

REGULAR MEETING OF THE CITY OF ALVARADO CITY COUNCIL
104 W. COLLEGE
May 17, 2021
6:30 P.M.

AGENDA

The City Council of the City of Alvarado will meet in a Regular Called Session on Monday, May 17, 2021 at 6:30 p.m. City Council meetings are open to the public with social distancing and sanitation protocols in place. 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://www.cityofalvarado.org/>

Members of the public may view the meeting starting at 6:30 p.m. by clicking the following link: <https://us02web.zoom.us/j/98967890821>. **Meeting ID Number: 989 6789 0821. Passcode: 369369.** Members of the public may also listen to the meeting by telephone using one of the following telephone numbers followed by inputting the above Meeting ID Number: **1-346-248-7799** (Houston); **1-669-900-6833** (San Jose); **888 788 0099** US Toll-free; **877 853 5247** US Toll-free.

Please email the City Secretary at thomasd@cityofalvarado.org by 4:00 p.m. on the day of the meeting if you plan to provide 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.

CALL TO ORDER- Roll Call

INVOCATION

PLEDGE OF ALLEGIANCE

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. Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting.

PROCLAMATIONS

Motorcycle Awareness Month

REGULAR AGENDA:

1. Recognition of Shawn Goulding for his service to the City of Alvarado.
2. Consideration and action regarding certificate of election to the declared candidates elected.
3. Administer the Statement of Elected Officials and official oaths to the candidates declared elected.
4. Consideration and action regarding appointment and oath of office for councilperson to fill the unexpired term of Jacob Wheat, Ward III.
5. Consideration and action regarding appointing a Mayor Pro Tem for a one year term.

CONSENT AGENDA:

- A. Minutes, Regular Meeting, April 19, 2021.
- B. Minutes, Special Called Meeting, May 6, 2021.

CITY MANAGER'S REPORT

- Library
 - Water/Wastewater Risk Assessment
 - TXDOT Highway 67 and I-35 Update
 - City Hall repairs
 - Fire Department Monthly Report
 - Street Repairs
 - Court – System Processes and Omnibase
 - Marshal – Warrants and Field Warrants
 - Police Department – High Speed Chase on May 13, 2021
6. Public Hearing and consideration and action regarding the request for a Specific Use Permit to open a child day care center on property described as Business 126.2431.03790, also known as 110 W. College, Alvarado, Johnson County, Texas.
 7. Consideration and action regarding a contract for a new website.
 8. Discussion and presentation by McCall, Parkhurst, and Horton, Bond Counsel, regarding public improvement districts.
 9. Consideration and action regarding the annual Audit for the period of 10/01/2019 to 09/30/2020.

Regular Called Meeting

City Council

May 17, 2021

Page 3

10. Consideration and action engaging Freese and Nichols in the conceptual level design of the Wastewater Treatment Plant expansion project.

EXECUTIVE SESSION:

Pursuant to the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, the City Council may convene in closed session to deliberate regarding the following matters:

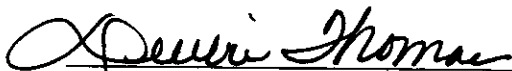
1. §551.071 Consultation with Attorney. The City Council may convene in Executive Session to conduct a private consultation with its Attorney on any legally posted agenda item, when the City Council seeks the advice of its Attorney about pending or contemplated litigation, a settlement offer, or on a 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:
 - a. Any posted item on the agenda.
11. Consideration and action regarding items discussed in Executive Session.
12. 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: thomassd@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 city's website at: <https://www.cityofalvarado.org> and the bulletin board located at city hall on this the 14th day of May, 2021 and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.



Debbie Thomas, TRMC, City Secretary

**OFFICE OF THE MAYOR
OF THE
CITY OF ALVARADO, TEXAS

PROCLAMATION**

WHEREAS, today's society is finding more citizens involved in motorcycling on the roads of our country; and

WHEREAS, motorcyclists are roughly unprotected and much more likely to be injured or killed in a crash than other vehicle drivers; and

WHEREAS, campaigns have helped inform riders and motorists alike on motorcycle safety issues to reduce motorcycle related risks, injuries, and most of all fatalities, through a comprehensive approach to motorcycle safety; and

WHEREAS, it is the responsibility of all who put themselves behind the wheel, to become aware of motorcyclists, regarding them with the same respect as any other vehicle traveling the highways of this country; and

WHEREAS, urging all citizens of our community to become aware of the inherent danger involved in operating a motorcycle and give the operator the respect on the road they deserve;

NOW, THEREFORE, I, Jacob Wheat, Mayor and the City Council of the City of Alvarado, Texas, do hereby proclaim the month of May 2017 as

**MOTORCYCLE SAFETY AND AWARENESS MONTH
IN ALVARADO, TEXAS**

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Alvarado, Texas to be affixed this the 17th day of May 2021.

