

**REGULAR MEETING OF THE CITY OF ALVARADO CITY COUNCIL**  
**104 W. COLLEGE**  
**August 17, 2020**  
**6:30 P.M.**

**AGENDA**

The City of Alvarado City Council will meet in a Regular Called Session on Monday, August 17, 2020 at 6:30 p.m. by videoconference. An electronic copy of the agenda packet has been made available on the City's website and a recording of the meeting will be made available at: <https://us02web.zoom.us/j/98967890821>. Meeting I.D. Number 989 6789 0821.

THE CITY COUNCIL INTENDS TO PARTICIPATE IN THE MEETING VIA VIDEOCONFERENCE.

Members of the public may dial the following number to join the meeting starting at 6:30 pm: 1-346-248-7799 #1 (Houston) 1-669-900-6833 #2 (San Jose). Please email the City Secretary at: [thomasd@cityofalvarado.org](mailto:thomasd@cityofalvarado.org) if you plan to provide public hearing comments during the meeting on Items 2 or 3 and indicate which item you would like to comment on. In order to facilitate the public hearings during the meeting, each name on the speaking list will be called at which time you will be provided an opportunity to comment. You are encouraged to email your public hearing comments to the City Secretary at: [thomasd@cityofalvarado.org](mailto:thomasd@cityofalvarado.org), any comments submitted will be read aloud during the respective public hearing

CALL TO ORDER- Roll Call

**CITY MANAGERS REPORTS:**

1. Sanitation Update.
2. Budget Update 2021.

**CONSENT AGENDA:**

- A. Minutes from the regular called meeting on July 20, 2020.

**EXECUTIVE SESSION**

Pursuant to the Texas Open Meetings Act, Chapter 551 of the Texas Government Code executive session may be held under one or more of Sections 551.071, 551.073, 551.074, 551-.76, 551.087, 413.183(f) and 418.106(d) & (e), either at the end of The Regular Session or at any time during the meeting on any item on the agenda if a need rises for the City Council to seek advice from the City Attorney or otherwise convene in closed session as permitted by such sections of the Open Meetings Act. The City Council may take action on any agenda item listed for executive session consideration upon reconvening in open session. Please refer to agenda for the items posted.

## Regular Council Meeting

### Agenda

August 17, 2020

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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:

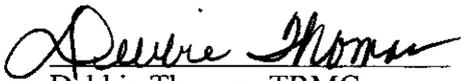
b. Esquire Development Corporation vs. City of Alvarado.

1. Consideration and action regarding items discussed in Executive Session.
2. Public Hearing and consideration and action regarding request for zoning changes from MF (Multi-Family) to a TF (Two Family) zoning district for property known as Abstract #625, Tract 6A and 6C, G. S. McIntosh Survey, also known as Burnett Blvd., Alvarado, Johnson County, Texas.
3. Public Hearing and consideration and action regarding request for zoning changes from C (Commercial) to SF-2 (Single Family) zoning district for property known as Lots 1-9, part of Lots 10,11,14, South 30 feet Lot 16, North 10 feet Lot 17 and 18, Block 16, New Town Addition, also known as 1108 S. Sparks, Alvarado, Johnson County, Texas.
4. Consideration and action regarding a resolution of the City Council of the City of Alvarado, Texas nominating Sabre Communications Corporation to the office of the Governor Economic Development and Tourism through the Economic Development Bank for designation as an Enterprise Project under the Texas Enterprise Zone Program under the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code and authorizing the City Manager to prepare the required application for designation of Sabre Communications Corporation as an Enterprise Project.
5. Consideration and action regarding an amendment to the Communications Agreement between the City of Alvarado and Johnson County, Texas.
6. Acceptance of the 2020 ad valorem tax rate calculations per Sec. 26.04 (d-1), Tax Code.
7. Consideration and action regarding appointment of members to the Alvarado Planning and Zoning Commission.
8. Adjourn.

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**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 City's website at [:https://www.cityofalvarado.org/index.asp?](https://www.cityofalvarado.org/index.asp?) on August 14, 2020 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

# CITY OF ALVARADO

County of Johnson

State of Texas

July 20, 2020

MINUTES

The City Council of the City of Alvarado met in Regular Called Session on Monday, July 20, 2020 at 6:30 p.m. via videoconferencing through Zoom. The following were present for roll call:

Tom Durlington	*	Mayor
Shawn Goulding	*	Mayor Pro Tem
Cherry Bryant	*	Councilperson
Jacob Wheat	*	Councilperson – arrived at 6:46 p.m.
Michael Bennett	*	Councilperson

Absent:

Beverly Short	*	Councilperson
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Others Present:

Rick Holden	*	City Manager
Debbie Thomas	*	City Secretary
Ashley Dierker	*	City Attorney

## INVOCATION

Mayor Durlington called this regular meeting to order at 6:30 P.M. and gave the invocation.

## CITY MANAGER'S REPORT

Rick Holden, City Manager, updated the council regarding the new pickup procedures for the garbage company. He stated that the citizens comments as a whole have been very favorable.

