



CITY OF GAINESVILLE

NOTICE OF REGULAR CALLED CITY COUNCIL MEETING

October 07, 2025

06:30 PM

MUNICIPAL BUILDING, 200 SOUTH RUSK, GAINESVILLE, TEXAS

1. CALL TO ORDER

2. INVOCATION

3. PLEDGE TO THE FLAG

4. RECOGNITIONS/ PROCLAMATIONS

- a. Domestic Violence Awareness Month Proclamation
- b. Texas Chamber of Commerce Week Proclamation

5. REPORTS

6. CITIZEN COMMENTS

7. CONSENT AGENDA

- a. Approve Minutes of the September 16, 2025 Stanford House Meeting.
- b. Approve Minutes of the September 16, 2025 City Council Meeting.
- c. Approve Minutes of the September 27, 2025 Code Enforcement Workshop Meeting.
- d. Consideration of and action on a resolution approving actions of the City Council of the City of Gainesville, Texas approving the actions of the Gainesville Economic Development Corporation, which voted to elect a slate of officers for 2025-2026; and establish signatories for checks, financial documents, or other agreements of the Gainesville Economic Development Corporation.
- e. Consideration of and action on a resolution of the City of Gainesville, Texas finding that Oncor Electric Delivery Company LLC's application to change rates within the City should be denied; finding that the City's reasonable rate case expenses shall be reimbursed by the company; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and legal counsel.
- f. Consideration of and action on a resolution authorizing the Mayor for and on behalf of the City of Gainesville, to execute assignment and assumption of the executive hangar ground lease at the Gainesville Municipal Airport from MFA Construction LLC to Street Properties, Ltd.

8. ACTION ITEMS

- a. Public Hearing on an Ordinance granting a Special Use Permit (SUP) to operate a Short-Term Rental (STR) located in the Wheeler Creek Addition; Block 23; Lot 1; Cooke County Property ID 9948; commonly known as 317 Wheeler Creek Ct, Gainesville, Cooke County, Texas; providing for an effective date; containing a severability clause and making an open meeting finding.

- b. Public Hearing on an Ordinance granting a Special Use Permit (SUP) to operate a Short-Term Rental (STR) located in the Original Donation GV Addition; Block 2; Lot 1 W 1/2; (PID) 12720; commonly known as 115 W California and located in the Commercial (C2) Zoning District within the city limits of Gainesville, Cooke County, Texas; providing for an effective date; containing a severability clause and making an open meeting finding.
- c. Public Hearing on an Ordinance of the City Council of the City of Gainesville, Texas amending Appendix A – Zoning, Section 3.4 Accessory Uses and Structures, Subsection 3.4.02 General Provisions for all Districts; providing for an effective date; containing a severability clause; and making an open meeting finding.
- d. Public hearing on an Ordinance amending Ordinance 1219-12-2008; the Zoning Ordinance of the City of Gainesville, Texas, authorizing the rezone of approximately 3 acres of land located at 1101 Woods Avenue, Gainesville, Texas; Cooke County Property ID No 6736; A. Boutwell Survey; Abstract 0099; from Commercial Zoning (C3) to Industrial Zoning (I); providing for an effective date; containing a severability clause and making an open meeting finding.
- e. Discussion on Cost Recovery Program for Emergency Services.
- f. Discussion on the City Charter review schedule/process.
- g. Discussion on Hotel Occupancy Tax Funding Allocations
- h. 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 Tax Code; appropriating certain amounts from said Hotel/Motel Fund; and authorizing payment on the terms and conditions contained therein.
- i. Consideration of and action on a resolution of the City Council of the City of Gainesville, Texas, approving a bid from WOPAC Construction for the 2025 Mill and Overlay Improvements.
- j. Consideration of and action on a resolution authorizing the City Manager, for and on behalf of the City of Gainesville, to execute an agreement with Kimley-Horn and Associates for implementation of Individual Project Order, 2025 Impact Fee Update for the City of Gainesville.
- k. Consideration of and action on a resolution of the City Council of the City of Gainesville, Texas nominating a member to the Cooke County Appraisal District Board of Directors.
- l. Consideration of and action on a resolution of the City Council of the City of Gainesville, Texas, creating an Ad Hoc Parking Committee, and appointing members to said committee.
- m. Consideration of and action on a resolution of the City Council of the City of Gainesville, Texas, expressing support for the designation of census tracts in Gainesville as Qualified Opportunity Zones and providing for related matters.
- n. Consideration of and action on a resolution of the City Council of the City of Gainesville, Texas, approving the dissolution of a Tax Abatement Agreement with Thirty-Five and Liberty, LLC, and providing an effective date.
- o. Consideration of and action on a resolution of the City Council of the City of Gainesville, Texas, approving the dissolution of a Chapter 380 Agreement with Thirty-Five and Liberty, LLC, and providing an effective date.
- p. Consideration of and action on an Ordinance of the City Council of the City of Gainesville, Texas amending Appendix A – Zoning, Section 3.4 Accessory Uses And Structures, Subsection 3.4.02 General Provisions for all Districts; providing for an effective date; containing a severability clause; and making an open meeting finding.
- q. Consideration of and action on an Ordinance amending Ordinance 1219-12-2008; the Zoning Ordinance of the City of Gainesville, Texas, authorizing the rezone of approximately 3.0 acres in the Boutwell Survey; Abstract 0099; (PID) 6736; commonly known as 1101 Woods Avenue, City of Gainesville, Cooke County Texas; from the current Commercial (C3) to Industrial Zoning District (I); 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.
- r. Consideration of and action on an Ordinance granting a Special Use Permit (SUP) to operate a Short-Term Rental (STR) located in the Wheeler Creek Addition; Block 23; Lot 1; Cooke County Appraisal District Property ID 9948; commonly known as 317 Wheeler Creek Ct, Gainesville, Cooke

