

# **Special City Council Meeting**

**January 23, 2024**

**At**

**Gatesville Council Chamber**

**110 N. 8<sup>th</sup> Street**

**5:30 P.M.**



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SPECIAL CITY COUNCIL MEETING  
JANUARY 23, 2024**

**5:30 P.M.**

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**CALL TO ORDER  
QUORUM CHECK  
INVOCATION AND PLEDGE OF ALLEGIANCE**

**CITIZENS/PUBLIC COMMENTS FORUM: INDIVIDUALS WISHING TO ADDRESS THE GATESVILLE CITY COUNCIL MAY DO SO DURING THIS TIME. IF YOU INTEND TO COMMENT ON A SPECIFIC AGENDA ITEM, PLEASE INDICATE THE ITEM(S) ON THE SIGN- IN SHEET PRIOR TO THE MEETING. PUBLIC COMMENT IS LIMITED TO 3 MINUTES PER SPEAKER. SPEAKERS MUST CONDUCT THEMSELVES IN A RESPECTFUL MANNER. IN ACCORDANCE WITH THE TEXAS OPEN MEETINGS ACT, GATESVILLE CITY COUNCIL CANNOT DELIBERATE OR ACT ON ITEMS NOT LISTED ON THE MEETING AGENDA.**

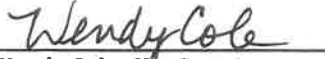
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**NOTICE**  
**THIS NOTICE IS POSTED IN COMPLIANCE WITH THE OPEN MEETING ACT**  
**(TEX. GOV'T. CODE CHAPTER 551, SEC. 551.041)**

**AGENDA**  
**SPECIAL CITY COUNCIL MEETING**  
**JANUARY 23, 2024**  
**5:30 P.M.**  
**GATESVILLE CITY COUNCIL CHAMBERS**  
**110 NORTH 8<sup>TH</sup> STREET, GATESVILLE, TEXAS 76528**

1. **Call Special Meeting to Order-----**
2. **Quorum Check**
3. **Invocation and Pledge of Allegiance**
4. **Citizens/Public Comments Forum: Individuals wishing to address the Gatesville City Council may do so during this segment. If you intend to comment on a specific agenda item, please indicate the item(s) on the sign-in sheet before the meeting. Each speaker is allotted a maximum of 3 minutes for their remarks, and speakers are expected to conduct themselves in a respectful manner. Speakers must conduct themselves in a civil manner. In accordance with the Texas Open Meetings Act, the City of Gatesville City Council cannot deliberate or act on items not listed on the meeting agenda.**
5. **Discussion and possible action regarding approval of minutes from Regular City Council meeting held on January 9, 2024. (Wendy Cole)**
6. **Discussion and possible action authorizing the City Manager to execute a professional services agreement with Freese and Nichols, Inc. (FNI) to perform a cybersecurity assessment of the city's Supervisory Control and Data Acquisition (SCADA) system for potential cyberattacks on the city's water and wastewater infrastructure.**  
**(Scott Albert & Nick Claudio)**
7. **Discussion possible action regarding a resolution supporting the submittal of an application to the Texas Department of Housing and Community Affairs for the 2024 Low Income Housing Tax Credit Program in relation to the Gatesville Crossing project.**  
**(Michael Fogel & Alice Woods)**
8. **Discussion and possible action regarding a resolution supporting the submittal of an application to the Texas Department of Housing and Community Affairs for the 2024 Low Income Housing Tax Credit Program in relation to the Gatesville Terrace project.**  
**(Michael Fogel & Alice Woods)**
9. **Update regarding the Eclipse Event on April 8, 2024 including discussion and possible action regarding temporary closure of streets on April 6th and 7th, 2024 for the Pre-Eclipse Celebration, "Block Out The Sun Party" (Cheri Shepherd & Brad Hunt)**
10. **Discussion and possible action regarding an Ordinance of the City of Gatesville, Texas repealing Article III, Alarm Systems, Sections 14-47 through 14-51, and adding Sections 14- 52 through 14-55, of the Code of Ordinances of the City of Gatesville; and providing an effective date. (2nd reading of Ordinance 2024-01) (Brad Hunt)**
11. **Adjourn Meeting**

I hereby attest that the above agenda was posted on this the 19th day of January, 2024 by 5:00 p.m. on the official City of Gatesville website, [www.gatesvilletx.com](http://www.gatesvilletx.com) and the official bulletin boards at the Gatesville City Hall, 803 E. Main Street and Gatesville Council Chambers, 110 N. 8th Street, Gatesville, Texas.



Wendy Cole, City Secretary

The City of Gatesville Council Chambers are wheelchair accessible and accessible parking spaces are available at the back entrance of City Hall. Requests for accommodations or interpretive services must be made 24 hours prior to this meeting. Please contact the City Secretary's office at 254-865-8951 or FAX 254-865-8320, or email [wcole@gatesvilletx.com](mailto:wcole@gatesvilletx.com) for further information.

REGULAR CITY COUNCIL MEETING  
JANUARY 9, 2024  
5:30 P.M.  
COUNCIL CHAMBERS, 110 NORTH 8TH STREET,  
GATESVILLE, TEXAS 76528

AN OPEN MEETING WAS HELD CONCERNING THE FOLLOWING SUBJECTS:

1) CALL TO ORDER REGULAR CITY COUNCIL MEETING AT 5:32 P.M. THIS 9TH DAY OF JANUARY 9, 2024

2) QUORUM CHECK/COUNCIL PRESENT: Mayor Gary Chumley, Councilmembers Barbara Burrow, Greg Casey, Joe Patterson, Meredith Rainer, and Aaron Smith

REGRETS: Councilmember John Westbrook

CITY STAFF PRESENT: City Manager Scott L. Albert, City Secretary Wendy Cole, Finance/HR Director Mike Halsema, Police Chief Brad Hunt, Parks & Recreation Director Seth Phillips,

OTHERS: Leo Corona, Alan Mathis, Alice Woods, Michael Fogel, Kim Hill, and Gatesville Messenger Staff Writer Kaylee Dusang

3) INVOCATION: Councilmember Casey/PLEDGE OF ALLEGIANCE: Led by Mayor Chumley

4) CITIZENS/PUBLIC COMMENTS FORUM: PERSONS WHO DESIRE TO ADDRESS THE CITY OF GATESVILLE CITY COUNCIL WILL BE RECEIVED AT THIS TIME. IF A PERSON WISHES TO COMMENT ON A PARTICULAR AGENDA ITEM, THEN THE SPEAKER SHOULD INDICATE SUCH ITEM(S) ON THE SIGN IN SHEET PRIOR TO THE MEETING. PUBLIC COMMENT IS LIMITED TO 3 MINUTES PER SPEAKER. SPEAKERS MUST CONDUCT THEMSELVES IN A CIVIL MANNER. IN ACCORDANCE WITH THE TEXAS OPEN MEETINGS ACT, THE CITY OF GATESVILLE CITY COUNCIL CANNOT DELIBERATE OR ACT ON ITEMS NOT LISTED ON THE MEETING AGENDA.

Alan Mathis, of 1101 Star Lane, Gatesville, spoke to Council regarding the Silver Haired Legislatures, which he is a representative of. Mr. Mathis said that he had just attended the Texas Health & Human Services Area Agencies on Aging (AAA) advisory group meeting and wanted to inform the Council of two (2) important programs that the AAA provide:

1. Dementia Adult Day Program in Belton. This is a new program and they are open five (5) days a week from 7:30 a.m. to 5:30 p.m. Meals and therapeutic activities are provided at \$90.00 per day.
2. Medical Foster Home program for Veterans. Is a long-term care placement option that is located in a home-like setting/environment where the caregiver lives and provides continuous care and supervision to the Veterans.

Mr. Mathis also said that the AAA has room heaters for anyone that does not have reliable heaters in their home. Just contact Mr. Mathis and he will assist in providing.

5) ALL CONSENT AGENDA ITEMS ARE CONSIDERED ROUTINE BY CITY COUNCIL AND WILL BE ENACTED BY A SINGLE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A COUNCILMEMBER REQUESTS AN ITEM BE REMOVED AND CONSIDERED SEPARATELY)

RESOLUTION 2024-01: Discussion and possible action regarding approval of Minutes from the Regular City Council Meeting held on December 12, 2023.

RESOLUTION 2024-02: Discussion and possible action regarding a resolution declaring various

Fitness Center exercise equipment as surplus property and authorizing the City Manager to dispose of said property by listing for sale on the GovDeals website. (Seth)

RESOLUTION 2024-03: Discussion and possible action regarding approval of monthly financial reports for October and November 2023. (Mike)

RESOLUTION 2024-04: Discussion and possible action regarding approval of Keep Gatesville Beautiful Board Members (Wendy)

Motion by Barbara Burrow , seconded by Greg Casey, to approve the Consent Agenda including Resolution 2024-04 regarding approval of Shelley Herring (Chairman), Marie Dominquez, Celeste Drake, Elena Spatzier, Kim Chumley, and Dustin Morgan as Board Members to the Keep Gatesville Beautiful Committee and approve Liz Reinhardt and Barbara Burrow as Ex-Officio Members; all five voting "Aye", motion passed.

OTHER BUSINESS:

6) DISCUSSION REGARDING THE PROPOSED GATESVILLE CROSSING PROJECT WHICH WILL BE COMPRISED OF APPROXIMATELY 36-UNITS, DESIGNED FOR FAMILIES (NOT AGE RESTRICTED), TO BE LOCATED EAST OF HWY 36, DIRECTLY SOUTH OF THE WALMART SUPERCENTER AND THE PROPOSED GATESVILLE TERRACE PROJECT WHICH WILL BE COMPRISED OF APPROXIMATELY 52-UNITS FOR SENIORS, 55 AND OLDER, TO BE SITUATED WEST OF HWY 36, DIRECTLY SOUTH OF HILLSIDE MEDICAL LODGE, AND NORTH OF WALGREENS (MICHAEL FOGEL & ALICE WOODS)

City Manager Albert said that Trinity Housing Developments recently contacted him seeking the City's support for the development of two new communities, one of which involves a 36-unit community to be located east of Hwy 36, directly south of Walmart and the other a 52-unit aged restricted community to be situated west of Hwy 36, directly south of Hillside Medical Lodge, and north of Walgreens; both to be financed using 9% Housing Tax Credits. Trinity Housing Developments were the developers who built Gatesville Trails out on Hwy 36.

Alice Woods and Michael Fogel of Trinity Housing Developments provided a Power-Point presentation regarding the proposed projects: Gatesville Crossing & Gatesville Terrace. Discussed were the community and unit amenities and the housing tax credits process.

It was noted that that the 36-unit Gatesville Trails mixed- income senior community already in Gatesville that Trinity Housing Developments built is fully leased.

Mr. Fogel said that even though two (2) projects are being discussed- only one would be built by Trinity Housing Development. Both projects would include units subject to tax credit income rent and income restrictions, primarily aimed at annual incomes ranging from \$26,500 to \$45,000. The majority of units will be available for rent within the range of \$700 to \$1,100 per month.

Two residents who were present at the meeting spoke:

Leo Corona asked a few questions regarding Veteran rentals and tax exemptions.

Kim Hill, voiced her support of these projects and the favorable affordability of the rent.