## CONSENT AGENDA

Motion was made by Mayor Pro Tem Shawn Goulding, duly seconded by Councilperson Cherry Bryant to approve the consent agenda as presented. This motion supported four votes in approval and zero votes opposed. Motion carried.

## PRESENTATION OF THE ANNUAL AUDIT FOR THE FISCAL YEAR 2019/2020.

Rick Holden, City Manager presented the annual audit to the council. Waters, Volmering and Associates were not available to attend the meeting. He states that we are in a good financial position. Motion was made by Councilperson Lydia Moon, duly seconded by Councilperson Cherry Bryant, to accept the audit document as presented.

This motion supported four votes in approval and zero votes opposed. Motion carried.

**PRESENTATION BY TODD MASSEY REGARDING COMMUNITY RELATIONS.**

Todd Massey addressed the council in reference to ways of improving the community relations with our Police Department. He made several suggestions as to how their relationship could be improved including passing out bottled water to citizens they see on the street, playing basketball with children and basically just being more community minded.

**PRESENTATION BY STEPHEN DUNNAHOE, AQUA UTILITIES, REGARDING ACQUISITION OF PUBLIC UTILITIES.**

Stephen Dunnahoe of AQUA Utilities made a presentation to the council regarding a possible partnership between the City of Alvarado and AQUA Utilities. He addressed the council in ways that AQUA Utilities could acquire our water system and make the improvements needed to update the system.

**CONSIDERATION AND ACTION REGARDING A GOVERNMENT PRODUCT LEASE AGREEMENT WITH QUADIENT LEASING AND THE CITY OF ALVARADO FOR A NEW POSTAGE MACHINE.**

Rick Holden, City Manager explained to the council that our current lease with our postage machine has expired. This lease would have a more modern postage machine and folder to the city. After discussion, motion was made by Mayor Pro Tem Shawn Goulding, duly seconded by Councilperson Lydia Moon, to accept the lease as presented. This motion supported five votes in approval and zero votes opposed. Motion carried.

**CONSIDERATION AND ACTION REGARDING WASTEWATER PLAN AS PRESENTED BY FREESE AND NICHOLS.**

Andrew Franko from Freese and Nichols addressed the council in reference to a sewer line upgrade from which would extend down Maple Street, bore under IH 35W and connect at the sewer plant to prevent raw sewage from being released onto the ground. After discussion, motion was made by Mayor Pro Tem Shawn Goulding, duly seconded by Councilperson Lydia Moon, to move forward with the Wastewater Treatment Plant sewer line upgrades as presented by Freese and Nichols.

This motion supported five votes in approval and zero votes opposed. Motion carried.

Regular Called Council Meeting  
Minutes  
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This item was skipped.

**CONSIDERATION AND ACTION REGARDING AN ORDINANCE OF THE CITY OF ALVARADO, TEXAS DESIGNATING A PERSON TO FULFILL DUTIES AS IMPOSED BY TAX CODE CHAPTER 26.**

After discussion, motion was made by Councilperson Lydia Moon, duly seconded by Councilperson Cherry Bryant, to approve the ordinance as presented. This motion supported five votes in approval and zero votes opposed. Motion carried.

City Manager and appropriate staff on a committee to review and approve the Economic Development Grant applications for Alvarado businesses. This motion supported six votes in approval and zero votes opposed. Motion carried.

**EXECUTIVE SESSION**

Mayor Tom Durrington then convened into Executive Session at 7:35 p.m.  
Mayor Durrington reconvened into open session at 7:54 p.m.

**CONSIDERATION AND ACTION REGARDING ITEMS DISCUSSED IN EXECUTIVE SESSION.**

No action was taken.

**COUNCIL COMMENTS**

There were no council comments at this meeting.

**ADJOURNMENT**

Mayor Tom Durrington then adjourned this regular meeting of the Alvarado City Council at 7:55 p.m.

Passed and approved this the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Mayor Tom Durrington

\_\_\_\_\_  
Debbie Thomas, TRMC, City Secretary

# CITY OF ALVARADO

## APPLICATION FOR ZONING CHANGES

PD

DATE: 5/26/20 CLERK: \_\_\_\_\_ FEE: 400<sup>00</sup> CASE NO: 2020-0259

NAME OF APPLICANT: GARZA Group PH: (214) 874-1568

MAILING ADDRESS: 918 White Marlin, Burleson TX 76028

APPLICANT IS THE: OWNER LEASER / PURCHASER OF THE PROPERTY.