Jacob Wheat, Mayor



In the name and by the authority of

The State of Texas

THIS IS TO CERTIFY, that at a general election held on

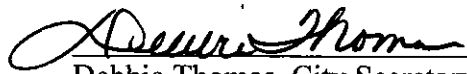
May 1, 2021

Jacob Wheat

Was duly elected

Mayor

In testimony whereof, I have
hereunto signed my name and
caused the Seal of Alvarado to
be affixed at the City of Alvarado,
this the 17th day of May, 2021


Debbie Thomas, City Secretary

CITY OF ALVARADO

County of Johnson

State of Texas

April 19, 2021

MINUTES

The City Council of the City of Alvarado met in Regular Called Session on Monday, April 19 2021 at 6:30 p.m. via videoconferencing through Zoom. The following were present for roll call:

Shawn Goulding	*	Councilperson
Jacob Wheat	*	Mayor Pro Tem
Lydia Moon	*	Councilperson
Cherry Bryant	*	Councilperson
Michael Bennett	*	Councilperson
Beverly Short	*	Councilperson

Absent:

Michael Bennett	*	Councilperson
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Others Present:

Emile Moline	*	Interim City Manager
Debbie Thomas	*	City Secretary
Brad Anderson	*	Chief of Police
Richard Van Winkle	*	Fire Chief
Michael Dwigins	*	Public Works Director
Reyth Garcia	*	Court Administrator

INVOCATION

Mayor Pro Tem Jacob Wheat called this regular meeting to order at 6:34 P.M. and gave the invocation.

CITY MANAGER'S REPORT

Website Update: Emile Moline, City Manager, explained to the council that he had reached out to several different companies regarding our website. This item should be presented to the council for action at the next meeting.

Cummings Drive Update: The grant that was applied for has gone to the next level for approval. Hopefully it will be approved by the end of the year.

Tax Rates: City Manager Emile Moline and Mayor Pro Tem Jacob Wheat explained the breakdown of our tax rate and how it is calculated.

TXDOT/US-67 – TXDOT is doing a traffic study as to ways to alleviate the backup at the Parkway and 67 traffic light. They are currently working on the congestion at this light.

Sewer Plant Update:

Audit Update: The audit is very close to being completed. It should be on the next council agenda.

City Hall Building Update: We have received a quote to repair the sidewalk at city hall. This item is on the agenda tonight for approval.

CONSENT AGENDA

Motion was made by Councilperson Cherry Bryant, duly seconded by Councilperson Beverly Short to approve the consent agenda as presented. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING AN AGREEMENT WITH OMNIBASE FOR A CENTRAL DATABASE FOR CITIES TO USE THE TEXAS DEPARTMENT OF PUBLIC SAFETY FAILURE TO APPEAR PROGRAM AND INCLUDING AN INTERLOCAL AGREEMENT BETWEEN THE DEPARTMENT OF PUBLIC SAFETY OF THE STATE OF TEXAS AND MUNICIPAL COURT OF THE CITY OF ALVARADO, TEXAS.

Reyth Garcia, Court Administrator, explained to the council that this program would not allow anyone with outstanding citations or warrants to renew their driver's license until these have been paid. Motion was made by Councilperson Shawn Goulding, duly seconded by Councilperson Beverly Short to approve the agreements as presented. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING APPOINTMENT OF MEMBERS TO THE TAX INCREMENT FINANCING BOARD #2.

Motion was made by Councilperson Beverly Short, duly seconded by Councilperson Shawn Goulding, to appoint Robert Brake, Lydia Moon, and Jameye Jones to this board. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING A PROPOSAL WITH ARAMARK UNIFORM COMPANY FOR PUBLIC WORKS UNIFORMS.

Wendy Brown, Administrative Clerk for Public Works, explained to the council that the current uniform company Unifirst had not been satisfactory. We have reached out to several uniform companies to replace them and Aramark Uniform has all of the services that we need. After discussion, motion was made by Councilperson Lydia Moon, duly seconded by Councilperson Cherry Bryant to approve the contract with Aramark as presented. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING AN INTERLOCAL AGREEMENT BETWEEN JOHNSON COUNTY SPECIAL UTILITY

DISTRICT AND THE CITY OF ALVARADO, TEXAS FOR SEWER BILLING SERVICES.

