

**REGULAR MEETING OF THE CITY OF ALVARADO CITY COUNCIL**  
**104 W. COLLEGE**  
**October 19, 2020**  
**6:30 P.M.**

**AGENDA**

The City Council of the City of Alvarado will meet in a Regular Called Session on Monday, October 19, 2020 at 6:30 p.m. by videoconferencing. 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 ID Number 989 6789 0821. Passcode: 556575

**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 p.m.: 1-346-248-7799 (Houston) 1-669-900-6833 (San Jose). Please email the City Secretary at [thomassd@cityofalvarado.org](mailto:thomassd@cityofalvarado.org) if you plan to provide public hearing comments during the meeting and indicate which item you would like to comment 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**

**INVOCATION**

**CITY MANAGERS REPORTS:**

Update on Maple Street Sewer project

**CONSENT AGENDA:**

A. Minutes from the regular called meeting on September 21, 2020.

1. Public Hearing and consideration and action regarding a re-plat for property known as Lots 1, 2, and 3, Block 1, Bridge Oaks Addition, also known as 604 W. Cotter, Alvarado, Johnson County, Texas.,

2. Consideration and action regarding a resolution directing publication of notice of intention to issue combination tax and revenue certificates of obligation.

3. Consideration and action regarding appointment of members to the Planning and Zoning Commission.

### **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.

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 item on the agenda.

b. §551.072 Deliberation regarding real property. A governmental body can conduct an executive session 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.

1. Real Estate on the Square.

c. §551.073 Personnel Matters. A governmental body may conduct an executive session to discuss matters dealing with individual officers of employees. They may deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee or hear a complaint or charge against an officer of employee.

1. City Manager

4. Consideration and action regarding items discussed in Executive Session.

### **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

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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.

5. 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:. 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 city's website at :<https://www.cityofalvarado.org> on this the 15<sup>th</sup> day of October, 2020 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**

**September 21, 2020**

**MINUTES**

The City Council of the City of Alvarado met in Regular Called Session on Monday, September 21, 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
Jacob Wheat	*	Councilperson
Michael Bennett	*	Councilperson
Lydia Moon	*	Councilperson

Absent:

Beverly Short	*	Councilperson
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Others Present:

Rick Holden	*	City Manager
Debbie Thomas	*	City Secretary
Brad Anderson	*	Chief of Police
Richard Van Winkle	*	Fire Chief
Ashley Dierker	*	City Attorney

## **INVOCATION**

Mayor Durlington called this regular meeting to order at 6:33 P.M. and gave the invocation.

## **CITY MANAGER'S REPORT**

There was not a City Manager's report at this meeting.

## **CONSENT AGENDA**

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

**CONSIDERATION AND ACTION REGARDING A PRELIMINARY PLAT FOR PROPERTY KNOWN AS ABSTRACT NO. 625, G.S MCINTOSH SURVEY, ALSO KNOWN AS BURNETT BLVD, ALVARADO, JOHNSON COUNTY, TEXAS.**

This item was skipped.

**CONSIDERATION AND ACTION REGARDING REQUEST FOR A RE-PLAT OF PROPERTY KNOWN AS LOTS 4R, 6R, AND 8R, BLOCK 69, ORIGINAL TOWN ADDITION, ALSO KNOWN AS SANTA FE STREET, ALVARADO, JOHNSON COUNTY, TEXAS.**

Motion was made by Councilperson Cherry Bryant, duly seconded by Councilperson Michael Bennett, to approve the Plat as requested. This motion supported five votes in approval, and zero votes opposed. Motion carried.

**PUBLIC HEARING AND CONSIDERATION AND ACTION REGARDING AN ORDINANCE OF THE CITY OF ALVARADO, TEXAS, ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021; APPROPRIATING RESOURCES FOR EACH DEPARTMENT, PROJECT, OPERATION, ACTIVITY, PURCHASE, ACCOUNT AND OTHER EXPENDITURES; PROVIDING FOR EMERGENCY EXPENDITURES AN EXPENDITURES AS ALLOWED BY APPLICABLE STATE LAW; PROVIDING FOR THE FILING AND POSTING OF THIS BUDGET AS REQUIRED BY LAW.**

Mayor Tom Durlington opened this public hearing at 6:37 p.m. City Manager Rich Holden addressed the council stating that this budget is balanced and a very lean budget. Mayor Durlington then closed the public hearing at 6:40 p.m. Motion was made by Mayor Pro Tem Shawn Goulding duly seconded by Councilperson Michael Bennett to approve the budget as presented. This motion supported five votes in approval and zero votes opposed. Motion carried. Motion was made by Councilperson Cherry Bryant, duly seconded by Councilperson Michael Bennett to ratify the \$0.751419 per \$100 valuation tax rate. This motion supported five votes in approval and zero votes opposed. Motion carried.

