

**REGULAR MEETING OF THE
CITY OF ALVARADO CITY COUNCIL
104 W. COLLEGE
DECEMBER 18, 2023
6:30 PM**

AGENDA

The City Council of the City of Alvarado will meet in a Regular Called Session on Monday, December 18, 2023 at 6:30 p.m. in the Council Chambers at City Hall for the following agenda items.

CALL TO ORDER - Roll Call - Council determines excused/unexcused absence of members.

INVOCATION

PLEDGE OF ALLEGIANCE

CITIZEN PARTICIPATION AND PUBLIC INPUT:

This is an opportunity for citizens to address the convened board of this meeting on any matter. The presiding officer may ask for the citizen to hold his or her comment on an agenda item until that agenda item is reached. The convened board has no obligation to respond in any matter to comments or questions from the public. Any response from a member of the convened Board to comments related to items not on the agenda is limited to a statement of specific factual information, a recitation of existing policy, or direction to staff to place the subject on the agenda for a future meeting.

INTRODUCTION OF NEW EMPLOYEES

CONSENT AGENDA:

1. Consideration and action to approve minutes from the 11/20/2023 Regular City Council Meeting (Walls)
2. Consideration and action to approve Ordinance 2023-34 amending section 2-4 of the Code of Ordinances designating the Cleburne Times as the official newspaper of the city. (Walls)
3. Consideration and action to approve Resolution R2023-0015 designating the Cleburne Times as the official newspaper for publications as required by Section 15.05 of the City of Alvarado Charter. (Walls)
4. Consideration and action to move the January Regular City Council meeting to January 22, 2024 due to the Martin Luther King Holiday falling on the 3rd Monday of the month. (Walls)
5. Consideration and action to approve the City Manager to sign documents for the Sign Safe Streets and Roads for All grant. (DeBuff)

NEW BUSINESS:

Regular City Council Meeting Agenda

December 18, 2023

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6. Public hearing, consideration and action to approve Ordinance 2023-0033 regarding the application of Stacy Standridge on behalf of Texas A&M Trust Et al represented by John Percifield for approval of a zoning change from Agricultural (A) District to General Commercial (C-2) District on 5.04 acres known as a portion of Tract 7 of the W. M. Balch Survey, A-48, approximately addressed at 6881 E. Hwy 67. (French)
7. Consideration and action to appoint members to the Animal Advisory Committee. (May)

EXECUTIVE SESSION:

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

- 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 provisions of Chapter 551, including the following items: A. Any item listed on the agenda. B) Lone Oak Development.
- 2. § 551.087. Deliberation regarding economic development negotiations. The City Council may convene in Executive to discuss or deliberate regarding commercial or financial information that the city has received from a business prospect that the city seeks to have locate, stay, or expand in or near the city and with which the city is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect as described above. A) Lone Oak Development.

RECONVENE OPEN SESSION:

8. Consideration and action to approve Resolution R2023-0016 of the City Council of the City of Alvarado, Texas, accept for filing a landowner petition for the modification of boundaries to a Public Improvement District and call a public hearing (Lone Oak). (DeBuff)

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 may include, but not necessarily limited to any of the following:

- Expressions of thanks, congratulations, or condolence;
- Information regarding holiday schedules;
- An honorary or salutary 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 salutary recognition for purposes of this subdivision;
- A reminder about an upcoming event organized or sponsored by the governing body;
- Information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and
- Announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

ADJOURN

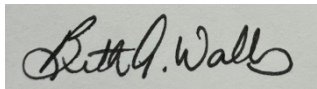
ACCESSIBILITY STATEMENT

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: wallsb@cityofalvarado.org Please call at least two (2) working days prior to the meeting so that appropriate arrangements can be made.

NON-DISCRIMINATION STATEMENT

The City of Alvarado does not discriminate on the basis of race, color, national origin, sex, religion, or disability in the employment or the provision of services.

I, the undersigned authority, do hereby certify that the above Agenda was posted on the bulletin board in the City Hall of the City of Alvarado, Texas, a place convenient and readily accessible to the general public at all times, and said Agenda was posted on December 15, 2023 at 4:30 p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.



Beth A Walls, TRMC, IPMA-SCP, CPM
City SecretaryHRD

CITY OF ALVARADO
County of Johnson
State of Texas
November 20, 2023
City Council Minutes

The City Council of the City of Alvarado met in Regular Called Session on Monday, November 20, 2023 at 6:30 p.m. The following were present for roll call:

Name	Title	Present	Absent	Excused
Jacob Wheat	Mayor	✓		
Michael Bennett	Council Ward 1	✓		
Beverly Short	Council Ward 1		✓	✓
Lydia Moon	Mayor Pro-Tem Ward 2	✓		
Cherry Bryant	Council Ward 2	✓		
Scott Arthur	Council Ward 3	✓		
Kevin Thomas	Council Ward 3	✓		

Others Present:

Paul DeBuff	City Manager
Beth A Walls	City Secretary
Laura Cox	Chief Financial Officer
Ashley Dierker	City Attorney
Donielle Suber	Director of Administrative Services
Justin French	Community Dev. Director
Paula Hardison	Director Billing/Accounting
John Rodgers	Fire Chief
Precious Moore	Library Director
Teddy May	Police Chief
Michael Dwiggins	Public Works Director

Mayor Jacob Wheat call the meeting to order at 6:30 p.m. and Calvin Jenkins gave the invocation.

PLEDGE OF ALLEGIANCE and TEXAS PLEDGE

PUBLIC COMMENTS- Jameye Jones reminded Council of the 33rd Annual Parade and the toy drive coming up in the coming month.

AGENDA ITEM #1, 2,3, 4,5, 6,7

CONSENT AGENDA

1. CONSIDERATION AND ACTION TO APPROVE THE MINUTES OF THE 10/16/23 REGULAR CITY COUNCIL MEETING.

2. CONSIDERATION AND ACTION REGARDING FY 2023 AUDIT ENGAGEMENT AGREEMENT.

3. CONSIDERATION AND ACTION APPROVING A LETTER OF AGREEMENT WITH HILLTOP SECURITIES ASSET MANAGEMENT, LLC (HSAM) TO ASSIST IN THE DEVELOPMENT AND UPDATE OF THE CITY'S INVESTMENT POLICY, AND AUTHORIZING THE CITY MANAGER AND/OR CHIEF FINANCIAL OFFICER TO EXECUTE ANY DOCUMENTS IN CONNECTION THEREWITH.

4. CONSIDERATION AND ACTION TO AWARD BIDS FOR STREET REPAIR.

5. CONSIDERATION AND ACTION TO APPROVE RESOLUTION R2023-0015 REGARDING A GRANT FOR THE PURCHASE OF BODY CAMERAS.

6. CONSIDERATION AND ACTION TO AUTHORIZE LASALLE CORRECTIONS TO NEGOTIATE (ON BEHALF OF THE CITY OF ALVARADO) THE RENEWAL OF AN INTER-GOVERNMENT SERVICE AGREEMENT (IGSA) FOR ADULT NONCITIZEN DETENTION SERVICES FOR U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE) NONCITIZENS WITH THE DEPARTMENT OF HOMELAND SECURITY (DHS), ICE.

7. CONSIDERATION AND ACTION TO APPROVE LETTER DECLINING TO SUBMIT COMMENT TO TCEQ REGARDING RECYCLING FACILITY.

Motion was made by Lydia Moon and seconded by Kevin Thomas to approve the consent agenda.

This motion supported votes 5 in approval and 0 votes opposed. Motion carried.

AGENDA ITEM #8

CONSIDERATION AND ACTION TO APPROVE RESOLUTION R2023-0013, CASTING VOTES FOR THE CENTRAL APPRAISAL DISTRICT OF JOHNSON COUNTY, TEXAS.

Johnson County Central Appraisal District has provided the City of Alvarado with a ballot for Council to vote on the Central Appraisal District Board of Directors for 2024-2025. The City of Alvarado is entitled to a total of 49 votes. Council may choose to cast all those votes for one candidate or divide them up for two or more candidates. Once that decision is made, the Council will approve Resolution R2023-0013 which will direct Johnson County CAD in how to place the votes for the City of Alvarado.

Motion was made by Lydia Moon and seconded by Cherry Bryant to give all 49 of the City of Alvarado votes to Duaine Goulding.

This motion supported votes 5 in approval and 0 votes opposed. Motion carried.

AGENDA ITEM #9

PUBLIC HEARING, CONSIDERATION AND ACTION TO APPROVE ORDINANCE 2023-0032, REGARDING THE APPLICATION OF AGAVE TRAIL DEVELOPMENT

LLC REPRESENTED BY JOHN HEILMAN FOR APPROVAL OF A ZONING CHANGE FROM PLANNED DEVELOPMENT (PD) DISTRICT AND AGRICULTURAL (A) DISTRICT TO PLANNED DEVELOPMENT (PD) DISTRICT ON APPROXIMATELY 113.09 ACRES KNOWN AS PORTIONS OF TRACTS 6 AND 22 OF THE J. M. ROSS SURVEY, A-737, APPROXIMATELY ADDRESSED AT 1000, 1220, AND 1300 N. CUMMINGS DRIVE, WITH DEVELOPMENT PLAN APPROVAL.