Emile Moline, City Manager, explained to the council that the Parks of Alvarado and the new apartment complex north of Elementary North will be under Johnson County Special Utility district CCN. They will furnish water to these developments and the City of Alvarado will furnish the sewer. Johnson County Special Utility District will have to bill for the water and the sewer for the city. After discussion, motion was made by Councilperson Shawn Goulding, duly seconded by Councilperson Cherry Bryant, to approve the agreement as presented. This motion supported four votes in approval and one votes opposed (Moon). Motion carried.

CONSIDERATION AND ACTION REGARDING BUILDING SIDEWALK REPAIRS TO CITY HALL.

Emile Moline, City Manager, stated that we had received a bid for 9,300.00 for repair to the city hall sidewalk. After discussion, motion was made by Councilperson Beverly Short, duly seconded by Councilperson Lydia Moon, to accept the bid for \$9,300.00 with approval of the city's engineers. This motion supported five votes in approval and xero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING APPOINTMENT OF MEMBERS TO THE ALVARADO PLANNING AND ZONING BOARD.

Motion was made by Councilperson Beverly Short, duly seconded by Councilperson Cherry Bryant to appoint the following to the Alvarado Planning and Zoning Board:

Brian Thornton

Gayla Robison

Mike McBee

Scott Arthur

Ryan Bannister

Barbara Fuller- Alternate

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

CONSIDERATION AND ACTION REGARDING AMENDING AGREEMENT WITH BUREAU VERITAS FOR CODE INSPECTIONS.

After discussion, motion was made by Councilperson Shawn Goulding, duly seconded by Councilperson Cherry Bryant to amend the current agreement with Bureau Veritas as presented. This motion supported five votes in approval and xero votes opposed. Motion carried.

Regular Called Council Meeting
Minutes
April 19, 2021
Page Four

EXECUTIVE SESSION

Mayor Pro Tem Jacob Wheat then convened into Executive Session at 7:53 p.m. He then reconvened into open session at 8:23 p.m.

CONSIDERATION AND ACTION REGARDING ITEMS DISCUSSED IN EXECUTIVE SESSION

There was no action taken at this meeting.

COUNCIL COMMENTS

Councilperson Lydia Moon reminded everyone of the Candidates Meet and Greet from 4:00 p.m. to 6:00 p.m. this Sunday, April 23, 2021 at the New Life Ministries Church. Cherry Bryant then thanked Shaw Goulding for his service on the Council the last 10 years. He will be missed.

ADJOURNMENT

Mayor Pro Tem Jacob What then adjourned this special meeting of the Alvarado City Council at 8:25 p.m.

Passed and approved this the _____ day of _____, 2021.

Mayor Pro Tem Jacob Wheat

Debbie Thomas, TRMC, City Secretary

CITY OF ALVARADO

County of Johnson

State of Texas

MAY 6, 2021

MINUTES

The City Council of the City of Alvarado met in Special Called Session on Thursday, May 6, 2021, 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
Lydia Moon	*	Councilperson
Cherry Bryant	*	Councilperson
Beverly Short	*	Councilperson
Michael Bennett	*	Councilperson

Others Present:

Emile Moline	*	Interim City Manager
Debbie Thomas	*	City Secretary
Cara White	*	City Attorney

INVOCATION

Mayor Pro Tem Jacob Wheat called this regular meeting to order at 7:34 P.M. and Pastor Marty Douglas gave the invocation.

PUBLIC COMMENTS

There were no public comments at this meeting.

CONSIDERATION AND ACTION REGARDING A RESOLUTION OF THE CANVASS AND CERTIFICATION AS TO THE RESULTS OF THE SPECIAL ELECTION IN THE CITY OF ALVARADO, TEXAS HELD ON SATURDAY, MAY 1, 2021

Motion was made by Councilperson Beverly Short, duly seconded by Councilperson Shawn Goulding, to approve the resolution as presented. This motion supported six votes in approval and zero votes opposed. Motion carried.

PUBLIC HEARING AND CONSIDERATION AND ACTION REGARDING THE REQUEST FOR REZONING FOR PROPERTY KNOWN AS 3.55 ACRES OUT OF A 6.55 ACRES KNOWN AS GEORGE S. MCINTOSH SURVEY, ABSTRACT NO. 625, ALSO KNOWN AS 000 HIGHWAY 67 E, ALVARADO, JOHNSON COUNTY, TEXAS, FROM A C-2 (COMMERCIAL) ZONING DISTRICT TO AN MF (MULTI-FAMILY) ZONING DISTRICT.

