

# CITY OF ALVARADO

## County of Johnson

### State of Texas

June 8, 2015

#### MINUTES

The City Council of the City of Alvarado met in Regular Session on Monday, June 8, 2015 at 6:30 p.m. in the Council Chambers at City Hall with up to the first thirty minutes of the meeting consisting of a workshop. The following were present for roll call:

Dewayne Richters	*	Mayor
Michael Bennett	*	Councilperson
Jacob Wheat	*	Councilperson
Shawn Goulding	*	Councilperson
Joe Sain	*	Mayor Pro Tem
Dewayne Richters	*	Mayor

Absent:

Arrdeen Vaughan	*	Councilperson
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Others Present:

Debbie Thomas	*	City Secretary
Brad Anderson	*	Chief of Police
Michael Dwiggins	*	Public Works Director
Emile Moline	*	Economic Development Director
Kelle Whitfill	*	Finance Director

## INVOCATION

Mayor Dewayne Richters called this regular meeting to order at 7:00 P.M. and gave the invocation.

## PLEDGE OF ALLEGIANCE

## PUBLIC COMMENTS

There were no public comments at this meeting.

## CONSENT AGENDA

Motion was made by Councilperson Shawn Goulding, duly seconded by Councilperson Michael Bennett, to approve the Consent Agenda. This motion supported four votes in approval and zero votes opposed. Motion carried.

Regular Council Meeting  
Minutes  
June 8, 2015  
Page Two  
Regular Meeting

**PRESENTATION BY JACOB WHEAT CONCERNING RECENT ACTIVITY OF THE PRAIRIELANDS PUBLIC FACILITY CORPORATION INCLUDING BUT NOT LIMITED TO THE OPERATION, MANAGEMENT, AND MAINTENANCE AGREEMENT WITH EMERALD COMPANIES, LLC.**

Councilperson Jacob Wheat gave a presentation to the council regarding the status of the Prairieland Detention Center. He also informed the council of future items that will be brought to the council regarding this facility.

**CONSIDERATION AND ACTION REGARDING APPOINTMENT OF MICHAEL BENNETT TO THE PRAIRIELANDS PUBLIC FACILITY CORPORATION AND THE PRAIRIELANDS RECYCLING PUBLIC FACILITY CORPORATION.**

Motion was made by Councilperson Shawn Goulding, duly seconded by Mayor Pro Tem Joe Sain, to appoint Michael Bennett to the Prairielands Public Facility Corporation and the Prairielands Recycling Public Facility Corporation. This motion supported four votes of approval and zero votes opposed. Motion carried.

**CONSIDERATION AND ACTION TO APPROVE AMENDING THE ARTICLES OF INCORPORATION OF THE PRAIRIELANDS PUBLIC FACILITY CORPORATION AND AUTHORIZING THE PRESIENT TO EXECUTE AND FILE RESTATED ARTICLES OF INCORPORATION WITH THE TEXAS SECRETARY OF STATE PURSUANT TO SECTION 303.029 OF THE TEXAS GOVERNMENT CODE.**

Motion was made by Mayor Pro Tem Joe Sain, duly seconded by Councilperson Michael Bennett, to authorize the Prairielands Public Facility Corporation to amend its Articles of Incorporation to accurately reflect the names of the Board of Directors and to file Restated Articles of Incorporation with the Texas Secretary of State as required by Section 303-029 of the Texas Local Government Code. This motion supported four votes of approval and zero votes opposed. Motion carried.

**CONSIDERATION AND ACTION REGARDING A HOUSING AGREEMENT BETWEEN THE CITY OF ALVARADO AND THE PRAIRIELANDS PUBLIC FACILITY CORPORATION.**

Motion was made by Mayor Pro Tem Joe Sain, duly seconded by Councilperson Shawn Goulding to approve the Prairielands Detention Center Housing Agreement with the Prairielands Public Facility Corporation, that was approved by the PFC on June 4, 2015, whereby the Prairielands Public Facility

Corporation contractually agrees to provide the secure detention housing for detainees under the jurisdiction and control of the Department of Homeland Security, Immigration and Customs Enforcement (ICE) that the City of Alvarado had committed to do in its Intergovernmental Services Agreement with ICE dated February 24, 2015. This motion supported four vote of approval and zero votes opposed. Motion carried. Motion was made by Mayor Pro Tem Joe Sain, duly seconded by Councilperson Shawn Goulding to amend the original motion to reflect the correct name of the Prairieland Detention Center, not Prairielands. This motion supported four votes in approval and zero votes opposed. Motion carried.