Mayor Wheat announced the start of the public hearing at 6:55 p.m.

On June 6, 2022, City Council approved Ordinance No. 2022-0007 establishing the Planned Development (PD) District zoning for the Agave Trail development then on March 20, 2023, City Council approved Ordinance No. 2023-0005 rezoning a portion of the Agave Trail Planned Development District to the Agricultural District with the Institutional Overlay District in anticipation of a land swap with Alvarado ISD. On May 15, 2023, the newly acquired land by Agave Trail Development LLC was annexed and assigned to the Agricultural (A) District. The applicant requests rezoning of this newly acquired acreage and approval of the revised Agave Trail development plan.

The Future Land Use (FLU) map within the Alvarado Comprehensive Plan designates the subject site for Low Density Residential, which generally includes single-family detached residence at approximately four dwelling units per acre. The requested rezoning and development plan are consistent with the Comprehensive Plan.

On November 14, 2023, the Planning and Zoning Commission recommended approval by a vote of 4-0 with the stipulation that the following provision in Exhibit A of Ordinance No. 2023-0032 be omitted.

Per Section 4.7 of the development agreement dated August 15, 2022, the developer is responsible for the design of all roadway facilities required to serve the development. The \$3.4M from the developer to the City per the development agreement is only for construction of improvements as warranted by a Traffic Impact Analysis (TIA). For example, the TIA will determine two lanes or four lanes for CR 508, possible need for a round-a-bout at the intersection with N. Cummings Drive & CR 508, and N. Cummings Drive improvements beyond the scope of the N. Cummings Drive Advanced Funding Agreement project with TxDOT. The TIA must be submitted for City review prior to submission of the Agave Trail preliminary plat application.

Staff suggests approval of the drafted Ordinance No. 2023-0032 without P&Z's Exhibit A omission per the Comprehensive Plan and development agreement.

Mayor Wheat closed the public hearing at 7:10 p.m.

Motion was made by Lydia Moon and seconded by Kevin Thomas to approve Ordinance 2023-0032 with amendments removing P&Z's Exhibit A omission.

This motion supported votes 5 in approval and 0 votes opposed. Motion carried.

AGENDA ITEM #10

CONSIDERATION AND ACTION ON THE APPLICATION OF WINSTON PARKS WITH PALM DEVELOPMENT PARTNERS ON BEHALF OF THE DAVID AND MARY GLENN IRREVOCABLE TRUST FOR APPROVAL OF THE HENDERSON INTEGRITY ADDITION (URGENT CARE FACILITY) PRELIMINARY PLAT ON 2.298 ACRES KNOWN AS TRACT 29 IN THE J. DIXON SURVEY, ABSTRACT 214, APPROXIMATELY ADDRESSED IN THE 700 AND 800 BLOCKS OF E. HWY 67.

The preliminary plat application was submitted and deemed administratively complete on October 27, 2023. Per Section 34-34.c of the Alvarado subdivision ordinance, the City Council shall:

- (1) Act within 30 days after the filing of preliminary plat,
- (2) Make one of the following decisions.
 - a. Approve.
 - b. Approve with conditions.
 - c. Disapprove with reasons.

The Future Land Use (FLU) map within the Alvarado Comprehensive Plan designates the subject site for Local Business, which generally includes small businesses and retail uses, coffee shops, restaurant, and small professional office buildings. This type of development is best suited along Highway 67 and is intended to serve the needs of residents. The City's Development Review Committee (DRC) finds the preliminary plat to comply with the minimum standards of the Alvarado subdivision ordinance and all other ordinances. The subject site is zoned General Commercial (C-2) District and anticipated development is consistent with the Comprehensive Plan.

On November 14, 2023, the Planning and Zoning Commission recommended Council approve the preliminary plat of Henderson Integrity Addition by a vote of 4-0.

Motion was made by Lydia Moon and seconded by Cherry Bryant to approve the Henderson Integrity Addition (Urgent Care Facility) preliminary plat on 2.298 acres known as Tract 29 in the J. Dixon Survey, Abstract 214, approximately addressed in the 700 and 800 blocks of E. Hwy 67.

This motion supported votes 5 in approval and 0 votes opposed. Motion carried.

AGENDA ITEM #11

CONSIDERATION AND ACTION TO APPROVE AT THE REQUEST OF PROPERTY OWNER ANDREW BITHER, FOR AN ON-SITE SEWER FACILITY (OSSF), AS

AUTHORIZED BY SECTION 34-130(C) OF THE ALVARADO SUBDIVISION ORDINANCE, ON 8.12 ACRES KNOWN AS TRACTS 16 & 18-22 OF THE GEORGE S. MCINTOSH SURVEY, A-625, AND ADDRESSED AT 1005 E. HIGHWAY 67.

Based on available occupancy records, the property addressed at 1005 E. Highway 67 has been occupied by Seery's Garage and other auto repair occupants since July 21, 2011; however, garbage service account records and Google Earth aerial imagery indicate usage as early as February 15, 1994 and December of 1985. No water or wastewater account records were found for the subject site. The building for the existing auto repair use is not on Alvarado water supply and is reported to have an on-site sewer facility (OSSF).

Advance Career Education, LLC proposes to make improvements to the subject site for a truck driving trade school. Today the subject site is not a platted lot of record, which is a prerequisite to the issuance of permits the school needs to improve the property. To plat the property as a lot of record, the developer must provide adequate public infrastructure including installation of all sanitary sewer facilities needed to serve the development and extend all sanitary sewer mains and appurtenances necessary to connect the development with the City's sanitary sewer system.

Advance Career Education, LLC requests City Council to approve a properly permitted onsite sewage facility in lieu of connection to the City's sanitary sewer system as permitted by Section 34-130(c) of the Alvarado subdivision ordinance. Per Section 34-130(c), in locations where sanitary sewers are not available and where the City Council concludes that installation of sanitary sewers is not feasible, on-site septic systems of approved type may be installed in conformity with the rules, regulations, and ordinances of the city, county, and state pertaining to public health. The city council shall grant approval for on-site septic system usage only in those conditions and circumstances in which very low density development can be accommodated or other exceptional circumstances exist. In no case shall on-site septic systems be installed without express approval and inspection by the city."

Staff suggests the City Council disapprove the request of Andrew Bither because conditions and circumstances in which only very low-density development can be accommodated do not exist.

Motion was made by Michael Bennett and seconded by Cherry Bryant to deny the request.

This motion supported votes 2 in approval and 3 votes opposed. Motion failed.

Motion was made by Lydia Moon and seconded by Kevin Thomas to approve the request. This motion supported votes 3 in approval and 2 votes opposed. Motion carried.

AGENDA ITEM #12

CONSIDERATION AND ACTION REGARDING FIRE STATION RENOVATION PROJECTS.

The current fire station was constructed in approximately 1985, with the original metal roof and exterior sheeting still intact. The source of our problem with the roof entails the various screw heads and the disintegration of the associated rubber gaskets for each. In addition, we have eight (8) skylights that are significantly deteriorated. The process that best suits our needs is to first replace all the skylights with solid metal sheeting, and second, cover the entire roof with a silicone based top coat. The process will also include sealing all gaps and protrusions with a trowel-grade seam sealer. This process carries a 20- year warranty.

Next, are numerous pieces of sheet metal on the exterior of the building that needs to be replaced. Included in this quote is cutting the bottom four feet out to expose and replace rotted base angle, replacing all metal, trim, gutters and downspouts.

Next, is to repaint the exterior of Fire Station 79. The quote includes all prep work, pressure washing, priming and painting of all exterior walls, doors and trim. Next, we have ventilation issues in the truck bay of the fire station. We would like to add a 16' industrial ceiling fan, similar to what is at Old Settlers Pavilion. This work will be done by The BAF Company.

Next, to avoid what happened with Bay Door 1, the other three bay doors will be replaced. Last, is to construct new lockers in the dormitory. There will be an individual locker for each firefighter for the purpose of storing uniforms, bedroll, and other personal belongings.

These projects combined will cost approximately \$90,920.88.
No Council action required.

AGENDA ITEM #13

CONSIDERATION AND ACTION TO APPROVE ORDINANCE 2023-0031, AMENDING DIVISION 2 "CITY MANAGER," OF ARTICLE III, "OFFICERS AND EMPLOYEES," OF CHAPTER 2 "ADMINISTRATION" OF THE CODE OF ORDINANCES, CITY OF ALVARADO, TEXAS, RELATING TO THE CITY MANAGER'S TERMS OF EMPLOYMENT, SALARY, DUTIES, AND POWERS.

The proposed amendments are necessary to align the Code of Ordinances with the City Charter that was passed on May 6, 2023, and declared the City of Alvarado as a Home Rule City. The addition of subsection (C) under Section 2-127 establishing the City Manager's spending authority in an amount up to \$50,000.00 for budgeted expenditures, which is the minimum amount for sealed bidding requirements required by the State of Texas.

Motion was made by Lydia Moon and seconded by Kevin Thomas to approve to approve Ordinance 2023-0031.

This motion supported votes 5 in approval and 0 votes opposed. Motion carried.