County, Texas; providing for an effective date; containing a severability clause and making an open meeting finding.

- s. Consideration of and action on an Ordinance granting a Special Use Permit (SUP) to operate a Short-Term Rental (STR) located in the original donation GV Addition; Block 2; Lot 1 W 1/2; (PID) 12720; commonly known as 115 W California and located in the Commercial (C-2) Zoning District with Loft Overlay within the City limits of Gainesville, Cooke County, Texas; providing for an effective date; containing a severability clause and making an open meeting finding.

9. 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.

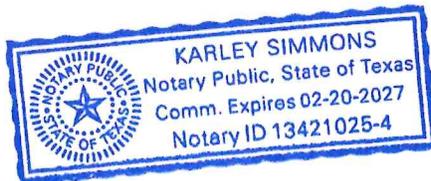
vi. Persons with disabilities who plan to attend this meeting and who may need assistance should contact the City Secretary at (940) 668-4500 two working days prior to the meeting so that appropriate arrangements can be made.

I, Diana Loch, 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 8:55 a.m./p.m. on October 1st, 2025.


Diana Loch

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


Notary Public, State of Texas
My Commission expires: 2-20-2027



COUNCIL COMMUNICATION

CAPTION/SUBJECT:

A RESOLUTION APPROVING ACTIONS OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS APPROVING THE ACTIONS OF THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION, WHICH VOTED TO ELECT A SLATE OF OFFICERS FOR 2025-2026; AND ESTABLISH SIGNATORIES FOR CHECKS, FINANCIAL DOCUMENTS, OR OTHER AGREEMENTS OF THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION.

DISCUSSION:

This resolution approves the actions of the GEDC board to elect a slate of officers for 2025-2026 and to establish signatories. GEDC board members at their regularly scheduled meeting on September 22, 2025, approved a resolution to elect a slate of officers for 2025-2026 and establish signatories for checks, financial documents, or other agreements of the Gainesville Economic Development Corporation.

The GEDC Board voted 5 AYES, 0 NAYS, 1 ABSENT, 1 ABSTENTIONS

ATTACHMENTS:

Resolution
GEDC Resolution

Originating Department Head:

Arleene Loyd, GEDC Director

City Council Meeting Date:

October 7, 2025

COUNCIL COMMUNICATION

CAPTION/SUBJECT:

A RESOLUTION OF THE CITY OF GAINESVILLE, TEXAS FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC'S APPLICATION TO CHANGE RATES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

DISCUSSION:

This resolution denies Oncor Electric Delivery Company LLC's application to increase electric rates within the City of Gainesville. This gives our City a chance to fully review Oncor's rate methodology and time to negotiate a lower rate for our residents. Please see the attached Model Staff Report.

ATTACHMENTS:

Resolution

Model Staff Report

Originating Department Head:

Barry Sullivan, City Manager

City Council Meeting Date:

October 7, 2025

COUNCIL COMMUNICATION

CAPTION/SUBJECT:

A RESOLUTION AUTHORIZING THE MAYOR, FOR AND ON BEHALF OF THE CITY OF GAINESVILLE, TO EXECUTE ASSIGNMENT AND ASSUMPTION OF THE EXECUTIVE HANGAR GROUND LEASE AT THE GAINESVILLE MUNICIPAL AIRPORT FROM MFA CONSTRUCTION LLC TO STREET PROPERTIES, LTD.

DISCUSSION:

This resolution authorizes the Mayor to execute a lease assignment with Street Properties Ltd. On September 18, 2025, the Airport Board reviewed and approved the proposed lease assignment. Under Section 6 of the original ground lease, any assignment must be approved by the City Council. MFA Construction LLC has requested to assign the executive hangar ground lease to Street Properties Ltd. The lease will carry the same terms and conditions as the original and amended lease.

ATTACHMENTS:

Resolution
Assignment and Assumption of Lease Agreement
Exhibit A – Original Lease Agreement

Originating Department Head:

Brenton Porter, Airport Director

City Council Meeting Date:

October 7, 2025

COUNCIL COMMUNICATION

CAPTION/SUBJECT:

PUBLIC HEARING ON AN ORDINANCE GRANTING A SPECIAL USE PERMIT (SUP) TO ALLOW A SHORT-TERM RENTAL (STR) LOCATED IN THE WHEELER CREEK ADDITION; BLOCK 23; LOT 1; COOKE COUNTY PROPERTY ID 9948; COMMONLY KNOWN AS 317 WHEELER CREEK CT, GAINESVILLE, COOKE COUNTY, TEXAS; PROVIDING FOR AN EFFECTIVE DATE; CONTAINING A SEVERABILITY CLAUSE AND MAKING AN OPEN MEETING FINDING.

