

**WACO CITY COUNCIL MEETING  
TUESDAY, FEBRUARY 5, 2008  
3:00 P.M. and 6:00 P.M.  
DECORDOVA ROOM / BOSQUE THEATRE  
WACO CONVENTION CENTER**

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We would like to WELCOME each of you to the meeting today.  
Persons with disabilities who plan to attend this meeting and who may need auxiliary aides or services should contact Patricia W. Ervin, City Secretary, at (254) 750-5750 at least twenty-four (24) hours before this meeting so that appropriate arrangements can be made.

The Waco City Council may convene into an Executive Session at anytime during the course of the meeting to discuss appropriate items. Times indicated are estimated.

<b>WORK SESSION</b>		<b>Est. Time</b>
● <b>Review of Business Session Agenda</b>		3:00p.m.
<b>A.</b>	<b>WS-064</b> Discussion regarding impact of revised state laws on animal operations and statistics, and discussion to amend Section 5-206, in Chapter 5, Animals of the Code of Ordinances, providing that all dogs and cats must have a microchip permanently inserted.	3:30p.m.
<b>B.</b>	<b>WS-065</b> Presentation regarding the conceptual plans for renovations of the walls and open space areas at Lover's Leap, Emmons Cliff, and Circle Point in Cameron Park.	4:00p.m.
<b>C.</b>	<b>WS-066</b> Mayor's Report A. Report and Discussion of Mayor's City Related Activities. B. Report and Discussion of Councilmembers' City Related Activities.	4:30p.m.
<b>D.</b>	<b>WS-067</b> Council requests for scheduling of future Agenda Items.	4:45p.m.

**EXECUTIVE SESSION  
DECORDOVA ROOM**

**5:00p.m.**

Notice is hereby given that the City Council will go into Executive Session in accordance with the following provisions of the Tax Code: Sec. 321.3022 to receive information or question employees or third parties regarding information received from the comptroller relating to sales taxes; and the Government Code: Sec. 551.071(1)(A) pending or contemplated litigation; 551.071(1)(B) a settlement offer; Sec. 551.071(2) an attorney-client privilege/relationship; Sec. 551.072 the purchase, exchange, lease, or value of real property; Sec. 551.073 a gift and/or donation; 551.074(a)(1) the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a city officer or employee including City Council Members, the City Manager, City Secretary, City Attorney, and Municipal Judge; Sec. 551.074 (a)(2) to hear a complaint or charge against a city officer or employee; and Sec. 551.076 the deployment or specific occasions for implementation of security personnel or devices; 551.087(1) to discuss commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay, or expand in or near the City of Waco with which the City is conducting economic development negotiations; Sec. 551.087(2) to discuss the offer of a financial or other incentive to a business prospect that the City seeks to have locate, stay, or expand in or near the City of Waco; Sec. 551.088 to discuss a test item or information related to a test item.

**The City Council may go into Executive Session on any item listed on the Agenda in accordance with Chapter 551 of the Government Code.**

**BUSINESS SESSION  
BOSQUE THEATRE  
6:00 p.m.**

**PLEDGE OF ALLEGIANCE**

**PROCLAMATIONS**

1. **PRO-068** Proclaim: February 11, 2008 as “100<sup>th</sup> ANNIVERSARY OF THE ESTABLISHMENT OF LIBRARY SERVICE IN EAST WACO.
  
2. **MIN-069** Work/Business Session – Tuesday, January 22, 2008

**PUBLIC HEARINGS**

3. **PH-070** Conduct a Public Hearing on an ordinance to amend the Project/Financing Plan for Reinvestment Zone Number One for Tax Increment Financing to allow all unallocated current and future interest earned on the Downtown Entertainment District Bond to be used to further the Downtown Entertainment District project, to provide for the expenditure of the up to \$200,000.00 in tax increment funds to the Dr. Pepper Museum to assist in the renovation of the Jackson St. façade of the historic Kellum & Rotan building located at 318 S. 5<sup>th</sup> St, and to disapprove the expenditure of \$100,000.00 in tax increment funds to the Rapoport Academy’s renovations for its math/science building located at Quinn Campus. **FIRST READING**

**MOTION ON ORDINANCE**

- Hearing of any visitor concerning City business.

## CONSENT AGENDA

- Consider consent agenda.

Agenda Numbers RES-071 through RES-075 require no formal public hearing and are subject to being approved in a single motion. However, any City Council Member or the City Manager may remove an item from the Consent Agenda to allow discussion and voting on the item individually.

## RESOLUTIONS

### BIDS/PURCHASES

4. **RES-071** Consider approval of a resolution authorizing the City Manager to execute a contract with Don Jackson Construction, Inc., Riesel, Texas, lowest and best responsible bidder, for exterior remodeling at the Operations Center in an amount not to exceed \$339,178.00.

### AGREEMENTS/CONTRACTS

5. **RES-072** Consider approval of a resolution authorizing the City Manager to execute agreements with First Community Bank Central Texas of Waco, Texas, to (1) Subordinate the City's landlord lien to the Bank's lien on the leasehold estate and certain improvements related to leases with Waco Landfill Gas Associates, LLC, Cromeco, Inc., and/or Eagle Renewable Energy Group, LLC, and (2) authorize the Bank to cure any default by Waco Landfill Gas Associates, Cromeco, or Eagle, or to foreclose against the leasehold estate held by Waco Landfill Gas Associates, Cromeco, or Eagle provided all regulatory laws are complied with.

### CITY OPERATIONS

6. **RES-073** Consider approval of a resolution authorizing the City Manager to utilize the competitive sealed proposal procedure for the purchase of basic term life and accidental death & dismemberment insurance.

## CITY OPERATIONS

7.     **RES-074**   Consider approval of a resolution authorizing the City Manager to issue a competitive sealed proposal for the services of a reverse auction provider for retail electric services.

## ELECTIONS

8.     **RES-075**   Consider approval of a resolution ordering a General Election in and throughout the City of Waco on **Saturday, May 10, 2008**, at which time there shall be submitted to the duly qualified resident electors of said City the election of Mayor and Council Members for District I and District III; designating polling locations; authorizing the City Manager to execute a contract for election services with the McLennan County Elections Administrator, Waco Independent School District (WISD), and McLennan Community College (MCC); and providing for other matters relating to the general election, in an amount not to exceed \$69,600.00.

## ORDINANCES

9.     **ORD-076**   Consider approval of an ordinance amending Section 5-206, in Chapter 5, Animals, of the Code of Ordinances, providing that all dogs and cats must have an identifying microchip permanently inserted.  
**FIRST READING.**
10.    **ORD-077**   Consider approval of an ordinance approving a settlement agreement between the Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division regarding the change to gas rates within the City of Waco. **FIRST READING**

## COUNCIL REPORTS

11.    **CR-078**     Appointments to various Boards and Commissions subject to meeting qualifications.

City Manager's Report.

- A. Reports on City and Community upcoming activities.
- B. Reports on City and City employee honors and awards.
- C. Follow up reports on City Council requested information.

- Council Committees' Activities
- City Council and Staff Announcements.

**It is the opinion of the City Attorney's Office that this meeting is being held and conducted in accordance with Chapter 551 of the Texas Government Code.**

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Leah Hayes, City Attorney