AGENDA ITEM #14

CONSIDERATION AND ACTION TO APPROVE THE SETTLEMENT AGREEMENT WITH INDIE CATCH.

Motion was made by Lydia Moon and seconded by Kevin Thomas to approve and ratify the settlement agreement with Indie Catch for the City Manager to sign.

This motion supported votes 5 in approval and 0 votes opposed. Motion carried.

AGENDA ITEM #15

CONSIDERATION AND ACTION TO ACCEPT BID FOR POLICE DEPARTMENT RENOVATIONS.

One bid was received in response to the Request for Proposals for PD building renovations. It was submitted by Acumen Enterprises, INC in the amount of \$417,476.00. The budget for this work is \$300,000 and the bid was \$117,000 over budget. The budget amount was created based on an estimate done last summer. Management believes that this estimate was incorrect and that the Acumen bid is a fair bid for the proposed project scope.

Motion was made by Lydia Moon and seconded by Cherry Bryant to accept and award the Police Building Renovations to Acumen Enterprises in the amount of \$417,476.00.

This motion supported votes 5 in approval and 0 votes opposed. Motion carried.

AGENDA ITEM #16

PRESENTATION AND ACTION ON BODY CAMERA UPGRADES.

Police Department body cameras need to be upgraded. A grant has been secured that will cover the cost of the first year at 75%. The cost per year for year 2-5 will be \$45,000. The PD received three bids and recommended that the bid be awarded to WatchGuard at a cost of \$233,296.24 over 5 years. WatchGuard is the current vendor that the PD uses and have found them to be reliable and effective. They were also the low bidder.

Motion was made by Lydia Moon and seconded by Kevin Thomas to accept and award the bid from WatchGuard for PD Body Cameras at a cost of \$233,296.24 over a five year period and to authorize the City Manager to enter into an agreement for cameras.

This motion supported votes 5 in approval and 0 votes opposed. Motion carried.

AGENDA ITEM #17

CONSIDERATION AND ACTION TO AUTHORIZE THE CITY MANAGER TO APPROVE THE PURCHASE OF ROUTERS FOR THE PD VEHICLES.

With the change by Johnson County to the SOMA RMS upgrade for public safety communications devices, new routers are needed for the Police vehicles. Management recommended the purchase of CradlePoint 5G routers at a cost of \$38,174.

Motion was made by Lydia Moon and seconded by Kevin Thomas to approve the purchase of routers for the police vehicles and to authorize the City Manager to enter into an agreement for the routers.

This motion supported votes 5 in approval and 0 votes opposed. Motion carried.

EXECUTIVE SESSION

Mayor Wheat announced an executive session at 8:35 p.m.

EXECUTIVE SESSION: PURSUANT TO THE TEXAS OPEN MEETINGS ACT, CHAPTER 551 OF THE TEXAS GOVERNMENT CODE, THE CITY COUNCIL MAY CONVENE IN EXECUTIVE SESSION TO DELIBERATE REGARDING THE FOLLOWING MATTERS:

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 PROVISIONS OF CHAPTER 551, INCLUDING THE FOLLOWING ITEMS:

A. ANY ITEM LISTED ON THE AGENDA.

B. INFRASTRUCTURE UPDATE- WWTP_DSGL COST SHARE AGREEMENT.

C. LONE OAK DEVELOPMENT AGREEMENT.

D. 310 ATCHLEY

2. § 551.087. DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS. THE CITY COUNCIL MAY CONVENE IN EXECUTIVE SESSION TO DISCUSS OR DELIBERATE REGARDING COMMERCIAL OR FINANCIAL INFORMATION THAT THE CITY HAS RECEIVED FROM A BUSINESS PROSPECT THAT THE CITY SEEKS TO HAVE LOCATE, STAY, OR EXPAND IN OR NEAR THE CITY AND WITH WHICH THE CITY IS CONDUCTING ECONOMIC DEVELOPMENT NEGOTIATIONS; OR TO DELIBERATE THE OFFER OF A FINANCIAL OR OTHER INCENTIVE TO A BUSINESS PROSPECT DESCRIBED ABOVE.

- A) INFRASTRUCTURE UPDATE- WWTP_DSGL COST SHARE AGREEMENT.**
- B) LONE OAK DEVELOPMENT AGREEMENT.**
- C) 310 ATCHLEY.**

Council reconvened into regular session at 9:00 p.m.

AGENDA ITEM #18

CONSIDERATION AND ACTION REGARDING AN AMENDMENT TO THE WWTP_DSGL COST SHARE AGREEMENT.

Motion was made by Lydia Moon and seconded by Kevin Thomas to approve agenda item 18 as discussed.

This motion supported votes 5 in approval and 0 votes opposed. Motion carried.

There being no further business, Mayor Wheat adjourned the meeting at 9:02 p.m.

Passed and approved this the 18th day of December, 2023.

Mayor Jacob Wheat

Respectfully Submitted,

Beth A Walls, City Secretary/HRD



City Council Meeting Management Report

Meeting Date: December 18, 2023

Contact: Beth A Walls

AGENDA ITEM:

Consideration and action to approve Ordinance 2023-34 amending section 2-4 of the Code of Ordinances designating the Cleburne Times Review as the official newspaper of the city.

Consideration and action to approve Resolution R2023-0015 designating the Cleburne Times as the official newspaper for publications as required by Section 15.05 of the City of Alvarado Charter.

BACKGROUND & FINDINGS:

Section 2-4 of the City of Alvarado Code of Ordinances currently shows the Alvarado Post as the newspaper of record for City publications.

Ordinance 2023-34 amends that information.

Resolution R2023-0015 fills the requirements of the City of Alvarado Charter in naming the Cleburne Times Review as the City's Official Newspaper.

Although these two actions seem redundant, they are both necessary to get the information up to date and current.

ORDINANCE NO. 2023-0034

AN ORDINANCE OF THE CITY OF ALVARADO, TEXAS AMENDING SECTION 2-4 OF THE ALVARADO CODE OF ORDINANCES TO PROVIDE FOR THE DESIGNATION OF AN OFFICIAL NEWSPAPER; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Alvarado, Texas (“City”) is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, in May of 2023 the electorate adopted a home-rule charter which provides that the city council may designate one or more newspapers as the City’s official newspaper by resolution; and

WHEREAS, before the adoption of the charter, the City previously designated newspaper(s) by ordinance in section 2-4 of Alvarado’s Code; and

WHEREAS, the City Council finds that the provisions of section 2-4 of Alvarado’s Code should be modified to reflect the newly adopted charter language.

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

**SECTION 1.
AMENDMENT OF SECTION 2-4.**

Section 2-4, “Official newspaper designated,” of Article I, “In General,” of Chapter 2, “Administration,” is amended to read as follows:

“Sec. 2-4. – Designation of Official Newspaper.

The City Council may designate by resolution one or more newspapers of general circulation in the City as the official newspaper of the City. The City shall cause to be published therein all ordinances, notices, and other matters which are required to be published by the Charter, the ordinances of the City, or the Constitution or laws of the State of Texas.”

**SECTION 2.
ORDINANCE CUMULATIVE**

This ordinance shall be cumulative of all provisions and 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, in which event the conflicting provisions of such ordinances are hereby repealed.

**SECTION 3.
SEVERABILITY**

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 4.
EFFECTIVE DATE**

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 AND APPROVED by the City Council of the City of Alvarado on this 18th day of December, 2023.

CITY OF ALVARADO

By: _____
Jacob Wheat, Mayor

ATTEST:

Beth A. Walls, City Secretary

RESOLUTION NO. R2023-0015

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALVARADO, TEXAS, DESIGNATING THE OFFICIAL NEWSPAPER OF THE CITY OF ALVARADO; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Alvarado, Texas (“City”) is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, Section 15.05 of the City Charter provides that the City may, by resolution, designate one or more newspapers of general circulation as the official newspaper of the City for publishing all ordinances, notices, and other matters which are required to be published;

WHEREAS, the City Council of the City desires to designate the *Cleburne Times Review* as its official newspaper.

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

SECTION 1.

The City hereby designates the *Cleburne Times Review* to be the official newspaper of the City. The City shall publish in the official newspaper each ordinance, notice, or other matter required by law or ordinance to be published. The *Cleburne Times Review* shall continue to be the official newspaper of the City until another is duly designated.

SECTION 2.

This resolution shall take effect from and after its date of passage.

PASSED AND APPROVED on this 18th day of December, 2023.

CITY OF ALVARADO

By: _____
Jacob Wheat, Mayor

ATTEST:

Beth A. Walls, City Secretary

From: [Teicher, Paul \(OST\)](#)
To: [Paul DeBuff](#)
Subject: SS4A Funding Awarded
Date: Wednesday, December 13, 2023 10:37:15 AM
Attachments: [image001.jpg](#)

*****EXTERNAL EMAIL*****

STOP - This email message originated outside the trusted City of Alvarado network. Please ensure the message is from a legitimate sender before opening attachments or clicking on embedded links within.