DISCUSSION:

This is a public hearing, as required by law, pursuant to Texas Local Government Code §211.006.

The property owner has requested issuance of a Special Use Permit (SUP) for a Short-Term Rental (STR) located at 317 Wheeler Creek Ct. The SUP ordinance requires the Planning & Zoning Commission to consider multiple aspects of the property and potential impacts to the community before making a recommendation to the City Council.

The property is located in a single-family (SF-2) zoning district. STRs are permitted within the SF-2 zoning district. The property falls under the “STR Not Occupied by Owner/Owner Lives Further Than One Mile of STR” provision of the STR ordinance. This provision requires one (1) on-site parking space and one (1) on-street parking space per bedroom. The ordinance limits the number of guestrooms to four (4). The property currently has three (3) bedrooms and two (2) bathrooms. Garbage is collected in the city-provided cart already located on the premises. The Planning & Zoning Commission should consider the following conditions before recommending approval to the City Council:

- A. The proposed use complies with all the requirements of the zoning district in which the property is located.
- B. The proposed use, as located and configured, will contribute to or promote the general welfare and convenience of the City.
- C. The benefits that the City gains from the proposed use outweigh the loss of or damage to any homes, business, natural resources, agricultural lands, historical or cultural landmarks or sites, wildlife habitats, parks, or natural, scenic, or historical features of significance, and outweigh the personal and economic cost of any disruption to the lives, business and property of individuals affected by the proposed use.
- D. Adequate utilities, road access, drainage, and other necessary supporting facilities have been or shall be provided.

E. The design, location, and arrangement of all public and private streets, driveways, parking spaces, entrances, and exits shall provide for a safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent developments.

F. The issuance of the Special Use Permit does not impede the normal and orderly development and improvement of neighboring vacant property.

G. The location, nature, and height of buildings, structures, walls, and fences are not out of scale with the neighborhood. This does not include communication towers.

H. The proposed use will be compatible with and not injurious to the use and enjoyment of neighboring property, nor significantly diminish or impair property values within the vicinity.

I. Adequate nuisance prevention measures have been or shall be taken to prevent or control offensive odors, fumes, dust, noise, vibration, and visual blight.

J. Sufficient on-site lighting is provided for adequate safety of patrons, employees, and property, and such lighting is adequately shielded or directed so as not to disturb or adversely affect neighboring properties.

K. There is sufficient landscaping and screening to ensure harmony and compatibility with adjacent properties.

L. The proposed operation is consistent with the applicant's submitted plans, master plans, projections, or, where inconsistencies exist, the benefits to the community outweigh the costs.

M. The proposed use is in accordance with the City of Gainesville Comprehensive Land Use Plan.

RECOMMENDATION:

Staff and Planning & Zoning recommend approval to City Council, as this is an appropriate use for the current zoning district and conforms to the specifications outlined in the ordinance.

Originating Department Head:

Michael Doughty

Community Development Director

City Council Meeting Date:

October 07, 2025

COUNCIL COMMUNICATION

CAPTION/SUBJECT:

PUBLIC HEARING ON AN ORDINANCE GRANTING A SPECIAL USE PERMIT (SUP) TO OPERATE A SHORT-TERM RENTAL (STR) LOCATED IN THE ORIGINAL DONATION GV ADDITION; BLOCK 2; LOT 1 W 1/2; (PID) 12720; COMMONLY KNOWN AS 115 W CALIFORNIA AND LOCATED IN THE COMMERCIAL (C2) ZONING DISTRICT WITHIN THE CITY LIMITS OF GAINESVILLE, COOKE COUNTY, TEXAS; PROVIDING FOR AN EFFECTIVE DATE; CONTAINING A SEVERABILITY CLAUSE AND MAKING AN OPEN MEETING FINDING.

DISCUSSION:

This is a public hearing, as required by law, pursuant to Texas Local Government Code §211.006.

The property owner has requested issuance of a Special Use Permit (SUP) for a Short-Term Rental (STR) located in the Original Donation GV Addition; Block 2; Lot 1 W 1/2; (PID) 12720; commonly known as 115 W California and located in the Commercial (C-2) Zoning District; within the city limits of Gainesville, Cooke County, Texas. The sup ordinance requires the Planning & Zoning Commission to consider multiple aspects of the property and potential impacts to the community before making a recommendation to the City Council.