Following a lengthy discussion regarding the project specifics, rental restrictions, and what would be required from the City of Gatesville, Mayor Chumley said that no formal decision or action in support of or opposition to the projects would be made at tonight's meeting.

Mr. Fogel said that if anyone had further questions or feedback to please contact him.

7) DISCUSSION AND POSSIBLE ACTION REGARDING AN ORDINANCE OF THE CITY OF GATESVILLE, TEXAS REPEALING ARTICLE III, ALARM SYSTEMS, SECTIONS 14-47 THROUGH 14-51, AND ADDING SECTIONS 14-52 THROUGH 14-55, OF THE CODE OF ORDINANCES OF THE CITY OF GATESVILLE; AND PROVIDING AN EFFECTIVE DATE (1ST READING OF ORDINANCE 2024-01) (BRAD HUNT)

Police Chief Brad Hunt said that as part of the Fiscal Year 22-23 approved budget, the Gatesville Police Department entered into a contract agreement with PM AM Corporation, to provide automated, online management of alarm permits. Changes and additions to City Ordinance Article III, Alarm Systems, are necessary to meet the requirements of PM AM Corporation and align the practices associated with alarm permitting with the local law. These changes are anticipated to save work hours and develop efficiency in management of alarm permits, and better organize police response and fine issuance for non-compliance. Proposed changes/additions discussed were:

- Definition of *Non-Valid Alarm* changed to *False Alarm*.
- Added: The Department shall notify the permit holder in writing after each false alarm
- Added: The Department shall not consider a false alarm to have occurred unless the police department responds within thirty minutes of the alarm notification and the department determines from an inspection of the interior or exterior of the premises that the alarm was false.
- Added Section 14-52: Revocation and Reinstatement of Permit.
- Added Section 14-53: Reinstatement of Permit.
- Added Section 14-54: Violations; Penalties; Corporations, Partnerships and other Legal Entities.
- Added Section 14-55: Government Immunity and Disclaimer.

Permit applications will be able to be done online also, if an applicant desires to submit an application that way.

ORDINANCE 2024-01-01: Motion by Meredith Rainer, seconded by Greg Casey, to approve the first reading of Ordinance 2024-01 repealing Article III, Alarm Systems, Sections 14-47 through 14-51, and adding Sections 14-52 through 14-55, of the Code of Ordinances of the City of Gatesville; and providing an effective date; all five voting "Aye", motion passed.

8) DISCUSSION AND POSSIBLE ACTION REGARDING AN ORDINANCE OF THE CITY OF GATESVILLE, TEXAS AMENDING THE CODE OF ORDINANCES AT CHAPTER 18, "FEES", BY AMENDING SECTION 18-1, "FEE SCHEDULE" WITH REGARD TO SEWER RATE FEES FOR TEXAS DEPARTMENT OF CRIMINAL JUSTICE, AND SOLID WASTE FEES; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE (3RD & FINAL READING OF ORDINANCE NO. 2023-07) (MIKE HALSEMA)

Finance Director, Mike Halsema, said that this is the third and final reading of Ordinance 2023-07 and confirmed that the new solid waste rates would not take effect on the customers bills until the March 1, 2024 billing.

ORDINANCE 2023-07-03: Motion by Barbara Burrow, seconded by Meredith Rainer, to approve the third and final reading of Ordinance 2023-07 amending the Code of Ordinances at Chapter 18, "Fees", by amending Section 18-1, "Fee Schedule" with regard to sewer rate fees for Texas Department of Criminal Justice, and Solid Waste Fees; repealing all conflicting ordinances; providing a severability clause; and providing an Effective Date; all five voting "Aye", motion passed.

9) DISCUSSION AND POSSIBLE ACTION REGARDING A PROFESSIONAL SERVICE AGREEMENT WITH FREESE, NICHOLS, INC. (FNI) TO ASSESS THE CITY'S VULNERABILITY TO A CYBER-ATTACK ON THE CITY'S WATER SYSTEM AND FORMULATE A SUPERVISORY CONTROL AND DATA ACQUISITION (SCADA) BUSINESS PLAN, VULNERABILITY ASSESSMENT, AND A PROJECT LIST AIMED AT BOLSTERING THE CITY'S DEFENSES AGAINST POTENTIAL CYBERATTACKS ON THE CITY'S WATER INFRASTRUCTURE (SCOTT ALBERT & NICK CLAUDIO)

Mayor Chumley stated that Agenda Item # 9 was pulled from the agenda and was tentatively scheduled to be included on the next council meeting agenda.

10) DISCUSSION AND POSSIBLE ACTION ON A RESOLUTION TO ESTABLISH A REGULAR MONTHLY COUNCIL MEETING ON THE SECOND TUESDAY OF EACH MONTH, ALONG WITH THE OPTION FOR SPECIAL CALLED MEETINGS AS NECESSARY, FOR THE NEXT TWELVE MONTHS (SCOTT ALBERT)

City Manager Albert provided Resolution 2024-05 to the Council regarding the proposed revised monthly council meeting dates for the next twelve (12) months. Staff recommends conducting only one regularly scheduled council meeting per month for the next twelve months. Special Meetings can still be called if necessary to avoid any delays in significant decision-making matters.

The City Charter requires the City Council to hold at least one regular meeting each month and may hold as many additional meetings during the month as necessary.

The primary reason for this request is related to the current workload and the need for more time to focus our attention on various projects, initiatives, and operations. With more time between meetings, staff can concentrate on these projects, initiatives, and operations without the interruption of preparing for a meeting every two weeks. This allows for more extensive research, leading to better-informed decisions and improved execution of operations.

Additionally, holding fewer meetings can help prevent burnout among council members and city staff while balancing the current workload and managing meeting frequency.

If a Special Meeting was called it would still be held on the customary second Tuesday of the month.

Councilmember Rainer was concerned about transparency with the public and also make the meetings go too long. Also concerned that the required three (3) readings of Ordinances would take too long to pass city regulations.

The Council further discussed public transparency, time of the meetings, and that Ordinance approvals/discussions could be done at a Special called meeting with only urgent items listed on the agenda.

City Manager Albert said that there will be a meeting on January 23rd because of the proposed Trinity Housing Development Project. Mr. Albert also said that Council would be informed at the monthly meeting on the second Tuesday if there would be a send meeting in the month.

RESOLUTION 2024-05: Motion by Barbara Burrow, seconded by Joe Patterson, to approve setting the second Tuesday of each month at 5:30 p.m. as the date and time of regular City Council meetings, with the option of holding a Special Meeting on the fourth Tuesday of the month at the discretion of the City Manager; all five voting "Aye", motion passed.

11) MAYOR CHUMLEY STATED THAT THE CITY COUNCIL OF THE CITY OF GATESVILLE, TEXAS, WILL CONVENE IN A CLOSED MEETING ON THIS 9TH DAY OF JANUARY 9, 2024 BEGINNING AT 5:46 P.M. AND ANNOUNCED THE SUBJECT TO BE DISCUSSED:

THIS CLOSED MEETING IS IN ACCORDANCE WITH GOVERNMENT CODE SECTION 551.071- CONSULTATION WITH ATTORNEY- REGARDING CONFIDENTIAL MATTERS IN WHICH THE DUTY OF THE ATTORNEY TO THE GOVERNMENTAL BODY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CONFLICTS WITH CHAPTER 551 OF THE TEXAS GOVERNMENT CODE

A. DISCUSSION REGARDING THE FIREFLY RV PARK DEVELOPMENT AGREEMENT (SCOTT ALBERT)

12) MAYOR CHUMLEY RECONVENED THE OPEN MEETING AND STATED THAT THE CITY COUNCIL OF THE CITY OF GATESVILLE, TEXAS, ENDED ITS CLOSED MEETING AT 7:30 P.M. ON THIS 9TH DAY OF JANUARY 9, 2024

13) DISCUSSION AND POSSIBLE ACTION RESULTING FROM DISCUSSION DELIBERATED IN EXECUTIVE SESSION

There was no action as a result of the Executive Session.

14) DISCUSSION REGARDING THE CITY MANAGERS REPORT: There was not a report.

15) ADJOURN MEETING AT 7:32 P.M, THIS 9TH DAY OF JANUARY, 2024

ATTEST:

APPROVED:

\_\_\_\_\_  
Wendy Cole  
City Secretary

\_\_\_\_\_  
Gary Chumley  
Mayor





Other Business:                      Agenda Item #6

**CITY COUNCIL MEMORANDUM**

**Date:**                      January 23, 2024

**To:**                         Mayor & City Council

**From:**                    Scott L. Albert, City Manager

**Agenda Item:** Discussion and possible action authorizing the City Manager to execute a professional services agreement with Freese and Nichols to perform a cybersecurity assessment of the city's SCADA system.

**Information:**

According to Cyber Security Review (July 7, 2023), there have been more than 130 control system cyber incidents in water/wastewater utilities. Most of these incidents have occurred in small water utilities.

In response to the heightened cyber threats, staff recommends conducting a cybersecurity assessment of the city's SCADA (Supervisory Control and Data Acquisition) system. SCADA is the software the city uses to manage and control our water and wastewater systems.

Identifying shortcomings in our SCADA system is a more cost-effective approach to address now, especially as we prepare a water system improvement plan. It is both easier and more cost-effective to tackle cybersecurity issues during upgrades rather than after. The following items within the water system improvement plan may or may not be influenced by the recommendations from the cybersecurity assessment:

- Location and installation of servers.
- Core switch and firewall selections for SCADA cabinets.
- Industrial switch selection.
- Configuration of the network.
- Design of the control system and configuration of Programmable Logic Controller.
- Location of a type of operator workstations.
- Additional hardware and software, including
  - Remote access hardware and software.
  - Network logging.
  - Computer backup.
  - Multifactor authentication hardware or software.
  - Demilitarized zone requirements and location.
- Additional cybersecurity software or hardware as needed.

It is important to note that FNI will not provide the detailed design for the SCADA upgrades as part of the Water Improvement study to the extent outlined above. However, having access to these cybersecurity assessment findings will enable us to incorporate the necessary costs for the required upgrades in the SCADA upgrade projects.

**Financial Impact:**

The CIP budget for FY 24 includes \$362,000 for the Water System Improvement Plan. The proposal for preparing the water system improvement plan came in at \$230,590.000, resulting in a surplus of approximately \$131,000. Staff recommends setting aside \$50,000 from the surplus funds to perform the FNI cybersecurity study.

**Staff Recommendation:**

The staff recommends that the City Council authorize the City Manager to enter into a professional services agreement with FNI to conduct a cybersecurity assessment, with a maximum amount not to exceed \$49,769.00.

**Motion:**

I move to authorize the City Manager to enter into a Professional Services agreement with Freese & Nichols for the purposes of conducting a cybersecurity assessment of the City's utility SCADA system.

**Attachments:**

- FNI professional service agreement.

