

CITY OF ALVARADO
104 W. COLLEGE
September 15, 2008
6:30 P.M.

AGENDA

The City Council of the City of Alvarado will meet in a Regular Session on Monday, September 15, 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

EXECUTIVE SESSION

1. 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.
 2. Discussion regarding Tax Increment Reinvestment Zone Number 1.
 3. Legal advice regarding public street closure.
 - b. §551.087 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. Sabre Industries, located at 8653 Hwy.67 E.

PUBLIC HEARING

2. Public Hearing regarding rezoning of Lot 3, Block 1 of the Rosewood Addition, located along Tulane Avenue, from a C-2 (Commercial) Zone to a MF (Multi-Family) Zone, and authorizing issuance of a Specific Use Permit to accommodate a multi-family residence.. Case No. 8-032. 1
3. Public Hearing on proposed 2008-2009 fiscal year Budget. 7
4. Public Hearing on proposed ad valorem tax rate for 2008-2009. 19

PRESENTATIONS

- 5. Proclamation – Anti-Bullying Week – October 27-31, 2008 23
- 6. Presentations by Mayor

CONSENT AGENDA:

- A. Minutes, Regular Meeting August 18, 1008 24
- B. Minutes, Special Meeting August 26, 2008 29
- C. Minutes, Special Meeting September 8, 2008 32
- D. Consider ordinance of the City of Alvarado, Texas, approving a negotiated resolution between the Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division (“Atmos Mid-Tex” or “the company”) regarding the company’s rate review mechanism filing in all cities exercising original jurisdiction; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement and finding the rates to be set by the attached tariffs to be just and reasonable; approving Atmos’ proof of revenues. 34
- E. Consider ordinance recodifying municipal ordinances of the City Alvarado. 60

NEW BUSINESS

- 7. Consideration and action regarding naming the skateboard park in Parkway Park the “Mellie Ferguson Skateboard Park”. 74
- 8. Consideration and action regarding appointment of regular member to the Planning and Zoning Commission and possible appointment of alternate member. 76
- 9. Consideration and action regarding ordinance of the City of Alvarado Texas appointing the presiding judge of the Municipal Court Of Record in the City of Alvarado, Texas. 77
- 10. Consideration and action regarding resolution to adopt tax abatement criteria as provided for by Chapter 312, Texas Tax Code to promote economic development through the establishment of reinvestment zones and adoption of criteria for tax abatement agreement. 80

11. Consideration and action regarding lease agreement between the City of Alvarado and the Museum of Glass Made in America, Inc. for the lease of approximately 7.141 acres located at Abstract 625, Tracts 6 and 6A, George S. McIntosh Survey. 93
12. Consideration and action regarding an ordinance amending Chapter 95 governing nuisances to add a new section 95.52 declaring graffiti to be a public nuisance, making it unlawful to maintain or allow graffiti to remain on privately owned real property in the city, and providing that the provisions of Sections 95.32 through 95.34 of the Code of Ordinances shall apply to the removal or abatement of graffiti. 103
13. Consideration and action regarding an ordinance of the City of Alvarado, Texas amending regulations governing dangerous and substandard Buildings. 107
14. Consideration and action regarding an ordinance amending Appendix 1, Fee Schedule, of the City of Alvarado Code of Ordinances by increasing various fees and charges. 111
15. Consideration and action regarding an ordinance rezoning Lot 3, Block 1 of the Rosewood Addition, located at the intersection of Tulane Ave. from a C-2 (Commercial) Zone to a MF (Multi-Family) Zone, and authorizing issuance of a Specific Use Permit to accommodate a multi-family residence. 127
16. Consideration and action regarding the Combination Plat of Tract 281C of the Seth Morris Survey, located on FM 3136, to be called Lot 1 of the Moreno Second Addition. 130
17. 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 property: 201 Jessup, Lot 5, Block 1 of the Robertson Addition and whether to cause the cost of such work to be paid and levied as a special assessment against the properties. 134

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

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

19. 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 12, 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