To Whom It May Concern from City of Alvarado,

The Alvarado Multimodal Transportation Safety Plan, for the Notice of Funding Opportunity (NOFO) Fiscal Year (FY) 2023 Safe Streets and Roads for All grant program, was selected for an award of \$ 236,000.00 in Federal funding. Congratulations! This funding is to develop an Action Plan, as well as conduct supplemental planning and/or carry out demonstration activities.

This email is not authorization to begin work, and it does not guarantee Federal funding. The United States Department of Transportation (USDOT) and City of Alvarado UEI #ZSASSL51U3C3 must establish and execute a signed, mutually agreed upon grant agreement prior to the obligation of award funds.

Immediate Next Steps: USDOT made the public announcements related to the awards on December 13th, 2023. See the [press release](#) and the award recipient list here: [FY 2023 SS4A Awards](#). We published a short summary of the proposal from your application on our Safe Streets and Roads for All website as part of the public announcement, pursuant to Section H Part 2 of the Notice of Funding Opportunity (NOFO). If you need to correct what is provided on our website once you see it, please let me know by emailing SS4A@dot.gov. The website link is <https://www.transportation.gov/grants/SS4A>.

What to Expect in the Next Few Weeks: My colleagues at the Federal Highway Administration (FHWA) are responsible for establishing and executing a SS4A grant agreement with City of Alvarado. You can expect to hear from a FHWA representative with your State's FHWA Division Office in the near future. In the weeks ahead you will receive more information about next steps, including an invitation to a FHWA-sponsored webinar for grant recipients to describe the process leading to an executed grant agreement. The webinar will be recorded for those who are unable to attend and will be posted to the SS4A website. In the meantime, **if you have questions about next steps, please direct them to FHWA using the email SS4A.FHWA@dot.gov.**

Finally, we ask for your patience as we work diligently toward executing grant agreements so your important safety work may begin. FHWA staff will be working with hundreds of new grant recipients to expeditiously process new grant agreements, and this will take time.

It's exciting to see so many communities on the path to improving roadway safety, and the whole SS4A Program team is passionate about helping you succeed. Thank you for your commitment to roadway safety.

Paul



Paul D. Teicher
Grantor, Safe Streets and Roads for All

Office of Policy Development and
Coordination Office of the Secretary of
Transportation

Summary of Award Information:

Project Name: Alvarado Multimodal Transportation Safety Plan

Applicant: City of Alvarado

Unique Entity Identifier: ZSASSL51U3C3

Grant Type: Planning and Demonstration

SS4A Grant Funding Amount: \$ 236,000.00

Estimated Total Project Costs: \$ 295,000.00

Project Description: This award will be used by the City of Alvarado to 1) develop a city-wide crash report and evaluation, 2) develop a pedestrian and ADA-accessibility safety plan, and 3) prepare an MUTCD study at approximately five intersections throughout the City.

Preparing to Establish a Grant Agreement

The terms of the grant agreement will be in accordance with the FY 2023 SS4A NOFO and applicable Federal requirements. Below highlights key information to start becoming familiar with as the grant agreement development process begins.

- **Scope of Activities:** Your award is to develop an Action Plan, as well as conduct supplemental planning and/or carry out demonstration activities.
 - **Action Plan:** The funding awarded to develop a comprehensive safety action plan must result in a final product that includes all Action Plan components outlined in Table 1 of the NOFO. See <https://www.transportation.gov/grants/ss4a/action-plan-components>.
 - **Supplemental Planning:** Funds awarded to conduct supplemental planning must result in a final written product that connects to, supports, and enhances an Action Plan. If your award does not include supplemental planning, please disregard.
 - **Demonstration Activities:** The funding awarded to carry out demonstration activities must inform an Action Plan's list of selected projects and strategies and their future implementation, and/or inform another part of the Action Plan. Demonstration activities are temporary in nature, and materials to be used must also be temporary and/or easily reversible. Additionally, demonstration activities must also measure potential benefits through data collection and evaluation as part of the grant agreement. Demonstration activities are subject to additional reviews and oversight to ensure compliance with Federal requirements, including but not limited to the National Environmental Policy Act. If your award does not include demonstration activities, please disregard.
- **2 CFR part 200:** All SS4A awards will be administered pursuant to the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards found in [2 CFR part 200](#) (NOFO p. 36). We encourage awardees to take the [free FHWA training](#) on these requirements (https://www.nhi.fhwa.dot.gov/course-search?tab=1&key=231034&sf=0&course_no=231034).
- **Pre-Agreement Costs:** No costs incurred before USDOT signs and executes the grant agreement will be reimbursed or counted toward the 20% match or cost-share requirement.

- **Allowable Costs:** To be considered allowable, costs incurred must be reasonable, necessary, and allocable, as described in [2 CFR Part 200 Subpart E – Cost Principles](#).
- **Match and Cost-Sharing:** Grant recipients are required to contribute no less than a 20% non-Federal match. Please review: <https://www.transportation.gov/grants/ss4a/match-and-cost-share-examples>.
- **Maintenance Activities:** Maintenance activities for an existing roadway primarily to maintain a state of good repair are not an eligible activity.
- **Enforcement Activities:** Any activities related to compliance or enforcement efforts to make our roads safer should affirmatively improve equity outcomes as part of a comprehensive approach to achieve zero roadway fatalities and serious injuries. (NOFO p. 15)
- **Educational and Outreach Materials:** Any educational or outreach materials charged to the grant must align with the project goals and roadway safety. Costs of promotional items and memorabilia, including models, gifts, and souvenirs are not allowable expenses. Costs of advertising and public relations designed solely to promote the non-Federal entity are unallowable ([2 CFR § 200.421](#)). USDOT's [Use of DOT Funds for Public Involvement FAQs](https://www.transportation.gov/grants/dot-navigator/use-of-dot-funds-for-public-involvement) (<https://www.transportation.gov/grants/dot-navigator/use-of-dot-funds-for-public-involvement>) can assist in determining eligibility of related costs.



City Council Meeting Management Report

Meeting Date: December 18, 2023

Contact: Justin French, Community Development Director

AGENDA ITEM:

Public hearing, consideration and action on the application of Stacy Standridge on behalf of Texas A&M Trust et al represented by John Percifield for approval of a zoning change from Agricultural (A) District to General Commercial (C-2) District on 5.04 acres known as a portion of Tract 7 of the W. M. Balch Survey, A-48, approximately addressed at 6881 E. Hwy 67.

BACKGROUND & FINDINGS:

The Future Land Use (FLU) map within the Alvarado Comprehensive Plan designates the subject site for Interstate Business, which generally includes big box retail and lifestyle shopping centers. This type of development is targeted to increase the non-residential tax revenue for the City and attract residents and visitors. The requested rezoning is anticipated to produce development consistent with the Comprehensive Plan.

FINANCIAL IMPACT:

None.

RECOMMENDATION:

On December 12, 2023, the Planning and Zoning Commission recommended that Council approve the requested zoning by a vote of 3-0.

MANAGEMENT REVIEW:

Paul DeBuff, City Manager

ATTACHMENTS:

Application
Location Map
Future Land Use Map
Zoning Map
General Commercial District Quick Reference
Property Owner Notice List
Notices
Drafted Ordinance 2023-0033

CITY OF ALVARADO

APPLICATION FOR ZONING CHANGES

DATE: 11-16-23 CLERK: Pray FEE: 500⁸⁰ CASE NO: 2024-0056
NAME OF APPLICANT: Stacy Standridge PH: (214) 363-1998
MAILING ADDRESS: 15640 Quorum Dr. Addison, TX 75001
APPLICANT IS THE: OWNER / LEASER / PURCHASER OF THE PROPERTY.
NAME OF OWNER: John Percifield PH: (817) 980-9141
MAILING ADDRESS: 602 Percifield Trl, Alvarado TX 76009
STREET ADDRESS OF PROPERTY: 6881 E Hwy 67 ACREAGE: 5.04 Acres
LEGAL DESCRIPTION: ABST 48 TR7 PT WM BALCH
PRESENT ZONE OF PROPERTY: Ag PRESENT USE: Ag
REQUESTED ZONE: C-2 Commercial PROPOSED USE: Retail
REASON FOR CHANGE: to develop the property.
USAGE OF ADJACENT PROPERTY NORTH: Ag
SOUTH: Retail - C-2
EAST: Retail - C-2
WEST: Retail - C-2

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: John M. Percifield Sr

SWORN TO AND SUBSCRIBED before me this 16 day of NOV., 2023, by the person whose signature appears directly above.



