

CITY OF ALVARADO
104 W. COLLEGE
May 17, 2010
6:30 P.M.

AGENDA

The City Council of the City of Alvarado will meet in a Regular Session on Monday, May 17, 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.

MAYOR'S RECEPTION

CALL TO ORDER- Roll Call

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INVOCATION

PLEDGE OF ALLEGIANCE

1. Consideration and action regarding resolution canvassing the municipal election held on May 8, 2010. 1
2. Swearing in of Mayor and Councilpersons.
3. Consideration and action regarding election of a Mayor Pro Tem. 4

PROCLAMATION

- Motorcycle Awareness Month 5
Relay for Life 6

PUBLIC HEARINGS

4. Public hearing regarding approval of the permit for Chesapeake Energy drilling a well, Welborn 6H on property in the A Spiva Survey A 770, Johnson County, Alvarado, Texas. 7
5. Public hearing to examine the policies and practices involving handicapped persons. 18

CONSENT AGENDA:

- A. Minutes, Regular Meeting April 19, 2010. 19
- B. Resolution to adopt a contractor Local Opportunity Plan. 23

- C. Resolution designating the month of May, 2010 as Fair Housing Month. 24
- D. Resolution adopting a Section 504 Grievance Procedure 25
- E. Resolution establishing rules regarding the use of excessive force during nonviolent civil rights demonstrations. 27

OLD BUSINESS

NEW BUSINESS

- 6. Consideration and action regarding acceptance of the audited financial statements for fiscal year ended September 30, 2009. 28
- 7. Consideration and action regarding the bid award for the installation of Sunflower/Tanglewood water line for the 2009 Water System improvements (CDBG). 29
- 8. Consideration and action to award contract for the engineering Services on Lakeview Sanitary Sewer Outfall Line-Phase I. 42
- 9. Consideration and action regarding resolution for intent to consider establishing a Tax Increment Financing Reinvestment Zone No. 3 for Highway 67 East. 52
- 10. Consideration and action regarding adoption of an ordinance adopting and enacting a new code for the City of Alvarado, Texas; providing for the repeal of certain ordinances not included therein; providing for a penalty for the violation thereof; providing for the manner of amending such code; and providing when such code and this ordinance shall become effective. 66
- 11. Consideration and action regarding adoption of a resolution adopting the City of Alvarado Personnel policy. 69
- 12. Consideration and action regarding adoption of a resolution adopting the City of Alvarado Fee Schedules. 71

13. Consideration and action regarding the permit for Chesapeake Energy drilling a well, Welborn 6H on property in the A Spiva Survey A 770, Johnson County, Alvarado, Texas. 89
14. City Manager's presentation of fiscal year 2009-2010 mid-year budget status. 90

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. §551.087 Deliberation regarding Economic Development Negotiations. A governmental body may conduct a closed meeting to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body and with which the governmental body is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect meeting this description.

c. §551.072 Deliberation regarding Real Property. A governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

2. Purchase of property located at 119 E. College Street.

15. Consider possible action resulting from items posted and legally discussed in Executive Session.
16. Consideration and action regarding adoption of a resolution expressing official intent to reimburse costs of projects. 96

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

Fiscal Year 2010-2011 Budget Calendar

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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 salutory 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 salutory 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

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accessible to the general public at all times and said Agenda was posted on May 14, 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