



**CITY OF GAINESVILLE**

**NOTICE OF REGULAR CALLED CITY COUNCIL MEETING**

February 03, 2026

06:30 PM

MUNICIPAL BUILDING, 200 SOUTH RUSK, GAINESVILLE, TEXAS

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**1. CALL TO ORDER**

**2. INVOCATION**

**3. PLEDGE TO THE FLAG**

**4. RECOGNITIONS/PROCLAMATIONS**

**5. REPORTS**

**6. CITIZEN COMMENTS**

**7. CONSENT AGENDA**

- a. Approve Minutes of the January 20, 2026 City Council meeting.
- b. Consideration of and action on a resolution of the City Council of the City of Gainesville, Texas, approving the Water Master Plan and Wastewater Master Plan prepared by Kimley-Horn and Associates, Inc.; and providing an effective date.

**8. ACTION ITEMS**

- a. Consideration of and action on a Resolution of the City Council of the City of Gainesville, Texas authorizing the purchase of a JCB 1CXT Skid Steer Backhoe for the Fairview Cemetery.
- b. 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 Ground Lease at the Gainesville Municipal Airport from High Vision Air, LLC to Blue Water Development, LLC.
- c. Consideration of and action on an Ordinance of the City Council of the City of Gainesville, Texas, adopting the Guiding Gainesville Downtown Master Plan; providing findings; providing for implementation and use; providing for severability; and providing an effective date.
- d. Consideration of and action on a resolution calling for the General Municipal Election and a Special Municipal Election to be held by the City of Gainesville, Texas on May 2, 2026; providing for the General Election of Council persons For Ward 3, Ward 5, Ward 6 and Municipal Judge, and the Special Election of a Councilperson for Ward 1; adopting a voting system as approved by Secretary of State; and designating polling locations for early voting and election day.
- e. Consideration of and action on an Ordinance authorizing the issuance and sale of up to \$2,270,000 of City of Gainesville, Texas Combination Tax and Revenue Certificates of Obligation, Series 2026 for street and utility system improvements; levying an annual Ad Valorem Tax for the payment of said certificates; engaging bond counsel; approving a paying agent/registrar agreement and an official statement; and enacting other provisions relating to the subject
- f. Consideration of and action on an Ordinance of the City of Gainesville, Texas amending Appendix C

– Impact Fee Regulations, Article I. – In general, Section 3. – Advisory Committee of the Code of Ordinances; providing for savings, severability, and repealing clauses; providing for the publication of the caption hereof; providing for an effective date; and making an open meeting finding.

- g. Consideration of and action on a resolution of the City Council of the City of Gainesville, Texas, making appointments to the Charter Review Commission.
- h. Consideration of and action on a resolution of the City of Gainesville, Texas, expressing support for the proposed Woodridge Apartments Affordable Housing Development and authorizing a funding commitment in connection with an application for 2026 Housing Tax Credits.
- i. 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
- § 551.087 - Economic Development

- j. Consideration of and action on a resolution of the City Council of the City of Gainesville, Texas, authorizing the Mayor to execute an extension to a ground lease with B-29 Ups & Downs, LLC.
- k. Consideration of and action on a resolution of the City Council of the City of Gainesville, Texas, authorizing the Mayor to amend the Right of First Refusal/Property Option Agreement with B-29 Ups & Downs, LLC.

#### 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.*

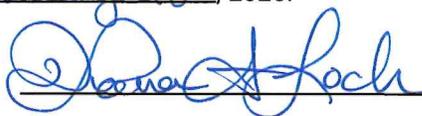
*iii. In order to be fair to all persons who have items on the agenda or interest in one or more of the items, the Council may impose time limitations on speakers in Public Hearings. Applicants must limit presentations to 5 minutes. The Mayor may impose other time constraints at his discretion, depending 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.*

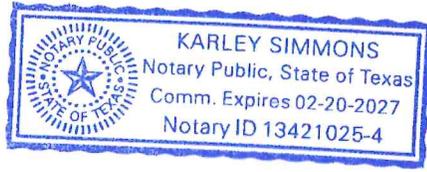
*v. The Council reserves the right to suspend the Charter and adopt any ordinance without three readings.*

*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 4:40 a.m./p.m. on January 28, 2026.

  
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Diana Loch

Sworn to and subscribed before me on this the 28 day of January, 2026.



Karley Simmons  
Notary Public, State of Texas

**COUNCIL COMMUNICATION**

**CAPTION/SUBJECT:**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS, APPROVING THE WATER MASTER PLAN AND WASTEWATER MASTER PLAN PREPARED BY KIMLEY-HORN AND ASSOCIATES, INC.; AND PROVIDING AN EFFECTIVE DATE.**

**DISCUSSION:**

This resolution approves the Water Master Plan and Wastewater Master Plan prepared by Kimley Horn.