Dana Diane Duncan
Notary Public in and for The State of Texas.
My Commission expires 10-07-24

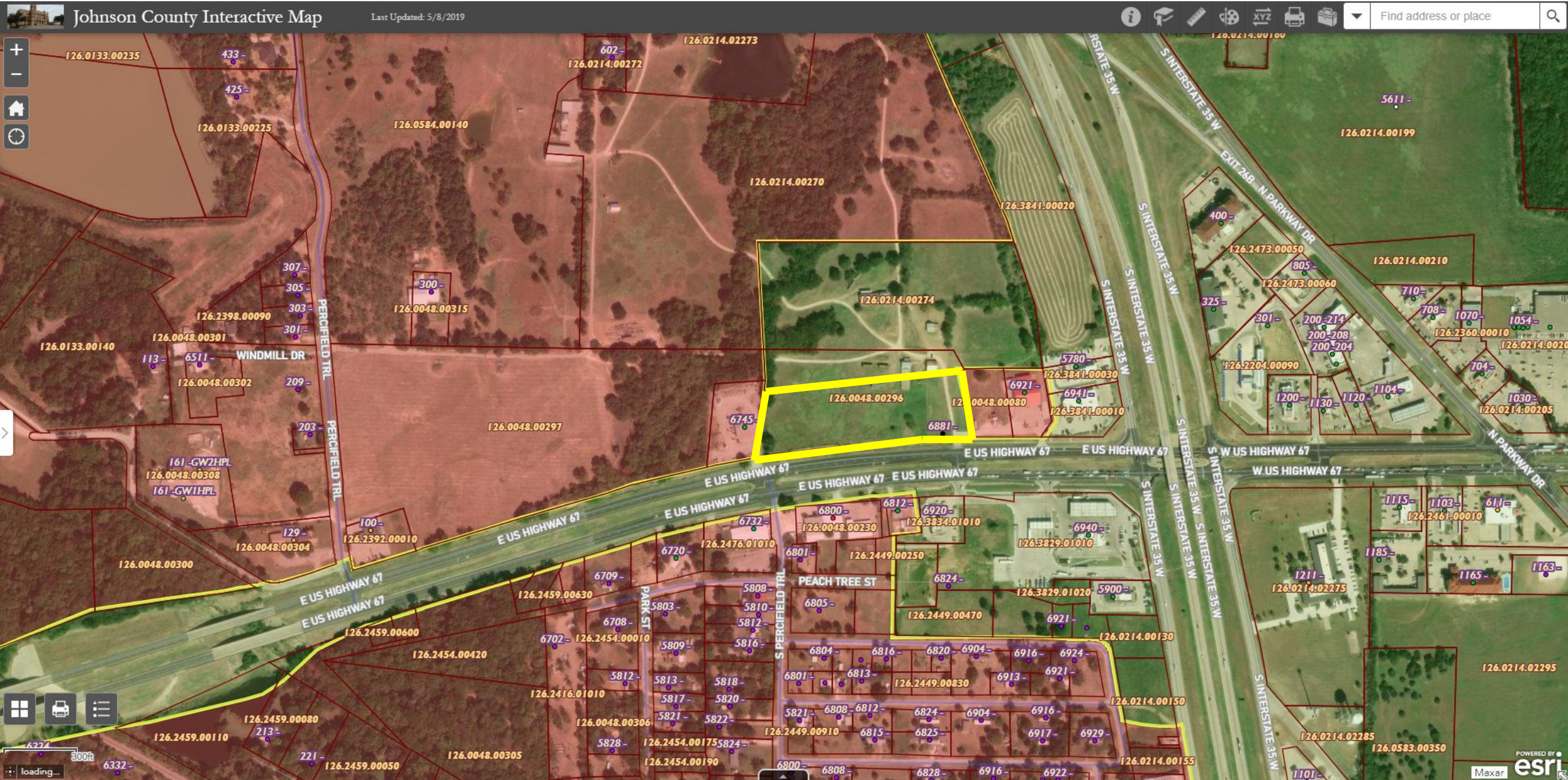
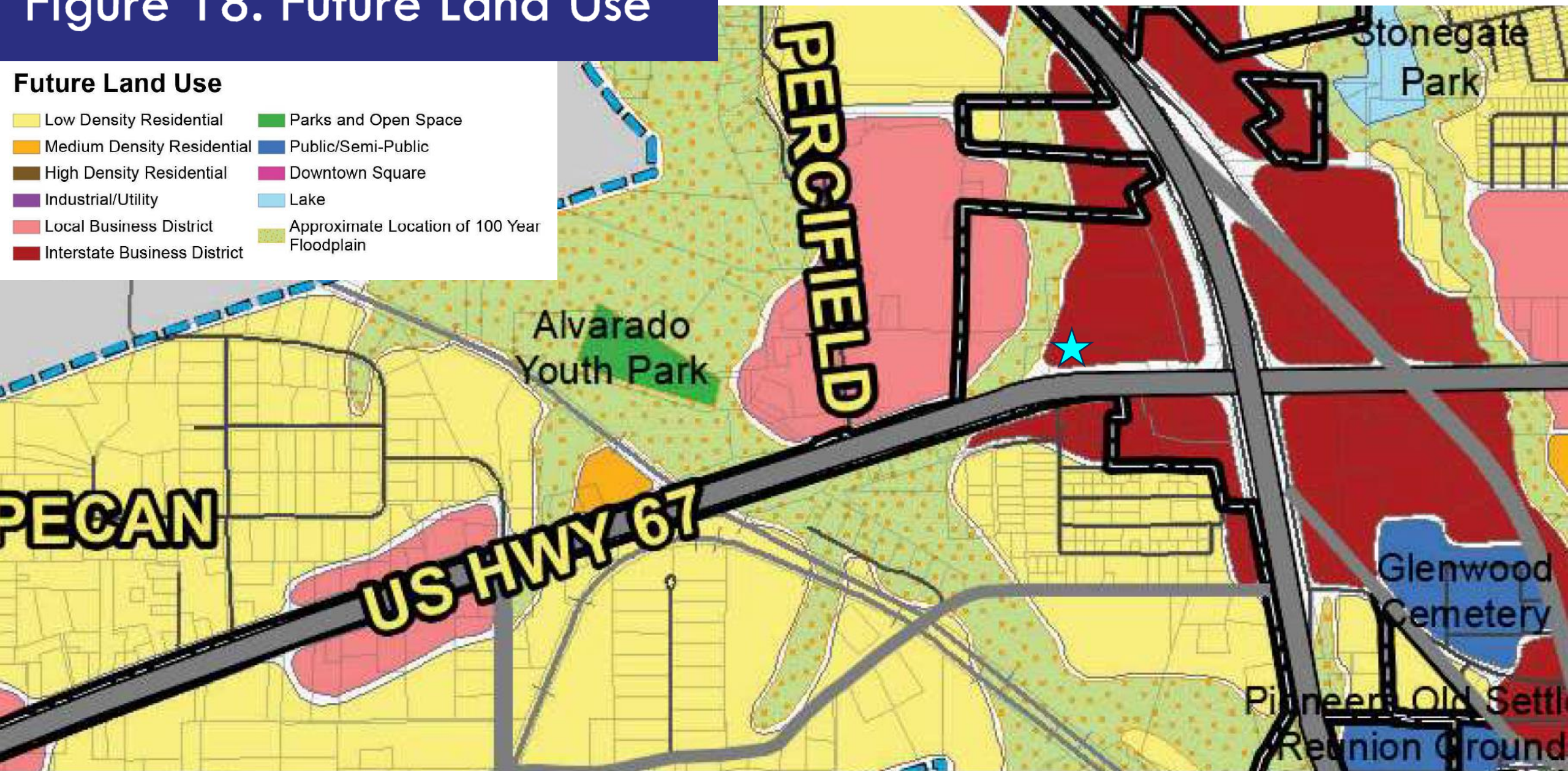