NAME OF OWNER: GARZA Group PH: (214) 874-1568

MAILING ADDRESS: 918 White Marlin, Burleson TX 76028

STREET ADDRESS OF PROPERTY: Burnett Blvd ACREAGE: 2.3 ACRES

LEGAL DESCRIPTION: Abstract #625, GEORGE S. McINTOSH Survey

PRESENT ZONE OF PROPERTY: MF/C-2 PRESENT USE: VACANT

REQUESTED ZONE: TF Duplex PROPOSED USE: Build Duplex's

REASON FOR CHANGE: Highest Best use

USAGE OF ADJACENT PROPERTY  
NORTH: SF  
SOUTH: VACANT LAND  
EAST: VACANT LAND  
WEST: VACANT LAND

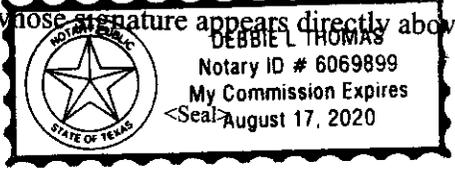
**NOTE:** If the property can be identified by the subdivision or addition please include that with the lot and block numbers as the legal description. You must also attach a copy of the appropriate portion of the subdivision or addition plat with the subject property clearly indicated on it. If property is not part of a subdivision or addition plat, give the complete metes and bounds description of the property and indicate the location of said property by identifying one or more adjacent tracts and/or rights-of-way or attach a surveyor's plat of the property.

APPLICANT'S SIGNATURE: \_\_\_\_\_

The undersigned hereby, on oath, states that he or she is the record owner of the property for which this application is made.

OWNER: \_\_\_\_\_

SWORN TO AND SUBSCRIBED before me this 27<sup>th</sup> day of May, 2020, by the person whose signature appears directly above.



Debbie L. Thomas  
Notary Public in and for The State of Texas.  
My Commission expires 8-17-2020

126-0625-00080 TEXAS CONFERENCE ASSOCIATION 0000000 BURNETT BLVD ABST 625|TR 6E|G S MC INTOSH  
OF SEVENTH DAY ADVENTISTS  
PO BOX 800  
ALVARADO TX 76009-0000

126-0625-00640 TEXAS CONFERENCE ASSOCIATION 0000903 E HWY 67 ABST 625|TR 13A|G S MC INTOSH  
OF SEVENTH DAY ADVENTISTS  
PO BOX 800  
ALVARADO TX 76009-0000

CONNECTEXPLORER

SEARCH

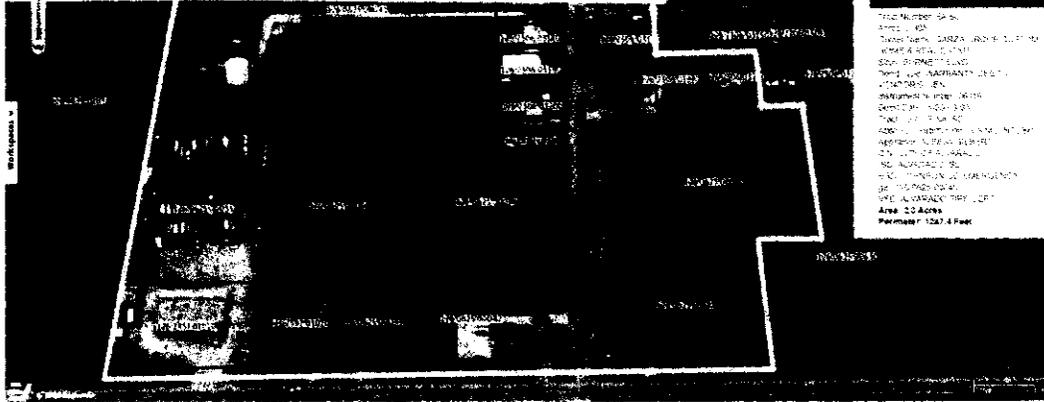


Search for parcel ID, address, or location

SEARCH

Search results (1)

Close



Map data © OpenStreetMap contributors, Imagery © Mapbox



**ORDINANCE NO.**

**AN ORDINANCE OF THE CITY OF ALVARADO, TEXAS, REZONING ABSTRACT NO. 625, TRACT 6A AND 6C, G. S. MCINTOSH SURVEY FROM A MF (MULTIFAMILY) TO A TF (TWO FAMILY) ZONING DISTRICT ALSO KNOWN AS BURNETT BLVD, CITY OF ALVARADO, JOHNSON COUNTY, TEXAS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, notice of a hearing before the Planning and Zoning Commission was sent to real property owners within 200 feet of the property herein described at least 10 days before such hearing; and

**WHEREAS**, notice of a public hearing before the City Council was published in a newspaper of general circulation in Alvarado, Texas at least 15 days before such hearing; and

**WHEREAS**, public hearings to change the zoning on the property herein described were held before both the Planning and Zoning Commission and the City Council, and the Planning and Zoning Commission has heretofore made a recommendation concerning the zoning change; and

**WHEREAS**, The City Council is of the opinion that the zone change herein effectuated furthers the purpose of zoning as set forth in the Comprehensive Zoning Ordinance and is in the best interest of the citizens of the City of Alvarado; **NOW, THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALVARADO, TEXAS:**

**SECTION 1.** That the Comprehensive Zoning Ordinance and the Zoning Map of the City of Alvarado are hereby amended by rezoning Abstract No. 625, Tract 6A and 6C, G.S. McIntosh survey, also known as the Burnett Blvd., City of Alvarado, Johnson County, Texas from a "MF" (Multi Family) zoning district to a "TF" (Two Family) zoning district.

**SECTION 2.** This ordinance shall be cumulative of all provisions and ordinances of the Code of Ordinances of the City of Alvarado, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.