The Water Master Plan and Wastewater Master Plan provide guidance for future infrastructure needs, capacity improvements, and capital planning efforts. City staff has reviewed the plans and finds them to be consistent with the City's operational goals and future development needs. Adoption of these plans will allow staff to use them as planning tools when evaluating capital projects and funding priorities.

Staff recommends approval of this resolution.

**ATTACHMENTS:**

Resolution  
Water Master Plan  
Wastewater Master Plan

**Originating Department Head:**

Barry Sullivan, City Manager

**City Council Meeting Date:**

February 3, 2026

**COUNCIL COMMUNICATION**

**CAPTION/SUBJECT:**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS, AUTHORIZING THE PURCHASE OF A JCB 1CXT SKID STEER BACKHOE FOR THE FAIRVIEW CEMETERY.**

**DISCUSSION:**

This Resolution authorizes the purchase of one (1) JCB 1CXT Skid Steer Backhoe for the Fairview Cemetery through the Sourcewell Purchasing Program. The total amount for the machine is \$65,000.00.

Staff recommends approval.

**FISCAL INFORMATION:**

This will be paid from the current fiscal year General Fund 101-16-11-66504

**ATTACHMENTS:**

Resolution approving purchase  
Specifications for equipment

**Originating Department Head:**

Dusty Luton, Cemetery Director

**City Council Meeting Date:**

February 3, 2026

**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 GROUND LEASE AT THE GAINESVILLE MUNICIPAL AIRPORT FROM HIGH VISION AIR, LLC TO BLUE WATER DEVELOPMENT, LLC.**

**DISCUSSION:**

This resolution authorizes the Mayor to execute a lease assignment with Blue Water Development, LLC. On January 9, 2026 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. High Vision Air, LLC has requested to assign the executive hangar ground lease to Blue Water Development, LLC. The lease will carry the same terms and conditions as the original and amended lease.

Staff recommends the approval of this resolution.

**ATTACHMENTS:**

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

**Originating Department Head:**

Brenton Porter, Airport Director

**City Council Meeting Date:**

February 3, 2026

**COUNCIL COMMUNICATION**

**CAPTION/SUBJECT:**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS, ADOPTING THE GUIDING GAINESVILLE DOWNTOWN MASTER PLAN; PROVIDING FINDINGS; PROVIDING FOR IMPLEMENTATION AND USE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**DISCUSSION:**

The proposed ordinance adopts the Guiding Gainesville Downtown Master Plan as an official policy document of the City of Gainesville. The Downtown Master Plan establishes a shared vision and framework to promote reinvestment, economic vitality, and placemaking within the downtown area and is intended to guide future public improvements, private investment, capital programming, and economic development initiatives.

The Downtown Master Plan functions as a policy and implementation guide and does not, by itself, regulate land use or amend the City’s zoning or development regulations. Adoption of the Plan supports and advances the goals and policies of the City’s Comprehensive Plan and serves the public health, safety, and general welfare. Representatives from The Antero Group will be in attendance at the meeting to present the Downtown Master Plan and respond to questions. The ordinance takes effect immediately upon adoption.

Staff recommends approval.

**ATTACHMENTS:**

Ordinance  
Downtown Master Plan

**Originating Department Head:**

Barry Sullivan, City Manager

**City Council Meeting Date:**

February 3, 2026

**COUNCIL COMMUNICATION**

**CAPTION/SUBJECT:**

**A RESOLUTION CALLING FOR THE GENERAL MUNICIPAL ELECTION AND A SPECIAL MUNICIPAL ELECTION TO BE HELD BY THE CITY OF GAINESVILLE, TEXAS ON MAY 2, 2026; PROVIDING FOR THE GENERAL ELECTION OF COUNCIL PERSONS FOR WARD 3, WARD 5, WARD 6 AND MUNICIPAL JUDGE, AND THE SPECIAL ELECTION OF A COUNCIL PERSON FOR WARD 1; ADOPTING A VOTING SYSTEM AS APPROVED BY SECRETARY OF STATE; AND DESIGNATING POLLING LOCATIONS FOR EARLY VOTING AND ELECTION DAY.**

**DISCUSSION:**

This Resolution

- 1) calls the 2026 General and Special Election of officers for Saturday, May 2, 2026 (the uniform election date for the City) to elect council positions in the General Election for Wards 3, 5, 6, and Municipal Judge. The Special Election shall be held to fill the vacancy for Councilmember Ward 1.
- 2) designates the polling location for **Early Voting at Civic Center from April 20 through April 28.** and the polling place for voting on **Election Day at the Civic Center.**
- 3) designates voting by paper ballot.
- 4) designates the use of voting machine equipment as contracted with Cooke County
- 5) designates the candidate filing period from January 14, 2026, to February 13, 2026.