Figure 18. Future Land Use

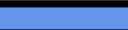
Future Land Use

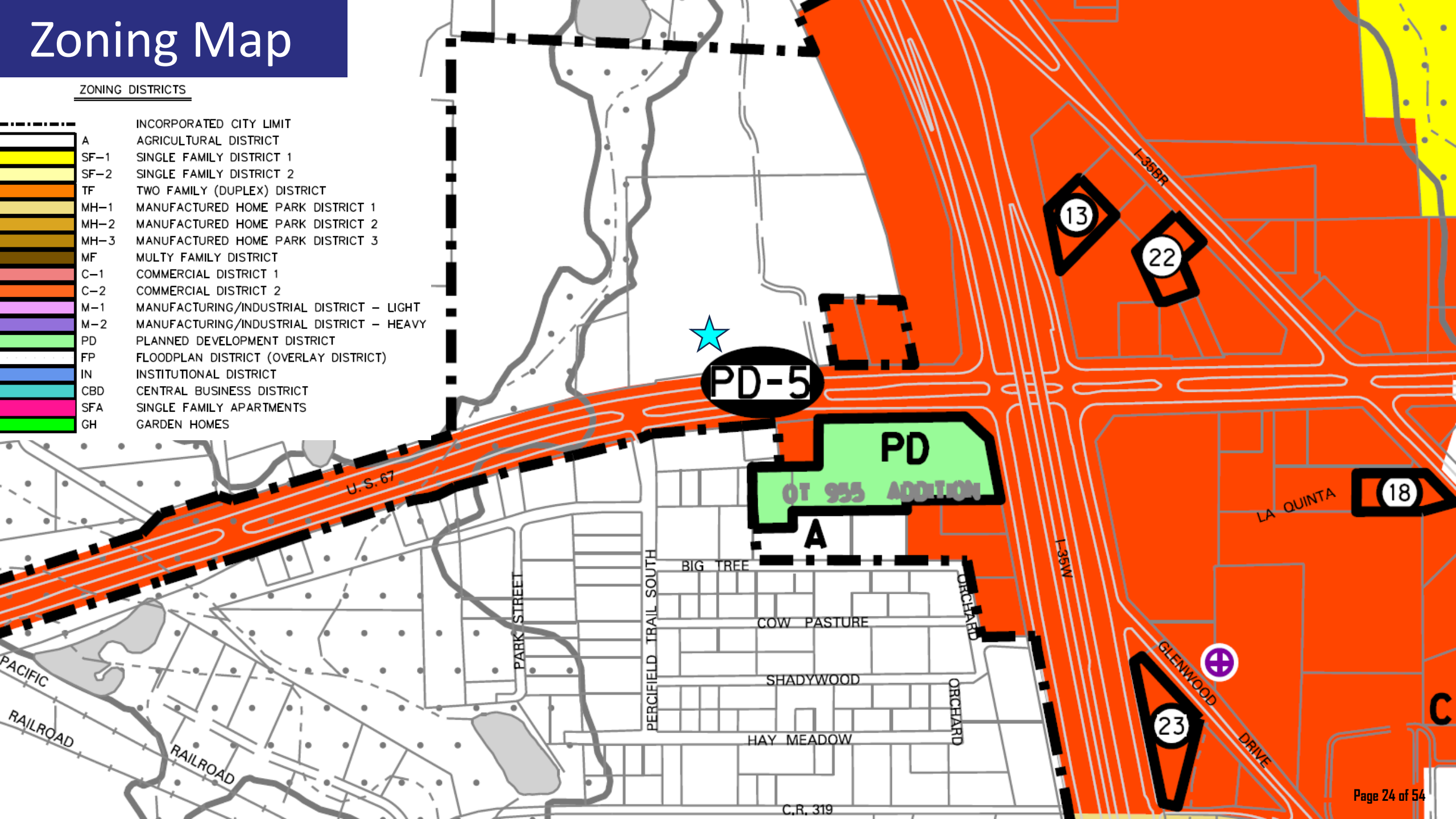
- | | |
|------------------------------|---|
| Low Density Residential | Parks and Open Space |
| Medium Density Residential | Public/Semi-Public |
| High Density Residential | Downtown Square |
| Industrial/Utility | Lake |
| Local Business District | Approximate Location of 100 Year Floodplain |
| Interstate Business District | |



Zoning Map

ZONING DISTRICTS

	INCORPORATED CITY LIMIT
	A AGRICULTURAL DISTRICT
	SF-1 SINGLE FAMILY DISTRICT 1
	SF-2 SINGLE FAMILY DISTRICT 2
	TF TWO FAMILY (DUPLEX) DISTRICT
	MH-1 MANUFACTURED HOME PARK DISTRICT 1
	MH-2 MANUFACTURED HOME PARK DISTRICT 2
	MH-3 MANUFACTURED HOME PARK DISTRICT 3
	MF MULTY FAMILY DISTRICT
	C-1 COMMERCIAL DISTRICT 1
	C-2 COMMERCIAL DISTRICT 2
	M-1 MANUFACTURING/INDUSTRIAL DISTRICT - LIGHT
	M-2 MANUFACTURING/INDUSTRIAL DISTRICT - HEAVY
	PD PLANNED DEVELOPMENT DISTRICT
	FP FLOODPLAN DISTRICT (OVERLAY DISTRICT)
	IN INSTITUTIONAL DISTRICT
	CBD CENTRAL BUSINESS DISTRICT
	SFA SINGLE FAMILY APARTMENTS
	GH GARDEN HOMES





City of Alvarado
104 W. College Ave. Alvarado, TX 76009
817-790-3351 ♦ www.cityofalvarado.org

November 30, 2023

John Percifield
602 Percifield Trail
Alvarado, TX 76009

The City of Alvarado has received your request for approval of a zoning change from Agricultural (A) District to General Commercial (C-2) District on 5.04 acres known as a portion of Tract 7 of the W. M. Balch Survey, A-48, approximately addressed at 6881 E. Hwy 67.

NOTICE OF HEARING BEFORE PLANNING AND ZONING COMMISSION

Notice is hereby given that a public hearing will be held before the Planning and Zoning Commission of the City of Alvarado on Tuesday, the 12th day of December 2023, in the Council Chambers, 104 W. College Avenue, at 6:30p.m. regarding this request. The Planning and Zoning Commission will forward a recommendation to the City Council.

NOTICE OF HEARING BEFORE CITY COUNCIL

Notice is hereby given that a public hearing will be held by the City Council of the City of Alvarado on Monday, the 18th day of December 2023, in the Council Chambers, 104 W. College Avenue, at 6:30 p.m., regarding this request.

For more information on the Comprehensive Plan, its land use classifications and its role in the planning and zoning process, you may contact the Community Development Director at 817.240.9585, or at frenchj@cityofalvarado.org.

Sincerely,

Justin French, AICP
Community Development Director
City of Alvarado
frenchj@cityofalvarado.org



City of Alvarado
104 W. College Ave. Alvarado, TX 76009
817-790-3351 ♦ www.cityofalvarado.org

November 30, 2023

Stacy Standridge
15640 Quorum Drive
Addison, TX 75001

The City of Alvarado has received your request for approval of a zoning change from Agricultural (A) District to General Commercial (C-2) District on 5.04 acres known as a portion of Tract 7 of the W. M. Balch Survey, A-48, approximately addressed at 6881 E. Hwy 67.

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Sincerely,

Justin French, AICP
Community Development Director
City of Alvarado
frenchj@cityofalvarado.org



City of Alvarado
104 W. College Ave. Alvarado, TX 76009
817-790-3351 ♦ www.cityofalvarado.org

November 30, 2023

Dear Property Owner,

The City of Alvarado has received the request made by Stacy Standridge on behalf of Texas A&M Trust Etal represented by John Percifield for approval of a zoning change from Agricultural (A) District to General Commercial (C-2) District on 5.04 acres known as a portion of Tract 7 of the W. M. Balch Survey, A-48, approximately addressed at 6881 E. Hwy 67.

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NOTICE OF HEARING BEFORE CITY COUNCIL

Notice is hereby given that a public hearing will be held by the City Council of the City of Alvarado on Monday, the 18th day of December 2023, in the Council Chambers, 104 W. College Avenue, at 6:30 p.m., regarding this request.

According to City and County Tax Records, you are the owner of property which is located within two hundred (200) feet of the area of the requested zoning change. This is notice of the public hearings, at which any interested persons will be given an opportunity to be heard. In hearing this matter, the Planning and Zoning Commission and City Council may approve the request as submitted, may approve an amended request, or may deny the request.

For more information on the Comprehensive Plan, its land use classifications and its role in the planning and zoning process, you may contact the Community Development Director at 817.240.9585, or at frenchj@cityofalvarado.org.

Sincerely,

Justin French, AICP
Community Development Director
City of Alvarado
frenchj@cityofalvarado.org

Alvarado Address	Owner within 200 Feet	Mailing Address	City	State	Zip Code	PID
6881 E. HWY 67	Texas A&M Trust Etal	602 Percifield Trail	Alvarado	TX	76009	126.0214.00274

	Owner, Applicant, ISD	Mailing Address	City	State	Zip Code
Stacy Standridge	Applicant	15640 Quorum Drive	Addison	TX	75001
John Percifield	Owner	602 Percifield Trail	Alvarado	TX	76009

ORDINANCE NO. 2023-0033

AN ORDINANCE OF THE CITY OF ALVARADO, TEXAS, REZONING FROM AGRICULTURAL (A) DISTRICT TO GENERAL COMMERCIAL (C-2) DISTRICT, A PORTION OF TRACT 7 OF THE W. M. BALCH SURVEY, A-48, BEING 5.04 ACRES APPROXIMATELY ADDRESSED AT 6881 E. HWY 67, IN THE 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 11 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 16 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's Future Land Use map in the Alvarado Comprehensive Plan designates the subject site to the Interstate Business land use category and the proposed zoning is consistent with this land use category; and

WHEREAS, The City Council is of the opinion that the zoning 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 to change the zoning designation on the hereinafter described property and area as shown below:

(See Next Page)

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 for two days 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 18th day of December, 2023 by a vote of ____ to ____.

ATTEST:

CITY OF ALVARADO

Beth A. Walls, City Secretary

By: _____
Jacob Wheat, Mayor

PUBLIC NOTICE

Notice is hereby given that the Alvarado Planning and Zoning Commission will conduct a public hearing at their regularly scheduled meeting in the Council Chambers at Alvarado City Hall on Tuesday, December 12, 2023 at 6:30 P.M. to consider and act on the items below.

Application of Stacy Standridge on behalf of Texas A&M Trust Etal represented by John Percifield for approval of a zoning change from Agricultural (A) District to General Commercial (C-2) District on 5.04 acres known as a portion of Tract 7 of the W. M. Balch Survey, A-48, approximately addressed at 6881 E. Hwy 67.

The Alvarado City Council will also conduct a public hearing and consider the recommendations of the Planning and Zoning Commission regarding the above matters on Monday, December 18, 2023 at 6:30 p.m. in the Council Chambers at Alvarado City Hall, 104 W. College Avenue.



