



**CITY OF GAINESVILLE  
NOTICE OF REGULAR CITY COUNCIL MEETING  
Tuesday, July 21, 2009, 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 .....Pastor Luke Smith, Calvary Baptist Church**
- 3. PLEDGE TO THE FLAG**
- 4. PROCLAMATIONS/RECOGNITIONS**
- 5. REPORTS.....2008 Annual Drinking Water Quality Report**
- 6. CITIZEN COMMENTS**
- 7. CONSENT AGENDA**
  - A. Minutes of the June 16, 2009 Regular City Council Meeting
  - B. Appointments to Airport Advisory Board
  - C. Appointment to Texoma Council of Governments
  - D. Appointments to Gainesville Housing Authority Board

**ITEMS TO BE CONSIDERED**

- 8.** Consideration of and action on a Resolution submitting the name of Ron Sellman to the Cooke County Commissioner's Court as the City of Gainesville nominee for the North Texas Groundwater Conservation District temporary Board of Directors.
- 9.** Consideration of and action on a Resolution authorizing the City Manager of the City to enter into an interlocal agreement with Texoma Council of Governments (TCOG) for E9-1-1 public safety answering point services.
- 10.** Consideration of and action on a Resolution authorizing the City Manager to make offer to purchase real estate properties as part of the Pecan Creek Local Flood Damage Reduction Project.

11. Consideration of and action on a Resolution authorizing the City Manager to execute on behalf of the City of Gainesville, Texas, an adoption agreement for Section 125 premium only plan.
12. Consideration of and action on a Resolution of the City Council of the City of Gainesville, Texas providing for annual compensation for the Municipal Court Judge of the City of Gainesville, Texas in accordance with Article IV, Section 4.05, of the Charter of the City of Gainesville, Texas.
13. PUBLIC HEARING regarding an ordinance to rezone Block 1, Lot 2, Bonner Heights Subdivision from General Commercial (C2) to High Density Multifamily (MF-2).
14. Consideration of and action on FIRST READING of an ordinance amending ordinance 1219-12-2008; the Zoning Ordinance of the City of Gainesville, Texas authorizing the City of Gainesville, Texas, to rezone from General Commercial (C2) to High Density Multifamily (MF-2) Block 1, Lot 2, Bonner Heights Subdivision; 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.
15. Consideration of and action on FIRST READING 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 rate review mechanism 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' proof of revenues; 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**

Consideration of and action on item(s) discussed in Executive 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 bear 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 \_\_\_\_\_, 2009.

\_\_\_\_\_ Kay Lunnon  
Sworn to and subscribed before me on this the \_\_\_\_\_ day of \_\_\_\_\_, 2009.

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