The property is located in a Commercial (C-2) zoning district with/ loft overlay. Short-term rentals (STR) are permitted within the C-2 with/loft overlay zoning district. The property falls under the "STR Not Occupied by Owner/Owner Lives Further Than One Mile of STR" provision of the STR ordinance. This provision requires one (1) on-street parking space per bedroom. The ordinance limits the number of guestrooms to five (5). The property currently has four (4) upstairs bedrooms and four (4) bathrooms. Garbage is collected in the city-provided cart already located on the premises. The Planning & Zoning Commission should consider the following conditions before recommending approval to the City Council:

- A. The proposed use complies with all the requirements of the zoning district in which the property is located.
- B. The proposed use, as located and configured, will contribute to or promote the general welfare and convenience of the City.
- C. The benefits that the City gains from the proposed use outweigh the loss of or damage to any homes, business, natural resources, agricultural lands, historical or cultural landmarks or sites, wildlife habitats, parks, or natural, scenic, or historical features of significance, and outweigh the personal and economic cost of any disruption to the lives, business and property of individuals affected by the proposed use.
- D. Adequate utilities, road access, drainage, and other necessary supporting facilities have been or shall be provided.

E. The design, location, and arrangement of all public and private streets, driveways, parking spaces, entrances, and exits shall provide for a safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent developments.

F. The issuance of the Special Use Permit does not impede the normal and orderly development and improvement of neighboring vacant property.

G. The location, nature, and height of buildings, structures, walls, and fences are not out of scale with the neighborhood. This does not include communication towers.

H. The proposed use will be compatible with and not injurious to the use and enjoyment of neighboring property, nor significantly diminish or impair property values within the vicinity.

I. Adequate nuisance prevention measures have been or shall be taken to prevent or control offensive odors, fumes, dust, noise, vibration, and visual blight.

J. Sufficient on-site lighting is provided for adequate safety of patrons, employees, and property, and such lighting is adequately shielded or directed so as not to disturb or adversely affect neighboring properties.

K. There is sufficient landscaping and screening to ensure harmony and compatibility with adjacent properties.

L. The proposed operation is consistent with the applicant's submitted plans, master plans, projections, or, where inconsistencies exist, the benefits to the community outweigh the costs.

M. The proposed use is in accordance with the City of Gainesville Comprehensive Land Use Plan.

RECOMMENDATION:

Planning & Zoning Commission and City Staff recommend approval to the City Council for the Special Use Permit (SUP) for a Short-Term Rental (STR).

Originating Department Head:

Michael Doughty

Community Development Director

City Council Meeting Date:

October 7, 2025

COUNCIL COMMUNICATION

CAPTION/SUBJECT:

PUBLIC HEARING ON AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS AMENDING APPENDIX A – ZONING, SECTION 3.4 ACCESSORY USES AND STRUCTURES, SUBSECTION 3.4.02 GENERAL PROVISIONS FOR ALL DISTRICTS; PROVIDING FOR AN EFFECTIVE DATE; CONTAINING A SEVERABILITY CLAUSE; AND MAKING AN OPEN MEETING FINDING.

DISCUSSION:

This is a public hearing, as required by law, pursuant to Texas Local Government Code §211.006. This ordinance allows accessory structures to be higher than the principal structure.

Planning and Zoning Commission and City Staff recommend approval of the Ordinance.

Originating Department Head:

Michael Doughty, Community Development Director

City Council Meeting Date:

October 07, 2025

COUNCIL COMMUNICATION

PUBLIC HEARING ON AN ORDINANCE AMENDING ORDINANCE 1219-12-2008; THE ZONING ORDINANCE OF THE CITY OF GAINESVILLE, TEXAS, AUTHORIZING THE REZONE OF APPROXIMATELY 3 ACRES OF LAND LOCATED AT 1101 WOODS AVENUE, GAINESVILLE, TEXAS; COOKE COUNTY PROPERTY ID NO 6736; A. BOUTWELL SURVEY; ABSTRACT 0099; FROM COMMERCIAL ZONING (C3) TO INDUSTRIAL ZONING (I); PROVIDING FOR AN EFFECTIVE DATE; CONTAINING A SEVERABILITY CLAUSE AND MAKING AN OPEN MEETING FINDING.

DISCUSSION:

This is a public hearing, as required by law, pursuant to Texas Local Government Code §211.006.

This ordinance approves a rezone request for approximately 3 acres of land located at 1101 Woods Avenue in Gainesville, Texas.

The current C3 Commercial District designation permits a diverse range of retail, service, and business uses that serve the community and the surrounding area. The applicant is seeking Industrial zoning to allow for uses that are more manufacturing- and distribution-oriented, which are not permitted within the Commercial (C3) district.

The current land use plan shows this lot to be Industrial (I).

RECOMMENDATION:

Staff's recommendation for denial is based on City Council's direction for this area to remain designated for commercial development, as decided when a rezoning request in this same area was denied on December 5, 2023.

Originating Department Head:

Michael Doughty
Community Development Director

City Council Meeting Date:

October 07, 2025

COUNCIL COMMUNICATION

CAPTION/SUBJECT:

DISCUSSION ON COST RECOVERY PROGRAM FOR EMERGENCY SERVICES.

DISCUSSION:

The Gainesville Fire Department has the opportunity to participate in a cost recovery program for emergency services. This program allows the City to bill insurance companies for costs associated with vehicle accidents and emergency incidents, a practice already in use by over 2,000 fire departments nationwide, including more than 150 in Texas.

