



CITY OF GAINESVILLE
NOTICE OF REGULAR CALLED CITY COUNCIL MEETING
Tuesday, November 18, 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

AGENDA

- 1. CALL TO ORDERMayor Glenn Loch**
- 2. INVOCATIONPastor Larry Huffman, Grace Friendship Baptist Church**
- 3. PLEDGE TO THE FLAG**
- 4. PROCLAMATIONS / RECOGNITIONS**
- 5. REPORTS**
- 6. CITIZEN COMMENTS**
- 7. CONSENT AGENDA**
 - A. Minutes of November 4, 2008 Regular City Council Meeting
 - B. Appointments to Parks and Recreation Board

ITEMS TO BE CONSIDERED

- 8.** Consideration of and action on a Resolution authorizing a contract with Hewlett Packard for the purchase of blade technology servers for the Police and Fire Departments.
- 9.** Consideration of and action on a Resolution authorizing a contract with Crimes Software and Firehouse Software for the purchase of records management software for the Police and Fire Departments.
- 10.** Consideration of and action on a Resolution authorizing the City Manager to enter into an agreement with TXDOT for acquisition of right of way on Highway FM 51 (California Street) at Pecan Creek for approaches in the bridge replacement project and for roadway maintenance of Broadway street during construction of the bridge replacement project.
- 11.** Consideration of and action on a Resolution authorizing Mayor to execute and deliver a release of easement to B-29 Properties, L.L.C. and accepting a new utility easement at the National Industrial Center.

12. Public Hearing on repealing the Zoning Ordinance in its entirety and establishing and adopting Appendix A Zoning, providing for zoning regulations in the City of Gainesville.
13. Consideration of and action on FIRST READING of an Ordinance repealing in its entirety the Zoning Ordinance of the City of Gainesville, Texas, as passed and approved by the City Council February 2, 1971, together with all amendments thereto and establishing Appendix A Zoning to the City of Gainesville's municipal code and adopting as said appendix an ordinance establishing and providing for zoning regulations; providing for the repeal of conflicting ordinances; providing for penalties; and providing a savings clause.
14. Public Hearing on rezoning of 15.912 acres in the E. Yeaman Survey, Abstract 1173, Cooke County, Texas, from two family (2F) to Multiple-family 2 (MF-2).
15. Consideration of and action on FIRST READING of an Ordinance amending Ordinance 25-2-71; 101a-8-76; 154-12-79; the Zoning Ordinance of the City of Gainesville, Texas authorizing the City of Gainesville, Texas, to rezone from two family (2F) to multiple-family 2 (MF-2), 15.912 acres in the E. Yeaman Survey, Abstract 1173, Cooke County, Texas; providing for amendment of the official zoning map of the City of Gainesville; providing for stipulations; providing for publication; providing for an effective date; containing a severability clause and making an open meeting finding.
16. Public Hearing on rezoning of 814 North Dixon Street, from single family three (SF3) to heavy industrial (I-2).
17. Consideration of and action on FIRST READING of an Ordinance amending Ordinance 25-2-71; 101a-8-76; 154-12-79; the Zoning Ordinance of the City of Gainesville, Texas authorizing the City of Gainesville, Texas, to rezone from single family 3 (SF3) to heavy industrial (I2), the property located at 814 North Dixon Street; providing for amendment of the official zoning map of the City of Gainesville; providing for stipulations; providing for publication; providing for an effective date; containing a severability clause and making an open meeting finding.
18. Consideration of and action on SECOND 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.

- 19. Consideration of and action on FIRST READING of an Ordinance designating areas of a public street where the parking of vehicles will be prohibited; providing for the erection of signs; providing a severability clause; providing for repeal of conflicting provisions; providing an effective date; and making an open meeting finding.

**EXECUTIVE SESSION
RECONVENE INTO OPEN SESSION**

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

ADJOURN _____ p.m.

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.

Notary Public, State of Texas
My Commission expires: _____