We are required to have a voting machine for each polling location – for Early Voting and on Election Day. This resolution states we will use the voting machine(s) adopted by Cooke County and as approved by the Secretary of State.

**ATTACHMENTS:**

Resolution  
Election Order

**Originating Department Head:**

Diana Loch, City Secretary

**City Council Meeting Date:**

February 3, 2026

**COUNCIL COMMUNICATION**

**CAPTION/SUBJECT:**

**AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF UP TO \$2,270,000 OF CITY OF GAINESVILLE, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2026 FOR STREET AND UTILITY SYSTEM IMPROVEMENTS; LEVYING AN ANNUAL AD VALOREM TAX FOR THE PAYMENT OF SAID CERTIFICATES; ENGAGING BOND COUNSEL; APPROVING A PAYING AGENT/REGISTRAR AGREEMENT AND AN OFFICIAL STATEMENT; AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT**

**DISCUSSION:**

This ordinance authorizes the issuance and sale of up to \$2,270,000 of combination tax and revenue certificates of obligation for street and utility system improvements.

The attached ordinance is boiler plate. The bonds will be taken to the market on Tuesday, February 3. The interest rates and payment schedule will be provided the night of the meeting.

Staff recommends approval.

**ATTACHMENTS:**

Ordinance

**Originating Department Head:**

Barry Sullivan, City Manager

**City Council Meeting Date:**

February 3, 2026

**COUNCIL COMMUNICATION**

**CAPTION/SUBJECT:**

**AN ORDINANCE OF THE CITY OF GAINESVILLE, TEXAS AMENDING APPENDIX C – IMPACT FEE REGULATIONS, ARTICLE I. – IN GENERAL, SECTION 3. – ADVISORY COMMITTEE OF THE CODE OF ORDINANCES; PROVIDING FOR SAVINGS, SEVERABILITY, AND REPEALING CLAUSES; PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF; PROVIDING FOR AN EFFECTIVE DATE; AND MAKING AN OPEN MEETING FINDING.**

**DISCUSSION:**

This Ordinance updates the composition of the impact fee advisory committee to match the changes in state law. The previous state statute allowed the Planning and Zoning Commission to be the committee to oversee the City’s impact fee. The City appointed the P & Z plus two members to represent real estate and the extraterritorial jurisdiction.

The current state statute requires that the advisory committee to be composed of not less than five members. Not less than 50% of the membership must be representatives of the real estate, development, or building industries who are not employees or officials of a political subdivision or governmental entity. Since the City applies impact fees in the extraterritorial jurisdiction (ETJ), a representative from the ETJ is required on the advisory committee.

This Ordinance brings the composition of the impact fee advisory committee into compliance with the new state law. This committee will review the new impact fee study that is being completed by engineers at this time. Once the committee is appointed, staff will call a meeting to provide an orientation and training. This will focus on the purpose of the advisory committee, the current impact fee ordinance, and our future land use plan.

Staff recommends the approval.

**ATTACHMENTS:**

Ordinance  
Redline Showing Changes  
SB 1883

**Originating Department Head:**

Barry Sullivan, City Manager

**City Council Meeting Date:**

February 3, 2026

**COUNCIL COMMUNICATION**

**CAPTION/SUBJECT:**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE,  
TEXAS, MAKING APPOINTMENTS TO THE CHARTER REVIEW COMMISSION.**

**DISCUSSION:**

This resolution formally appoints the following members to the Charter Review Commission:

Lee Russell, Phil Neelley, Jim Goldsworthy, Frank Lorne, Angel Gonzalez, Reese Evans, Elaine McHorse, Mack Barnhart, Debbie Faulkner, Bob Bloom, Patty Haayen, Johnny Leftwich, and Henry Kohler.

Johnny Leftwich and Henry Kohler were appointed by Jeff Johnson prior to his resignation. Council can choose to keep the appointees on this resolution or leave them vacant for the future appointed Council Member of Ward 5 to make their own appointments.

There is still one spot that may be filled by Mayor Pro Tem Mary Jo Dollar.

There are no meetings scheduled yet for the review committee; the City Attorney's office will reach out to coordinate these meetings, which shall be held in accordance with the Open Meetings Act.