Currently, most insurance policies include provisions to cover these types of emergency services. If the City does not bill for them, the funds remain with the insurance companies. By implementing this program, the City can capture additional revenue without placing any financial burden on residents, as billing is directed to insurance providers only.

FISCAL INFORMATION:

Based on the Fire Department's annual run volume, participation in this program is estimated to generate approximately \$60,000 per year in revenue. There are no start-up costs to implement the program.

Originating Department Head:

Wayne Twiner, Fire Chief

City Council Meeting Date:

October 7, 2025

COUNCIL COMMUNICATION

CAPTION/SUBJECT:

**DISCUSSION ON THE CITY CHARTER REVIEW SCHEDULE/
PROCESS.**

DISCUSSION:

This item allows Council to discuss a charter review process.

ATTACHMENTS:

Email from City Attorney
Charter

Originating Department Head:

Diana Loch, City Secretary at the request of Randy Jones, Ward 3

City Council Meeting Date:

October 7, 2025

COUNCIL COMMUNICATION

CAPTION/SUBJECT:

DISCUSSION ON HOTEL OCCUPANCY TAX FUNDING ALLOCATIONS.

DISCUSSION:

This is an open discussion for Hotel Occupancy Tax Funding allocations.

ATTACHMENTS:

Email sent to Council October 1, 2025
Spreadsheet presented to Council at the September 2, 2025 Meeting
September 2, 2025 Minutes
Hot Fund Allocations approved in the FY 2026 Budget

Originating Department Head:

Diana Loch, City Secretary at the request of Randy Jones, Ward 3

City Council Meeting Date:

October 7, 2025

COUNCIL COMMUNICATION

CAPTION/SUBJECT:

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 TAX CODE; APPROPRIATING CERTAIN AMOUNTS FROM SAID HOTEL/MOTEL FUND; AND AUTHORIZING PAYMENT ON THE TERMS AND CONDITIONS CONTAINED THEREIN.

DISCUSSION:

This resolution authorizes the City Manager to execute an agreement with Butterfield Stage Players, Cooke County Arts Council, Cooke County Heritage Society/Morton Museum, Historic South Gainesville Neighborhood Association, Downtown Gainesville Alliance, the State Theater, and Gainesville Area Chamber of Commerce for Hotel Occupancy Tax funding. The Hotel Occupancy Tax may only be used to promote tourism and the convention and hotel industry. The uses are further limited to the following:

1. Convention center facilities or visitor information centers or both
2. Registration of convention delegates
3. Advertising and conducting solicitations and promotional programs
4. Promotion, improvement and application of the arts
5. Historical restoration and preservation projects

We have included all agreements for your review.

ATTACHMENTS:

Resolution
Proposed Hotel/Motel Fund Budget
Agreements

Originating Department Head:

Barry Sullivan, City Manager

City Council Meeting Date:

October 7, 2025

COUNCIL COMMUNICATION

CAPTION/SUBJECT:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS, APPROVING A BID FROM WOPAC CONSTRUCTION FOR THE 2025 MILL AND OVERLAY IMPROVEMENTS.

DISCUSSION:

This resolution approves a bid from WOPAC Construction, Inc. for the 2025 Mill and Overlay project at a cost of \$770,601.50. This project is for the areas of Bridle Ln, Hancock St, Line Dr, Melody Ln and Weaver St.

City staff recommends that the City of Gainesville award the contract to WOPAC Construction.

FISCAL INFORMATION:

The total amount for the 2025 Mill and Overlay Improvements is \$770,601.50
The project will be funded from 402-30-20-66510

ATTACHMENTS:

Resolution
Bid Sheet
Bid Award Letter

Originating Department Head:

Allen McDonald, Public Works Director

City Council Meeting Date:

October 7, 2025

COUNCIL COMMUNICATION

CAPTION/SUBJECT:

A RESOLUTION AUTHORIZING THE CITY MANAGER, FOR AND ON BEHALF OF THE CITY OF GAINESVILLE, TO EXECUTE AN AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES FOR IMPLEMENTATION OF INDIVIDUAL PROJECT ORDER, 2025 IMPACT FEE UPDATE FOR THE CITY OF GAINESVILLE.

DISCUSSION:

This resolution authorizes the City Manager on behalf of the City of Gainesville to execute an agreement with Kimley-Horn and Associates for the implementation of Individual Project Order, 2025 Impact Fee Update.

This project consists of an update of the Roadway, Water, and Wastewater Impact Fees as required every 5 years. This scope of services will provide the City with the technical analysis required by Chapter 395 of the Texas Local Government Code to determine the maximum assessable impact fees.

The total cost of the Impact Fee update will be \$93,000.00. This project will be funded by already collected Impact fees. (see below)

City staff recommends approval

FISCAL INFORMATION:

\$17,500 - Fund 220 (Roadway Service Area A) – 220-00-00-40550

\$17,500 - Fund 221 (Roadway Service Area B) -221-00-00-40550

\$29,000 - Fund 505 (Water Impact Fees) – 505-00-00-40624

\$29,000 - Fund 515 (Wastewater Impact Fees) – 515-00-00-40625

ATTACHMENTS:

Individual Project Order

Originating Department Head:

Allen McDonald, Public Works Director

City Council Meeting Date:

October 7, 2025

COUNCIL COMMUNICATION

CAPTION/SUBJECT:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS NOMINATING A MEMBER TO THE COOKE COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS.