**PROFESSIONAL SERVICES AGREEMENT**

STATE OF TEXAS §

COUNTY OF CORYELL §

This Agreement is entered into by City of Gatesville, Texas (Client) and Freese and Nichols, Inc. (FNI). In consideration of FNI providing professional services for Client and Client utilizing these services, the parties hereby agree:

- I. **EMPLOYMENT OF FNI:** In accordance with the terms of this Agreement, Client agrees to employ and compensate FNI to perform professional services in connection with the Project. The Project is described as Cybersecurity Assessment.
- II. **SCOPE OF SERVICES:** FNI shall render professional services in connection with the Project as set forth in Attachment SC – Scope of Services and Responsibilities of Client which is attached to and made a part of this Agreement.
- III. **COMPENSATION:** Client agrees to pay FNI for all professional services rendered under this Agreement. FNI shall perform professional Basic Services under this Agreement for a lump sum fee of \$49,769.00.
- IV. **TERMS AND CONDITIONS OF AGREEMENT:** The Terms and Conditions of Agreement, as set forth in Attachment TC – Terms and Conditions of Agreement, shall govern the relationship between the Client and FNI.
- V. **GOVERNING LAW; VENUE:** This Agreement shall be administered and interpreted under the laws of the State of Texas. Venue of any legal proceeding involving this Agreement shall be in Tarrant County, Texas.
- VI. **EFFECTIVE DATE:** The effective date of this Agreement is .

Nothing in this Agreement shall be construed to give any rights or benefits under this Agreement to anyone other than the Client and FNI. All duties and responsibilities undertaken pursuant to this Agreement will be for the sole and exclusive benefit of the Client and FNI and not for the benefit of any other party. This Agreement constitutes the entire agreement between the Client and FNI and supersedes all prior written or oral understandings.

This Agreement is executed in two counterparts. IN TESTIMONY HEREOF, Agreement executed:

**CITY OF GATESVILLE, TEXAS**

**FREESE AND NICHOLS, INC.**

By: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Attest: \_\_\_\_\_

By: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Attest: \_\_\_\_\_

**SCOPE OF SERVICES AND RESPONSIBILITIES OF CLIENT****PROJECT UNDERSTANDING**

Freese and Nichols, Inc. (FNI) understands that the City of Gatesville (City) is seeking professional engineering assistance to perform a cybersecurity assessment of their SCADA system. This document details the scope of work and fee for Freese and Nichols (FNI) to conduct a cybersecurity assessment of the City of Gatesville (Owner) Utility SCADA Network. The final report will include recommendations, high-level project descriptions, and cost estimates to improve the cybersecurity posture of the network.

The tasks below describe how FNI will work with the Owner's IT and SCADA personnel to develop the assessment report. The desired outcomes and deliverables are listed under each task.

**ARTICLE I**

**BASIC SERVICES:** FNI shall render the following professional services in connection with the development of the Project:

- A. **PROJECT MANAGEMENT:** FNI shall provide professional services in this phase as follows:
- a. **Project Kickoff Meeting:** FNI will meet with City staff to review scope, project team, and schedule of the project via virtual conference call.
  - b. **Invoicing and Monthly Status Reports:** FNI will prepare and submit monthly invoices to the City. FNI will prepare and submit monthly status reports to the City with FNI's monthly invoice. Monthly status reports will comprise a one-page summary of the progress to date on the Project, work completed during the prior month, work anticipated to be completed during the upcoming month, and discussion of any scope, schedule, or budget issues that may need to be resolved.
  - c. **Project Controls:** FNI shall manage scope, time, cost, quality, staff resources, communications and risk as necessary.
- B. **REQUEST FOR INFORMATION:** FNI shall provide professional services in this phase as follows:
- a. **Request for Information:** A document request will be submitted to collect information pertaining to the SCADA network. This information will be used to prepare for the scanning of the network. The request will include the following types of documentation:
    - i. Number and types of PLCs, OITs, and other networked SCADA equipment
    - ii. Number of PCs, printers, and other networked devices
    - iii. Number and types of switches, firewalls, and other networking appliances
    - iv. IP schemes used on the network

- v. A description of the endpoint protection, intrusion detection, and other network security applications

If documentation does not exist, it should not be developed for this project. The lack of documentation will be noted in the report.

- b. Document Review: The requested documentation will be analyzed prior to the Business Requirements Workshop and reviewed during the workshop.

**Desired Outcomes**

Information to complete the network and vulnerability scanning is provided, and upon the completion of the analysis, the on-site activities are scheduled.

**Deliverables**

RFI request

- C. WORKSHOPS: FNI shall provide professional services in this phase as follows:

- a. Business Requirements Workshop: The purpose of the workshop is to determine how the different stakeholders use the SCADA system, the remote access requirements, and current cybersecurity policies and procedures.
- b. Cybersecurity Evaluation Workshop: This workshop is based around the Division of Homeland Security (DHS) Cybersecurity Evaluation Tool (CSET). The selected controls will be the National Institute of Standards and Technology (NIST) SP800-82 and NIST 800-53 requirements. Due to the number of questions, this workshop will be divided into two 4-hour sessions on consecutive days.

**Desired Outcomes**

An understanding of the current use of the SCADA system and remote access and reporting requirements.

An understanding of the recommended cybersecurity controls and the current implementation.

**Deliverables**

Business Requirements List, CSET Reports

- D. ON-SITE SCANNING: FNI shall provide professional services in this phase as follows:

- a. Network Mapping: Each SCADA subnetwork will be scanned using a network discovery and security auditing tool. The scan will provide information on the number and types of network devices and the operating system information on each host. The information gathered in this step will be used for vulnerability scanning.
- b. VULNERABILITY SCANNING: All network appliances (switches, firewalls, etc) and Windows and Linux-based hosts located at each treatment facility will be scanned for vulnerabilities using a vulnerability scanning tool. Limited scanning of printers and PLCs is performed due

to the device's inability to support a full vulnerability scan. Caution will be taken during scanning to minimize impact on operations.

For budgetary purposes the workshops in task 2 and the scanning and mapping in task 3 will take place during the same trip and limited to treatment facilities to minimize travel costs.

- c. On-site scanning does not include penetration testing, remote access scanning, or patching of the vulnerabilities discovered. FNI is not responsible for device malfunction as a result of vulnerability scanning.

**Desired Outcomes**

A scan of all SCADA networks for mapping and vulnerabilities.

**Deliverables**

SCADA network asset list, vulnerability scan reports

- E. DEVELOP SCADA CYBERSECURITY ASSESSMENT: FNI shall provide professional services in this phase as follows:

- a. Report Development: The results of the on-site scanning will be summarized in the SCADA Cybersecurity Assessment Technical Memorandum. The report will provide a list of projects to close the gap in cybersecurity controls identified using the CSET tool and to harden the system from the vulnerabilities discovered during the project. A high-level scope of work and fee estimate is developed for each project and any project dependencies will be noted.
- b. Review Workshop: Once the draft report is delivered, a City review comment period begins (assumed to be 10 days). Midway through the comment period, a virtual review workshop will be conducted to review the report findings and document additional comments. The final report will be delivered five days after the end of the comment period.

**Desired Outcomes**

The Owner understands the recommended cybersecurity improvements and the costs to make those improvements.

**Deliverables**

SCADA Cybersecurity Assessment Technical Memorandum detailing the findings and recommendations to improve cybersecurity.

ARTICLE II

**SPECIAL SERVICES**: FNI shall render the following professional services, which are not included in the Basic Services described above, in connection with the development of the Project:

- A. NONE

ARTICLE III

**ADDITIONAL SERVICES**: Any services performed by FNI that are not included in the Basic Services or Special

Services described above are Additional Services.

#### ARTICLE IV

**TIME OF COMPLETION:** FNI is authorized to commence work on the Project upon execution of this Agreement and agrees to complete the services in 45 days from Notice to Proceed.

If FNI's services are delayed through no fault of FNI, FNI shall be entitled to adjust contract schedule consistent with the number of days of delay. These delays may include but are not limited to delays in Client or regulatory reviews, delays on the flow of information to be provided to FNI, governmental approvals, etc. These delays may result in an adjustment to compensation as outlined on the face of this Agreement and in Attachment CO.

#### ARTICLE V

**RESPONSIBILITIES OF CLIENT:** Client shall perform the following in a timely manner so as not to delay the services of FNI:

- A. Designate in writing a person to act as Client's representative with respect to the services to be rendered under this Agreement. Such person shall have contract authority to transmit instructions, receive information, interpret and define Client's policies and decisions with respect to FNI's services for the Project.
- B. Provide all criteria and full information as to Client's requirements for the Project, including design objectives and constraints, space, capacity and performance requirements, flexibility and expandability, and any budgetary limitations; and furnish copies of all design and construction standards which Client will require to be included in the drawings and specifications.
- C. Assist FNI by placing at FNI's disposal all available information pertinent to the Project including previous reports and any other data relative to design or construction of the Project.
- D. Arrange for access to and make all provisions for FNI to enter upon public and private property as required for FNI to perform services under this Agreement.
- E. Examine all studies, reports, sketches, drawings, specifications, proposals and other documents presented by FNI, obtain advice of an attorney, insurance counselor and other consultants as Client deems appropriate for such examination and render in writing decisions pertaining thereto within a reasonable time so as not to delay, or cause rework in, the services of FNI.
- F. Furnish approvals and permits from all governmental authorities having jurisdiction over the Project and such approvals and consents from others as may be necessary for completion of the Project.
- G. Provide such accounting, independent cost estimating and insurance counseling services as may be required for the Project, such legal services as Client may require or FNI may reasonably request with regard to legal issues pertaining to the Project including any that may be raised by Contractor(s), such auditing service as Client may require to ascertain how or for what purpose any Contractor has used the moneys paid under the construction contract, and such inspection services as Client may require to ascertain that Contractor(s) are complying with any law, rule, regulation, ordinance, code or order applicable to their furnishing and performing the work.

- H. Give prompt written notice to FNI whenever Client observes or otherwise becomes aware of any development that affects the scope or timing of FNI's services, or any defect or nonconformance of the work of any Contractor.
- I. Furnish, or direct FNI to provide, Additional Services as stipulated in Attachment SC, Article III of this Agreement or other services as required.
- J. Bear all costs incident to compliance with the requirements of this Article V.

