

CITY OF ALVARADO
104 W. COLLEGE
September 20, 2010
6:30 P.M.

AGENDA

The City Council of the City of Alvarado will meet in a Regular Session on Monday, September 20, 2010 at 6:30 p.m. in the Council Chambers at City Hall. Up to the first thirty minutes of the meeting will be a public work session for staff briefing of the Council on agenda items listed below.

CALL TO ORDER- Roll Call

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INVOCATION

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

1. Regarding the submission of an application to the Texas Department of Rural Affairs for a Texas Community Development Block Grant (TxCDBG) for sewer improvements. 1
2. Rezoning of Block 50, part of Lots 67 and 68, of the College Hill Addition, also known as 210 S. Parkway by issuance of a Specific Use Permit, to accommodate a flea market in a C-2 (Heavy Commercial) Zone. 2

CONSENT AGENDA:

- A. Minutes, Regular Meeting August 16, 2010. 10
- B. Minutes, Special Meeting August 30, 2010. 15
- C. Minutes, Special Called Meeting September 13, 2010. 18

OLD BUSINESS

NEW BUSINESS

3. Consideration and action regarding approval of a time extension and issue a Corrected Deed without Warranty for Paula Rayburn Ministries, for certain tract or parcel of land being part of Subdivision 1, Block 23, Johnson County, Texas, being a part of the Andrew J. Patton Survey, Abstract No. 685, Johnson County, Texas. 21

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4. Consideration and action regarding adoption of the 2010-2011 fiscal year operating budget. 28
5. Consideration and action affixing and levying Municipal Ad Valorem Taxes for the fiscal year beginning October 1, 2010 and ending September 30, 2011. 29
6. Consideration and action on a resolution authorizing the submission of a Texas Community Development Block Grant Program application to the Texas Department of Rural Affairs for sewer improvements. 34
7. Consideration and action on a resolution committing matching funds in support of activities proposed in a Texas Community Development Block Grant Program application to the Texas Department of Rural Affairs for sewer improvements. 37
8. Consideration and action regarding a Settlement Agreement between Atmos Energy Corp., Mid-Tex Division and Atmos Cities Steering Committee. 39
9. Consideration and action regarding an ordinance approving a negotiated resolution between the Atmos Steering Committee (ACSC) and Atmos Energy Corporation regarding the company's third Rate Review Mechanism (RRM) filing in all cities exercising original jurisdiction. 51
10. Consideration and action regarding the Final Project Plan and Finance Plan for Alvarado Tax Increment Finance #2. 83
11. Consideration and action regarding Board Bylaws for the Alvarado Tax Increment Finance #2. 122
12. Consideration and action regarding an ordinance rezoning Block 50, part of Lots 67 and 68, of the College Hill Addition, also known as 210 S. Parkway by issuance of a Specific Use Permit, to accommodate a flea market in a C-2 (Heavy Commercial) Zone. 128

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| 13. Consideration and action regarding an ordinance amending the Alvarado Code or Ordinances Chapter 24 "Offenses" to prohibit the possession, sale or ingestion of certain synthetic cannabinoid substances and drugs. | 130 |
| 14. Consideration and action regarding a resolution amending the Fee Schedule for the rezoning and application fees attached as "Exhibit A". | 135 |
| 15. Consideration and action regarding approval of contract for postage meter services. | 138 |

EXECUTIVE SESSION

Pursuant to the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, the City Council may convene in Executive Session to deliberate regarding the following matters.

a. §551.071 Consultation with Attorney The City Council may convene in Executive Session to conduct a private consultation with its Attorney on any legally posted agenda item, when the City Council 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 provision of Chapter 551, including the following items:

1. Any posted agenda item.

16. Consider possible action resulting from items posted and legally discussed in Executive Session.

PUBLIC COMMENTS

The City Council invites citizens to speak on any topic.

Unless the item is specifically noted on this agenda, the City Council is required under the Texas Open Meetings Act to limit its response to one of the following:

- * **Responding with a statement of specific factual information or reciting the City's existing policy on that issue; or**
- * **Directing the person making the inquiry to visit with City Staff about the issue. (No Council deliberation is permitted.)**

CITY MANAGER'S REPORT

COUNCIL COMMENTS

Pursuant to LGC Section 551.0415, City Council 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 salutary 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 salutary 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.

17. Adjourn

ACCESSIBILITY STATEMENT

The Alvarado City Hall and Council Chamber are wheelchair accessible. The exit and parking ramps are located in the front of the building. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Secretary's Office at 817-790-3351, FAX: 817-783-7925, e-mail: thomasd@cityofalvarado.org. Please call at least two (2) working days prior to the meeting so that appropriate arrangements can be made.

NON-DISCRIMINATION STATEMENT

The City of Alvarado does not discriminate on the basis of race, color, national origin, sex, religion, or disability in the employment or the provision of services. I, the undersigned authority do hereby certify that the above Agenda was posted on the bulletin board in the City Hall of the City of Alvarado, Texas, a place convenient and readily accessible to the general public at all times and said Agenda was posted on September 17, 2010 at 4:00 P.M. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Debbie Thomas, TRMC
City Secretary