DISCUSSION:

This resolution nominates Nancy Brannon to serve on the Cooke County Appraisal District Board of Directors to serve a two-year term beginning January 1, 2026. Nancy currently serves on the board and is willing to serve another term.

The Chief Appraiser will prepare ballots listing the nominees and send us a ballot to cast votes by resolution, which will be on a future City Council Agenda.

ATTACHMENTS:

Resolution
Election Letter 2026
Form of Acknowledgement

Originating Department Head:

Barry Sullivan, City Manager

City Council Meeting Date:

October 7, 2025

COUNCIL COMMUNICATION

CAPTION/SUBJECT:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS, CREATING AN AD HOC PARKING COMMITTEE, AND APPOINTING MEMBERS TO SAID COMMITTEE.

DISCUSSION:

This resolution authorizes the creation of an Ad Hoc Parking Committee and appoints members consisting of downtown Gainesville business owners and city staff. This committee is being implemented for the purpose of studying parking needs within the City of Gainesville, and will automatically dissolve upon submission of its report and recommendations.

ATTACHMENTS:

Resolution

Originating Department Head:

Barry Sullivan, City Manager

City Council Meeting Date:

October 7, 2025

COUNCIL COMMUNICATION

CAPTION/SUBJECT:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS, EXPRESSING SUPPORT FOR THE DESIGNATION OF CENSUS TRACTS IN GAINESVILLE AS QUALIFIED OPPORTUNITY ZONES AND PROVIDING FOR RELATED MATTERS.

DISCUSSION:

This resolution supports the designation of eligible census tracts within the City of Gainesville as Qualified Opportunity Zones under the federal Opportunity Zone program and calls for the resolution to be sent to the Governor, as well as, other appropriate officials.

Opportunity Zones were created in the Federal Tax Cuts and Jobs Act of 2017 with an expiration date of December 31, 2026. The Governor proposed Gainesville for an Opportunity Zone in March 2018. The zone was created by the US Treasury in June 2018.

The One Big Beautiful Bill Act of 2025 eliminated the sunset provision for the Opportunity Zone program. The bill created stricter eligibility criteria for entering the program.

Gainesville and other area organizations need to show their support for our area receiving the designation. The Governor has until July 1, 2026 to propose targeted tracts for the program.

Gainesville will approach the GEDC, Chamber of Commerce, Cooke County, and private business to provide support for an Opportunity Zone in the area.

It will be imperative that we show that Gainesville needs both investment and has growth potential.

Staff recommends approval of this resolution.

ATTACHMENTS:

Resolution

7 Key Changes to the Qualified Opportunity Zone Incentive Under the One Big Beautiful Bill Act

Map of Opportunity Zone in and around Gainesville

Originating Department Head:

Barry Sullivan, City Manager

City Council Meeting Date:

October 7, 2025

COUNCIL COMMUNICATION

CAPTION/SUBJECT:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS, APPROVING THE DISSOLUTION OF A CHAPTER 380 AGREEMENT WITH THIRTY-FIVE AND LIBERTY, LLC, AND PROVIDING AN EFFECTIVE DATE.

DISCUSSION:

This resolution provides for the dissolution of the Chapter 380 – Sales Tax Rebate Agreement between the City and Thirty-Five and Liberty, LLC (d.b.a. Tractor Bobs).

The intent of the agreement was to bring in a total of 300 jobs at the facility. The owner recognizes that this is not going to happen, so he is requesting that the agreement be terminated.

The City has provided \$7,848 of sales tax rebates to the company. The agreement does not contain claw backs, so no reimbursement is owed to the City.

Staff recommends approval of the resolution.

ATTACHMENTS:

Resolution

Letter Requesting Agreement Termination

Chapter 380 Agreement

Originating Department Head:

Barry Sullivan, City Manager

City Council Meeting Date:

October 7, 2025

COUNCIL COMMUNICATION

CAPTION/SUBJECT:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS, APPROVING THE DISSOLUTION OF A CHAPTER 380 AGREEMENT WITH THIRTY-FIVE AND LIBERTY, LLC, AND PROVIDING AN EFFECTIVE DATE.

DISCUSSION:

This resolution provides for the dissolution of the Chapter 380 – Sales Tax Rebate Agreement between the City and Thirty-Five and Liberty, LLC (d.b.a. Tractor Bobs).

The intent of the agreement was to bring in a total of 300 jobs at the facility. The owner recognizes that this is not going to happen, so he is requesting that the agreement be terminated.

The City has provided \$7,848 of sales tax rebates to the company. The agreement does not contain claw backs, so no reimbursement is owed the City.

Staff recommends approval of the resolution.

