



CITY OF GAINESVILLE
NOTICE OF REGULAR CALLED CITY COUNCIL MEETING
Tuesday, September 7, 2010, 6:30 P.M.
MUNICIPAL BUILDING, 200 SOUTH RUSK, GAINESVILLE, TEXAS

Glenn Loch, Mayor

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

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

AGENDA

- 1. CALL TO ORDERMayor Glenn Loch**
- 2. INVOCATIONReverend John Hare, First Presbyterian Church**
- 3. PLEDGE TO THE FLAG**
- 4. PROCLAMATIONS/RECOGNITIONS**
- 5. REPORTS**
- 6. CITIZEN COMMENTS**
- 7. CONSENT AGENDA**
 - A. Minutes of August 17, 2010 Regular City Council Meeting
 - B. Appointments to GEDC Board of Directors
 - C. Appointments to Cohen Endowment Scholarship Board

ITEMS TO BE CONSIDERED

- 8.** Consideration of and action on a Resolution of the City Council of the City of Gainesville, Texas, casting ballots for candidates for the Texas Municipal League Intergovernmental Employee Benefits Pool Board of Trustees.
- 9.** Public Hearing on the Proposed Budget for City of Gainesville for the Fiscal Year 2010-2011.
- 10.** Consideration of and action on a Resolution authorizing the award of an annual bid for rental uniforms under Buy Board pricing.
- 11.** Consideration of and action on a Resolution awarding Bid No. 2010-4 for purchase of energy efficient washers and dryers for personal protection equipment for the Gainesville Fire Department.

12. Consideration of and action on a Resolution of the City Council approving the sale of alcohol in the 100 block of Commerce Street by the City of Gainesville Main Street Program during Depot Day on October 9, 2010.
13. Consideration of FIRST READING of a Resolution approving actions of the Gainesville Economic Development Corporation which voted to approve Gainesville Cinema, LLC as an economic development project and to approve funding a \$400,000.00 incentive for Gainesville Cinema, LLC.
14. Consideration of and action on FIRST READING of an ordinance authorizing the issuance of "City of Gainesville, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2010"; specifying the terms and features of said certificates; providing for the payment of said certificates of obligation by the levy of an ad valorem tax upon all taxable property within the City and a limited pledge of the net revenues from the operation of the City's Waterworks and Sewer System; and resolving other matters incident and relating to the issuance, payment, security, sale and delivery of said Certificates, including the approval and execution of a Paying Agent/Registrar Agreement and a Purchase Contract and the approval and distribution of an Official Statement; and providing an effective date.
15. Consideration of and action on FIRST READING of an ordinance amending Chapter 9 of the City of Gainesville Code of Ordinances, abolishing Article IV Food and Food Establishments; amending Chapter 8 Health, Article I, abolishing sections 8-1 through 8-5; amending Chapter 8, Article II to establish Division 7 Obstructions and Abatement of Public Rights-of-Way; providing for the repeal of conflicting ordinances; providing for effective date; and providing a savings clause.
16. Consideration of and action on FIRST READING of an Ordinance of the City Council of the City of Gainesville, Texas, ("City") approving a negotiated resolution between the Atmos Cities Steering Committee ("ACSC" or "Steering Committee") and Atmos Energy Corp., Mid-Tex Division ("Atmos Mid-Tex" or "Company") regarding the company's third rate review mechanism ("RRM") filing in all cities exercising original jurisdiction; declaring existing rates to be unreasonable; requiring the company to reimburse cities' reasonable ratemaking expenses; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement and finding the rates to be set by the attached tariffs to be just and reasonable; approving Atmos Mid-Tex's proof of revenues; extending the RRM process for two cycles and adopting a new RRM Tariff; ratifying the settlement agreement, including cost recovery for a steel service line replacement program; adopting a savings clause; determining that this ordinance was passed in accordance with the requirements of the Texas Open Meetings Act; declaring an effective date; and requiring delivery of this ordinance to the company and the Steering Committee's legal counsel.

EXECUTIVE SESSION RECONVENE INTO OPEN SESSION

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 _____, 2010.

Kay Lunnon

Sworn to and subscribed before me on this the _____ day of _____, 2010.

Notary Public, State of Texas
My Commission expires: _____