This item was skipped.

PUBLIC HEARING AND CONSIDERATION AND ACTION REGARDING REQUEST FOR A FINAL PLAT FOR PROPERTY KNOWN AS 3.55 ACRES OUT OF A 6.55 ACRES KNOWN AS GEORGE S. MCINTOSH SURVEY, ABSTRACT NO. 625, ALSO KNOWN AS 000 HIGHWAY 67 E, ALVARADO, JOHNSON COUNTY, TEXAS.

This item was skipped.

CONSIDERATION AND ACTION REGARDING THE REQUEST FOR A SPECIFIC USE PERMIT TO OPEN UP A CHILD DAY CARE CENTER ON PROPERTY DESCRIBED AS BUSINESS 126.2431.03790, ALSO KNOWN AS 110 W. COLLEGE, ALVARADO, JOHNSON COUNTY, TEXAS.

This item was skipped and will be placed on the next regular meeting agenda.

EXECUTIVE SESSION

Mayor Pro Tem Jacob Wheat then convened into Executive Session at 6:44 p.m. He then reconvened into open session at 7:31 p.m.

CONSIDERATION AND ACTION REGARDING ITEMS DISCUSSED IN EXECUTIVE SESSION

No action was taken.

ADJOURNMENT

Special Called Council Meeting
Minutes
May 6, 2021
Page Three

Motion was made by Councilperson Shawn Goulding, duly seconded by Councilperson Beverly Short to adjourn this special called meeting of the Alvarado City Council at 7:41 p.m. This motion supported six votes in approval and zero votes opposed Motion carried.

Passed and approved this the _____ day of _____, 2021.

Mayor Pro Tem Jacob Wheat

Debbie Thomas, TRMC, City Secretary

Alvarado Fire Department

Alvarado, TX

This report was generated on 5/2/2021 7:43:44 PM



Incident Statistics

Zone(s): All Zones | Start Date: 04/01/2021 | End Date: 04/30/2021

INCIDENT COUNT			
INCIDENT TYPE		# INCIDENTS	
EMS		128	
FIRE		66	
TOTAL		194	
TOTAL TRANSPORTS (N2 and N3)			
APPARATUS	# of APPARATUS TRANSPORTS	# of PATIENT TRANSPORTS	TOTAL # of PATIENT CONTACTS
C 379	1	1	1
E-79	1	1	1
SQ179	2	2	2
TOTAL	4	4	4
PRE-INCIDENT VALUE		LOSSES	
\$0.00		\$0.00	
CO CHECKS			
TOTAL			
MUTUAL AID			
Aid Type		Total	
Aid Given		16	
Aid Received		14	
OVERLAPPING CALLS			
# OVERLAPPING		% OVERLAPPING	
55		28.35	
LIGHTS AND SIREN - AVERAGE RESPONSE TIME (Dispatch to Arrival)			
Station	EMS	FIRE	
Station 79	0:07:16	0:09:27	
AVERAGE FOR ALL CALLS		0:07:44	
LIGHTS AND SIREN - AVERAGE TURNOUT TIME (Dispatch to Enroute)			
Station	EMS	FIRE	
Station 79	0:01:34	0:02:23	
AVERAGE FOR ALL CALLS		0:01:42	
AGENCY		AVERAGE TIME ON SCENE (MM:SS)	
Alvarado Fire Department		29:08	

Only Reviewed Incidents included. EMS for Incident counts includes only 300 to 399 Incident Types. All other incident types are counted as FIRE. CO Checks only includes Incident Types: 424, 736 and 734. # Apparatus Transports = # of incidents where apparatus transported. # Patient Transports = All patients transported by EMS. # Patient Contacts = # of PCR contacted by apparatus. This report now returns both NEMSIS 2 & 3 data as appropriate. For overlapping calls that span over multiple days, total per month will not equal Total count for year.



emergencyreporting.com
Doc Id: 1645
Page # 1 of 1

CITY OF ALVARADO

APPLICATION FOR A SPECIFIC USE PERMIT

DATE: 2-26-2021 CLERK: 02 FEE: 250.00 CASE NO: 2021-0166

NAME OF APPLICANT: Natasha Harris PH: 682 465-8486

MAILING ADDRESS: 509 W Cotter Ave, Alvarado TX 76009

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

NAME OF OWNER: Larry Doran- Steel City Holdings LLC PH: ()

MAILING ADDRESS: 101 S Sparks St, Alvarado, TX 76009

STREET ADDRESS OF PROPERTY: 110 W College St, Alvarado TX 76009 ACREAGE:

LEGAL DESCRIPTION: BUSINESS 1262431.03790

PRESENT ZONE OF PROPERTY: PRESENT USE:

REASON FOR NEEDING A SPECIFIC USE PERMIT: childcare center

USAGE OF ADJACENT PROPERTY NORTH:

SOUTH:

EAST:

WEST:

PLEASE ATTACH REQUIRED SITE PLAN FOR APPLICATION CONSIDERATION.