**PUBLIC HEARING AND CONSIDERATION AND ACTION REGARDING ADOPTION OF AN ORDINANCE OF THE CITY OF ALVARADO, TEXAS, AFFIXING AND LEVYING MUNICIPAL AD VALOREM TAXES ON ALL**

**TAXABLE PROPERTY WITHIN THE CORPORATE CITY LIMITS OF THE CITY OF ALVARADO, TEXAS, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021 AT THE RATE OF \$0.751419 PER \$100 VALUATION AND FOR DIRECTING THE ASSESSMENT THEROF; PROVIDING FOR THE DATE ON WHICH SUCH TAXES BECOME DUE AND DELINQUENT TOGETHER WITH PENALTIES AND INTEREST THEREON; PROVIDING FOR PLACE OF PAYMENT, PROVIDING FOR APPROVAL OF THE TAX ROLLS PRESENTED TO THE CITY COUNCIL.**

Mayor Tom Durlington then opened this public hearing at 6:55 p.m. Michal Phillips addressed the council in reference to the tax rate. Mayor Tom Durlington then closed the public hearing at 7:05 p.m. 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.

**CONSIDERATION AND ACTION REGARDING A CONTRACT FOR PROVIDING FIRE EXTINGUISHMENT AND EMERGENCY SERVICES BETWEEN THE CITY OF ALVARADO, TEXAS AND THE JOHNSON COUNTY EMRGENCY SERVICES DISTRICT #1.**

Richard Van Winkle, Fire Chief, explained to the council the only difference in this agreement from last year's agreement was we would be paid \$6,000.00 more this year. Motion was made by Councilperson Lydia Moon, duly seconded by Councilperson Cherry Bryant, to accept the interlocal contract as presented. This motion supported five votes in approval and zero votes opposed. Motion carried.

**CONSIDERATION AND ACTION REGARDING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF ALVARADO, TEXAS AND JOHNSON COUNTY FOR THE HOUSING OF THE CITY'S CLASS C MISDEMEANOR OFFENSES IN THE JOHNSON COUNTY JAIL.**

After discussion, motion was made by Mayor Pro Tem Shawn Goulding, duly seconded by Councilperson Michael Bennett, to approve the agreement as presented. This motion supported five votes in approval and zero votes opposed. Motion carried.

**CONSIDERATION AND ACTION REGARDING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF ALVARADO, TEXAS AND**

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**JOHNSON COUNTY FOR DISPATCHING SERVICES FOR BUDGET YEAR  
2020-2021.**

After discussion, motion was made by Mayor Pro Tem Shawn Goulding, duly seconded by Councilperson Lydia Moon, to approve the agreement as presented. This motion supported five votes in approval and zero votes opposed. Motion carried.

**COUNCIL COMMENTS**

There were no council comments at this meeting.

**ADJOURNMENT**

Mayor Tom Durlington then adjourned this regular meeting of the Alvarado City Council at 7:15 p.m.

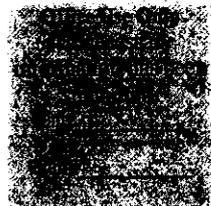
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Passed and approved this the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Mayor Tom Durlington

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

# CITY OF ALVARADO



## APPLICATION FOR PLATTING CHANGES

Plat change is: Preliminary / Final / Combo / Replat

DATE: 9-21-20 CLERK: [Signature] FEE: 215.00 CASE NO: 2020-0466

NAME OF APPLICANT: Stephanie Cockburn PH: (214) 205-7708

MAILING ADDRESS: PO Box 961 Waxahatchee TX 75168

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

NAME OF OWNER: Torrez and Son Real Estate PH: (214) 205-7708

MAILING ADDRESS: PO Box 961 Waxahatchee TX 75168

STREET ADDRESS OF PROPERTY: 1044 W Cotter Alvarado, TX 76009

LEGAL DESCRIPTION: B. 16422

ACREAGE: 0.1492 PRESENT USE: empty lot

PROPOSED USE OF PROPERTY: SF1

USAGE OF ADJACENT PROPERTY NORTH: \_\_\_\_\_  
SOUTH: \_\_\_\_\_  
EAST: \_\_\_\_\_  
WEST: \_\_\_\_\_

A tax certificate from Johnson County is attached indicating all property taxes are current.