**SECTION 3.** It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the

remaining phrases, clauses, sentences, paragraphs and section of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 4.** Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance involving zoning, fire safety, or public health and sanitation shall be fined not more than Two Thousand Dollars (\$2,000.00). Each day that a violation is permitted to exist shall constitute a separate offense.

**SECTION 5.** The City Secretary of the City of Alvarado is hereby directed to publish the caption, penalty clause, publication clause and effective date clause of this ordinance one time in the official newspaper of the City, as authorized by Section 52.011 of the Local Government Code.

**SECTION 6.** This ordinance shall be in full force and effect from and after its passage and publication as required by law.

**AND SO IT IS ORDAINED.**

**Passed on this the 17TH day of August, 2020 by a vote of \_\_\_\_ ayes \_\_\_\_ naves.**

**ATTEST:**

**CITY OF ALVARADO**

\_\_\_\_\_  
**Debbie Thomas, City Secretary**

By: \_\_\_\_\_  
**Tom Durlington, Mayor**

# CITY OF ALVARADO

## APPLICATION FOR ZONING CHANGES

DATE: 3-5-20 CLERK: Pray FEE: 427<sup>90</sup> CASE NO: 2020-0157

NAME OF APPLICANT: ESQUIRE DEVELOPMENT CORP. PH: (972) 670-9527

MAILING ADDRESS: 2329 N.W. DALLAS ST., GRAND PRAIRIE, TEXAS 75050

APPLICANT IS THE: OWNER / LEASER / PURCHASER OF THE PROPERTY.

NAME OF OWNER: ROBERT BRUEGGEMETER PH: (972) 670-9527

MAILING ADDRESS: 2329 N.W. DALLAS ST., GRAND PRAIRIE, TX 75050

STREET ADDRESS OF PROPERTY: 1108 S. Sparks ACREAGE: 1.37

LEGAL DESCRIPTION: lots 1 thru 9, part of lot 10, 11, 14, south 30' lot 16, north 10'  
See Attached Survey of lot 17 and lot 18, Block 16, Newtown Addition

PRESENT ZONE OF PROPERTY: Commercial PRESENT USE: Residential

REQUESTED ZONE: Residential S72 PROPOSED USE: as being used - Residential

REASON FOR CHANGE: TO Develop for Duplexes

USAGE OF ADJACENT PROPERTY NORTH: Residential

SOUTH: Residential

EAST: Residential

WEST: Residential

**NOTE:** If the property can be identified by the subdivision or addition please include that with the lot and block numbers as the legal description. You must also attach a copy of the appropriate portion of the subdivision or addition plat with the subject property clearly indicated on it. If property is not part of a subdivision or addition plat, give the complete metes and bounds description of the property and indicate the location of said property by identifying one or more adjacent tracts and/or rights-of-way or attach a surveyor's plat of the property.

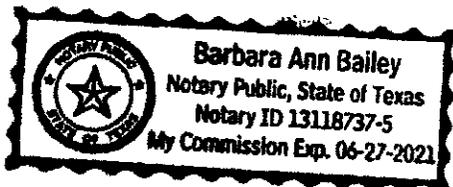
APPLICANT'S SIGNATURE: Esquire Development Corp., Robert Brueggemeter  
*Owner*

The undersigned hereby, on oath, states that he or she is the record owner of the property for which this application is made.

OWNER: Esquire Development Corp., Robert Brueggemeter  
*Owner*

SWORN TO AND SUBSCRIBED before me this 25<sup>th</sup> day of Feb, 2020, by the person whose signature appears directly above.

