

ORDINANCE NO. 1612-02-2026

**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.**

WHEREAS, Chapter 395 of the Texas Local Government Code allows municipalities to assess and collect Impact Fees for new development; and

WHEREAS, the City of Gainesville adopted Ordinance 1498-07-2021 on July 6, 2021; and

WHEREAS, the Ordinance established Impact Fees and an advisory committee to provide advice to the City Council regarding Impact Fees as required by the enabling legislation for this section; and

WHEREAS, the 89th Texas Legislature approved SB 1883, which requires a change in the composition of the advisory committee.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS:

Section 1. Amend Appendix C – Impact Fee Regulations, Article I. – In General, Section 3. – Advisory Committee

Appendix C – Impact Fee Regulations, Article I. In General, Section 3. – Advisory Committee shall be amended to read:

Section 3. Advisory committee.

- (a) The City's Capital Improvements Advisory Committee ("CIAC") is an advisory board whose purpose shall be to advise and make recommendations to the City Council regarding land use assumptions, capital improvement plan, and adoption of impact fees.
 - (1) The advisory committee shall consist of 7 members of which one member shall live in Gainesville's extraterritorial jurisdiction.
 - (a) Advisory Committee members will be appointed to serve two-year terms, except for those appointed in 2026, which will be appointed to term lengths as follows to allow for staggered terms:

- (i) Three (3) members of the committee will be appointed for a one-year term.
 - (ii) Four (4) members will be appointed to a two-year term.
- (2) The city council shall appoint the advisory committee by majority vote.
- (3) Not less than fifty percent (50%) of the membership of the advisory committee must be representatives of the real estate, development, or building industries.
- (4) Members of the advisory committee may not be employees or officials of a political subdivision or governmental entity.
- (b) The advisory committee serves in an advisory capacity and is established to:
 - (1) Advise and assist the adoption of land use assumptions;
 - (2) Review the capital improvements plan and file written comments;
 - (3) Monitor and evaluate implementation of the capital improvements plan;
 - (4) File semi-annual reports with respect to the progress of the capital improvements plan and report to the city council any perceived inequities in implementing the plan or imposing the impact fees; and
 - (5) Advise the city staff and council of the need to update or revise the land use assumptions, capital improvements plan and impact fee.
- (c) All professional reports concerning the development and implementation of the capital improvements plan shall be made available to the advisory committee.
- (d) The advisory committee shall elect a chairperson and a vice chairperson from the members of the committee at the first meeting of the calendar year. The chairperson shall preside at the advisory committee meetings and the vice chairperson shall serve in the absence of the chairperson.
- (e) The land use assumptions and capital improvements plan shall be updated at least every five years.

Section 2. *Publication*

Publication of this ordinance shall be made two (2) times in the official publication of the City of Gainesville, Texas, after final passage, which publication shall contain the caption stating in substance the purpose of the Ordinance.

Section 3. *Effective Date*

This Ordinance shall be effective upon passage and publication.

Section 4. *Repeal of Conflicting Ordinances*

All Ordinances of the City of Gainesville in conflict with this Ordinance and not specifically repealed herein is hereby repealed.

Section 5. Severability

If any provision, section, sentence, clause, or phrase of the Ordinance, or the application of same to any person or set of circumstances, if for any reason held to be unconstitutional, void, or invalid or for any reason unenforceable, the validity of the remaining portion of this Ordinance or its application to other persons or sets of circumstances shall not be affected thereby, it being the intention of the City Council of the City of Gainesville in adopting and of the Mayor in approving this Ordinance, that no portion hereof or provision or regulation contained herein shall become inoperative or fail by any reason of any unconstitutionality or invalidity of any other portion, provision, or regulation.

Section 6. Open Meeting Finding

That is hereby officially found and determined that the meeting at which this Ordinance is passed is open to the public as required by law and that public notice of the time, place and purpose of said meeting was given as required.

INTRODUCTION, FIRST READING, CHARTER SUSPENSION

INTRODUCED AND READ FOR THE FIRST TIME BEFORE THE CITY COUNCIL OF THE CITY OF GAINESVILLE ON THE 3RD DAY OF FEBRUARY 2026, AT WHICH THE CHARTER PROVISION OF THE CITY OF GAINESVILLE REQUIRING THE READING OF THE ORDINANCE ON THREE SEPARATE OCCASIONS WAS SUSPENDED BY A VOTE:

5 AYES, 0 NAYS, 1 ABSENT, 0 ABSTENTIONS, 1 VACANCY

ATTEST:



DIANA LOCH, CITY SECRETARY



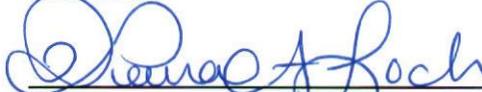
TOMMY MOORE, MAYOR

ADOPTION

ADOPTED IN REGULAR SESSION BY THE CITY COUNCIL OF THE CITY OF GAINESVILLE ON THE 3RD DAY OF FEBRUARY 2026 BY A VOTE OF:

5 AYES, 0 NAYS, 1 ABSENT, 0 ABSTENTIONS, 1 VACANCY

ATTEST:



DIANA LOCH, CITY SECRETARY



TOMMY MOORE, MAYOR