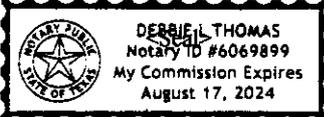
**NOTE:** If the property can be identified by the subdivision or addition please include that with the lot and block numbers as the legal description. You must also attach a copy of the appropriate portion of the subdivision or addition plat with the subject property clearly indicated on it. If property 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: [Signature]

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

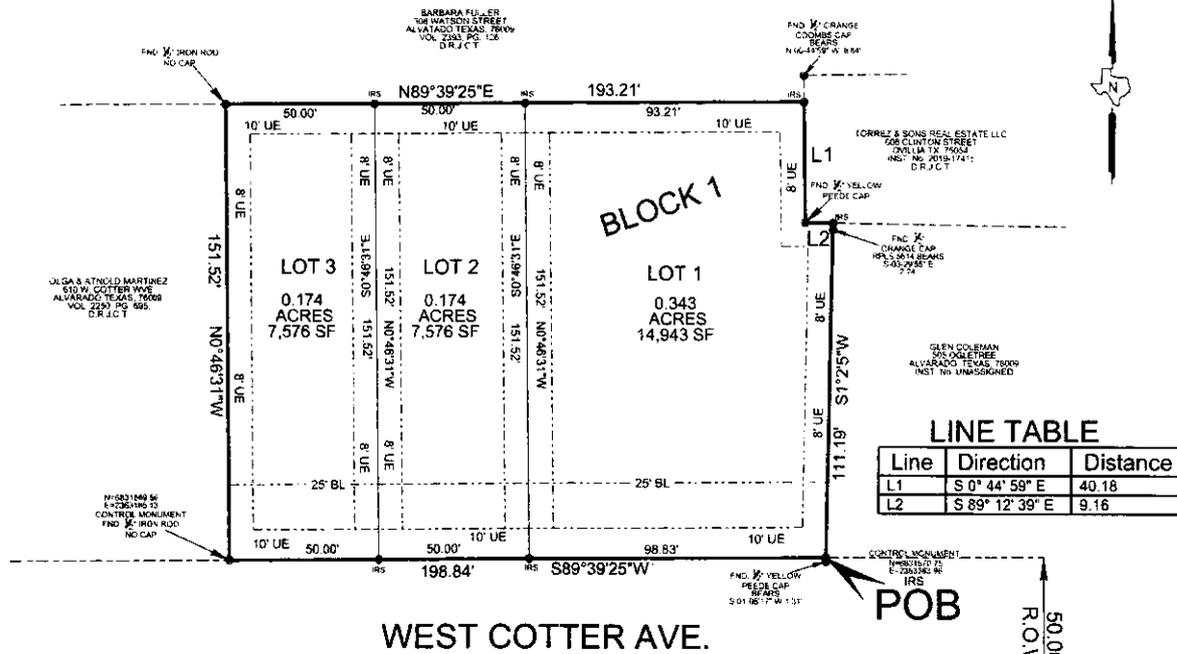
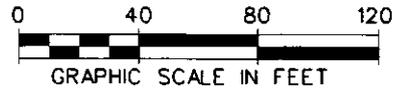
OWNER: \_\_\_\_\_

SWORN TO AND SUBSCRIBED before me this 21st day of September, 2020, by the person whose signature appears directly above.



[Signature]  
Notary Public in and for The State of Texas.  
My Commission expires 8-17-2024

IRA GLAZE SURVEY  
ABSTRACT No. 313



**LINE TABLE**

Line	Direction	Distance
L1	S 0° 44' 58\"/>	
L2	S 89° 12' 39\"/>	

PLAT OF  
LOTS 1, 2, & 3, BLOCK 1  
BRIDGE OAKS, AN ADDITION TO THE CITY  
OF ALVARADO, TEXAS, JOHNSON COUNTY, TEXAS.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

Stephanie Cockerham (Agent)  
Torrez & Sons Real Estate LLC  
808 Clinton Street  
Chillico, Texas, 75154  
254-205-7708

STEPHANIE COCKERHAM (AGENT)

Before me, Notary Public in and for Johnson County, Texas,  
appeared Stephanie Cockerham (Agent) known to me to be the person  
whose name is subscribed to the foregoing instrument  
and acknowledges that they executed the same for the purpose and  
consideration therein expressed.

