

CITY OF ALVARADO
104 W. COLLEGE
February 18, 2013
6:30 P.M.

AGENDA

The City Council of the City of Alvarado will meet in a Regular Session on Monday, February 18, 2013 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

Page No.

INVOCATION

PLEDGE OF ALLEGIANCE

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.)**

CONSENT AGENDA:

- | | |
|--|----|
| A. Minutes, Regular Meeting January 14, 2013. | 1 |
| 1. Consideration and action regarding the approval of the financial audit for the fiscal year of 2011-2012. | 4 |
| 2. Consideration and action regarding the Economic Development Grant request from Zablink (Shell Travel Center) for assistance in renovations to property located at 1203 South Parkway. | 5 |
| 3. Public Hearing and consideration and action regarding annexation of 18.759 acre tract of land out of the John Dixon Survey, Abstract 214, Tract 1, located on Percifield Trail, Johnson County, Texas, 4.685 acre tract of land out of the John Mullican Survey, Abstract No. 584, Tract 9, Johnson County, Texas, and 48.658 acre tract of land out of the John Mullican Survey, Abstract No. 584, and along a southeasterly line of County Road No. 604, Johnson County, Texas. | 35 |

4. Public Hearing and consideration and action regarding rezoning 32.2 acres, described as Tract 13, Abstract 516, out of the Hiram Lewis Survey, Alvarado, Johnson County, Texas, from an "A" (Agriculture) zoning district to an "MF" (Multi-Family) zoning district. 72
5. Public Hearing and consideration and action regarding rezoning Block 1, Lots 1 through 47, Block 2, Lots 1 through 47, Block 3, Lots 1 through 51, and Block 4, Lots 1 through 36 and Tract 6, Abstract 625 out of the G. S. McIntosh Survey, Alvarado, Johnson County, Texas, from an "MH-2" (Manufactured Home Subdivision) zoning district to an MH-3 (Manufactured Home Subdivision) zoning district. 77
6. Public Hearing and consideration and action regarding rezoning 10.61 acres, described as Abstract No. 48 out of the Wm. Balch Survey, and Abstract No. 214 out of the John Dixon Survey, Alvarado, Johnson County, Texas, from an "A" (Agriculture) zoning district to a "C-2" (General Commercial) zoning district. 83
7. Consideration and action regarding final plat of .05 acres out of the John Dixon Survey, Abstract No. 214, located on the I-35 access road. 88
8. Consideration and action regarding the award of bid for the rehabilitation and Construction of Atchley, Preston, and Quail Haven streets. 91
9. Consideration and action regarding the award of bid for the sale of certain real property described as approximately 2 acres of the 7.141 acre tract of the G. S. McIntosh Survey, Abstract 625, located at the intersection of East U. S. Highway 67 and Burnett Blvd. 95
10. Consideration and action regarding an ordinance amending Chapter 28, Peddlers, Solicitors and Itinerant Merchants, Article I, "In General" and Article II, "Permit"; by providing definitions; requiring a permit in order to perform certain solicitation activities in the city; providing the procedures to be followed in municipal court for hearings to revoke a permit. 101

11. Consideration and action regarding ordinances altering the prima facie speed limits established for vehicles under the provisions of the Transportation Code, Chapter 545, Section 545.356, upon the basis of an engineering and traffic investigation upon a certain streets and highways, or parts thereof; within the corporation limits of the City of Alvarado as set out in this ordinance; and providing a penalty of a fine not to exceed \$500.00 for violation of these ordinances: 116
Ordinance Number 2013-008- Business 67 North
Ordinance Number 2013-009 - IH35W Frontage Road
Ordinance Number 2013-010 – FM 1706
Ordinance Number 2013-011 – IH35W Frontage Road
Ordinance Number 2013-012 – Parkway Drive
Ordinance Number 2013-013 – U. S. 67
Ordinance Number 2013-014 – U. S. 67 West
12. Consideration and action regarding the acceptance of a petition from the registered voters of the City of Alvarado calling for a local option liquor election to legalize “the legal sale of all alcoholic beverages for off-premise consumption only” for the May 11, 2013 uniform election date. 139
13. Consideration and action regarding a resolution of the city council of the City of Alvarado; calling for a Special Election to be held on May 11, 2013 regarding the following issue: To legalize “the legal sale of all alcoholic beverages for off-premise consumption only”; establishing procedures for early voting; authorizing the city secretary to make submission to the United States Justice Department for pre-clearance approval; establishing other procedures for conducting the election. 140
- 14 Consideration and action regarding the application and award of the Rhino Law Loan Program for the use of a Rhino loan off-road vehicle by the city police department. 146
15. Consideration and action regarding the addition of lights in the Library parking lot. 150
16. Consideration and action regarding an ordinance of the City of Alvarado Texas, amending Section 14-20 of the Alvarado Code of Ordinances Regarding the private maintenance and upkeep of public right-of-ways. 156

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.

b. §551.074 Deliberation regarding Personnel Matters. A governmental body may conduct a closed meeting to discuss or deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee.

1. Annual reviews for Finance Director, Chief of Police, Fire Chief, Public Works Director, and Municipal Court Clerk.

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

CITY MANAGER'S REPORT

- Report on placement of Alvarado police personnel in Alvarado Independent School District campuses.
- Report on purchase of guns for Alvarado Police Department.

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.

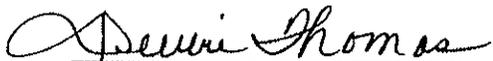
18. Adjourn

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 February 15, 2013 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