



CITY OF GAINESVILLE
NOTICE OF REGULAR CALLED CITY COUNCIL MEETING
Tuesday, February 5, 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
Woody Williams, Councilmember, Ward 5
Vince Rippy, Councilmember, Ward 6

AGENDA

- 1. CALL TO ORDERMayor Glenn Loch**
- 2. INVOCATIONReverend Darrell McIntyre, Westminster Presbyterian Church**
- 3. PLEDGE TO THE FLAG**
- 4. PROCLAMATIONS / RECOGNITIONS**
- 5. REPORTS.....Patrick McCage, Parks & Recreation Improvements**
- 6. CITIZEN COMMENTS**
- 7. CONSENT AGENDA**
A. Minutes of January 15, 2008 Regular City Council Meeting

ITEMS TO BE CONSIDERED

- 8. Discussion regarding tax credit housing application by Sterling Heights Apartments, Ltd.**
- 9. Consideration of and action on a Resolution authorizing expenditure to Ascent Aviation Group Inc for lease of one (1) Aviation Jet-A refueler truck for the Gainesville Municipal Airport.**
- 10. Consideration of and action on a Resolution of the City Council of the City of Gainesville, TX, authorizing the City Manager to execute a two (2) year lease with option to extend with Oz Aviation, Inc. d.b.a. Flying Colors of Texas on a multi use hangar owned by and located at the Gainesville Municipal Airport.**

11. Consideration of and action on a Resolution of the City Council of the City of Gainesville, Texas, authorizing execution of a lease agreement for use of the building formerly known as the Campfire Building located at 400 South Weaver Street.
12. Consideration of and action on a Resolution calling for a General Municipal Election to be held by the City of Gainesville, Texas on May 10, 2008, providing for the election of councilpersons for Ward 3, Ward 5, Ward 6 and Municipal Judge; adopting a voting system as approved by Secretary of State; designating polling locations for early voting and election day.
13. Consideration of and action on a Resolution of the City Council of the City of Gainesville, Texas, authorizing the City Manager to enter into an agreement with the Gainesville Independent School District (GISD), the North Texas Medical Center (NTMC), and the North Central Texas College (NCTC) to share a polling location in certain voting precincts for the General Election on May 10, 2008.
14. Consideration of and action on a Resolution approving actions of the Gainesville Economic Development Corporation of the City of Gainesville which approved the Main Street Commercial Facade Grant Program as an eligible project and authorized funding to Gainesville Main Street.
15. Consideration of and action on SECOND READING of an Ordinance amending the Code of the City of Gainesville, Texas, by adding Section 52 entitled "Use of Hand-held Mobile Telephones in School Zones" under Chapter 11, Article IV, School Zones; prohibiting use thereof; providing penalty for violation; providing for publication; providing an effective date; containing a severability clause and making an open meeting finding; and providing for suspension of the charter requirement of reading the ordinance on three separate occasions.
16. Consideration of and action on SECOND READING of an Ordinance of the City Council of the City of Gainesville, Texas, ("City") approving a settlement agreement between the City and Atmos Energy Corp., Mid-Tex Division ("Atmos Mid-Tex" or "the Company") regarding the company's statement of intent to change gas rates in all cities exercising original jurisdiction; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the settlement agreement; finding the rates to be set by the tariffs to be just and reasonable; 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 legal counsel.
17. Consideration of and action on FIRST READING of an Ordinance of the City Council of the City of Gainesville approving the Petition of Oncor Electric Delivery Company LLC to modify its lighting service tariff pursuant to the Energy Policy Act of 2005.
18. Consideration of and action on FIRST READING of an Ordinance of City of Gainesville, Texas, amending the City of Gainesville Code of Ordinances by adding Article V, entitled "Registered Sex Offenders", to Chapter 13, to prohibit certain

designated persons from residing within 1,000 feet of premises where children gather; providing definitions; providing offenses; providing evidentiary matters and measurements and adopting a map of locations; providing that a culpable mental state is not required for committing an offense; providing affirmative defenses; providing a penalty not to exceed five hundred dollars (\$500.00) and a separate offense shall be deemed committed each day during or on which a violation occurs; providing a savings and repealer clause; providing severability; providing for publication; providing for engrossment and enrollment; and providing an effective date.

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 §551.074, Personnel matters

RECONVENE INTO OPEN SESSION

19. 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. 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, Cathy Kinsella, Executive 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.

Cathy Kinsella

Sworn to and subscribed before me on this the _____ day of _____, 2008.

Notary Public, State of Texas
My Commission expires: _____