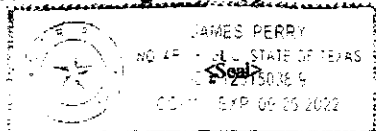
NOTE: If the property can be identified by the subdivision or addition please include that with the lot and block numbers as the legal description. You must also attach a copy of the appropriate portion of the subdivision or addition plat with the subject property clearly indicated on it. If property 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 surveyed 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 26 day of Feb 2021, by the person whose signature appears directly above.



Notary Public in and for The State of Texas.
My Commission expires 09-25-2022

ORDINANCE NO. __

AN ORDINANCE AMENDING ZONING ON PROPERTY DESCRIBED AS BUSINESS 126.2431.03790, ALSO KNOWN AS 110 W COLLEGE, ALVARADO, JOHNSON COUNTY, TEXAS, BY AUTHORIZING THE ISSUANCE OF A SPECIFIC USE PERMIT TO ACCOMMODATE A CHILD DAY-CARE FACILITY IN A CBD (CENTRAL BUSINESS DISTRICT) ZONING DISTRICT; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY 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 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 zone 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 changing the zoning on property known as Business 126.2431.03790, City of Alvarado, Johnson County, Texas, also known as 110 W. College, by authorizing the issuance of a Specific Use Permit to accommodate a child day-care facility in a "CBD" (Central Business District) zoning district

Section 2: The use of the property described above shall be subject to the restrictions, terms and conditions set forth in Exhibit "A" and to all applicable regulations contained in the Comprehensive Zoning Ordinance, as amended, and all other applicable and pertinent ordinances of the City of Alvarado, Texas. In addition, the authorization to conduct the land use

described in Section 1 hereof shall terminate and expire on the five year anniversary of the approval date of this ordinance and the land use shall no longer be permitted except by subsequent permission of the City Council of the City of Alvarado, Texas.

- Section 3: 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 4: 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 sections 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 5: 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 6: 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 7: This ordinance shall be in full force and effect from and after its passage and publication as required by law,

AND IT IS SO ORDAINED.

Passed on this ____ day of _____, 2021, by a vote of ____ to ____.

CITY OF ALVARADO

By: _____
Jacob Wheat, Mayor Pro Tem

ATTEST:

Debbie Thomas, City Secretary

Approved as to form and legality:

Ashley Dierker, Attorney

Exhibit "A"

Conditions of SUP

SCOPE OF SERVICES

PROJECT UNDERSTANDING: The City of Alvarado's Wastewater Treatment Plant (WWTP) is rated for 0.6 million gallons per day (MGD). Per the City's Water and Wastewater Master Plan (FNI, 2018), high growth is anticipated to cause the WWTP to exceed its capacity by 2022-2023. To meet anticipated capacity needs, it is recommended the City initiate preliminary engineering and financial planning. The first phase of the project (this contract) is for the development of a Preliminary Design Report for the WWTP's expansion. The second phase will include funding assistance, permitting, design, bid, and construction phase services to be executed at a later date.

The scope of services includes the following tasks:

1. Project Management
2. Basis of Design
3. Condition and Capacity Assessment
4. Alternatives Evaluation
5. Environmental Evaluation
6. Preliminary Design Report

ARTICLE I

BASIC SERVICES: FNI shall render the following professional services in connection with the development of the Project:

1. Project Management
 - a. Perform general administrative duties associated with the project including progress monitoring, scheduling, general correspondence, office administration and invoicing for the scope items identified below. These duties include maintaining routine contact with the City to help meet the needs of the City in a timely manner, and executing the work in accordance with the scope, budget, and schedule.