City Council Meeting Management Report

Meeting Date: 12-18-23

Contact: Teddy May

Phone: 972-921-4412

AGENDA ITEM:

Consideration and action to appoint an Animal Advisory Committee per City Ordinance

BACKGROUND & FINDINGS:

Appoint committee per State statute and ordinance.

Animal advisory committee.

(a) There is created the animal advisory committee of the city consisting of five members who are nominated and appointed by the city council at large.

(b) Committee members shall serve for a term of office to commence upon their date of appointment by the city council at large and to continue for a term coexistent with the term of office of the mayor.

(c) In accordance with V.T.C.A., Health and Safety Code § 823.005, members shall meet the following qualifications:

(1)

One member shall be a licensed veterinarian.

(2)

One member shall be a municipal official.

(3)

One member shall represent an animal welfare organization.

(4)

One member shall have duties which include the daily operation of an animal shelter.

(5)

One member shall be a resident of the city.

(d) The committee shall meet at least three times a year and shall comply with the Texas Open Meetings Act for all of its meetings.

(e) It is the responsibility of the committee to assist the city council in complying with the requirements of V.T.C.A., Health and Safety Code ch. 823.

FINANCIAL IMPACT:

No cost or expenses.

STAFF RECOMMENDATION:

Dr. Matt Nelson	Veterinarian
Lydia Moon	Municipal Official
Laura Welsh	Tri-Cities
Assistant Chief Ben Moore	Alvarado PD
Tonya King	Resident

MANAGEMENT REVIEW:

Teddy May, Chief of Police



**PETITION FOR THE BOUNDARY ADJUSTMENT OF THE LONE OAK PUBLIC
IMPROVEMENT DISTRICT WITHIN THE CITY LIMITS AND
EXTRATERRITORIAL JURISDICTION OF THE CITY OF ALVARADO, TEXAS**

This Petition for the Boundary Adjustment of the Lone Oak Public Improvement District (“Petition”) is submitted and filed with the City Secretary of the City of Alvarado, Texas (“City”), by Alvarado 429 Partners LLC, a Texas limited liability company, and GRBK Edgewood LLC, a Texas limited liability company (collectively, the “Petitioner”), owners of one hundred percent (100%) of the real property located within the Lone Oak Public Improvement District (the “Property”). The Lone Oak Public Improvement District (the “District”) currently comprises 429.401 acres (as approved by the City in the Resolution of the City Council of the City of Alvarado, Texas, Adding Land to the Lone Oak Public Improvement District, dated April 18, 2022) (the “Current PID Boundaries”). Pursuant to the provisions of Chapter 372.012, Texas Local Government Code, as amended (the “Act”), the Petitioner requests that the City adjust the Current PID Boundaries and decrease the District acreage to approximately 428.755 acres to accurately reflect the updated legal description and depiction of the Property in Exhibit A, attached hereto. In support of this Petition, the Petitioner presents the following:

Section 1. General Nature of the Authorized Improvements.

The general nature of the proposed public improvements for the Property (collectively, the “Authorized Improvements”) may include: (i) street and roadway improvements, including related sidewalks, drainage, utility relocation, signalization, landscaping, lighting, signage, off-street parking and right-of-way; (ii) establishment or improvement of parks and open space, together with the design, construction and maintenance of any ancillary structures, features or amenities such as trails, playgrounds, walkways, lighting and any similar items located therein; (iii) sidewalks and landscaping, including entry monuments and features, fountains, lighting and signage; (iv) acquisition, construction, and improvement of water, wastewater and drainage improvements and facilities; (v) projects similar to those listed in subsections (i) - (iv) above authorized by the Act, including similar off-site projects that provide a benefit to the property within the District; (vi) special supplemental services for improvement and promotion of the District as approved by the City; (vii) payment of costs associated with operating and maintaining the public improvements listed in subparagraphs (i) - (vi) above; and (viii) payment of costs associated with developing and financing the public improvements listed in subparagraphs (i) - (vi) above, and costs of establishing, administering and operating the District. These Authorized Improvements shall promote the interests of the City and confer a special benefit upon the Property.

Section 2. Estimated Cost of the Authorized Improvements.

The estimated cost to design, acquire, and construct the Authorized Improvements within the proposed decreased boundaries of District, together with bond issuance costs (including but not limited to the funding of any capitalized interest and reserve funds), eligible legal and financial fees, eligible credit enhancement costs and eligible costs incurred in the establishment

administration and operation of the District, will not change the District's Authorized Improvement cost which was \$42,000,000.00 and determined by the City under the original Lone Oak Public Improvement District Creation Resolution. The City will pay none of the costs of the proposed improvements from funds other than such assessments. The remaining costs of the proposed improvements will be paid from sources other than the City or assessments of property owners, including funds from a Tax Increment Financing Zone, if any.

Section 3. The Petitioner Requests Decreasing the District Property.

The Petitioner requests that the City decrease the acreage of the District from 429.401 acres to 428.755 acres to accurately reflect the updated legal description and depiction of the Property in **Exhibit A**, attached hereto. The person(s) signing this Petition is duly authorized and has the authority to execute and deliver the Petition.

Section 4. Proposed Adjustment of District Boundaries.

After the proposed boundary adjustment to the District, the District will include approximately 428.755 total acres, as depicted on **Exhibit A**.

Section 5. Proposed Method of Assessment.

The City shall consider levying assessments on each parcel within the District in a manner that results in imposing equal shares of the costs on property similarly benefited. All assessments may be paid in full at any time (including interest and principal), and certain assessments may be paid in annual installments (including interest and principal). If an assessment is allowed to be paid in installments, then the installments must be paid in amounts necessary to meet annual costs for those Authorized Improvements financed by the assessment and must continue for a period necessary to retire the indebtedness of those Authorized Improvements (including interest).

Section 6. Proposed Apportionment of Costs between the District and the City.

The City will not be obligated to provide any funds to finance the Authorized Improvements within the District, other than from assessments levied on the District and possible tax increment reinvestment zone revenue. No municipal property in the public improvement district shall be assessed. The Petitioner may also pay certain costs of the improvements from other funds available to the Petitioner.

Section 7. Management of the District.

The Petitioner proposes that the District be managed by the City, with the assistance of a consultant, who shall, from time to time, advise the City regarding certain operations of the District.

Section 8. Advisory Board.

The Petitioner proposes that the District be established and managed without the creation of an advisory board. If an advisory board is created, the Petitioner requests that a representative of the Petitioner be appointed to the advisory board.

Section 9. Landowner(s).

This Petition has been signed by (1) the owners of taxable real property, within the boundaries of the Additional Property, representing more than 50 percent of the appraised value of taxable real property liable for assessment under the proposal, as determined by the current roll of the appraisal district in which the property is located; and (2) record owners of real property, within the boundaries of the Additional Property, liable for assessment under the proposal who: (A) constitute more than 50 percent of all record owners of property that is liable for assessment under the proposal; or (B) own taxable real property that constitutes more than 50 percent of the area of all taxable real property that is liable for assessment under the proposal.

This Petition is hereby filed with the City Secretary of the City, or other officer performing the functions of the municipal secretary, in support of the proposed boundary adjustment of the District by the City Council of the City as herein provided. The Petitioner requests that the City Council of the City call a public hearing on the requested boundary adjustment of the District Property, give notice thereof as provided by law and grant all matters requested in this Petition and grant such other relief, in law or in equity, to which Petitioner may show itself to be entitled.

[signatures on following page]

City of Alvarado
Received

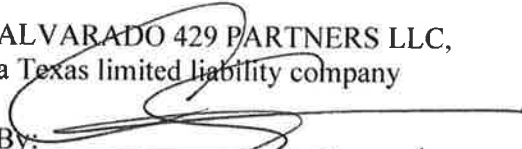
Date 12/13/23

Initials BNS

RESPECTFULLY SUBMITTED, on this the 13th day of December, 2023.

Petitioner(s):

ALVARADO 429 PARTNERS LLC,
a Texas limited liability company

By: 

Name: Clayton Snodgrass

Title: Manager

GRBK EDGEWOOD LLC,
a Texas limited liability company

By: _____

Name: _____

Title: _____

RESPECTFULLY SUBMITTED, on this the 13th day of December, 2023.

