

CITY OF ALVARADO  
104 W. COLLEGE  
August 18, 2008  
6:30 P.M.

## AGENDA

The City Council of the City of Alvarado will meet in a Regular Session on Monday, July 21, 2008 at 6:30 p.m. in the Council Chambers at City Hall. 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

Page No.

INVOCATION

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

1. Public Hearing regarding replat of Block 2, Lots 1 and 2 of the Rosewood Addition, located at the intersection of Tulane Ave. and I-35W Service Road, to be called Block 2, Lots 1R and 2R of the Rosewood Addition. 1
2. Public Hearing for the adoption of an ordinance affirming the policy of the city that applications for approval of permits related to development shall be processed under the regulations in effect at the time of application unless the applicant establishes an entitlement to vested rights, establishing procedures for the recognition of vested rights, providing for appeal, providing that this ordinance apply to all permits related to development as set forth herein, providing that this ordinance shall be cumulative of all ordinances, providing a severability clause, and providing an effective date. 4

WORKSHOP

3. Discussion of proposed 2008-2009 Fiscal year budget for the City Alvarado. 5
4. Discussion of proposed agreement with Alamo Fireworks and Gary Turley to permit fireworks companies to operate within the City of Alvarado's ETJ or city limits. 7

PRESENTATIONS

5. Proclamation – National Alcohol and Drug Addiction Recovery Month 20
6. Proclamation – National Preparedness Month – September 2008 21

CONSENT AGENDA:

A. Minutes, Regular Meeting July 21, 2008	22
B. Minutes, Workshop July 24, 2008	26
C. Minutes, Workshop July 28, 2008	27
D Consider participation in Nationwide Retirement Solutions (deferred compensation plan)	28
E. Consider ordinance of the City of Alvarado, Texas, establishing an anti-harassment policy for the City of Alvarado; prohibiting unlawful discrimination and harassment; defining prohibited conduct; establishing a complaint procedure; defining responsibilities; and requiring distribution of receipt policy to and requiring acknowledgement of receipt by every employee of the city; repealing Ordinance No. 99-051, the anti-harassment policy of the city; providing a cumulative clause; providing a severability clause; and providing an effective date.	30
F. Consider resolution regarding the closing of the Alvarado Exit ramp and street work on I-35 South and relaying such wishes to Texas Department of Transportation.	35

NEW BUSINESS

7. Consideration and action regarding resignation of Mellie Ferguson, Ward II Councilperson.	37
8. Consideration and action regarding ordinance of the City of Alvarado, Texas to repeal exemption from sales and use taxes of certain telecommunications services.	38
9. Consideration and action regarding ordinance of the City of Alvarado, Texas affirming the policy of the city that applications for approval of permits related to development shall be processed under the regulations in effect at the time of application unless the applicant establishes an entitlement to vested rights, establishing procedures for the recognition of vested rights, providing for appeal, providing that this ordinance apply to all permits related to development as set forth herein, providing that this ordinance shall be cumulative of all ordinances, providing a severability clause, and providing an effective date.	41
10. Consideration and action authorizing awarding contract for engineering	49

services for Texas Capital Fund Program for Sabre Industries, project property located at 8653 Hwy 67 E.

Agenda  
August 18, 2008  
Page Three

Page No.

11 Consideration and action awarding contract for Management Consultant services for Texas Capital Fund Program for Sabre Industries, project property located at 8653 Hwy 67 E. 78

12. Consideration and action regarding replat of Block 2, Lots 1 and 2 of the Rosewood Addition, located at the intersection of Tulane Ave. and I-35W Service Road, to be called Block 2, Lots 1R and 2R of the Rosewood Addition. 94

13. Consideration and action regarding fiscal year 2008-2009 ad valorem tax rate: 95  
A. Take record vote.  
B. Schedule two (2) Public Hearings on the Tax Rate.  
C. Announce time, date and place of Public Hearings on the tax rate.

#### OLD BUSINESS

#### PUBLIC COMMENTS

(The City Council invites citizens to speak on any topic; however, 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

#### EXECUTIVE SESSION

14. 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. 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.
2. Pursuant to the Texas Open Meetings Act, Chapter 551-072 to discuss the acquisition of real property.

15. Reconvene into Open Session.

Agenda  
August 18, 2008  
Page Four

Page No.

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

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 August 15, 2008 at 4:00 P.M. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

---

Debbie Thomas, City Secretary