Notary Public in and for Johnson County, Texas

My Commission expires \_\_\_\_\_

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY THE  
DIRECTOR OF COMMUNITY DEVELOPMENT OF THE CITY OF  
ALVARADO, TEXAS, AS AUTHORIZED BY SECTION 4.6 OF THE  
SUBDIVISION ORDINANCE OF THE CITY OF ALVARADO, TEXAS.

DIRECTOR OF COMMUNITY DEVELOPMENT

CITY SECRETARY

DATE

BLOCK 1:  
LOT 1 = 0.343 ACRES  
LOT 2 = 0.174 ACRES  
LOT 3 = 0.174 ACRES

TOTAL ACRES IN LOTS = 0.691 ACRES  
THIS RE-PLAT WAS PREPARED IN OCTOBER 2019.  
PLAT RECORDED IN VOLUME \_\_\_\_\_ PAGE \_\_\_\_\_ SLIDE \_\_\_\_\_

DATE

**LEGAL DESCRIPTION**  
BEING a 0.691 acre tract of land situated in the IRA GLAZE SURVEY, ABSTRACT No. 313, of Johnson County, Texas, and being all of that certain tract of land as conveyed by deed to Torrez & Sons Real Estate LLC, as recorded in Instrument Number 2019-02057, of the Deed Records of Johnson County, Texas, and being more particularly described by metes and bounds as follows:  
BEGINNING at a set 1/2\"/>

NOTE: BASIS OF BEARING AND ALL BEARINGS AND DISTANCES AND COORDINATES SHOWN HEREON ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM NAD83 NORTH CENTRAL ZONE GRID.  
ALL BOUNDARY CORNERS SET (IRS) ARE 1/2\"/>

ACCORDING TO FEDERAL U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT NO PART OF THIS PROPERTY BY SCALE APPEARS TO BE IN THE 100 YR. FLOOD ZONE ACCORDING TO COMMUNITY PANEL NUMBER 4825102153 DATED DECEMBER 4, 2012 FOR JOHNSON COUNTY TEXAS

WATER SERVICE IS PROVIDED BY THE CITY OF ALVARADO  
SEWER SYSTEM PROVIDED BY THE CITY OF ALVARADO  
ELECTRIC SERVICE IS PROVIDED BY ONCOR ELIC  
PHONE SERVICE IS PROVIDED BY AT&T

KNOW ALL BY THESE PRESENTS  
THAT CHRISTOPHER KINNY BRADLEY DO HEREBY CERTIFY THAT I PREPARED THIS PLAT AND THE FIELD NOTES AND PART THEREOF FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF ALVARADO, TX.

CHRISTOPHER KINNY BRADLEY RPLS # 5251

This survey also substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1A Condition II Survey.



OWNER/DEVELOPER  
TORREZ & SONS REAL ESTATE LLC  
STEPHANIE COCKERHAM (AGENT)  
808 CLINTON ST.  
OVIILA TEXAS, 75154,  
254-205-7708  
rezsonsre@gmail.com

SURVEYOR  
CHRISTOPHER KINNY BRADLEY  
FORT WORTH SURVEYING  
107 E COLLEGE AVE  
ALVARADO TEXAS, 76009  
817-790-5900  
chris@nsurveying.com

**FINAL PLAT**  
**FOR**  
**BRIDGE OAKS**  
AN ADDITION TO THE CITY OF ALVARADO, TEXAS  
BEING 0.691 ACRES  
SITUATED IN THE IRA GLAZE SURVEY  
ABSTRACT No. 313  
JOHNSON COUNTY TEXAS  
3 RESIDENTIAL LOTS

FORT WORTH SURVEYING  
107 E. COLLEGE AVE.  
ALVARADO TEXAS, 76009  
817-790-5900  
FIRM No. 100784-00

BRIDGE OAKS  
ALVARADO TEXAS, 76009  
IRA GLAZE SURVEY  
ABSTRACT No. 313,  
JOHNSON COUNTY, TEXAS

PROJECT NO	2019063	REVISIONS
DRAWN BY	CKB	
APPROVED BY	CKB	
DATE	10-16-19	

CERTIFICATE REGARDING ADOPTION OF RESOLUTION

THE STATE OF TEXAS  
JOHNSON COUNTY  
CITY OF ALVARADO

We, the undersigned officers of the City of Alvarado (the "City"), hereby certify as follows:

1. The City Council of the City convened in regular meeting on October 19, 2020, at the designated meeting place, and the roll was called of the duly constituted officers and members of said City Council, to wit:

Tom Durlington, Mayor  
Beverly Short, Council Member Ward 1  
Charry Bryant, Council Member Ward 2  
Shawn Goulding, Council Member Ward 3

Michael Bennett, Council Member Ward 1  
Lydia Moon, Council Member Ward 2  
Jacob Wheat, Council Member Ward 3

and all of said persons were present except \_\_\_\_\_, thus constituting a quorum. Whereupon, among other business, the following was transacted at said Meeting: a written

RESOLUTION DIRECTING PUBLICATION OF NOTICE OF INTENTION TO ISSUE  
COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION

was duly introduced for the consideration of said City Council. It was then duly moved and seconded that said Resolution be adopted and, after due discussion, said motion, carrying with it the adoption of said Resolution, prevailed and carried with all members present voting "AYE" except the following:

NAY: \_\_\_ ABSTAIN: \_\_\_

2. That a true, full and correct copy of the aforesaid Resolution adopted at the Meeting described in the above and foregoing paragraph is attached to and follows this Certificate; that said Resolution has been duly recorded in said City Council's minutes of said Meeting; that the above and foregoing paragraph is a true, full and correct excerpt from said City Council's minutes of said Meeting pertaining to the adoption of said Resolution; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of said City Council as indicated therein; that each of the officers and members of said City Council was duly and sufficiently notified officially and personally, in advance, of the time, place and purpose of the aforesaid Meeting, and that said Resolution would be introduced and considered for adoption at said Meeting, and each of said officers and members consented, in advance, to the holding of said Meeting for such purpose, and that said Meeting was open to the public and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

3. That the Mayor of said City has approved and hereby approves the aforesaid Resolution; that the Mayor and the City Secretary of said City have duly signed said Resolution; and that the Mayor and the City Secretary of said City hereby declare that their signing of this Certificate shall constitute the signing of the attached and following copy of said Resolution for all purposes.

SIGNED AND SEALED ON OCTOBER 19, 2020.

\_\_\_\_\_  
City Secretary  
City of Alvarado, Texas

\_\_\_\_\_  
Mayor  
City of Alvarado, Texas

{SEAL}

RESOLUTION DIRECTING PUBLICATION OF NOTICE OF INTENTION TO ISSUE  
COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION

THE STATE OF TEXAS  
JOHNSON COUNTY  
CITY OF ALVARADO

WHEREAS, the City of Alvarado (the "*City*") deems it advisable to give notice of intention to issue one or more series of Certificates of Obligation in the maximum principal amount of \$4,900,000, for paying all or a portion of the City's contractual obligations to be incurred in connection with the following public projects: (1) constructing improvements and extensions to the City's wastewater system consisting of a new interceptor and new and replacement sewer lines; and (2) paying fees for legal, fiscal, engineering, architectural and other professional services in connection with these projects; and

WHEREAS, it is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

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

Section 1. Attached hereto as *Exhibit A* is a form of the "Notice of Intention to Issue Combination Tax and Revenue Certificates of Obligation for the City of Alvarado, Texas" (the "*Notice*"), the form and substance of which is hereby adopted and approved. The following constitutes the outstanding debt obligations of the City which the City hereby designates as self-supporting debt for purposes of Texas Local Government Code, Subchapter C of Chapter 271, as amended: General Obligation Refunding Bonds, Series 2017.

Section 2. The City Secretary shall cause the Notice to be published in substantially the form attached hereto, in a newspaper of general circulation in the City of Alvarado, once a week for two consecutive weeks, the date of the first publication thereof to be at least forty-five days prior to December 7, 2020, which is the date set for the adoption of the ordinance authorizing the issuance of such Certificates of Obligation as shown in the Notice. Additionally, such Notice shall be posted continuously on the City's website for at least forty-five days before the date tentatively set for the passage of the ordinance authorizing the issuance of the Certificates of Obligation.

Section 3. The facilities and improvements to be financed with proceeds from the proposed Certificates of Obligation are to be used for the purposes described in the Notice.

Section 4. This Resolution shall become effective immediately upon adoption.