Assumptions:

- None

Deliverables:

- Monthly invoices

2. Basis of Design
 - a. Kick-off Meeting. Facilitate a project kick-off meeting with City staff to confirm and clarify scope and schedule, understand City objectives and concerns, review available data and data needs, and provide a clear basis for the evaluation of the WWTP expansion.
 - b. Influent Flow Peaking Factors. Review historical plant influent flow data, as available, to develop peaking factors for maximum month, maximum day, and peak 2-hour flows.
 - c. Influent Load Peaking Factors. Review historical plant influent water quality data, as available, to develop maximum month load peaking factors for CBOD₅, TSS, TKN, NH₃-N, and total

phosphorous. If needed, develop a sampling protocol to capture missing data to be used during detailed design (second phase of the project). The effort and cost associated with implementation of the sampling protocol is assumed to be the responsibility of the City.

- d. Assess Future Discharge Limitations. Coordinate with the TCEQ to determine potential changes to the WWTP's discharge limitations. Gather data in relation to current discharge limits of other dischargers along the same receiving and downstream waters as the Alvarado WWTP. Determine the most current water quality standards of the receiving and downstream waters. Coordinate and facilitate a meeting between TCEQ and the City to discuss the proposed expansion and gather information from TCEQ Water Quality Division staff regarding potential discharge limits for the plant at the expanded flow.

Assumptions:

- If plant influent sampling is recommended, the City is responsible for sample collection and laboratory costs.

Deliverables:

- Project kick-off meeting summary.
- TCEQ meeting summary.
- The Basis of Design will be documented in the Preliminary Design Report (Task 6).

3. Condition and Capacity Assessment

- a. Conduct a site visit to the plant to document the condition of the existing infrastructure based on visual observation and input from plant operations. Conduct a desktop functional capacity assessment based on TCEQ's Chapter 217 design criteria.

Assumptions:

- The site visit will be conducted over a half day period and attended by plant operation(s).

Deliverables:

- The Condition and Capacity Assessment will be documented in the Preliminary Design Report (Task 6).

4. Alternatives Evaluation

- a. Evaluate alternatives to expand the plant from a permitted annual average daily flow of 0.6 MGD to 1.2 MGD. Included in the alternatives evaluation is the conceptual sizing and feasibility of a new peak flow basin located adjacent and north of the WWTP. Evaluate the hydraulics of the recommended expansion alternative.

Assumptions:

- Activated sludge process expansion includes up to three alternatives: (1) an intermittent cycle extended aeration system sequencing batch reactor to match the existing process, (2) a conventional sequencing batch reactor, and (3) a conventional plug flow system.
- Tertiary filtration (if recommended to be added) shall be disk filters.
- Disinfection includes expansion or replacement of the existing UV system.
- Solids dewatering includes expansion of the existing sludge boxes.
- A conceptual site layout and overall project construction estimate will only be developed for the recommended expansion alternative.

Deliverables:

- The Alternatives Evaluation will be documented in the Preliminary Design Report (Task 6).

5. Environmental Evaluation

- Gather and Review Existing Information. Compile readily available existing information and prepare maps of the proposed project site in preparation for the pedestrian survey. The types of information that will be gathered will include, but is not limited to, U.S. Geological Survey (USGS) 7.5-minute topographic maps, U.S. Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI) maps, Natural Resources Conservation Service (NRCS) soils maps, as well as recent and historical aerial photographs of the site.
- Pedestrian Survey. Conduct a pedestrian survey of the existing WWTP site and potential site for a new peak flow basin (City property adjacent and north of the WWTP) to make observations of existing environmental conditions. This will include noting vegetative cover types, potential wildlife habitat, and identifying types and locations of potential waters of the U.S., if present. This task does not include conducting detailed wetland delineations necessary for the preparation and submittal of a permit application or Pre-Construction Notification (PCN) to the USACE.
- Coordinate with the Texas Historical Commission. Projects sponsored by public entities that affect a cumulative area greater than five acres or that disturb more than 5,000 cubic yards require advance consultation with the Texas Historical Commission (THC) according to Section 191.0525 (d) of the Antiquities Code of Texas. Because the proposed project may exceed the cubic yard threshold with the addition of a peak flow basin, coordination with THC may be required. FNI will draft a consultation letter to the THC for the City's review and comment. FNI will incorporate City comments and submit the consultation letter to the THC.
- Outfall Assessment. Assess the impacts of increasing the plant effluent flow on the existing outfall and overland channel to the receiving stream. Provide preliminary recommendations, if any, on headwall and/or channel improvements required to convey the increased flow. If improvements are recommended, determine if they can be accomplished through a Nationwide Permit or would require a PCN.