**ARTICLE VI**

**DESIGNATED REPRESENTATIVES:** FNI and Client designate the following representatives:

Client's Designated Representative – Scott Albert

City Manager  
803 E. Main Street  
Gatesville, TX 76528  
Phone: 254-865-8951  
Email: salbert@gatesvilletx.com

Client's Accounting Representative – Mike Halsema

Finance Director  
803 E. Main Street  
Gatesville, TX 76528  
Phone: 254-220-4546  
Email: mhalsema@gatesvilletx.com

FNI's Designated Representative – Kira Iles

Project Manager  
10431 Morado Circle  
Austin, TX 78759  
Phone: 512-617-3189  
Email: kira.iles@freese.com

FNI's Accounting Representative – Marissa Mendoza

Lead Operations Analyst  
10431 Morado Circle  
Austin, TX 78759  
Phone: 512-381-1837  
Email: Marissa.mendoza@freese.com



<b>City of Gatesville</b>		<b>Project Fee Summary</b>	
<b>Cybersecurity Assessment</b>		Basic Services	49,769
<b>1/5/2024</b>		Special Services	-
<b>Detailed Cost Breakdown</b>		<b>Total Project</b>	<b>49,769</b>

<b>Project Fee Summary</b>	
Basic Services	49,769
Special Services	-
<b>Total Project</b>	<b>49,769</b>

Phase	Task	Activity	Basic or Special	Task Description	Labor				Total Labor Effort	Expenses					Total			
					Mrs Lisa	Nicholas Claudio	John Manning	Marietta Mendoza		Tech Charge	Miles	Meals	Hotel	Other		Total Expense Effort	Total Effort	
A		PM / Production	Basic	Project Management														
A		PM / Production	Basic	Internal kickoff meeting	1	1	1		3									895
A		PM / Production	Basic	External kickoff meeting (Virtual)	1	1			1									286
A		PM / Production	Basic	Invoicing and Monthly Status Reports	2			4	6									1,273
A		PM / Production	Basic	Project Controls	12	6			18									4,892
B		PM / Production	Basic	Cybersecurity Assessment														
C		PM / Production	Basic	Task 1 RFI		8			8									2,616
D		PM / Production	Basic	Task 2 Workshops	12	18			30	266								11,866
D		PM / Production	Basic	Task 3 On Site Scanning		40			40				1,000					13,080
E		PM / Production	Basic	Task 4 Assessment Report	2	40			42									357
E		Quality Control	Basic	Quality Control review			4		4									34
<b>Total Hours / Quantity</b>					<b>30</b>	<b>114</b>	<b>5</b>	<b>4</b>	<b>152</b>	<b>266</b>	<b>174</b>	<b>890</b>	<b>1,150</b>	<b>900</b>				<b>4,341</b>
<b>Total Effort</b>									<b>\$ 45,428</b>	<b>\$ 1,292</b>	<b>\$ 890</b>	<b>\$ 1,150</b>	<b>\$ 1,036</b>	<b>\$ 900</b>				<b>\$ 49,769</b>



**Other Business:**                      **Agenda Item # 7**

**CITY COUNCIL MEMORANDUM**

**Date:**                      **January 23, 2024**

**To:**                         **Mayor & City Council**

**From:**                    **Scott L. Albert, City Manager**

**Agenda Item:** Discussion and possible action regarding a resolution supporting the submittal of an application to the Texas Department of Housing and Community Affairs for the 2024 Low Income Housing Tax Credit Program in relation to the Gatesville Crossing project.

**Information:**

Trinity Housing Development, the company responsible for constructing the Gatesville Trails age-restricted community at 101 Trails Private Drive (SH 36), seeks support from the City of Gatesville for submitting an application to the Texas Department of Housing and Community Affairs (TDHCA) for the 2024 Low-Income Housing Tax Credit Program, in connection with the Gatesville Crossing project. They are also requesting a minimal financial contribution from the city toward the project, totaling \$250.00, which could include the waiving or reduction of fees, such as those for a building permit.

The Gatesville Crossing project envisions a newly constructed community comprising approximately 36-units, and it will not have age restrictions. The units will consist of 1, 2, and 3-bedroom options, making it suitable for families. This project will include units subject to tax credit rent and income restrictions, primarily aimed at individuals and families with annual incomes ranging from \$26,500 to \$50,000. The majority of units will be available for rent within the range of \$700 to \$1,100 per month. The project's financing will be facilitated through 9% Housing Tax Credits. The purchase and development of just 7 of 35 acres of this property along HWY 36 has the potential to open the remaining acreage fronting HWY 36 for future commercial development.

Housing Tax Credits are federally established and allocated at the state level by the Texas Department of Housing and Community Affairs (TDHCA) through a competitive process. Developers submit proposed projects to TDHCA, where points are awarded based on location factors, developer experience, and proposed development characteristics. Pre-applications were submitted in early January, with full applications to be submitted on March 1. If a development is awarded tax credits, these credits are sold by the developer to syndicators or equity investors. The proceeds from the tax credits are used to finance the equity in the development, allowing the project to carry less debt than a traditional market-rate development, resulting in a smaller mortgage and, consequently, more affordable rents, fostering a mixed-income community.

The housing tax credit process entails several layers of oversight and compliance, enforced both by TDHCA and equity investors in the projects. Non-compliance with TDHCA's stringent standards jeopardizes a developer's ability to develop housing tax credit communities in Texas. Compliance includes maintaining the building and ensuring that all residents have income qualifications for their units. Furthermore, all adults residing on the property must be on the lease and undergo a criminal background screening and credit check.

**Financial Impact:**

A \$250.00 impact if the application/project is approved by TDHCA.

**Staff Recommendation:**

The staff recommends the approval of the resolution supporting the submission of an application to TDHCA and a minimal financial contribution from the city toward the project, amounting to \$250.00.

**Motion:**

I move to approve Resolution No. 2024-06, supporting the submission of an application to the Texas Department of Housing and Community Affairs for the 2024 Low-Income Housing Tax Credit Program concerning the Gatesville Crossing project, along with a financial contribution towards the project from the city not to exceed \$250.00.

**Attachments:**

- Resolution.

**CITY COUNCIL OF THE CITY OF GATESVILLE, TEXAS**

**RESOLUTION NO. 2024-06**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GATESVILLE, TEXAS SUPPORTING GATESVILLE CROSSING, LP'S PROPOSED DEVELOPMENT OF AFFORDABLE RENTAL HOUSING KNOWN AS GATESVILLE CROSSING TO BE LOCATED AT APPROXIMATELY 2909 TX-36 IN THE CITY OF GATESVILLE, CORYELL COUNTY, TEXAS; FINDING AND DETERMINING THIS MEETING WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Gatesville Crossing, LP has proposed a development for affordable rental housing known as Gatesville Crossing to be located at approximately 2909 TX-36 in the City of Gatesville, Texas; and

**WHEREAS**, there is a need for affordable housing for City of Gatesville citizens of modest means;

**WHEREAS**, Gatesville Crossing, LP has advised that it intends to submit an application to the Texas Department of Housing and Community Affairs for 2024 Low Income Housing Tax Credit Program funds for Gatesville Crossing; and

**WHEREAS**, there is a requirement for a de minimus commitment of development funding by the local political subdivision;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GATESVILLE, TEXAS:**

**Section 1.** The City Council hereby confirms that it supports the proposed Gatesville Crossing development and that this formal action has been taken to put on record the opinion expressed by the City of Gatesville Texas on the date set forth below.

**Section 2.** The City Council further hereby confirms that the City of Gatesville will provide financial support for the Gatesville Crossing development in the form of waivers and/or reductions of fees otherwise due to the City regarding the development, with said financial support not to exceed in total Two Hundred, Fifty Dollars and No/100 (\$250.00).

**Section 3.** The City Council hereby authorizes and directs the City Manager and the City Secretary to certify this resolution to the Texas Department of Housing and Community Affairs.

**Section 4.** The meeting at which this resolution was passed was open to the public as required by law.

**Section 5.** This resolution shall take effect immediately from and after its passage, and it is accordingly resolved.

**DULY RESOLVED AND ADOPTED** by the City Council of the City of Gatesville, Texas, this the \_\_\_\_ day of \_\_\_\_\_ 2024.

**APPROVED:**

\_\_\_\_\_  
Gary Chumley, Mayor

**ATTEST:**

\_\_\_\_\_  
Wendy Cole, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Victoria Thomas, City Attorney  
4876-7062-1854, v. 1  
4876-7062-1854, v. 1



**Other Business:**                      **Agenda Item # 8**

**CITY COUNCIL MEMORANDUM**

**Date:**                      **January 23, 2024**

**To:**                         **Mayor & City Council**

**From:**                    **Scott L. Albert, City Manager**

**Agenda Item:** Discussion and possible action regarding a resolution supporting the submittal of an application to the Texas Department of Housing and Community Affairs for the 2024 Low Income Housing Tax Credit Program in relation to the Gatesville Terrace project.

**Information:**

Trinity Housing Development, the company responsible for constructing the Gatesville Trails age-restricted community at 101 Trails Private Drive (SH 36), seeks support from the City of Gatesville for submitting an application to the Texas Department of Housing and Community Affairs (TDHCA) for the 2024 Low-Income Housing Tax Credit Program, in connection with the Gatesville Terrace project. They are also requesting a minimal financial contribution from the city toward the project, totaling \$250.00, which could include the waiving or reduction of fees, such as those for a building permit.

The Gatesville Terrace project envisions a newly constructed community comprising approximately 52 units designed for seniors aged 55 and older. This community will be situated west of HWY 36, directly south of the Hillside Medical Lodge, and north of Walgreens. The project will include units subject to tax credit rent and income restrictions, primarily targeting seniors with annual incomes ranging from \$26,500 to \$45,000. Most units will be available for rent within the range of \$700 to \$1,100 per month. The project's financing will be facilitated through 9% Housing Tax Credits.

Housing Tax Credits are federally established and allocated at the state level by the Texas Department of Housing and Community Affairs (TDHCA) through a competitive process. Developers submit proposed projects to TDHCA, where points are awarded based on location factors, developer experience, and proposed development characteristics. Pre-applications were submitted in early January, with full applications to be submitted on March 1. If a development is awarded tax credits, these credits are sold by the developer to syndicators or equity investors. The proceeds from the tax credits are used to finance the equity in the development, allowing the project to carry less debt than a traditional market-rate development, resulting in a smaller mortgage and, consequently, more affordable rents, fostering a mixed-income community.

The housing tax credit process entails several layers of oversight and compliance, enforced both by TDHCA and equity investors in the projects. Non-compliance with TDHCA's stringent standards jeopardizes a developer's ability to develop housing tax credit communities in Texas. Compliance includes maintaining the building and ensuring that all residents have income qualifications for their units. Furthermore, all adults residing on the property must be on the lease and undergo a criminal background screening and credit check.

**Financial Impact:**

A \$250.00 impact if the application/project is approved by TDHCA.

**Staff Recommendation:**

The staff recommends the approval of the resolution supporting the submission of an application to TDHCA and a minimal financial contribution from the city toward the project, amounting to \$250.00.

**Motion:**

I move to approve Resolution No. 2024-07, supporting the submission of an application to the Texas Department of Housing and Community Affairs for the 2024 Low-Income Housing Tax Credit Program concerning the Gatesville Terrace project, along with a financial contribution towards the project from the city not to exceed \$250.00.

**Attachments:**

- Powerpoint.
- Resolution.