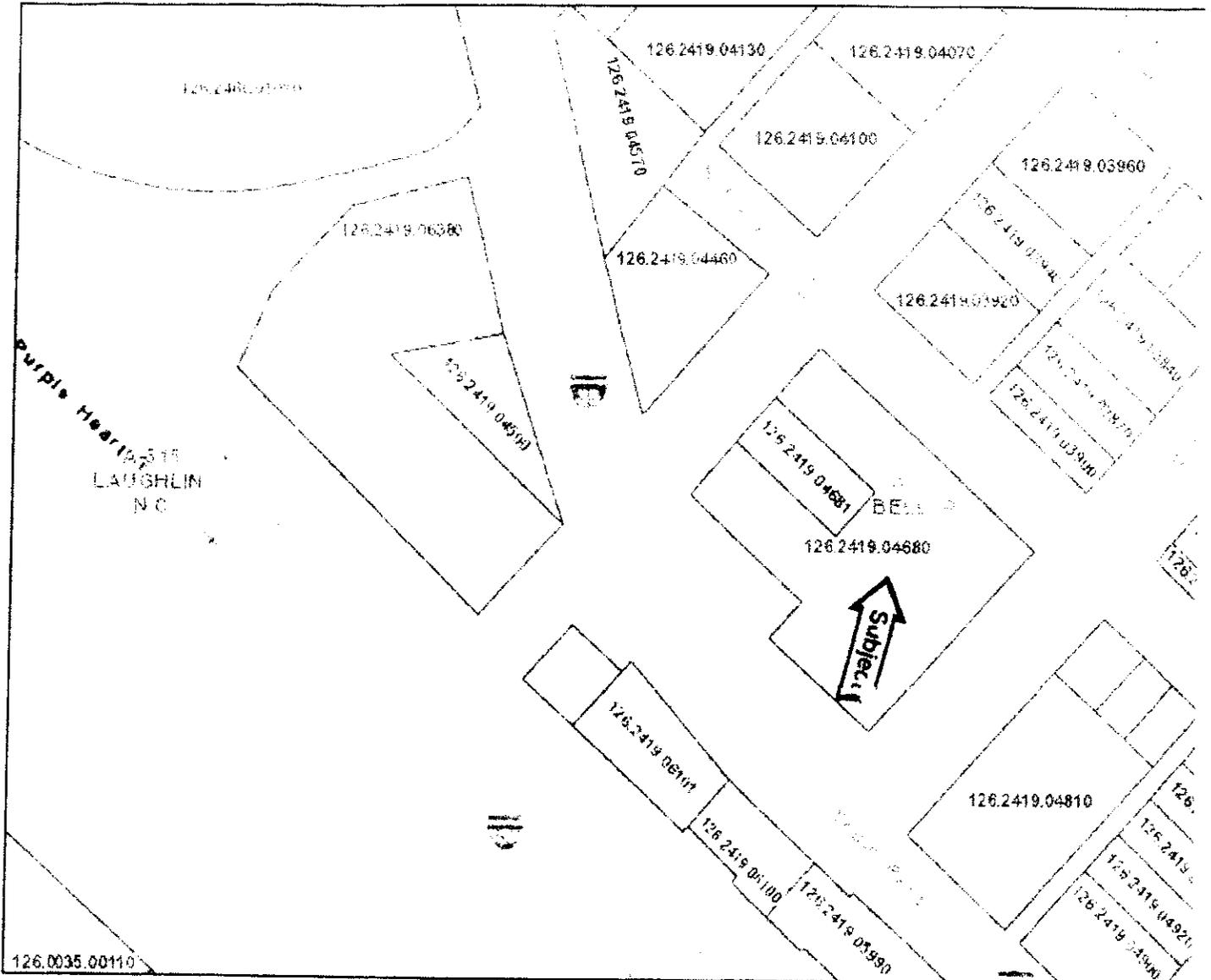
Barbara Ann Bailey  
Notary Public in and for The State of Texas.  
My Commission expires 6-27-2021





- Layers
- Address
- Roads
- Perce
- ETJ Zones
- precincts
- ZIP Codes
- Schools
- School Districts
- Low Water Crossings
- FEMA Flood Zones (2019)
- County
- See City Website
- Custom Public

# Map Title



April 18, 2019

Disclaimer: This product is for informational purposes only and has not been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of boundaries