Assumptions:

- The Environmental Evaluation assumes the intent of the proposed construction activities is to avoid waters of the U.S. or design and construct improvements in accordance with the terms and conditions of a Nationwide Permit without requiring the preparation and submittal of a PCN to the U.S. Army Corps of Engineers (USACE). If PCN criteria are met, then the submittal of a PCN to the USACE is required. Preparation of a PCN can be provided as an Additional Service.
- Any follow up studies requested by the THC are not included in this scope of services but can be provided as Additional Service.

Deliverables:

- The Environmental Evaluation will be documented in the Preliminary Design Report (Task 6).

6. Preliminary Design Report

- Combine the evaluations of Task 2 through 5 into a Draft Preliminary Design Report. Develop a

project schedule outlining major milestones for project funding, TCEQ major permit amendment, design, bid, and construction phases. Facilitate a review workshop with the City to discuss major findings, recommendations, and City comments. Incorporate City comments and develop a Final Preliminary Design Report.

- b. Develop a presentation summarizing the findings and recommendations of the Preliminary Design Report and present to the City Council.

Assumptions:

- The City would like to pursue Clean Water State Revolving Funds for construction.
- The Preliminary Design Report will generally be in conformance with the Texas Water Development Board Guidance for the Preparation of Wastewater Project Engineering Feasibility Reports (form TWDB-0556).
- Only one council presentation is required.

Deliverables:

- Summary of the Draft Preliminary Design Report review workshop.
- Furnish three hard copies and one electronic (.pdf) version of the Draft and Final Preliminary Design Report.

ARTICLE II

ADDITIONAL SERVICES: Additional Services to be performed by FNI, if authorized by OWNER, which are not included in the above described basic services, are described as follows:

- A. Providing design, bid, and construction phase services.
- B. Environmental permitting for the preparation of a PCN, Preliminary Jurisdictional Determination (PJD) report, or Individual Section 404 permit application.
- C. Conducting a conditional assessment (i.e., TXRAM) on waters of the U.S. potentially impacted by the proposed project.
- D. Presence/absence surveys for federally listed threatened/endangered species.
- E. Application for Texas Parks & Wildlife Department Sand and Gravel Permit.
- F. Application for General Land Office Easement.
- G. Consultation with the U.S. Fish and Wildlife Service under Section 7 of the Endangered Species Act.
- H. Conducting cultural resources studies or surveys.
- I. Phase I/II Environmental Site Assessment.
- J. Identification of tree species and/or preparation of a tree mitigation plan required due to tree ordinance compliance.
- K. Texas Water Development Board funding assistance for the preparation of an Environmental Information Document (EID), CWSRF Project Information Form (PIF), or funding application.
- L. Providing services to investigate existing conditions or facilities, or to make measured drawings thereof, or to verify the accuracy of drawings or other information furnished by Owner.
- M. Conducting pilot plant studies or tests.

- N. Preparing data and reports for assistance to Owner in preparation for hearings before regulatory agencies, courts, arbitration panels or any mediator, giving testimony, personally or by deposition, and preparations therefore before any regulatory agency, court, arbitration panel or mediator.
- O. Assisting Owner in the defense or prosecution of litigation in connection with or in addition to those services contemplated by this Agreement. Such services, if any, shall be furnished by FNI on a fee basis negotiated by the respective parties outside of and in addition to this Agreement.
- P. Surveying services.
- Q. Geotechnical services.
- R. Meeting or trips in excess of the number of meetings included in Article I for site visits, coordination meetings, or other activities.

ARTICLE III

TIME OF COMPLETION: FNI is authorized to commence work on the Project upon execution of this AGREEMENT and agrees to complete the services in accordance with the following schedule:

Draft Preliminary Design Report	135 calendar days from Notice to Proceed
Final Preliminary Design Report	21 calendar days from receipt of City comments on the Draft Preliminary Design Report

If FNI's services are delayed through no fault of FNI, FNI shall be entitled to adjust contract schedule consistent with the number of days of delay. These delays may result in an adjustment to compensation as outlined on the face of this AGREEMENT and in Attachment CO.

