

## AGENDA

Notice is hereby given of a Special Called Meeting of the Board of Commissioners of Burkburnett to be held on **Wednesday, April 6, 2011 at 8:30 a.m.** at City Hall-Council Chambers, 501 Sheppard Road, Burkburnett, Texas for the purpose of considering the following agenda items.

The Board of Commissioners may discuss and take action on any item on this agenda. The Board of Commissioners reserves the right to meet in a closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

The public may speak on items listed on the posted agenda. All persons desiring to address a specific agenda item must submit an "Appearance Before the City Commissioners" form prior to the reading of the item to the City Clerk, Trish Holley. The Mayor will allow comments before each agenda item for which they have requested to be heard. Comments will be limited to three (3) minutes with a maximum two (2) minute extension following approval by a majority of the members of the Board of Commissioners.

**Item 1.** Mayor: Call meeting to order.

**Item 2.** Invocation.

**Item 3.** Pledge of Allegiance.

**Item 4.** Consent agenda.

Approval of minutes

- March 3, 2011; March 4, 2011; March 7, 2011; March 9, 2011; March 14, 2011; March 18, 2011.

**Item 5.** Mayor to close regular meeting and open "Executive Session".

Pursuant to the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, the Board of Commissioners may convene in executive session to deliberate the following matters:

1. §551.071. Consultation with Attorney. The Board of Commissioners may convene in executive session to conduct a private consultation with its attorney on any legally posted agenda item, when the Board of Commissioners seeks the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the provisions of Chapter 551, including the following pending litigation items:
  - A. *Muller v City of Burkburnett, et al*, Civil Action No. 7:10-cv-114-O, in the United States District Court for the Northern District of Texas, Wichita Falls Division;
  - B. *Wiles v. City of Burkburnett*, Civil Action No. 7:11-cv-00020-O, in the United States District Court for the Northern District of Texas, Wichita Falls, Division; and

C. *Thomas v. City of Burkburnett*, Civil Action No. 7:11-cv-00044-O, in the United States District Court for the Northern District of Texas, Wichita Falls, Division.

Pursuant to the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, the Board of Commissioners may convene in Executive Session regarding the following matters:

2. § 551.074(a) Personnel Matters, to discuss the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee:
  - i. Potential search for new City Manager
  - ii. Potential appointment of Director of Administration-Trish Holley

**Item 6.** Reconvene to regular session and consider and take action, if any, on pending litigation matters discussed in Executive Session.

**Item 7.** Consider and act upon the process in proceeding with the potential search for a new City Manager.

**Item 8.** Consider and act upon the potential appointment of Director of Administration-Trish Holley.

**Item 9.** Commissioner's Comments.

Pursuant to Government Code Section 551.0415, City Commissioner Members may make a report about items of Community interest during a meeting of the governing body without having given notice of the report. Items of community interest include:

- \*Expressions of thanks, congratulations, or condolence;
- \*Information regarding holiday schedules;
- \*An honorary or salutory recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of the person's public office of public employment is not an honorary or salutory recognition for purposes of this subdivision;
- \*A reminder about an upcoming event organized or sponsored by the governing body;
- \*Information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and
- \*Announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

**Item 10.** Adjournment.

I, Trish Holley, City Clerk for the City of Burkburnett, Texas do hereby certify that I posted this agenda on the glass front door of the City Hall, facing the outside at 4:30 p.m. Friday, April 1, 2011 in compliance with the Open Meeting Act Chapter 551.

  
Trish Holley, City Clerk

Posted 4/1/11 at 4:30 pm

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodation or interpretive services must be made 72 hours prior to this meeting. Please contact the City Clerk's office at (940) 569-2263 for further information.