- Parcels
- Abstracts

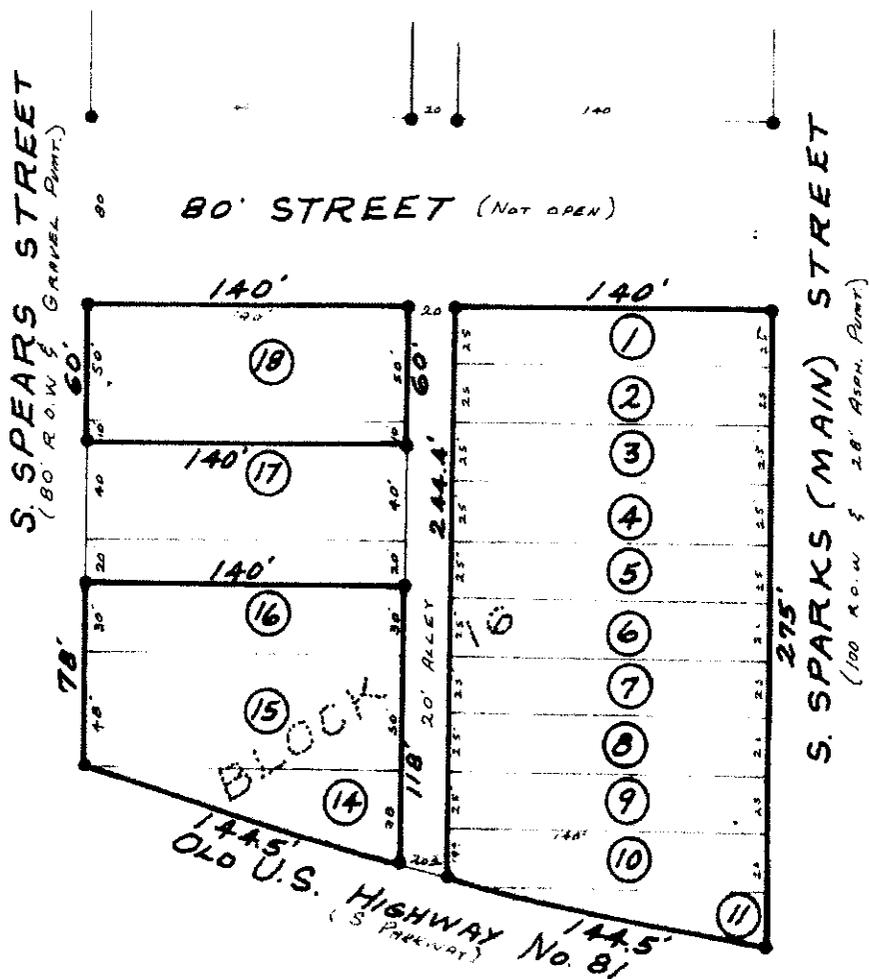


Sources: Eri, HE  
Eri Japan, METI, I

Johnson County  
Eri

LEGAL DESCRIPTION

Survey plat of Lots 1 thru 9, part of Lots 10, 11 and 14, Lot 15, the SOUTH 30 feet of Lot 16 the NORTH 10 feet of Lot 17 and Lot 18, Block 16, Missouri-Pacific (New Town) Addition to the city of Alvarado, Johnson County, Texas, according to the Adair Map (unrecorded), being a part of that land conveyed by deed to B.C. Baze, et al, as recorded in Vol. 696, Page 807, Deed Records of Johnson County, Texas.

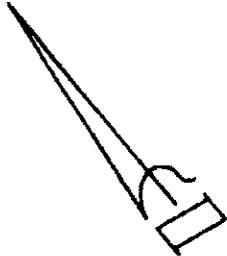


I do hereby certify that this represents the results of a survey made on the ground by me and that there are no encroachments, conflicts or protrusions apparent on the ground except as shown hereon.  
 Witness my hand and seal of office this 25th day of September, 19 24.

*J. W. Maberry*  
 J. W. Maberry  
 Registered Public Surveyor



- LEGEND
- Steel Rod
  - Steel Post
  - Iron Pipe
  - Conc. Mon.



SCALE 1" = 60'

J.W. Maberry  
 REGISTERED PUBLIC SURVEYOR  
 Rt 3, Box 707-A Alvarado, Texas 76009  
 Phone No. 817-783-2213 Job No. 82121



# Central Appraisal District of Johnson County

109 North Main St  
Cleburne, Texas 76033  
Phone: (817) 648-3000  
Fax: (817) 645-3105

## Account Details for 126.2419.04680

### Ownership

**Owner Name:** Esquire Development Corporation

**Owner Address:** 2353 Nw Dallas St, Grand Prairie, TX 750504904

**Property Location:** 1108 S Sparks St

**Ownership Interest:** 1.000000

**Description:** LOT 1 THR 10,15,18  
BLK 16  
NEW TOWN  
AKA MISSOURI PACIFIC ADDN

**Deed Date:** 2011-01-31

**Deed Type:** Warranty Deed

**Page #:**

**Volume #:**

**Instrument #:** 02530

**Exemptions**

**Tax Entities**

- City Of Alvarado
- Johnson County
- Alvarado ISD
- Hill College ALS

Lateral Road  
Johnson Co ESD#1  
Alvarado Fire Dept  
Precinct3

**Improvement State Code:** A1 - Real, Residential, Single Family

**Land State Code:** A1 - Real, Residential, Single Family

**Productivity State Code:**

**GEO Num:** 126.2419.04680

**Last Update:** Jul 30 2019 9:02AM

A zero value indicates that the property record has not yet been completed for the indicated tax year.

† Appraised value may be less than market value due to state-mandated limitations on value increases.

**Value**

<b>Improvement Value</b>	\$65,461
<b>Land Market Value:</b>	\$27,400
<b>AG Market Value:</b>	\$0
<b>AG Value:</b>	\$0
<b>Prod Loss:</b>	\$0
<b>Total Market Value:</b>	\$92,861

**† Appraised Value:** \$92,861

**Land Acres** 1.3700

**Impr Area Size** 1793

**Year Built** 1955

**Appraisal History +**

\* This information is intended for reference only and is subject to change. It may not accurately reflect the complete status of the account as actually carried in Johnson Appraisal District's database and may not be used as a basis of protest or appeal.

Copyright 2009-13 Thomson Reuters

**ORDINANCE NO.**

**AN ORDINANCE OF THE CITY OF ALVARADO, TEXAS, REZONING LOTS 1-9, PART OF LOTS 10,11,14, SOUTH 30 FEET LOT 16 NORTH 10 FEET LOT 17 AND 18, BLOCK 16, NEW TOWN ADDITION ALSO KNOWN AS 1108 S. SPARKS FROM A C (COMMERCIAL) TO AN SF -2 (SINGLE FAMILY) ZONING DISTRICT ALSO KNOWN AS 1108 S. SPARKS, CITY OF ALVARADO, JOHNSON COUNTY, TEXAS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS,** notice of a hearing before the Planning and Zoning Commission was sent to real property owners within 200 feet of the property herein described at least 10 days before such hearing; and

**WHEREAS,** notice of a public hearing before the City Council was published in a newspaper of general circulation in Alvarado, Texas at least 15 days before such hearing; and

