING DATES FOR THE PROPOSED 2025-2026 TAX RATE.

DISCUSSION:

Following the record vote on a proposed tax rate, Council must schedule one public hearing on the proposed tax rate to be held prior to adoption of the tax levy.

Your motion needs to be stated as follows:

“I move to schedule public hearings on the proposed 2025 tax rate for September 16, 2025 at Gainesville City Hall, 200 South Rusk Street at 6:30 pm.”

Originating Department Head:

Barry Sullivan, City Manager

City Council Meeting Date:

August 5, 2025

COUNCIL COMMUNICATION

CAPTION/SUBJECT:

CONSIDERATION OF AND ACTION ON SCHEDULING THE PUBLIC HEARING DATE FOR THE PROPOSED 2025-2026 BUDGET.

DISCUSSION:

Per Local Government Code (102.006 b) the governing body sets the hearing date for the proposed budget.

To meet required timelines (receipt of the proposed budget and publication of the hearing date), the date recommended for the public hearing is September 16, 2025.

Your motion should to be stated as follows:

“I move to schedule a public hearing on the proposed FY 2025-2026 budget for September 16, 2025 at Gainesville City Hall, 200 South Rusk Street, at 6:30 pm.”

Originating Department Head:

Barry Sullivan, City Manager

City Council Meeting Date:

August 5, 2025

COUNCIL COMMUNICATION

CAPTION/SUBJECT:

**A RESOLUTION OF THE CITY OF GAINESVILLE ADOPTING THE
COOKE COUNTY 2025 HAZARD MITIGATION ACTION PLAN.**

DISCUSSION:

This resolution approves the adoption of the Cooke County Hazard Mitigation Plan. The Cooke County Hazard Mitigation Plan Update addresses natural hazards that affect the area and the goal of the Plan Update is to minimize or eliminate the long-term risk to human life and property from known hazards through effective mitigation.

A FEMA-approved hazard mitigation plan is required for eligibility for grant funds through FEMA’s Hazard Mitigation Assistance (HMA) programs, which include; Hazard Mitigation Grant Program (HMGP), Flood Mitigation Assistance (FMA), and High Hazard Potential Dams (HHPD) programs. Funds from these federal grant programs may be awarded directly to the participating jurisdictions and districts to implement mitigation projects identified in the Plan Update.

The purpose of the mitigation section is to identify sustainable actions that each participating jurisdiction would be interested in implementing to reduce the impacts of the natural hazards being profiled within the Plan. Development of these projects are based on the needs of the community and/or interest in implementing if the funds were to become available.

All projects are ideas that the community has considered implementing but there is no stipulation should a jurisdiction decide not to implement a single action in the 5-year cycle of the Cooke County Hazard Mitigation Plan Update. Since FEMA allows previously participating jurisdictions and districts to defer unimplemented actions into the Plan Update (anticipate update in 2030), this is justification that jurisdictions or districts are not penalized for not implementing projects. In addition, the estimated costs are that; an estimated cost of the proposed project listed. FEMA requires an estimated cost to be included for each project; to be determined is not an acceptable option. If a jurisdiction or district decides to pursue grant funding for one of these projects, FEMA will not hold the jurisdiction or district to the estimated cost in the Plan.

The Hazard Mitigation Action Plan is available in Dropbox. Due to its length (over 1,000 pages) it has not been included in the packet.

ATTACHMENTS:

Resolution
FEMA Letter

Originating Department Head:

Wayne Twiner, Fire Chief

City Council Meeting Date:

August 5, 2025

COUNCIL COMMUNICATION

CAPTION/SUBJECT:

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 LEASE AGREEMENT WITH JC MILLWORK, INC FOR APPROXIMATELY 10 ACRES LOCATED AT 2600 AIRPORT DRIVE; AUTHORIZING THE PRESIDENT TO EXECUTE SAID LEASE AGREEMENT AND ANY AND ALL RELATED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

DISCUSSION:

This resolution approves a 10-year lease (with two optional 5-year options) with JC Millwork, Inc. for 2600 Airport. The GEDC approved a similar lease at the June 23rd meeting. Since that time JC Millwork had three electricians look at the building. One electrician reported that a large portion of the building needed additional work, while the other two electricians determined that only two panels needed to be upgraded with some work to clean up an area around one of the breaker boxes. Moreover, JC Millwork found out that they needed a longer lease (or at least an option for a longer lease to qualify for New Market Tax Credits).