# TRINITY

## HOUSING DEVELOPMENT

**PROPOSED MIXED-INCOME COMMUNITIES,  
GATESVILLE TEXAS**





**TRINITY HOUSING  
DEVELOPMENT**

**Trinity is a workforce  
development group that builds  
family and senior mixed-income  
communities throughout Texas,  
with local offices in Tyler and  
Austin.**



**COMMUNITY  
AMENITIES**

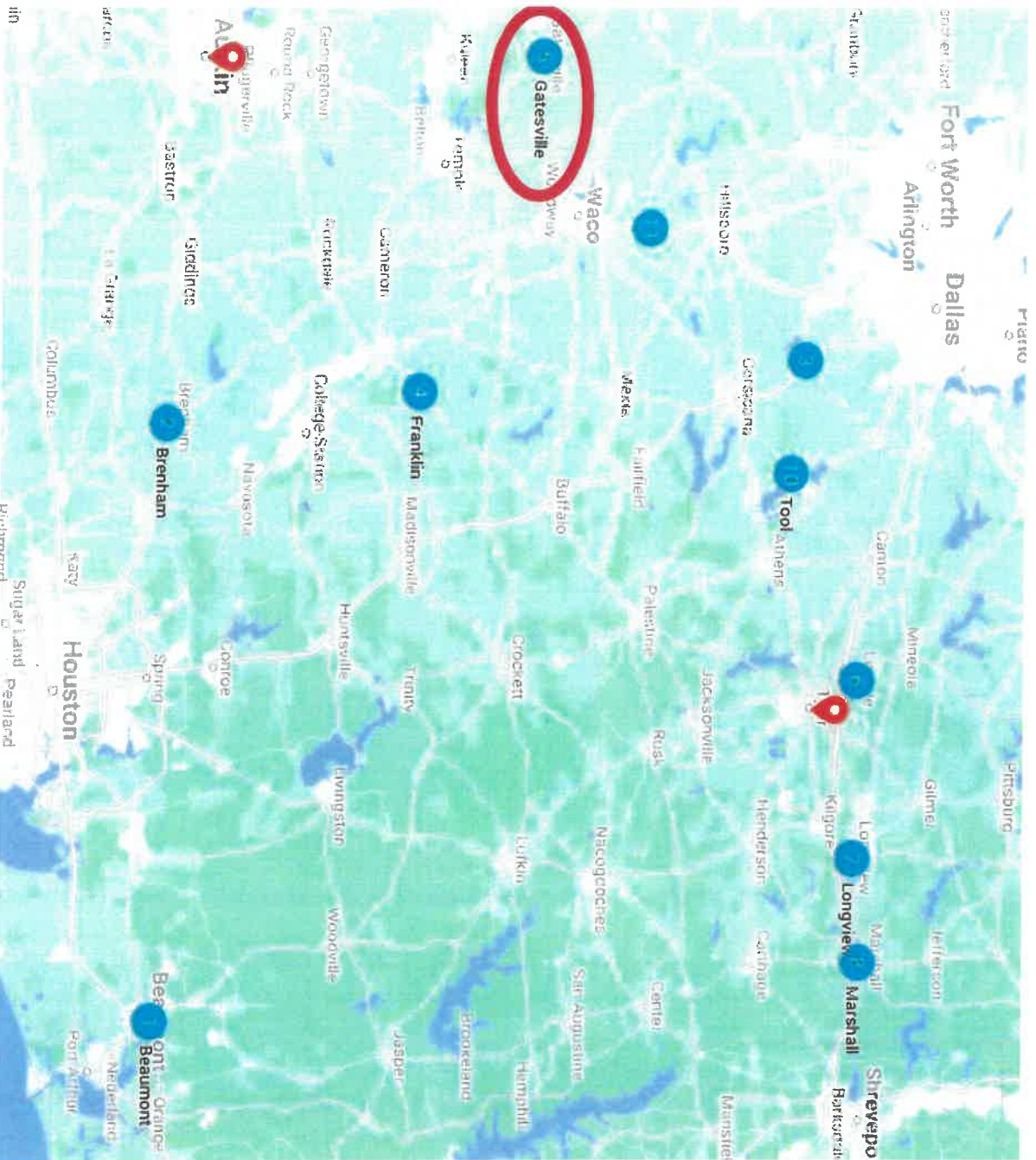
**Communities include onsite amenities for residents including community kitchens, fitness centers, cyber lounges, BBQ areas, shared greenspace, and leasing centers.**



**UNIT AMENITIES**

**Units typically include  
solid-surface  
countertops, vinyl plank  
flooring, fully equipped  
kitchens with high  
efficiency appliances,  
ample storage,  
washer/dryer hookups.**





**TRINITY  
DEVELOPMENTS**

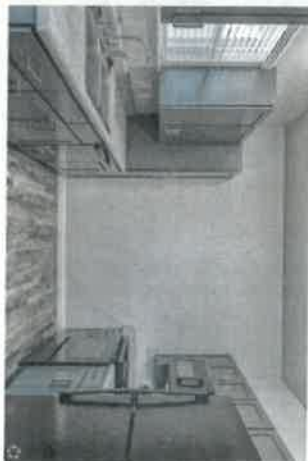
1. Beaumont
  2. Brenham
  3. Ennis
  4. Franklin
  5. Gatesville
  6. Lindale
  7. Longview
  8. Marshall
  9. San Angelo
  10. Tool
  11. West
- Local offices: Austin & Tyler





## HOUSING TAX CREDITS

- Created under President Reagan in 1986 as part of the Tax Reform Act
- Allows for public-private partnership wherein private developers create mixed-income communities using federal tax credits to finance their equity in the projects
- Tax credits are allocated annually by the Texas Dept. of Housing & Community Affairs (TDHCA) in a competitive process
- Residents must income qualify for rent-restricted units, and are subject to criminal background screening & credit checks
- Not public housing or Section 8
- No requested property tax exemption/waiver – property remains on the tax rolls
- Resolution of local support requested from the City Council
- Needed to apply for the tax credit funding – March 1, 2024 deadline.



## GATESVILLE TRAILS

Trinity is proud to have recently completed Gatesville Trails, a successful mixed-income senior community that is fully leased. We hope to continue our work in Gatesville by developing a similar community for all ages, targeting families.





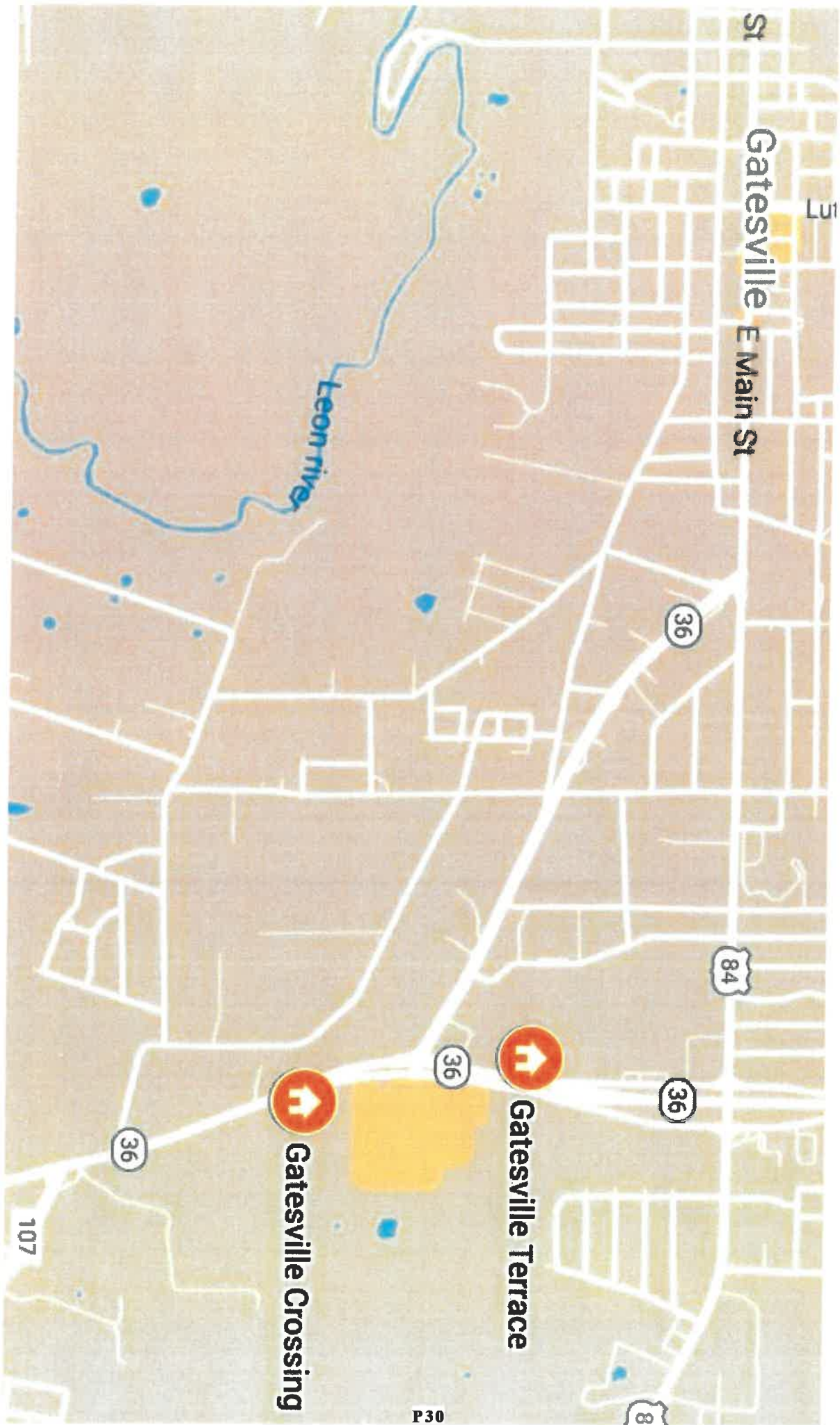
**TWO PROPOSED PROJECTS FOR  
CONSIDERATION  
(TRINITY WOULD ONLY BUILD ONE)**

**GATESVILLE CROSSING**

- New construction
- Non-age restricted
- Approximately 36 units
- 2-story building
- Developed using 9% Housing Tax Credits