**WHEREAS,** public hearings to change the zoning on the property herein described were held before both the Planning and Zoning Commission and the City Council, and the Planning and Zoning Commission has heretofore made a recommendation concerning the zoning change; and

**WHEREAS,** The City Council is of the opinion that the zone change herein effectuated furthers the purpose of zoning as set forth in the Comprehensive Zoning Ordinance and is in the best interest of the citizens of the City of Alvarado; **NOW, THEREFORE,**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALVARADO, TEXAS:**

**SECTION 1.** That the Comprehensive Zoning Ordinance and the Zoning Map of the City of Alvarado are hereby amended by rezoning Lots 1-9, part of Lots 10,11, 14, south 30 feet lot 16, north 10 feet lots 17 and 18, Block 16, New Town Addition, also known as the 1108 S. Sparks., City of Alvarado, Johnson County, Texas from a "C" (Commercial) zoning district to an "SF-2" (Single Family) zoning district.

**SECTION 2.** This ordinance shall be cumulative of all provisions and ordinances of the Code of Ordinances of the City of Alvarado, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.

**SECTION 3.** It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be

declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and section of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 4.** Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance involving zoning, fire safety, or public health and sanitation shall be fined not more than Two Thousand Dollars (\$2,000.00). Each day that a violation is permitted to exist shall constitute a separate offense.

**SECTION 5.** The City Secretary of the City of Alvarado is hereby directed to publish the caption, penalty clause, publication clause and effective date clause of this ordinance one time in the official newspaper of the City, as authorized by Section 52.011 of the Local Government Code.

**SECTION 6.** This ordinance shall be in full force and effect from and after its passage and publication as required by law.

**AND SO IT IS ORDAINED.**

Passed on this the 17TH day of August, 2020 by a vote of \_\_\_\_ ayes \_\_\_\_ naves.

**ATTEST:**

**CITY OF ALVARADO**

\_\_\_\_\_  
Debbie Thomas, City Secretary

By: \_\_\_\_\_  
Tom Durlington, Mayor

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALVARADO, TEXAS, NOMINATING SABRE COMMUNICATIONS CORPORATION TO THE OFFICE OF THE GOVERNOR ECONOMIC DEVELOPMENT AND TOURISM THROUGH THE ECONOMIC DEVELOPMENT BANK FOR DESIGNATION AS AN ENTERPRISE PROJECT UNDER THE TEXAS ENTERPRISE ZONE PROGRAM UNDER THE TEXAS ENTERPRISE ZONE ACT, CHAPTER 2303, TEXAS GOVERNMENT CODE; AUTHORIZING THE CITY MANAGER TO PREPARE THE REQUIRED APPLICATION FOR DESIGNATION OF SABRE COMMUNICATIONS CORPORATION AS AN ENTERPRISE PROJECT; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Texas Government Code, Chapter 2303, the Texas Enterprise Zone Act, (the "Act") authorizes certain tax incentives and economic development program benefits by creation of the Texas Enterprise Zone Program; and

**WHEREAS**, the City of Alvarado (the "City") has previously passed Ordinance No. 2015-007 electing to participate in the Texas Enterprise Zone Program, and the local incentives offered under this resolution are the same on this date as were outlined in Ordinance No. 2015-007;

**WHEREAS**, the Office of the Governor Economic Development and Tourism ("EDC") through the Economic Development Bank ("Bank") will consider Sabre Communications Corporation as an Enterprise Project pursuant to a nomination and an application made by the City;

**WHEREAS**, the City desires to pursue the creation of the proper economic and social environment in order to induce the investment of private resources in productive business enterprises located in the City and to provide employment to residents of enterprise zones, veterans, and to other economically disadvantaged individuals;

**WHEREAS**, pursuant the Act, Sabre Communications Corporation has applied to the City for designation as an Enterprise Project;

**WHEREAS**, the City finds that Sabre Communications Corporation meets the criteria for designation as an Enterprise Project under Chapter 2303, Subchapter F of the Act, and meets the criteria for tax relief and other incentives adopted by the City; and

**WHEREAS**, the City finds that it is in the best interest of the City to nominate Sabre Communications Corporation as an Enterprise Project pursuant to the Act;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALVARADO, TEXAS THAT:**

**SECTION 1.** The preambles previously written are true and correct.

**SECTION 2.** The City finds that Sabre Communications Corporation is a "qualified business", as defined in Section 2303.402 of the Act, and meets the criteria for designation as an Enterprise Project, as set forth in Section 2303, Subchapter F of the Act, on the following grounds:

- a) Sabre Communications Corporation is a "qualified business" under Section 2303.402 of the Act since it will be engaged in the active conduct of a trade or

business at a qualified business site located outside an enterprise zone and at least thirty-five percent (35.0%) of the business' new employees will be residents of an enterprise zone, economically disadvantaged individuals, or veterans; and

- b) There has been and will continue to be a high level of cooperation between public, private, and neighborhood entities within the area; and
- c) The designation of Sabre Communications Corporation as an Enterprise Project will contribute significantly to the achievement of the plans of the City for development and revitalization of the area.

