



CITY OF GAINESVILLE
NOTICE OF REGULAR CALLED CITY COUNCIL MEETING
Tuesday, September 16, 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. INVOCATIONRev. Jim Goodwin, Whaley United Methodist Church**
- 3. PLEDGE TO THE FLAG**
- 4. PROCLAMATIONS / RECOGNITIONS**
- 5. REPORTS**
- 6. CITIZEN COMMENTS**
- 7. CONSENT AGENDA**
 - A. Minutes of September 2, 2008 Regular City Council Meeting
 - B. Appointment to the GTUA Board of Directors

ITEMS TO BE CONSIDERED

- 8.** Consideration and action on an Ordinance establishing appropriations for the support, maintenance, buildings and improvements for the City of Gainesville, Texas, for the Fiscal Year from October 1, 2008 through September 30, 2009 and revising the budget for October 1, 2007 through September 30, 2008; providing an effective date; and making an open meeting finding; and providing for ratification of the property tax increase reflected in the Fiscal Year 2008-2009 operating budget by separate vote.
- 9.** Consideration of and action on an Ordinance levying, assessing and fixing the ad valorem tax rate for the City of Gainesville, Texas general fund and interest and sinking fund for the Fiscal Year from October 1, 2008 through September 30, 2009; appropriating each levy for the specific purpose; providing for the assessment of all annual occupational taxes provided by law; requiring publication; providing an effective date; and making an open meeting finding.
- 10.** Consideration of and action on a Resolution authorizing the City Manager to execute an agreement with each of the agencies receiving Hotel/Motel Occupancy Tax pursuant to

Chapter 351 of the property tax code; appropriating certain amounts from said hotel/motel fund; and authorizing payment on the terms and conditions contained therein.

11. Consideration of and action on a Resolution of the City Council of the City of Gainesville establishing goals for General Fund and Water & Sewer Utility Fund reserves.
12. Consideration of and action on a Resolution approving partial assignment of tax abatement pursuant to an agreement by and between the City of Gainesville, Texas, North Central Texas College, North Texas Medical Center, the County of Cooke, and Allied Production Solutions, LP, providing for ad valorem tax abatement to B-29 Properties LLC and Titan Properties LLC within the established enterprise and reinvestment zones 13 and 14 of the City of Gainesville; authorizing the Mayor to execute all documents on behalf of the city for the consideration and on the terms and conditions stated therein; and providing an effective date.
13. Consideration of FIRST READING of 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.
14. Consideration of and action on a Resolution approving actions of the Gainesville Economic Development Corporation of the City of Gainesville which voted to approve the lease of the land and building located at 2600 Airport Drive, Gainesville, Texas to Select Energy.
15. Consideration of FIRST READING of 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.
16. Consideration of and action on a Resolution of the City Council of the City of Gainesville authorizing the Mayor to execute a Chapter 380 Economic Development agreement for a revenue sharing arrangement with Select Energy Services, LLC.
17. Consideration of and action on a Resolution authorizing the City Manager to make an offer to purchase real estate property at 711 East Pecan Street as part of the Pecan Creek Local Flood Damage Reduction Project.
18. Consideration of and action on SECOND READING of an Ordinance amending Ordinance No. 25-2-71; 154-12-79; the Zoning Ordinance of the City of Gainesville, Texas, authorizing the City Council of the City of Gainesville, Texas, to grant a specific use permit, as requested by Mr. Roy Lee Fuhrmann for the replacement of a mobile home to be used as a single family residence located at 1278 FM 1201 for a period of time to be determined by City Council or until the property changes ownership, and/or primary use; providing for amendment of the official zoning map of the City of Gainesville; providing for publication; providing an effective date; containing a severability clause; and making an open meeting finding.
19. Consideration of and action on SECOND 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 rezoning of 35.695 acres in the A.C.C Bailey Survey, Abstract 44, Cooke County, Texas, from Agriculture (A) to Multiple-family 2 (MF-2); 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.

20. Consideration of and action on THIRD READING of an Ordinance amending the City of Gainesville Code of Ordinances, Chapter 2 Administration, Article 1 In General; adding Section 2-3(h)(10) Fee Schedule; providing an effective date; providing for repeal of conflicting ordinances; providing for severability; providing an effective date; and making an open meeting finding.

21. Discuss long-term power purchase agreement between Big Brown Power Company, LLC; Oak Grove Management Company, LLC; Luminant Generation Company, LLC; and Cities Aggregation Power Project, Inc. (CAPP)

**EXECUTIVE SESSION
RECONVENE INTO OPEN SESSION**

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.

Notary Public, State of Texas
My Commission expires: _____