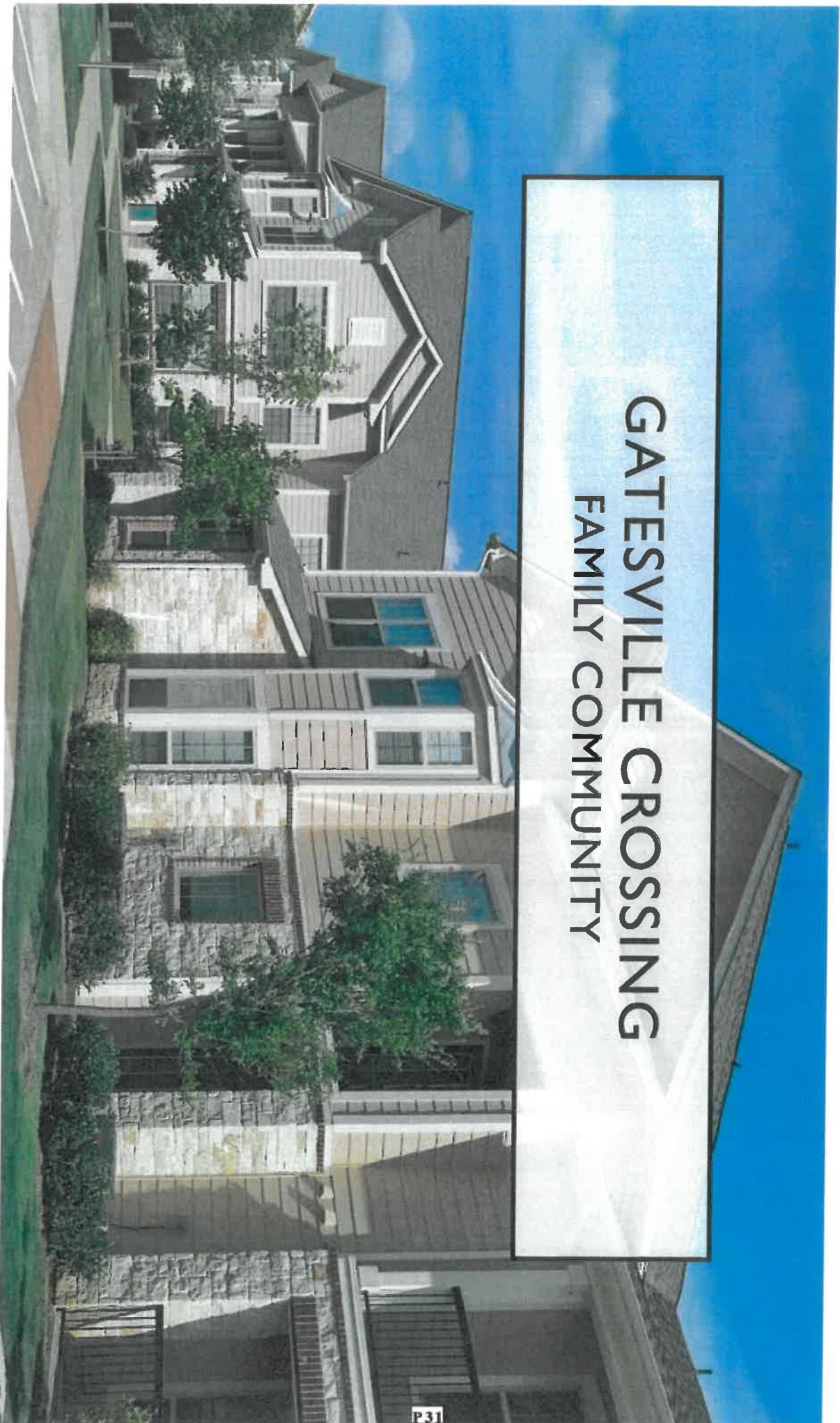
**GATESVILLE TERRACE**

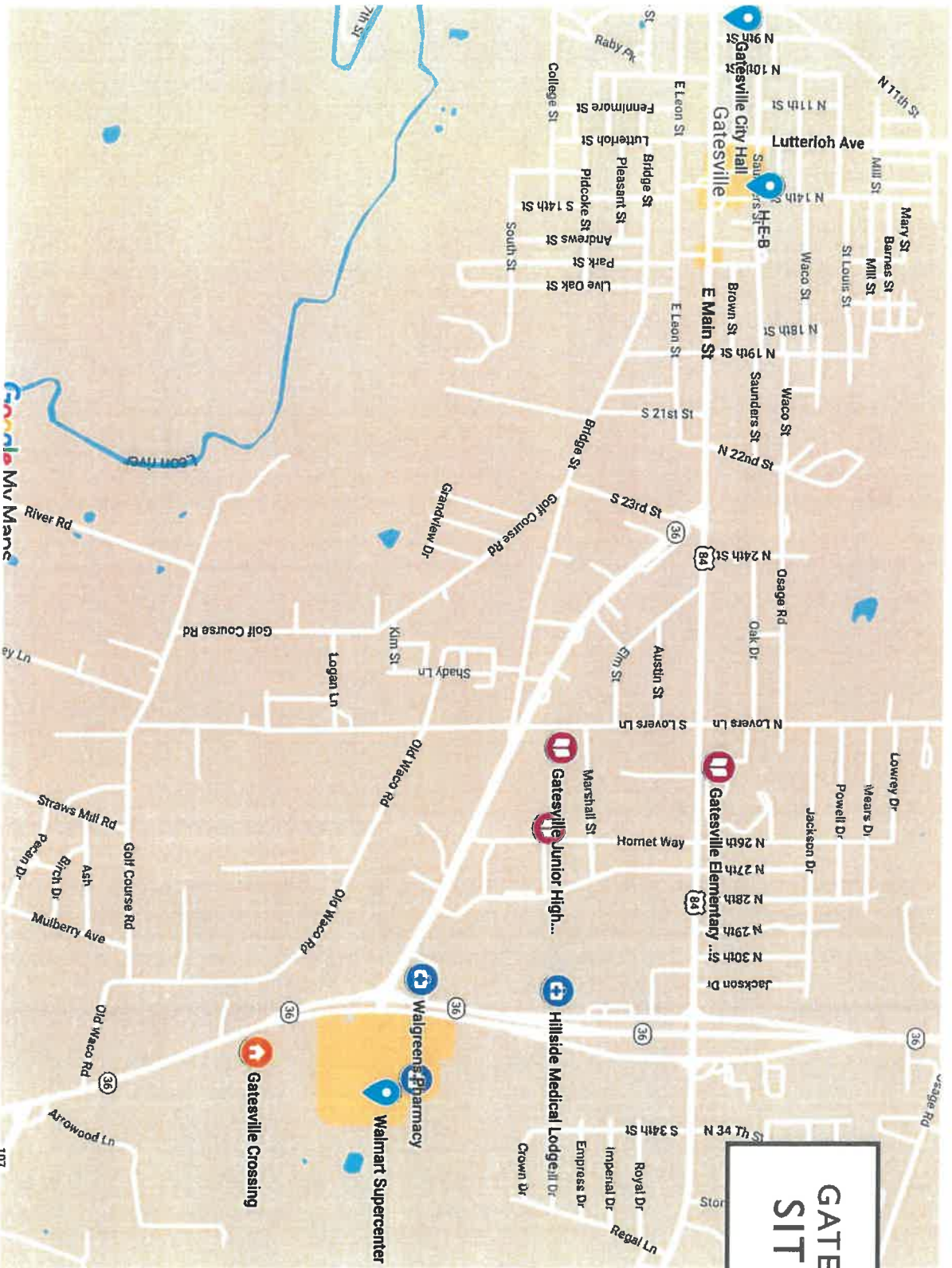
- New construction
- 55 and older
- Approximately 52 units
- 3-story building
- Developed using 9% Housing Tax Credits





# GATESVILLE CROSSING FAMILY COMMUNITY





**GATESVILLE CROSSING  
SITE LOCATION**

**2907 TX-36  
Gatesville, TX 76528**

**Just South of Walmart  
Supercenter on TX-36**

- Ideal location for a family community:**
- Proximity to groceries (HEB, Walmart)
  - Proximity to Gatesville Schools



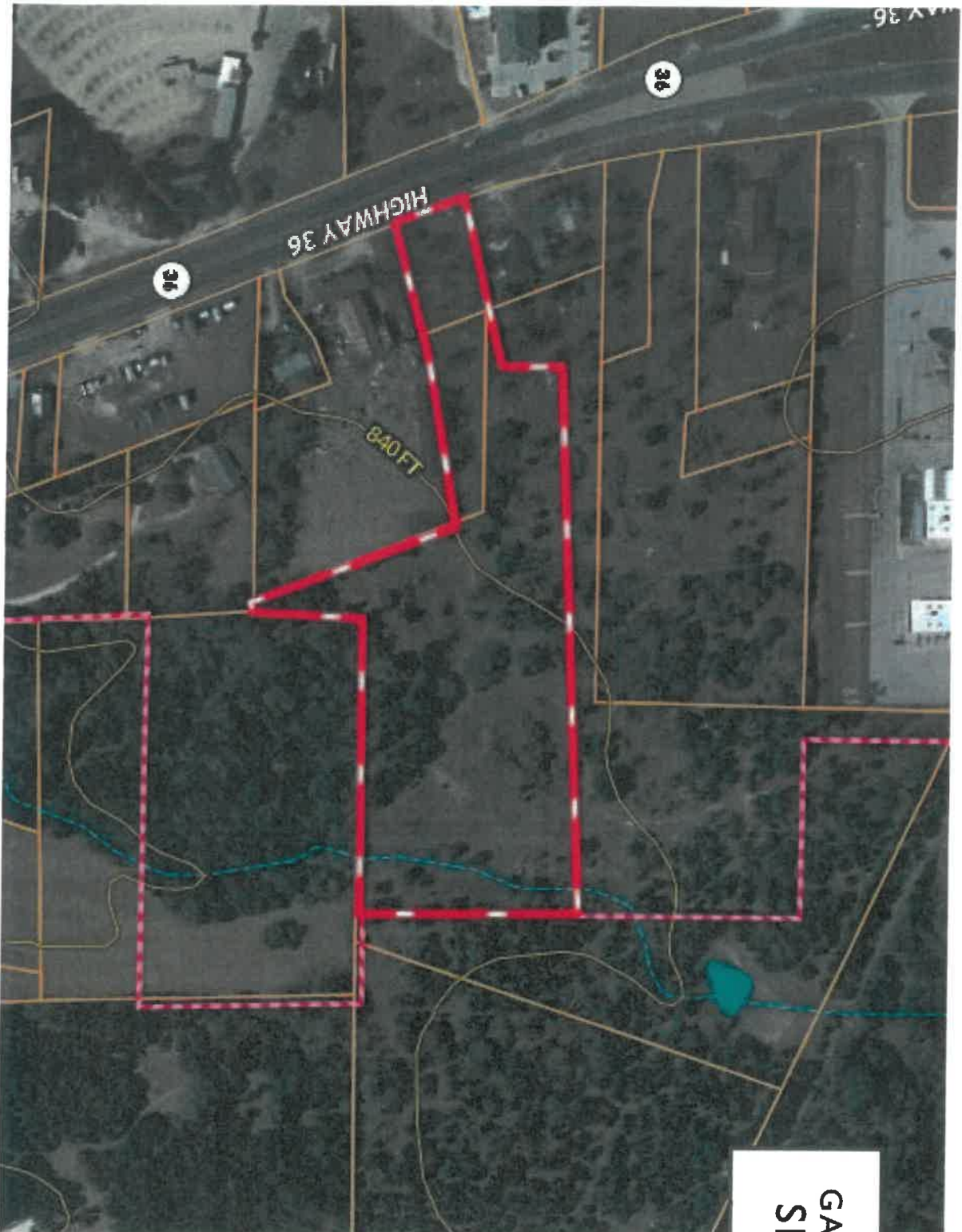


## GATESVILLE CROSSING SITE LOCATION

Trinity to purchase just 7 of 35 acres for sale, leaving the remaining acreage fronting Highway 36 available for commercial development, as well as various possible uses in the rear of property.

Includes only 150 ft of highway frontage out of 600 ft of frontage available.

Permitting entry drive through TxDOT, which can serve remaining acreage



## GATESVILLE CROSSING SITE LOCATION

Trinity to purchase just 7 of 35 acres for sale, leaving the remaining acreage fronting Highway 36 available for commercial development, as well as various possible uses in the rear of property.

Includes only 150 ft of highway frontage out of 600 ft of frontage available.

