



**CITY OF GAINESVILLE**  
**NOTICE OF REGULAR CALLED CITY COUNCIL MEETING**  
**Tuesday, October 7, 2008, 6:30 P.M.**  
**MUNICIPAL BUILDING, 200 SOUTH RUSK, GAINESVILLE, TEXAS**

*Glenn Loch, Mayor*

*Carolyn Hendricks, Councilmember, Ward 1*  
*Beverly Snuggs, Councilmember, Ward 2*  
*Charles Draper, Councilmember, Ward 3*

*Jim Goldsworthy, Mayor Pro Tem*  
*Ray Nichols, Councilmember, Ward 5*  
*Vince Rippy, Councilmember, Ward 6*

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**AGENDA**

- 1. CALL TO ORDER .....Mayor Glenn Loch**
- 2. INVOCATION .....Reverend Scott Sundbye, Faith Lutheran Church**
- 3. PLEDGE TO THE FLAG**
- 4. PROCLAMATIONS / RECOGNITIONS**
- 5. REPORTS**
- 6. CITIZEN COMMENTS**
- 7. APPROVAL OF MINUTES**  
Minutes of September 16, 2008 Regular City Council Meeting

**ITEMS TO BE CONSIDERED**

- 8.** Consideration of and action on a Resolution authorizing waiver of building permit fees for Cooke County Fairground Association.
- 9.** Consideration of and action on a Resolution authorizing waiver of Certificate of Occupancy fees for relocation of Cooke County Courthouse offices.
- 10.** Consideration of and action on a Resolution approving actions of the Gainesville Economic Development Corporation which voted to approve infrastructure assistance for a new apartment project to be located at the NE corner of FM 3092 and FM 678.
- 11.** Consideration of and action on a Resolution of the City Council approving actions of the Gainesville Economic Development Corporation, which voted to approve a revenue share agreement between the Gainesville EDC and Select Energy.

12. Consideration of and action on a Resolution approving actions of the Gainesville Economic Development Corporation which voted to extend the contract of the Executive Director, Kent Sharp.
13. Consideration of and action on a Resolution awarding Bid No. 2008-06 for construction of an equipment storage building at 104 West Hird Street.
14. Consideration of and action on a Resolution awarding Bid No. 2008-7 for the Sale of four (4) acres of land in the Edward Wingate Survey.
15. Consideration of and action on a Resolution authorizing the City Manager to enter into an agreement with KRS Rewards System to administer and support the Conoco/Phillips WingPoints Program at the Gainesville Municipal Airport.
16. Consideration of and action on a Resolution authorizing the City Manager, for and on behalf of the City of Gainesville, to execute assignment of the ground lease at the Gainesville Municipal airport known as Circuit Breaker Sales Company, Inc., to B-29 Ups and Downs, L.L.C.
17. Consideration of and action on a Resolution authorizing the City Manager to enter into an agreement with the Texas Department of Transportation for a grant for the Routine Airport Maintenance Program (RAMP) 2009, providing for the City of Gainesville matching funds up to \$50,000 from the Gainesville Municipal Airport Fund.
18. Consideration of and action on a Resolution of the City of Gainesville allowing a commemoration event in Georgia Bass Park in the City of Gainesville as requested by Ron Melugin.
19. Consideration of and action on FIRST READING of an Ordinance of the City of Gainesville, Texas approving an electric power contract with Cities Aggregation Power Project, Inc. ("CAPP") for electric capacity and energy, providing capacity payments as public property finance contractual obligations of the City, pledging and levying an ad valorem tax to such payments, providing for energy payments for electric energy subject to annual appropriation by the City, providing for the assignment of such capacity payments to support debt issued by CAPP incurred to acquire electric capacity rights from Luminant Generation Company and related entities pursuant to a 24-year power purchase agreement ("PPA"); authorizing the City Manager or other appropriate City officer or employee to execute and deliver the member contract; further authorizing the City Manager or other appropriate city officer or city employee to sign additional agreements arranged by CAPP for electric power needed by the City in the period 2009-2011 in excess of the amount obtained under the member contract; acknowledging, authorizing and directing the City Manager or appropriate City officer or City employee to sign and return CAPP's disclosure letter; further authorizing the City Manager or appropriate City officer or other City employee to accept conforming changes to the member contract dependent on the final terms of the CAPP PPA; providing for validity and sufficiency of City employee's or City officer's signature if the officer or employee leaves office or employment prior to the delivery of the member contract; adopting a savings clause; determining that this ordinance was passed in accordance with the requirements of the Texas Open Meetings Act.

20. Discussion regarding the formation of a Groundwater District that includes Cooke County.

**EXECUTIVE SESSION**

Consideration of and action on item(s) discussed in 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

**RECONVENE INTO OPEN SESSION**

21. Consideration of and action on item(s) discussed in Executive Session.

**CITY MANAGER’S COMMENTS**

**CITY ATTORNEY’S COMMENTS**

**MAYOR’S COMMENTS**

**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, Kay Lunnon, 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 \_\_\_\_\_ a.m./p.m. on \_\_\_\_\_, 2008.

\_\_\_\_\_ Kay Lunnon  
Sworn to and subscribed before me on this the \_\_\_\_\_ day of \_\_\_\_\_, 2008.

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Notary Public, State of Texas  
My Commission expires: \_\_\_\_\_