**ATTACHMENTS:**

Resolution

**Originating Department Head:**

Diana Loch, City Secretary

**City Council Meeting Date:**

February 3, 2026

**COUNCIL COMMUNICATION**

**CAPTION/SUBJECT:**

**A RESOLUTION OF THE CITY OF GAINESVILLE, TEXAS, EXPRESSING SUPPORT FOR THE PROPOSED WOODRIDGE APARTMENTS AFFORDABLE HOUSING DEVELOPMENT AND AUTHORIZING A FUNDING COMMITMENT IN CONNECTION WITH AN APPLICATION FOR 2026 HOUSING TAX CREDITS.**

**DISCUSSION:**

This resolution supports the Woodridge Apartments to receive funding from the Texas Department of Housing and Community Affairs to redevelop their apartment complexes located at 2609 East Highway 82, Gainesville, TX 76240 (currently known as Woodglen Park Apartments) & 2617 U.S. Highway 82, Gainesville, TX 76240 (currently known as Park Ridge Apartments) to be redeveloped together as Woodridge Apartments.

The resolution also authorizes a commitment of funding assistance in the amount of \$250, which may be provided, at the City’s discretion, in the form of a grant, reduced fees, or gap funding.

The funding commitment is contingent upon:

- The applicant being awarded 9% Housing Tax Credits by TDHCA; and
- The applicant obtaining all required City development approvals related to the rehabilitation of the property.

Approval of the resolution does not obligate the City to provide funding unless the above conditions are met.

**ATTACHMENTS:**

Resolution  
Woodridge Narrative  
PK Companies Experience & Capacity

**Originating Department Head:**

Barry Sullivan, City Manager

**City Council Meeting Date:**

February 3, 2026

## COUNCIL COMMUNICATION

### CAPTION/SUBJECT:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE AN EXTENSION TO A GROUND LEASE WITH B-29 UPS & DOWNS, LLC.**

### DISCUSSION:

This resolution approves a ground lease extension for 20 years for B-29 Ups & Downs, LLC. The lease was for a total of 40 years, which ended on November 1, 2025.

This ground lease was originally approved in October 1985 with B.L.L. Investments. The ground lease was assigned to 999 in December 1987. Then 999 assigned the lease to Circuit Breaker Sales Co. in August 1988. Circuit Breaker Sales Co. assigned the lease to B-29 Ups and Downs, LLC. in September 2008.

Per the lease, the Lessee could have provided the City with a 90-day notice prior to the expiration of the lease that the structure would be removed from the property. The structure would have to be taken down within 90 days of the end of the lease if the City received the notice.

If the Lessee failed to give such written notice and furnishing a bond for removal, the Lessee is supposed to execute an instrument to ensure the transfer of the title to the City.

B-29, the Lessee, is requesting that the ground lease be extended by 20 years. The lease would increase from \$951.31 to \$11,445.60 annually at our current lease rate. It would also have to come into compliance with our current inflation factor leases. Moreover, the insurance requirement would be increased to \$1 million per occurrence with \$2 million aggregate coverage.

The Airport Board recommended for the extension.

Council should consider the following when making this decision:

- B-29 Ups & Downs is one of the largest fuel purchasers on the airfield (Excel Aviation is the only larger purchaser).
- The annual lease is going up 1,103% on the lease.
- The City has the ability to own the building, which could be leased or sold as a lease-hold improvement (an individual would still have to pay annual lease).
- The City could do a shorter-term lease than is being requested.
- The City could request a higher lease payment for this ground lease than our standard 30-cents per foot because we allow the Lessee to maintain the lease-hold improvement and allow for a higher inflationary factor. In this case we would not have to provide insurance or maintenance for the building.

### ATTACHMENTS:

Resolution  
Lease Extension Agreement  
Original Agreement

### Originating Department Head:

Barry Sullivan, City Manager

### City Council Meeting Date:

February 3, 2026

**COUNCIL COMMUNICATION**

**CAPTION/SUBJECT:**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS, AUTHORIZING THE MAYOR TO AMEND THE RIGHT OF FIRST REFUSAL/PROPERTY OPTION AGREEMENT WITH B-29 UPS & DOWNS, LLC.**

**DISCUSSION:**

This resolution authorizes the Mayor to amend the Right of First Refusal (ROFR)/Property Option Agreement to clarify the rights and obligations of the City and the Developer.

The original agreement, which was approved on December 19, 2023, allowed the Developer to get five additional one-year extensions on the ROFR if actions were taken within an approved timeline. A large part of the timeline was tied to the Developer contracting with consultants to complement the Airport Master Plan.

The Developer was unable to meet the timeline because the City was unable to get approval from the State of Texas for a consultant for the Airport Master Plan until March 3, 2025. (FYI: This delay allowed the City to receive a \$626,839 grant to complete the Master Plan.)

This restated ROFR recognizes that the Developer has met the requirements for the first two extensions and adjusts the timeline to deal with the 1.5-year delay.

**ATTACHMENTS:**

Resolution  
ROFR Agreement  
Original ROFR Agreement

**Originating Department Head:**

Barry Sullivan, City Manager

**City Council Meeting Date:**

February 3, 2026