Permitting entry drive through TXDOT, which can serve remaining acreage



## GATESVILLE CROSSING PROJECT SPECIFICS

- Approximately 36 units (estimate, subject to change until time of tax credit application on March 1, 2024)
- 1, 2, and 3-bedroom units to allow for families
- Open to all ages, targeting families
- Mix of units bound to tax credit rent & income restrictions and market rate units
- Approval of the tax credit resolution of local support enables the development of both the restricted and non-restricted units – neither of which are possible on their own.
- No property tax abatement requested

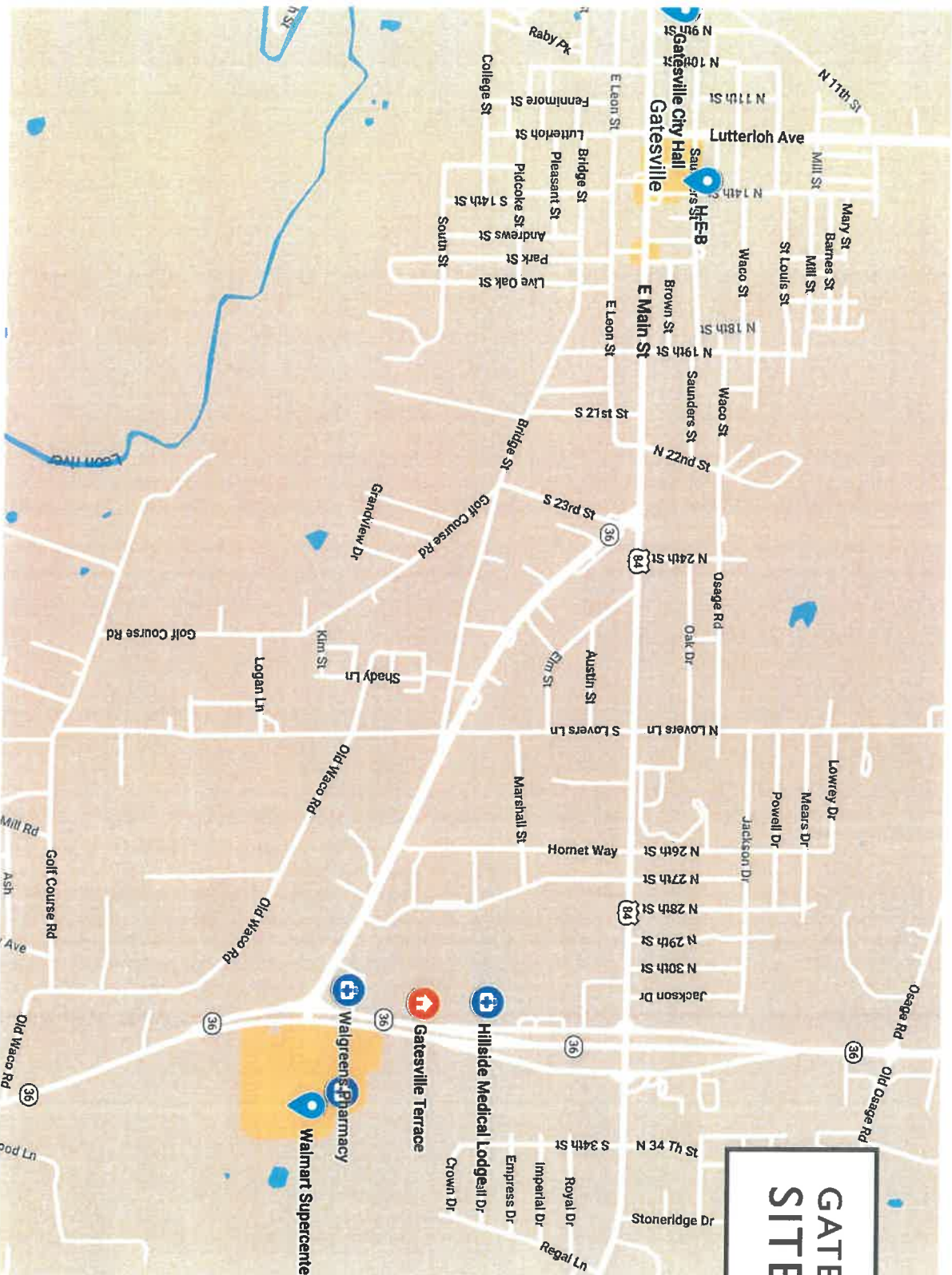


## GATESVILLE CROSSING INCOME & RENT LIMITS

- Majority of units to serve individuals and families making between \$26,500 and \$50,000 per year (50-60% of Area Median Income for Coryell County)
- Majority of units to be rented between \$700 and \$1,100 per month depending on the number of bedrooms and total family income



**GATESVILLE TERRACE**  
**55+ COMMUNITY**



# GATESVILLE TERRACE SITE LOCATION

Just south of Hillside Medical Lodge, north of Walgreens on TX-36

- Ideal location for a senior community:
- Proximity to groceries (HEB, Walmart)
- Proximity to health services (Baylor Scott & White Clinic, Walgreens, Hillside Medical Lodge)







## GATESVILLE TERRACE SITE LOCATION

Just south of Hillside Medical Lodge,  
north of Walgreens on TX-36

Ideal location for a senior

community:

- Proximity to groceries (HEB, Walmart)
- Proximity to health services (Baylor Scott & White Clinic, Walgreens, Hillside Medical Lodge)



## GATESVILLE TERRACE PROJECT SPECIFICS

- Approximately 52 units (estimate, subject to change until time of tax credit application on March 1, 2024)
- 1 and 2-bedroom units to allow for 55+ individuals and couples
- Mix of units bound to tax credit rent & income restrictions and market rate units
- Approval of the tax credit resolution of local support enables the development of both the restricted and non-restricted units – neither of which are possible on their own.
- No property tax abatement requested



## GATESVILLE TERRACE INCOME & RENT LIMITS

- Majority of units to serve individuals and couples with incomes between \$26,500 and \$36,500 per year (50-60% of Area Median Income for Coryell County)
- Majority of units to be rented between \$700 and \$1,000 per month depending on the number of bedrooms and total household income



**TWO PROPOSED PROJECTS FOR  
CONSIDERATION  
(TRINITY WOULD ONLY BUILD ONE)**

**GATESVILLE CROSSING**

- New construction
- Non-age restricted
- Approximately 36 units
- 2-story building
- Developed using 9% Housing Tax Credits

**GATESVILLE TERRACE**

- New construction
- 55 and older
- Approximately 52 units
- 3-story building
- Developed using 9% Housing Tax Credits



THANK YOU

Questions? Please reach out to:

Michael Fogel, Vice President

[mfogel@trinityhousingdevelopment.com](mailto:mfogel@trinityhousingdevelopment.com)

**CITY COUNCIL OF THE CITY OF GATESVILLE, TEXAS**

**RESOLUTION NO. 2024-07**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GATESVILLE, TEXAS SUPPORTING GATESVILLE TERRACE, LP'S PROPOSED DEVELOPMENT OF AFFORDABLE RENTAL HOUSING FOR SENIORS KNOWN AS GATESVILLE TERRACE TO BE LOCATED AT THE 300 BLOCK OF SOUTH HIGHWAY 36 BYPASS IN THE CITY OF GATESVILLE, CORYELL COUNTY, TEXAS; FINDING AND DETERMINING THIS MEETING WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Gatesville Terrace, LP has proposed a development for affordable rental housing for seniors known as Gatesville Terrace to be located at the 300 block of South Hwy 36 Bypass in the City of Gatesville, Texas; and

**WHEREAS**, there is a need for affordable housing for City of Gatesville citizens of modest means;

**WHEREAS**, Gatesville Terrace, LP has advised that it intends to submit an application to the Texas Department of Housing and Community Affairs for 2024 Low Income Housing Tax Credit Program funds for Gatesville Terrace; and

**WHEREAS**, there is a requirement for a de minimus commitment of development funding by the local political subdivision;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GATESVILLE, TEXAS:**

**Section 1.** The City Council hereby confirms that it supports the proposed Gatesville Terrace development and that this formal action has been taken to put on record the opinion expressed by the City of Gatesville Texas on the date set forth below.

**Section 2.** The City Council further hereby confirms that the City of Gatesville will provide financial support for the Gatesville Terrace development in the form of waivers and/or reductions of fees otherwise due to the City regarding the development, with said financial support not to exceed in total Two Hundred, Fifty Dollars and No/100 (\$250.00).

**Section 3.** The City Council hereby authorizes and directs the City Manager and the City Secretary to certify this resolution to the Texas Department of Housing and Community Affairs.

**Section 4.** The meeting at which this resolution was passed was open to the public as required by law.

**Section 5.** This resolution shall take effect immediately from and after its passage, and it is accordingly resolved.

**DULY RESOLVED AND ADOPTED** by the City Council of the City of Gatesville, Texas, this the \_\_\_\_ day of \_\_\_\_\_ 2024.

**APPROVED:**

\_\_\_\_\_  
Gary Chumley, Mayor

**ATTEST:**

\_\_\_\_\_  
Wendy Cole, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Victoria Thomas, City Attorney  
4867-7795-5742, v. 1



**Agenda Item #9**

**CITY COUNCIL MEMORANDUM**

**Date:** January 23, 2024  
**To:** Mayor & City Council  
**From:** Cheri Shepherd, Special Events Coordinator  
Brad Hunt, Police Chief

**Agenda Item:** Update regarding the Eclipse Event on April 8, 2024 including discussion and possible action regarding temporary street closures on April 6-7, 2024, for the BLOCK (out the sun) PARTY Eclipse Festival.

**Information:**

The purpose of this discussion is to address a request regarding temporary street closures on April 6-7, 2024, for the BLOCK (out the sun) PARTY Eclipse Festival and also to give an update on the plans for the Eclipse Event on April 8, 2024.

The request is to close the following streets from 7am on Saturday, April 6 through 6pm on Sunday, April 7 to allow vendors and activities to be set up on the following streets:

- South 6<sup>th</sup> Street, from Main Street to Leon Street.
- Leon Street, from South 6<sup>th</sup> Street to South 8<sup>th</sup> Street.
- South 7<sup>th</sup> Street, from Main Street to Bridge Street.

**Financial Impact:**

N/A

**Staff Recommendation:**

The staff recommends that the City Council approve the request for temporary street closures as presented.

**Motion:**

I make a motion to approve temporary closure of streets as requested for the BLOCK (out the sun) PARTY Eclipse Festival on April 6-7, 2024

**Attachments:**

N/A

**Staff Contacts:**

Cheri Shepherd, Special Events Coordinator- [cshepherd@gatesvilletx.com](mailto:cshepherd@gatesvilletx.com)  
Brad Hunt, Police Chief [bhunt@gatesvilletx.com](mailto:bhunt@gatesvilletx.com)





## Agenda Item # 10

### CITY COUNCIL MEMORANDUM

**Date:** January 23, 2024

**To:** Mayor & City Council

**From:** Brad Hunt, Chief of Police

**Agenda Item:** Discussion and Possible Action to Approve the Second Reading of an Ordinance regarding Changes to the City Code of Ordinances Regarding Alarm Systems

**Information:**

As part of the FY 22-23 approved budget, the Gatesville Police Department entered into a contract agreement with PM AM Corporation, to provide automated, online management of alarm permits. Changes and additions to City Ordinance Article III, Alarm Systems, are necessary to meet the requirements of PM AM Corporation and align the practices associated with alarm permitting with the local law.

**Financial Impact:**

None – anticipated to save work hours and develop efficiency in management of alarm permits, and better organize police response and fine issuance for non-compliance.

**Staff Recommendation:**

The staff recommends that the city council approve the second reading of the Ordinance regarding the changes and additions to City Ordinance Article III, Sections 14-47 through 14-55.

**Motion:** I make a motion to approve the second reading of Ordinance 2024-01 regarding changes and additions to City Code of Ordinances Article III, Sections 14-47 through 14-55.