**CONSIDERATION AND ACTION REGARDING AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALVARADO, TEXAS APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE(ASCS) AND THE ATMOS ENERGY CORP. MID-TEX DIVISION REGARDING THE COMPANY'S 2014 AND 2015 RATE REVIEW MECHANISM FILINGS; APPROVING A SETTLEMENT AGREEMENT WITH ATTACHED RATE TARIFFS AND PROOF OF REVENUES; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENTWITH THE NEGOTIATED SETTLEMENT; FIND THE RATES TO BE SET BY THE SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; REQUIRING THE COMPANY TO REIMBURSE ACSC'S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DCLARING AN EFFECTIVE DATE; AND REUQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE ASCS'S LEGAL COUNSEL.**

Motion was made by Mayor Pro Tem Joe Sain, duly seconded by Councilperson Michael Bennett, to adopt the ordinance as stated. This motion supported four votes in approval and zero votes opposed. Motion carried.

**CONSIDERATION AND ACTION REGARDING AN ORDINANCE AMENDING SECTION 42-204 OF DIVISION 3 OF ARTICLE III OF CHAPTER 40 OF THE CITY CODE TO REVISE THE REGULATIONS REGARDING GREASE, OIL AND SAND INTERCEPTORS AND PROVIDNG FOR ADDITIONAL PENALTIES FOR VIOLATION.**

Minutes  
June 8, 2015  
Page Four  
Regular Meeting

Motion was made by Councilperson Jacob Wheat, duly seconded by Councilperson Shawn Goulding, to approve an ordinance amending Section 42-204 of Division 3 of Article III of Chapter 40 of the City Code to revise the regulations regarding grease, oil and sand interceptors and providing for additional penalties for violation. This motion supported four votes in approval and zero votes opposed. Motion carried.

**CONSIDERATION AND ACTION REGARDING A RESOLUTION DIRECTING PUBLICATION OF NOTICE OF INTENTION TO ISSUE COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION.**

Motion was made by Councilman Jacob Wheat, duly seconded by Councilperson Michael Bennett, to approve a resolution directing publication of notice of intention to issue combination tax and revenue certificates of obligation. This motion supported four votes in approval and zero votes opposed. Motion carried.

**CONSIDERATION AND ACTION REGARDING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALVARADO, ADOPTING THE FEE SCHEDULE ATTACHED AS EXHIBIT "A"**

Motion was made by Councilperson Shawn Goulding, duly seconded by Councilperson Michael Bennett, to approve a resolution adopting the fee schedule attached as Exhibit "A", which changes the inspection fees for reinspection. This motion supported four votes in approval and zero votes opposed. Motion carried.

**CONSIDERATION AND ACTION REGARDING A RIGHT OF WAY LICENSE AGREEMENT WITH UNITED PRIVATE NETWORKS FOR FIBER OPTIC CABLE.**

Motion was made by Councilperson Michael Bennett, duly seconded by Mayor Pro Tem Joe Sain, to approve a right of way license agreement with United Private Networks for fiber optic cable. This motion supported four votes in approval and zero votes opposed. Motion carried.

**EXECUTIVE SESSION**

Mayor Dewayne Richters then convened into Executive Session at 7:25 p.m.  
Mayor Richters re-convened into Open Session at 7:56 p.m.

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

Minutes  
June 8, 2015  
Page Five  
Regular Meeting

Motion was mad by Councilperson Jacob Wheat, duly seconded by Councilperson Shawn Goulding, to appoint Refugio Hernandez as Council Member Ward I, in the vacant position on the City Council. This motion supported four votes in approval and zero votes opposed. Motion carried.

### **CITY MANAGER'S REPORT**

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

### **COUNCIL COMMENTS**

Mayor Pro Tem Joe Sain would like to address the recent state legislation regarding gas well fracking at the next regular meeting.

### **ADJOURNMENT**

Mayor Dewayne Richters then adjourned this regular meeting of the Alvarado City Council at 8:05 p.m.

Passed and approved this the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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Mayor E. Dewayne Richters

ATTEST:

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

