

## Memorandum

To: Honorable Mayor Shetter and members of the Burleson City Council

From: City Manager's Office

Date: May 4, 2009

Subject: Executive Session

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### Council Action Requested:

### Background Information:

The City Council reserves the right to convene in Executive Session(s) during this meeting pursuant to the following Sections of the Government Code of the State of Texas:

1. Pursuant to Sec. 551.071(1)a, (1)b, and (2), consultation with its Attorney: The City Council may conduct private consultations with its attorneys when the City Council seeks the advice of its attorney concerning any item on this agenda, about pending and contemplated litigation, or a settlement offer; or a matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Government Code. This consultation includes, but is not limited to, the following:
  - (1) Floyd Bartula, et al. vs. City of Burleson, Texas.
  - (2) Kevin Schronk, Individually and as Representative of the Estate of Helen Schronk, Deceased, and Dustin Schronk vs. City of Burleson and Laerdale Medical Corp. Cause No. C200600118 – In the 413P<sup>th</sup> District Court for Johnson County, Texas.
  - (3) Advice concerning boundary agreements with area cities;
  - (4) Advice concerning Burleson High School #2 Public Infrastructure Improvements
  - (5) Rick Johnson claim
  - (6) Maggie Ator claim
  - (7) Outdoor Impact Advertising vs City of Burleson
2. Pursuant to Sec. 551.072, deliberation regarding the purchase, exchange, lease, or value of real property.
  - Mineral Rights
3. Pursuant to Sec. 551.073, deliberation regarding a negotiated contract for a prospective gift or donation to the state or the governmental body.
4. Pursuant to Sec. 551.074, personnel matters related to the appointment, employment, evaluation, and duties of the City Secretary, City Manager, Municipal Court Judge and Library Director.

5. Pursuant to Sec. 551.076, deliberation regarding (1) the deployment, or specific occasions for implementation of security personnel or devices; or (2) a security audit.
6. Pursuant to Sec. 551.087, deliberation regarding Economic Development Negotiations including: (1) discussion or deliberation regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; OR (2) deliberation of the offer of a financial or other incentive to a business prospect described in (1) above.
7. Pursuant to Section 418.183(f) of the Texas Government Code (Texas Disaster Act) regarding critical infrastructure.

**Board/Citizen Input:**

**Financial Considerations:**

**Attachments:**

**Staff Contact:**

City Manager's Office