**Attachments:**

Exhibit A- Proposed City Ordinance changes  
Ordinance 2024-01

**Staff Contacts:**

Cody Lee, Lieutenant, Criminal Investigations Division, Police Department, [clee@gatesvilletx.com](mailto:clee@gatesvilletx.com)  
Brad Hunt, Chief of Police [bhunt@gatesvilletx.com](mailto:bhunt@gatesvilletx.com)

# Exhibit A

## ARTICLE III. - ALARM SYSTEMS

### Sec. 14-47. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Alarm business* means any individual, company, partnership, corporation or other entity, which alters, installs, maintains, moves, repairs, replaces, sells, leases, services, or monitors any alarm system that responds to a stimulus characteristic of unauthorized intrusion, fire or medical emergency.

*Alarm site* means a single premises or location (one street address) served by an alarm system or systems that are under the control of one owner.

*Alarm system* means an assembly of equipment (or a single device, such as a solid-state unit which plugs directly into a 110-volt AC line) arranged to signal the presence of a hazard requiring urgent attention and to which the department is expected to respond. Systems commonly referred to as burglar alarm systems, panic/alert systems, and fire alarms are included. The term "alarms system" does not include:

- (1) An alarm installed on a vehicle, unless the vehicle is permanently located at a site; or
- (2) An alarm designed to alert only the inhabitants of a premises, which does not have a local alarm.

*Alarm user* means the owner, agent or person in control of the premises where an alarm system is maintained within the city.

*Automatic dialing device* means an alarm system which automatically sends over regular telephone lines, by direct connection or otherwise, a prerecorded voice message or coded signal indicating the existence of the emergency situation that the alarm system is designed to detect.

*Burglar alarm system* means an alarm system signaling an entry or attempted entry into the area protected by the system.

*Calendar year* shall be measured from January 1 to December 31.

*Department* means the city police department or any authorized agent thereof.

*Fire alarm system* means an alarm system signaling the presence or suspected presence of a fire in the area protected by the system.

*False alarm* means the activation of an alarm system, which is not the result of emergency or threat of emergency for which the alarm system was designed to give notice and for which the responding police officer finds no evidence of any criminal activity or other emergency. The term "false alarm" shall include activation of an alarm system through mechanical or electrical failure, malfunction, improper installation or the negligence of the owner or lessee of an alarm system or of their employees or agents. The term "false alarm" shall not include activation which results from any of the following:

- (1) Alarms caused by an attempted illegal entry of which there is visible evidence, illegal entry or other demonstrable criminal activity.

(2) Alarms occurring on a repeated basis without apparent cause but where continuous decided effort, in the sole opinion of the department, is being made jointly by the alarm user and the alarm business used by the alarm user for installation or servicing, and any other concerned person to correct the malfunction expeditiously.

(3) Alarms intentionally caused by a person acting under a reasonable belief that a need exists to call the department.

(4) Alarms followed by an immediate call to the department canceling the alarm by giving the proper code number prior to the arrival at the alarm site by the department.

(5) Alarms resulting from the servicing of an alarm system by an alarm business when, prior to such repair or service, the alarm user or their agent has, in person, notified the department that the alarm system will be repaired or serviced at the particular date and time coinciding with the alarm.

(6) Alarms that are activated during periods of severe weather, such as thunderstorms and high winds, or periods of widespread power failure.

(Code 2013, § 14-17(a); Ord. No. 2010-04, § 1, 3-23-2010)

**Sec. 14-48. - Permit and fee required.**

(a) A permit shall be required for any business or residential entity to use, operate or cause to be used or operated, any alarm system within the city.

(b) A separate permit application is required for each business or residential alarm site.

(c) Any business or residential entity wishing to use, operate, or cause to be used, or operated, an alarm system that was installed before the effective date of the ordinance from which this article is derived must apply for a permit within 60 days after the effective date of the ordinance from which this article is derived.

(d) An annual, non-refundable fee must be paid upon filing of an application for a new or renewal permit. The permit is valid for a period of 12 months from the date of issuance and may be renewed by submitting an updated application and renewal fee to the police department. It is the responsibility of the permit holder to submit an application prior to the permit expiration date. The fees for a business/commercial alarm system and for a residential alarm system are as provided in chapter 18.

(e) Upon receipt of the required fee and properly completed application form, the department shall issue a permit unless there is cause to believe the alarm system will not be maintained and operated in accordance with this article, or that the applicant will not comply with each provision of the article. If issued, the permit will be affixed in a location at the alarm site as prescribed by the department.

(f) Each permit application shall be upon a form promulgated by the department and verified by the applicant and must specify:

(1) The name, address, and telephone number of the applicant, who will be the alarm user or the authorized representative thereof, and who shall be responsible for the proper operation and maintenance of the alarm system;

(2) For each alarm system located at the alarm site, the classification of the alarm system (i.e., burglary, robbery, fire) and whether the notification is audible or silent;

(3) Any dangerous or special conditions present at the alarm site; and

(4) If applicable, the type of business conducted at the alarm site.

(g) An alarm permit is non-transferable, and any attempted or purported transfer shall immediately void the permit. At least three days prior to the effective date of any change, the alarm user shall inform the department in writing of any changes that alter information listed on the permit application. No fee will be assessed for such changes.

(h) Any materially false or misleading statement made by an applicant on the application for the original issuance or subsequent renewal of a permit shall be sufficient cause for refusal to grant or suspension of a permit.

(Code 2013, § 14-17(b); Ord. No. 2010-04, § 2, 3-23-2010)

**Sec. 14-49. - Service fee schedule for false alarms.**

(a) All service fees owed by an applicant must be paid before a permit may be issued or renewed.

(b) No service fee will be charged within any 12-month period for the first five-false alarm notifications.

(c) A person who is required to obtain a permit shall pay a service fee for each false alarm notification within any 12-month period as described in the following service fee schedule:

(1) First five false alarm notifications are free. All subsequent false alarm notifications during this period will be assessed a service fee as provided in chapter 18.

(2) For the purposes of determining the service fee set out above, the burden shall be on the permit holder to prove that the activation of the alarm system was not a false alarm.

(d) The Department shall notify the permit holder in writing after each false alarm.

(e) The Department shall not consider a false alarm to have occurred unless the police department responds within thirty minutes of the alarm notification and the department determines from an inspection of the interior or exterior of the premises that the alarm was false.

(Code 2013, § 14-17(c); Ord. No. 2010-04, § 3, 3-23-2010)

**Sec. 14-50. - Information recorded.**

The department shall record calls made in response to alarms, including, but not limited to, the following information, if available:

(1) Identification of the permit holder.

(2) Identification of the alarm site.

(3) Arrival time and time call cleared.

- (4) Time of day and date.
- (5) Physical damage to the structure likely to have caused the alarm.
- (6) Name of the permit holder's representative on premises, if any.

(Code 2013, § 14-17(d); Ord. No. 2010-04, § 4, 3-23-2010)

**Sec. 14-51. - Violations.**

- (a) A person commits an offense if the person violates by commission or omission any provision of this article that imposes upon them a duty of responsibility.
- (b) A person who is required to have a permit under this article commits an offense if the person knowingly operates, or causes or permits to be operated, an alarm system without a current alarm permit issued by the department.
- (c) A person who is required to have a permit under this article commits an offense if the person knowingly operates, or causes or permits to be operated, an alarm system during the period in which the alarm permit is revoked or suspended.
- (d) All false alarm invoices shall be due within 30 days from the invoice date.

(Code 2013, § 14-17(e); Ord. No. 2010-04, § 5, 3-23-2010)

**Sec. 14-52. Revocation and Reinstatement of Permit.**

The Chief shall revoke an alarm permit if he determines that:

- (A) There is a false statement in the application for a permit;
- (B) The permit holder has violated the provisions of this ordinance;
- (C) The permit holder has failed to make timely payment of a false alarm (service) fee assessed under this ordinance.

**Sec. 14-53. Reinstatement of Permit.**

A person whose alarm permit has been revoked may have the permit reinstated if the person:

- (A) Submits an updated application and pays a permit reinstatement fee in accordance with this ordinance;
- (B) Pays all outstanding false alarm (service) fees assessed under this ordinance for which a bill has been issued;
- (C) A reinstated permit expires the same date on which the original permit would have expired had it not been revoked.

**Sec. 14-54. Violations; Penalties; Corporations, Partnerships and Other Legal Entities.**

- (1) A person commits an offense if he operates or causes to be operated an alarm system within the city limits of Gatesville without a valid permit issued under this article.

- (2) A person commits an offense if he operates an alarm system during the period in which the alarm system is revoked.
- (3) An alarm company, an alarm permit holder, or a person in control of an alarm system, commits an offense if he violates any provision of this ordinance by either commission of an act that is forbidden, or omission of a duty or responsibility imposed upon him by this ordinance.
- (4) A person who violates a provision of this ordinance is guilty of a separate offense for each day or portion of a day during which the violation is committed, continued, permitted. Each offense is a Class C misdemeanor which is punishable by a fine of not more than \$200 for each conviction.
- (5) In addition to prohibiting or requiring certain conduct of individuals, it is the intent of this ordinance to hold a corporation, partnership, or other association criminally responsible for acts or omissions performed by an agent acting on behalf of the corporation, partnership, or other association, and within the scope of employment.

**Sec. 14-55. Government Immunity and Disclaimer.**

- (1) Registration of an alarm system is not intended to, nor will it, create a contract, duty or obligation, either expressed or implied, of response. All liability and consequential damage resulting from the failure to respond to a notification is hereby disclaimed and governmental immunity as provided by law is retained.
- (2) By registering an alarm system, the permit holder acknowledges that police response may be based on factors such as: availability of police units, priority of calls, weather conditions, traffic conditions, emergency conditions staffing levels.

ORDINANCE NUMBER  
2024-01

**AN ORDINANCE OF THE CITY OF GATESVILLE, TEXAS REPEALING ARTICLE III, ALARM SYSTEMS, SECTIONS 14-47 THROUGH 14-51, AND ADDING SECTIONS 14-52 THROUGH 14-55, OF THE CODE OF ORDINANCES OF THE CITY OF GATESVILLE; AND PROVIDING AN EFFECTIVE DATE**

**BE IT ORDAINED BY** the City Council of the City of Gatesville, Texas as follows:

**Article III. Alarm Systems.** Sections 14-47 through 14-51 of the City of Gatesville, Texas Code of Ordinances are repealed.

**Article III. Alarm Systems.** Sections 14-47 through 14-51, revised, and 14-52 through 14-55, new, are attached as Exhibit A and are hereby adopted and shall be placed into Article III of the Code of Ordinances of the City of Gatesville.

The foregoing Ordinance No. 2024-01 was read the first time January 9, 2024, and passed to the second reading on the 23rd day of January, 2024.

The foregoing Ordinance No. 2024-01 was read the second time on January 23, 2024, and passed to the third reading on the 13th day of February, 2024.

The foregoing Ordinance No. 2024-01 was read the third time and was passed and adopted as an Ordinance of the City of Gatesville, Texas this 13th day of February, 2024 and will take effect March 1, 2024.

THE CITY OF GATESVILLE, TEXAS

\_\_\_\_\_  
Gary M. Chumley, Mayor

ATTESTED:

\_\_\_\_\_  
Wendy Cole, City Secretary

APPROVED AS TO FORM AND SUBSTANCE

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Victoria Thomas, City Attorney

# 2024

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