**SECTION 3.** The City nominates Sabre Communications Corporation for designation as an Enterprise Project on the grounds that it will create and retain a higher level of employment and create economic activity and stability and the designation of Sabre Communications Corporation will contribute significantly to the achievement of the plans of the City for development and revitalization.

**SECTION 4.** The City hereby authorizes the City Administrator to prepare and submit an application to the Office of the Governor, Economic Development and Tourism, through the Economic Development Bank, for designation of Sabre Communications Corporation as an Enterprise Project.

**SECTION 5.** The Enterprise Project shall take effect on the date of designation of the Enterprise Project by the Office of the Governor, Economic Development and Tourism, through the Economic Development Bank, and terminate 5 years after the date of designation.

**SECTION 6.** This Resolution shall become effective from and after its passage.

**PASSED AND APPROVED** by the City Council this 17<sup>th</sup> day of August, 2020.

ATTEST:            APPROVED:

\_\_\_\_\_  
Debbie Thomas, City Secretary

\_\_\_\_\_  
Tom Durrington, Mayor

**THE STATE OF TEXAS     §**

**KNOW ALL BY THESE PRESENTS**

**COUNTY OF JOHNSON     §**

**AMENDMENT TO  
COMMUNICATIONS SYSTEM AGREEMENT  
EFFECTIVE OCTOBER 1, 2020**

This Amendment to Communications System Agreement Effective October 1, 2020 (the "Amendment") is made and entered into by and between Johnson County, Texas, a political subdivision of the State of Texas ("County") acting herein by and through its duly authorized Commissioners Court, and the City of Alvarado ("USER"), a municipal corporation, acting herein by and through its duly authorized City Council, individually referred to as a "Party," collectively referred to herein as the "Parties" and is an amendment to the Communications System Agreement (the "Agreement") between County and User currently in effect. The term County shall include all employees, directors, officials, agents, and authorized representatives of County. The term USER shall include all employees, directors, officials, agents, and authorized representatives of USER.

WHEREAS, Paragraph 14, Applicable Fees, of Exhibit A to the Agreement provides that effective October 1 of each year as long as the Agreement is in effect, USER shall pay the County an Annual Subscriber Unit Fee in a specific amount per month, per subscriber radio, payable in advance on an annual basis for all active radio IDs issued to USER at the time of the annual billing. Invoicing will occur when new Radio IDs are issued on a pro-rata basis, and thereafter, at the beginning of each County fiscal year (which is October 1). Further, at the beginning of each fiscal year of the Agreement, the County may increase the Annual Subscriber Unit Fee to offset any actual increased costs incurred by the County in the operation and maintenance of the System. There will be no refunds or credits for radios removed from service during the fiscal year; and

WHEREAS, County has determined that the Annual Subscriber Unit Fee needs to be increased to offset increases by County in the operation and management of the System.

NOW THEREFORE, COUNTY AND USER agree as follows:

1. Effective October 1, 2020 USER shall pay the County an Annual Subscriber Unit Fee in the amount of \$25.63 per month, per subscriber radio, payable in advance on an annual basis for all active radio IDs issued to USER at the time of the annual billing.
2. The person signing this agreement hereby warrants that he/she has the legal authority to execute this Amendment on behalf of the respective Party, and that such binding authority has been granted by proper order, resolution, ordinance or other authorization of the entity. The other Party is fully entitled to rely on this warranty and representation in entering into this Amendment.
3. This Amendment shall in no way affect or modify any other terms and conditions of the aforementioned Agreement.

EXECUTED IN MULTIPLE ORIGINALS as of the dates below.

**COUNTY:**

By: \_\_\_\_\_  
Roger Harmon, County Judge

Date: \_\_\_\_\_

Attest:

\_\_\_\_\_  
Becky Ivey, County Clerk

Date: \_\_\_\_\_

**USER:**

By: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Date: \_\_\_\_\_

Attest:

By: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
City Secretary

Date: \_\_\_\_\_

**CITY OF ALVARADO  
BOARDS AND COMMISSION APPLICATION**

Name: Ryan Banister Date: 7/20/2020

Home Address: 4105 Lakeview Dr

Mailing Address: (if different from home) \_\_\_\_\_

Home Phone Number: 979 324 4997

Occupation: (if retired list former occupation) Business Consultant + Solar Sales

Employer: McDonald's Corp/Metroplex Solar Business Phone: 979 324 4997

Business Address: 511 E. John Carpenter Freeway Irving, TX

E-mail Address: Rbanister05@gmail.com

Can you receive email relating to board business at this email address?  Yes or  No

Number of years as a resident of Alvarado: 2

Registered voter?  Yes or  No Voter Registration Number: 2153562119

Previous experience on boards, commissions, or other civic organizations: Work Related not civic

Are you, or a member of your family, involved in any business transaction with the city of Alvarado?  
 Yes or  No

**I WOULD LIKE TO SERVE ON THE FOLLOWING BOARD OR COMMISSION:**

- Planning and Zoning Commission
- Zoning Board of Adjustments
- Alvarado Economic Development Corporation
- Library Board
- Senior/Community Center Board
- Parks Board