ARTICLE III

DESIGNATED REPRESENTATIVES: FNI and City designate the following representatives:

City Designated Representative: Emile Moline, Interim City Manager, 104 W. College, Alvarado, TX 76009; 817-790-3351; Molinee@cityofalvarado.org

FNI's Project Manager: Chad Simmons, P.E., 4055 International Plaza, Ste. 200, Fort Worth, Texas 76109; 817-735-7395; email chad.simmons@freese.com

FNI's Accounting Representative: Erin Westbrook, 4055 International Plaza, Ste. 200, Fort Worth, Texas 76109; 817-735-7395; email erin.westbrook@freese.com

City of Alvarado		
WWTP Expansion to 1.2 MGD - Preliminary Design Report		
5/12/2021		
Detailed Cost Breakdown		
Project Fee Summary		
Basic Services	\$	183,000
Special Services	\$	-
Total Project	\$	183,000

Tasks			Labor																				
Phase	Task	Basic or Special	Task Description	Chris Emmons	Mike Landis	David Gayle	Mark Jubert	Kate Leathwood	Ben Hagood	Heath Myers	Conroy Mae	Robert Chambers	Ken Jewell	Blair Penno	Loraine Ruby	Joel Kossner	Andrew Fritts	Nicholas McCormick	Tim Hopper	Total Hours	Total Labor Effort		
1	Project Management	a) Basic	Basic of Design	40		20															60	\$ 14,784	
		b) Basic	Kick-off Meeting	4	4	4															20	\$ 4,058	
		c) Basic	Influent Flow Peaking Factors	2	4	12															40	\$ 8,197	
		d) Basic	Influent Load Peaking Factors	2	4	12															40	\$ 8,197	
		e) Basic	Assess Future Discharge Limitations	8	12	12		20													56	\$ 10,762	
		f) Basic	Condition and Capacity Assessment	8	12	24																49	\$ 9,205
		g) Basic	Site Visit and Desktop Evaluation	88	80	120																348	\$ 70,034
		h) Basic	Alternatives Evaluation																		12	\$ 1,662	
		i) Basic	Gather and Review Information																		14	\$ 2,344	
		j) Basic	Pedestrian Survey	2																		10	\$ 1,838
2	Outfall Assessment	a) Basic	Coordinate with THC																		56	\$ 8,384	
		b) Basic	Outfall Assessment	2																			
		c) Basic	Preliminary Design Report																				
		d) Basic	Develop Preliminary Design Report	40	32	32	32	2													162	\$ 33,873	
3	Council Presentation	a) Basic	Council Presentation	6	2	8		2	2											24	\$ 4,879		
		b) Basic																			891	\$ 174,807	
Total Hours / Quantity			202	150	244	32	24	30	16	32	1	3	8	25	12	28	44						

City of Alvarado		
WWTP Expansion to 1.2 MGD - Preliminary Design Report		
5/12/2021		
Detailed Cost Breakdown		

City of Alvarado		
WWTP Expansion to 1.2 MGD - Preliminary Design Report		
5/12/2021		
Detailed Cost Breakdown		

Tasks						
Task	Basic or Special	Task Description	Task Charge	Miles	Color (sheet)	Binding (each)
1	Basic	Project Management	60			
2	Basic	Basic of Design	20	60	250	
a)	Basic	Kick-off Meeting	40			
b)	Basic	Influent Flow Peaking Factors	40			
c)	Basic	Influent Load Peaking Factors	56			
d)	Basic	Assess Future Discharge Limitations	49	60	250	
3	Basic	Condition and Capacity Assessment	348			
a)	Basic	Site Visit and Desktop Evaluation				
b)	Basic	Alternatives Evaluation				
c)	Basic	Gather and Review Information	12			
d)	Basic	Pedestrian Survey	14	60	100	
4	Basic	Coordinate with THC	10			
a)	Basic	Outfall Assessment	56			
b)	Basic	Preliminary Design Report	162	60	1000	3
c)	Basic	Develop Preliminary Design Report	24	60	200	5
d)	Basic	Council Presentation	891	380	1,800	8
Total Hours / Quantity						

Tasks						
Task	Basic or Special	Task Description	Task Charge	Miles	Color (sheet)	Binding (each)
1	Basic	Project Management	60			
2	Basic	Basic of Design	20	60	250	
a)	Basic	Kick-off Meeting	40			
b)	Basic	Influent Flow Peaking Factors	40			
c)	Basic	Influent Load Peaking Factors	56			
d)	Basic	Assess Future Discharge Limitations	49	60	250	
3	Basic	Condition and Capacity Assessment	348			
a)	Basic	Site Visit and Desktop Evaluation				
b)	Basic	Alternatives Evaluation				
c)	Basic	Gather and Review Information	12			
d)	Basic	Pedestrian Survey	14	60	100	
4	Basic	Coordinate with THC	10			
a)	Basic	Outfall Assessment	56			
b)	Basic	Preliminary Design Report	162	60	1000	3
c)	Basic	Develop Preliminary Design Report	24	60	200	5
d)	Basic	Council Presentation	891	380	1,800	8
Total Hours / Quantity						