ATTACHMENTS:

Resolution

Letter Requesting Agreement Termination

Chapter 380 Agreement

Originating Department Head:

Barry Sullivan, City Manager

City Council Meeting Date:

October 7, 2025

COUNCIL COMMUNICATION

CAPTION/SUBJECT:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS AMENDING APPENDIX A – ZONING, SECTION 3.4 ACCESSORY USES AND STRUCTURES, SUBSECTION 3.4.02 GENERAL PROVISIONS FOR ALL DISTRICTS; PROVIDING FOR AN EFFECTIVE DATE; CONTAINING A SEVERABILITY CLAUSE; AND MAKING AN OPEN MEETING FINDING.

DISCUSSION:

This ordinance approves the amendment of Appendix A, section 3.4, to allow for accessory structures to be higher than the principal structure.

Planning and Zoning and City Staff recommend approval of the ordinance.

ATTACHMENTS:

Attachment A – Zoning Ordinance Attachment B – Red Line Version

Originating Department Head:

Michael Doughty, Community Development Director

City Council Meeting Date:

October 07, 2025

COUNCIL COMMUNICATION

AN ORDINANCE AMENDING ORDINANCE 1219-12-2008; THE ZONING ORDINANCE OF THE CITY OF GAINESVILLE, TEXAS, AUTHORIZING THE REZONE OF APPROXIMATELY 3.0 ACRES IN THE BOUTWELL SURVEY; ABSTRACT 0099; (PID) 6736; COMMONLY KNOWN AS 1101 WOODS AVENUE, CITY OF GAINESVILLE, COOKE COUNTY TEXAS; FROM THE CURRENT COMMERCIAL (C3) TO INDUSTRIAL ZONING DISTRICT (I); 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.

DISCUSSION:

This is an ordinance approving a rezone request for approximately 3 acres of land located at 1101 Woods Avenue in Gainesville, Texas.

The current C3 Commercial District designation permits a diverse range of retail, service, and business uses that serve the community and the surrounding area. The applicant is seeking Industrial zoning to allow for uses that are more manufacturing- and distribution-oriented, which are not permitted within the Commercial (C3) district.

The Comprehensive Land Use Plan shows this lot should be used for Industrial (I).

RECOMMENDATION:

Staff's recommendation for denial is based on City Council's direction for this area to remain designated for commercial development, as decided when a rezoning request in this same area was denied on December 5, 2023.

ATTACHMENTS:

Application A - Zoning Ordinance

Application B – Application

Application C – Letter of Intent

Application D – Site Plan

Application E – Survey

Originating Department Head:

Michael Doughty

Community Development Director

City Council Meeting Date:

October 07, 2025

COUNCIL COMMUNICATION

CAPTION/SUBJECT:

AN ORDINANCE GRANTING A SPECIAL USE PERMIT (SUP) TO OPERATE A SHORT-TERM RENTAL (STR) LOCATED IN THE WHEELER CREEK ADDITION; BLOCK 23; LOT 1; COOKE COUNTY APPRAISAL DISTRICT PROPERTY ID 9948; COMMONLY KNOWN AS 317 WHEELER CREEK CT, GAINESVILLE, COOKE COUNTY, TEXAS.; PROVIDING FOR AN EFFECTIVE DATE; CONTAINING A SEVERABILITY CLAUSE AND MAKING AN OPEN MEETING FINDING.

DISCUSSION:

This is an ordinance approving a Short-Term Rental located at 317 Wheeler Creek Ct.

The property owner has requested issuance of a Special Use Permit (SUP) for a Short-Term Rental (STR) located at 317 Wheeler Creek Ct. The SUP ordinance requires the Planning & Zoning Commission to consider multiple aspects of the property and potential impacts to the community before making a recommendation to the City Council.

The property is located in a single-family (SF-2) zoning district. STRs are permitted within the SF-2 zoning district. The property falls under the "STR Not Occupied by Owner/Owner Lives Further Than One Mile of STR" provision of the STR ordinance. This provision requires one (1) on-site parking space and one (1) on-street parking space per bedroom. The ordinance limits the number of guestrooms to four (4). The property currently has three (3) bedrooms and two (2) bathrooms. Garbage is collected in the city-provided cart already located on the premises. The Planning & Zoning Commission should consider the following conditions before recommending approval to the City Council:

- A. The proposed use complies with all the requirements of the zoning district in which the property is located.
- B. The proposed use, as located and configured, will contribute to or promote the general welfare and convenience of the City.
- C. The benefits that the City gains from the proposed use outweigh the loss of or damage to any homes, business, natural resources, agricultural lands, historical or cultural landmarks or sites, wildlife habitats, parks, or natural, scenic, or historical features of significance, and outweigh the personal and economic cost of any disruption to the lives, business and property of individuals affected by the proposed use.
- D. Adequate utilities, road access, drainage, and other necessary supporting facilities have been or shall be provided.
- E. The design, location, and arrangement of all public and private streets, driveways, parking spaces, entrances, and exits shall provide for a safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent developments.

F. The issuance of the Special Use Permit does not impede the normal and orderly development and improvement of neighboring vacant property.

G. The location, nature, and height of buildings, structures, walls, and fences are not out of scale with the neighborhood. This does not include communication towers.

