

CITY OF ALVARADO  
104 W. COLLEGE  
January 19, 2009  
7:00 P.M.

AGENDA

The City Council of the City of Alvarado will meet in a Regular Session on Monday, January 19, 2009 at 7:00 p.m. in the Council Chambers at City Hall.

CALL TO ORDER- Roll Call

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INVOCATION

PLEDGE OF ALLEGIANCE

PRESENTATIONS

1. Swearing in of new members to the Zoning Board of Adjustments.
2. Swearing in of Fire Marshal as Peace Officer.

PUBLIC HEARINGS

3. Public Hearing regarding the rezoning of a part of Tract 4, Of the J.M. Ross Survey, Abstract 737 from SF-2 Single Family Zone to MF Multifamily Zone. 1
4. Consideration and action regarding the rezoning of a part of Tract 4, of the J.M. Ross Survey, Abstract 737 from SF-2 Single Family Zone to MF Multifamily Zone. 8
5. Public Hearing regarding an amendment to the Zoning Ordinance of the City of Alvarado, Texas; providing for the by deleting the SF-3 Single Family Residential District, adding new parking regulations and special masonry requirements, adding new definitions and revising the zoning map to show that the properties designated as SF-3 Single Family District are re-designated as SF-2 Single Family Residential District. 10
6. Consideration and action regarding an amendment to the Zoning Ordinance of the City of Alvarado, Texas; providing for the by deleting the SF-3 Single Family Residential District, adding new parking regulations and special masonry requirements, adding new definitions and revising the zoning map to show 35

that the properties designated as SF-3 Single Family District are re-designated as SF-2 Single Family Residential District.

CONSENT AGENDA:

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| A. Minutes, Regular Meeting December 15, 2008.   | 44 |
| B. Consideration and action regarding holding a joint election with the Alvarado Independent School District in May, 2009 and authorizing City Manager to sign negotiated document.  | 50 |
| C. Consideration and action regarding an ordinance amending City Of Alvarado Personnel Policy for inclement weather or disaster.   | 58 |
| D. Consideration and action regarding the adoption of a Flexible Benefit Plan, pursuant to Section 125 of the Internal Revenue Code, allowing employees to participate in the tax benefits of the program defined within the Flexible Benefit Plan Document and setting an effective date. | 62 |
| E. Consideration and action regarding the adoption of a resolution of the City of Alvarado, Texas, calling for a General Election to be held on May 9, 2009, establishing procedures for that election; authorizing the method of voting.  | 64 |

OLD BUSINESS

NEW BUSINESS

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| 7. Consideration and action regarding ratification of the Alvarado Economic Development Corporation's action regarding Economic Development Grant for US Hwy 67 and I-35 Project. | 69 |
| 8. David Witcher/Rex Draughn – Presentation of project and request for Economic Development Grant on US Hwy 67 and I-35 Project.  | 70 |
| 9. Consideration and action regarding Economic Development Grant on US Hwy 67 and I-35 Project.   | 70 |
| 10. Consideration and action regarding appointment of Planning and Zoning Board Members and possible alternate members.   | 84 |

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11. Consideration and action regarding an ordinance amending the existing gas franchise between the city and Atmos Energy Corporation to provide for a different consideration and providing for acceptance by Atmos Energy Corporation. 86
12. Consideration and action regarding setting a date for a Public Hearing to determine whether to order the repair, removal or demolition of the following substandard properties: Block 74, Lot 3, Original Town Addition known as 605 Santa Fe, Block 71, Lot 10, Original Town Addition located at the corner of Atchley and Ezell; and whether to cause the cost of such work to be paid and levied as a special assessment against the properties. 89
13. Consideration and action regarding an ordinance of the City of Alvarado, Texas amending the sign regulations set forth in Chapter 111 of the city code; providing a variance procedure and establishing minimum eligibility criteria to secure a variance to the requirements of the ordinance. 90
14. Consideration and action regarding a request for variances from the City of Alvarado Code of Ordinances, Chapter 111, Table 1, entitled "Schedule of Permanent Signs" regarding the height and square Footage of a proposed off-premise pole sign to be located on Lot 2B of the Village Park Addition. 94
15. Consideration and action regarding the Combination Plat of Tract 30 of the J Dixon Survey, Abstract 214, to be called Lot 1 of the AutoZone Addition. 99

**WORKSHOP**

16. Discuss concept plans for AISD/Parkway Park Parking lot. Enc

**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.)

EXECUTIVE SESSION

17. 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.
  - b. §551.074 Deliberation regarding Personnel Matters. The City council may convene in executive session to deliberate the appointment, evaluation, reassignment, duties, disciplinary, or dismissal of a public officer or employee, or to hear a complaint or charge against an officer or employee, including deliberation regarding the following officers or employees:
    - 1. Annual review of City Manager.
    - 2. Annual review of City Secretary.
  - c. §551.08 Deliberation regarding Economic Development Negotiations. The City Council may convene in executive session to discuss or deliberate regarding 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 and with which the City is conducting economic development negotiations, or to deliberate the offer of a financial or other incentive to a business prospect described above.
    - 1. US Hwy 67 and I-35 Project.
18. Consideration and action regarding amending Section 36.15 of the Alvarado Code Ordinances relating to the City Manager’s salary and terms of employment and providing an effective date. 102
19. Consideration and action regarding City Manager’s Contract. 102
20. Consider possible action resulting from items posted and legally discussed in Executive Session.
21. 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

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contact the City Secretary's Office at 817-790-3351, FAX: 817-783-7925, e-mail: [thomasd@cityofalvarado.org](mailto: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 January 16, 2009 at 4:00 P.M. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

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Debbie Thomas, City Secretary