This new lease makes the following changes:

- Section 3 Term: added option to extend the lease for up to two successive five-year periods at a rate negotiated in good-faith
- Section 4 Rent: provided details on the two successive five-year option periods
- Section 20 Landlord Improvements: Subsection 2) ADA parking spaces must be requested by Tenant; Subsection 5) GEDC to reimburse up to \$105,000 electrical work; Section 6) pay to fix any portion of the electrical system that is not working as designed within the first six months of this lease; Subsection 7) Reduce the lighting reimbursement from \$60,000 to \$55,000; and Section 8) Landlord commits to fixing the sections of Airport Drive and the apron that are directly in front of the two entrances for 2600 Airport Drive (estimated to cost \$170,000)

ATTACHMENTS:

Resolution
GEDC Resolution
Lease Agreement
Aerial Photo
Redline Lease Agreement

Originating Department Head:

Barry Sullivan, City Manager

City Council Meeting Date:

August 5, 2025

COUNCIL COMMUNICATION

CAPTION/SUBJECT:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS APPROVING A SETTLEMENT AGREEMENT REALTING TO *RUFINA GARCIA v. CITY OF GAINESVILLE, TEXAS*, CASE NO. 4:24-cv-00735-ALM, IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT, AND PROVIDING AN EFFECTIVE DATE.

DISCUSSION:

This resolution authorizes the City Manager to sign a settlement agreement with Rufina Garcia, which includes the following actions:

- 1) Plaintiff shall have thirty (30) days from the date of the mediation in this matter (June 25, 2025) (hereinafter the "Mediation Date") to vacate occupancy of the Property and ensure that all utilities to the Property have been disconnected. On reasonable request from the City, Plaintiff will provide appropriate documentation from said utility companies regarding the disconnection of the utilities.
- 2) Plaintiff shall have sixty (60) days from the Mediation Date to remove all vehicles from the Property. After this sixty (60) day period, only operable vehicles may be parked on the Property and such operable vehicles shall not be stored on the Property but may be present for the purpose of conducting legitimate activities in connection with Plaintiff's compliance with this Agreement.
- 3) Plaintiff shall have six (6) months from the Mediation Date to remove or relocate the structure(s) on the Property as Plaintiff may be able to arrange. In the event Plaintiff seeks to relocate the structure(s), Plaintiff shall be responsible for obtaining all required permits and approvals from the proper governmental units to facilitate such relocation. Should any of those permits or approvals be requested from the City, the City will review said permits in the ordinary course as it would any other permit application submitted to it.
- 4) After the expiration of six (6) months from the Mediation Date, any structures, fixtures, personal property, or any other property remaining on the Property is and shall be considered abandoned, rubbish, and/or garbage and is subject to removal by the City as it sees fit.
- 5) After the expiration of six (6) months from the Mediation Date, the City shall cause to be demolished the structure(s) on the Property and shall blade the Property clean.
- 6) The City will not lien or otherwise seek to recoup the costs of the demolition or blading of the Property, nor any other cost, expense or fee associated with such work, from the Plaintiff, the Property, and shall in all things bear the financial burden of such work.
- 7) For clarity, the City affirms it will not interfere with Plaintiff's title or ownership of the Property as a result of this Agreement.

ATTACHMENTS:

Resolution
Settlement Agreement

Originating Department Head:

Barry Sullivan, City Manager

City Council Meeting Date:

August 5, 2025