H. The proposed use will be compatible with and not injurious to the use and enjoyment of neighboring property, nor significantly diminish or impair property values within the vicinity.

I. Adequate nuisance prevention measures have been or shall be taken to prevent or control offensive odors, fumes, dust, noise, vibration, and visual blight.

J. Sufficient on-site lighting is provided for adequate safety of patrons, employees, and property, and such lighting is adequately shielded or directed so as not to disturb or adversely affect neighboring properties.

K. There is sufficient landscaping and screening to ensure harmony and compatibility with adjacent properties.

L. The proposed operation is consistent with the applicant's submitted plans, master plans, projections, or, where inconsistencies exist, the benefits to the community outweigh the costs.

M. The proposed use is in accordance with the City of Gainesville Comprehensive Land Use Plan.

RECOMMENDATION:

Staff recommends that the City Council approve this ordinance.

ATTACHMENTS:

Attachment A – Ordinance

Attachment B – Applications

Attachment C – Letter of Intent

Attachment D – Survey

Attachment E – Site Plan

Originating Department Head:

Michael Doughty

Community Development Director

City Council Meeting Date:

October 07, 2025

COUNCIL COMMUNICATION

CAPTION/SUBJECT:

AN ORDINANCE GRANTING A SPECIAL USE PERMIT (SUP) TO OPERATE A SHORT-TERM RENTAL (STR) LOCATED IN THE ORIGINAL DONATION GV ADDITION; BLOCK 2; LOT 1 W 1/2; (PID) 12720; COMMONLY KNOWN AS 115 W CALIFORNIA AND LOCATED IN THE COMMERCIAL (C-2) ZONING DISTRICT WITH LOFT OVERLAY WITHIN THE CITY LIMITS OF GAINESVILLE, COOKE COUNTY, TEXAS; PROVIDING FOR AN EFFECTIVE DATE; CONTAINING A SEVERABILITY CLAUSE AND MAKING AN OPEN MEETING FINDING.

DISCUSSION:

This is an ordinance approving a Short-Term Rental located at 115 W California.

The property owner has requested issuance of a Special Use Permit (SUP) for a Short-Term Rental (STR) located in the Original Donation GV Addition; Block 2; Lot 1 W 1/2; (PID) 12720; commonly known as 115 W California and located in the Commercial (C-2) Zoning District; within the city limits of Gainesville, Cooke County, Texas. The sup ordinance requires the Planning & Zoning Commission to consider multiple aspects of the property and potential impacts to the community before making a recommendation to the City Council.

The property is located in a Commercial (C-2) zoning district with/ loft overlay. Short-term rentals (STR) are permitted within the C-2 with/loft overlay zoning district. The property falls under the "STR Not Occupied by Owner/Owner Lives Further Than One Mile of STR" provision of the STR ordinance. This provision requires one (1) on-street parking space per bedroom. The ordinance limits the number of guestrooms to five (5). The property currently has four (4) upstairs bedrooms and four (4) bathrooms. Garbage is collected in the city-provided cart already located on the premises. The Planning & Zoning Commission should consider the following conditions before recommending approval to the City Council:

- A. The proposed use complies with all the requirements of the zoning district in which the property is located.
- B. The proposed use, as located and configured, will contribute to or promote the general welfare and convenience of the City.
- C. The benefits that the City gains from the proposed use outweigh the loss of or damage to any homes, business, natural resources, agricultural lands, historical or cultural landmarks or sites, wildlife habitats, parks, or natural, scenic, or historical features of significance, and outweigh the personal and economic cost of any disruption to the lives, business and property of individuals affected by the proposed use.
- D. Adequate utilities, road access, drainage, and other necessary supporting facilities have been or shall be provided.

E. The design, location, and arrangement of all public and private streets, driveways, parking spaces, entrances, and exits shall provide for a safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent developments.

F. The issuance of the Special Use Permit does not impede the normal and orderly development and improvement of neighboring vacant property.

G. The location, nature, and height of buildings, structures, walls, and fences are not out of scale with the neighborhood. This does not include communication towers.

H. The proposed use will be compatible with and not injurious to the use and enjoyment of neighboring property, nor significantly diminish or impair property values within the vicinity.

I. Adequate nuisance prevention measures have been or shall be taken to prevent or control offensive odors, fumes, dust, noise, vibration, and visual blight.

J. Sufficient on-site lighting is provided for adequate safety of patrons, employees, and property, and such lighting is adequately shielded or directed so as not to disturb or adversely affect neighboring properties.

K. There is sufficient landscaping and screening to ensure harmony and compatibility with adjacent properties.

L. The proposed operation is consistent with the applicant's submitted plans, master plans, projections, or, where inconsistencies exist, the benefits to the community outweigh the costs.

M. The proposed use is in accordance with the City of Gainesville Comprehensive Land Use Plan.

RECOMMENDATION:

Staff recommends that the City Council approve this ordinance.

ATTACHMENTS:

Attachment A – Ordinance

Attachment B – Application

Attachment C – Letter of Intent

Attachment D – Site Plan

Originating Department Head:

Michael Doughty

Community Development Director

City Council Meeting Date:

October 7, 2025