



CITY OF GAINESVILLE
NOTICE OF REGULAR CALLED CITY COUNCIL MEETING
Tuesday, April 3, 2012, 6:30 P.M.
MUNICIPAL BUILDING, 200 SOUTH RUSK, GAINESVILLE, TEXAS

Jim Goldsworthy, Mayor

Carolyn Hendricks, Councilmember, Ward 1
Beverly Snuggs, Councilmember, Ward 2
Philip Neelley, Councilmember, Ward 3

Ray Nichols, Mayor Pro Tem
Ken Keeler, Councilmember, Ward 4
Vince Rippey, Councilmember, Ward 6

AGENDA

- 1. CALL TO ORDER Mayor Jim Goldsworthy**
- 2. INVOCATION Reverend Duke Dowling, Southside Baptist Church**
- 3. PLEDGE TO THE FLAG**
- 4. PROCLAMATIONS/RECOGNITIONS**
National Public Safety Telecommunications Week
- 5. REPORTS**
- 6. CITIZEN COMMENTS**
- 7. CONSENT AGENDA**
 - A. Minutes of March 20, 2012 City Council Workshop
 - B. Minutes of March 20, 2012 Regular City Council Meeting

ITEMS TO BE CONSIDERED

- 8.** Consideration of and action on a Resolution of the City Council approving the sale of alcohol in the 100 block of South Commerce Street by the City of Gainesville Main Street program during Summer Sounds Concert Series May 25, June 29, and July 27, 2012.
- 9.** Public Hearing on Ordinance to adopt rules regulating on-site sewage facilities in the City of Gainesville.
- 10.** Consideration and action on FIRST READING ordinance of the City Council of the City of Gainesville adopting Chapter 366 of the Texas Health and Safety Code; adopting the Texas Commission on Environmental Quality rules "Design Criteria for On-site Sewage Facilities" and Administrative Rules 30 TAC 285.1-285.91 relative to regulating the proper planning of the location, design, construction, installation, alteration, extension, repair, operation, and maintenance of on-site sewage facilities; establishing more stringent rules for on-site sewage facilities; establishing duties and powers and providing for enforcement; providing for collection of fees; providing for an appeal; establishing penalties; providing a severability clause; and providing for publication and specifying effective date; and providing for suspension of the charter requirements of reading on three separate occasions; and making an open meeting finding.
- 11.** Consideration and action on FIRST READING of an ordinance amending Section 5-148 and 5-149 of the Code of Ordinances of the City of Gainesville, Texas and Sections 6.8 and 6.90 of Ordinance number 442-4-90 of the Ordinances of the City of Gainesville, Texas; repealing all

code sections and ordinances in conflict with this ordinance; suspending the rule that ordinances be read on three separate days; and declaring an open meeting.

- 12. Consider all matters incident and related to the approving and authorizing publication of Notice of Intention to issue Certificates of Obligation, including the adoption of a resolution pertaining thereto.

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 §551.087 Economic Development

RECONVENE INTO OPEN SESSION

- 13. Public Hearing on Ordinance designating Reinvestment Zone No. 16 within the City Limits of Gainesville.
- 14. Consideration of and action on FIRST READING of an Ordinance making findings; designating a certain area as a reinvestment zone for commercial-industrial tax abatement; assigning the name “Reinvestment Zone Number 16 (sixteen) of the City of Gainesville, Texas” to said zone; describing the boundaries thereof; providing for eligibility requirements for tax abatement within said zone; providing terms for abatement within the zone; providing requirements for tax abatement agreements; providing for suspension of the city charter requirement of reading on three separate occasions; providing an effective date; providing for severability; providing for publication; and making an open meeting finding.
- 15. Consideration of and action on a Resolution making findings and approving an agreement by and between the City of Gainesville, Texas, and BMCA Gainesville, LLC; providing for ad valorem tax abatement for said business within Reinvestment Zone Number 16 (sixteen) of the City of Gainesville, Texas; authorizing the Mayor to execute said agreement for and on behalf of the City, for the consideration and on the terms and conditions stated therein.

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 _____, 2012.

Sworn to and subscribed before me on this the _____ day of _____, 2012. Kay Lunnon

Notary Public, State of Texas
My Commission expires: _____