Petitioner(s):

ALVARADO 429 PARTNERS LLC,
a Texas limited liability company

By: _____
Name: _____
Title: _____

GRBK EDGEWOOD LLC,
a Texas limited liability company

By: Veronica Edwards
Name: Veronica Edwards
Title: Authorized signer

EXHIBIT A
Proposed PID Boundary Adjustment
Metes and Bounds Description and Depiction

PROPERTY DESCRIPTION

BEING a 428.755 acre tract of land situated in the DAVID MITCHELL SURVEY, ABSTRACT NO. 586, JAMES B. CONGER SURVEY, ABSTRACT NO. 150, GEORGES. McINTOSH SURVEY, ABSTRACT NO. 625, AMOS M. JAMES SURVEY, ABSTRACT NO. 466, JAMES NICHOLSON SURVEY, ABSTRACT NO. 1079, in the City of Alvarado, Johnson County, Texas, being all of that certain tract of land described in a deed to Dale Harvey Robinson, et al, recorded in Document Number 2019- 09415, Deed Records, Johnson County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a one-half inch iron rod with cap stamped "FORTWORTH SURVEYING" found for the common corner of said Robinson tract, and Lot 3, Block 1, SR20 Addition, an addition in the City of Alvarado, Johnson County, Texas, according to the plat thereof recorded in Volume 10, Page 742, Plat Records, Johnson County, Texas, said point being in the west right-of-way line of County Road 607;

THENCE North 89 degrees 12 minutes 10 seconds West, along the common line of said Robinson tract, and said Lot 3, Block 1, a distance of 2,585.01 feet to a one-half inch iron rod with cap stamped "FORTWORTH SURVEYING" found for the common corner of said Robinson tract, and said Lot 3, Block 1;

THENCE South 05 degrees 36 minutes 42 seconds West, along the common line of said Robinson tract, and said Lot 3, Block 1, passing the common corner of said Lot 3, Block 1, and Lot 2, Block 1, of said SR20 Addition, and continuing a total distance of 1,565.44 feet to a one-half inch iron rod with cap stamped "FORTWORTH SURVEYING" found for the common corner of said Robinson tract, and said Lot 2, Block 1;

THENCE South 89 degrees 51 minutes 19 seconds East, along the common line of said Robinson tract, and said Lot 2, Block 1, a distance of 76.81 feet to a one-half inch iron rod found for the common corner of said Robinson tract, and said Lot 2, Block 1;

THENCE South 00 degrees 06 minutes 33 seconds West, along the common line of said Robinson tract, and said Lot 2, Block 1, a distance of 90.02 feet to a one-half inch iron rod with plastic cap stamped "BLUESTAR SURVEYING" set for the common corner of said Robinson tract, and said Lot 2, Block 1;

THENCE South 89 degrees 51 minutes 50 seconds West, along the south line of said Robinson tract, passing a one-half inch iron rod found at a distance of 4.08 feet, passing a railroad spike found for the northeast corner of a tract of land described as tract two in a deed to Dixie Partners 8, LLC, recorded in Document Number 2018-04925, Deed Records, Johnson County, Texas at a distance of 29.00 feet, passing a one-half inch iron rod found online at a distance of 31.21 feet, passing a five-eighths inch iron rod with cap stamped "2KC" found for the common corner of said tract two, and tract one of said Dixie Partners 8, LLC tract at a distance of 1,454.58 feet, and continuing a total distance of 2,636.77 feet to a one-half inch iron rod with plastic cap stamped "BLUESTAR SURVEYING" set for the common corner of said Robinson tract, said Dixie Partners 8, LLC tract one, and a tract of land described in a deed to Alvarado ISD, recorded in Volume 2691, Page 258, Deed Records, Johnson County, Texas;

THENCE North 00 degrees 34 minutes 44 seconds East, along the common line of said Robinson tract, and said Alvarado ISD tract, a distance of 1,629.93 feet to a two inch iron pipe found for the common corner of said Robinson tract, Alvarado tract, and a tract of land described in a deed to Robert Lee Franklin, recorded in Volume 1085, Page 578, Deed Records, Tarrant County, Texas;

THENCE North 00 degrees 19 minutes 20 seconds East, along the common line of said Robinson tract, and said Franklin tract, a distance of 2,169.58 feet to a one-half inch iron rod found for the common corner of said Robinson tract, and said Franklin tract;

THENCE North 12 degrees 02 minutes 50 seconds West, along the common line of said Robinson tract, and said Franklin tract, a distance of 761.63 feet to an 80d nail with washer stamped "BLUESTAR SURVEYING" set for the common corner of said Robinson tract, and said Franklin tract, said point being in the centerline of County Road 508, more or less;

THENCE North 60 degrees 07 minutes 21 seconds East, along the north line of said Robinson tract, and along the centerline of said County Road 508, more or less, a distance of 1,221.36 feet to a one-half inch iron rod with plastic cap stamped "BLUESTAR SURVEYING" set for the common corner of said Robinson tract, and a tract of land described in a deed to Simla Investments, LLC, recorded in Document Number 2018-05552, Deed Records, Johnson County, Texas;

THENCE South 29 degrees 22 minutes 14 seconds East, along the common line of said Robinson tract, and said Simla Investments, LLC tract, passing a one-half inch iron rod found online at a distance of 23.38 feet, passing a one-half inch iron rod with cap stamped "FORTWORTH SURVEYING" found at the common corner of said Simla Investments, LLC tract, and a tract of land described in a deed to Nava Legacy 49, LLC, recorded in Document Number 2019-34549, Deed Records, Johnson County, Texas at a distance of 441.15 feet, and continuing a total distance of 1,730.13 feet to a 4 inch steel post found for the common corner of said Robinson tract, said Nava Legacy 49, LLC tract;

THENCE North 60 degrees 23 minutes 20 seconds East, along the common line of said Robinson tract, and said Nava Legacy 49, LLC tract, a distance of 1,883.36 feet to a one-half inch iron rod with plastic cap stamped "FORTWORTH SURVEYING" found for the common corner of said Robinson tract, said Nava Legacy 49, LLC tract, and a tract of land described in a deed to Silken Inc., recorded in Volume 2271, Page 110, Deed Records, Johnson County, Texas;

THENCE North 60 degrees 27 minutes 35 seconds East, along the common line of said Robinson tract, and said Silken Inc tract, a distance of 1,584.29 feet to a five-eighths inch iron rod found for the common corner of said Robinson tract, Block 1 Sage Meadows, an addition in the City of Alvarado, Johnson County, Texas, according to the plat thereof recorded in Volume 8, Page 541, Plat Records, Johnson County, Texas;

THENCE South 04 degrees 15 minutes 09 seconds West, along the common line of said Robinson tract, and said Block 1, a distance of 647.86 feet to a five-eighths inch iron rod found for the common corner of said Robinson tract, and said Block 1;

THENCE North 86 degrees 29 minutes 36 seconds West, along the common line of said Robinson tract, and said Block 1, a distance of 257.82 feet to a one-half inch iron rod with plastic cap stamped "BLUESTAR SURVEYING" set for the common corner of said Robinson tract, and said Block 1;

THENCE South 04 degrees 30 minutes 31 seconds West, along the common line of said Robinson tract, and said Block 1, passing the common corner of said Block 1, and a tract of land in a deed to Carolyn K. Myers, recorded in Volume 3272, Page 803, Deed Records, Johnson County, Texas, described in Volume 2196, Page 326, Deed Records, Johnson County Texas, passing the common corner of said Myers tract, and a tract of land described in a deed to Antonino Alegria and Jeanette F. Alegria, recorded in Document Number 2012-05342, Deed Record, Johnson County, Texas, and continuing a

total distance of 1,325.63 feet to a one-half inch iron rod with plastic cap stamped "BLUESTAR SURVEYING" set for the common corner of said Robinson tract, and said Alegria tract;

THENCE South 88 degrees 42 minutes 17 seconds East, along the common line of said Robinson tract, and said Alegria tract, a distance of 904.65 feet to a five-eighths inch iron rod found for the common corner of said Robinson tract, and said Alegria tract;

THENCE South 00 degrees 19 minutes 40 seconds East, along the common line of said Robinson tract, and said Alegria tract, passing a five-eighths inch iron rod found for an interior corner of said Alegria tract, said point being in the right-of-way line of said County Road 607, at a distance of 26.31 feet, and continuing along the east line of said Robinson tract, and along the west right-of-way line of said County Road 607, a total distance of 1,765.89 feet to the **POINT OF BEGINNING** and containing 18,676,563 square feet or 428.755 acres of land more or less.

CERTIFICATE FOR 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 Council convened in a regular meeting on December 18, 2023, at the regular designated meeting place, and the roll was called of the duly constituted officers and members of said Council, to wit:

Jacob Wheat, Mayor
Michael Bennett, Ward 1
Cherry Bryant, Ward 2
Kevin Thomas, Ward 3

Lydia Moon, Ward 2
Beverly Short, Ward 1
Scott Arthur, 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 R2023-0016 OF THE CITY COUNCIL OF THE CITY OF ALVARADO, TEXAS, ACCEPTING FOR FILING A LANDOWNER PETITION FOR THE BOUNDARY ADJUSTMENT TO A PUBLIC IMPROVEMENT DISTRICT AND CALLING A PUBLIC HEARING

was duly introduced for the consideration of said Council. It was then duly moved and seconded that said Resolution be passed; and, after due discussion, said motion, carrying with it the passage of said Resolution, prevailed and carried, with all members of said Council shown present above voting "Aye," except as noted below:

NAYS: _____ ABSTENTIONS: _____

2. A true, full, and correct copy of the aforesaid Resolution passed at the meeting described in the above and foregoing paragraph is attached to and follows this Certificate; said Resolution has been duly recorded in said Council's minutes of said meeting; the above and foregoing paragraph is a true, full, and correct excerpt from said Council's minutes of said meeting pertaining to the passage of said Resolution; the persons named in the above and foregoing paragraph are the duly chosen, qualified, and acting officers and members of said Council as indicated therein; that each of the officers and members of said 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 passage 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 the Texas Government Code, Chapter 551.

3. The City Council has approved and hereby approves the Resolution; and the Mayor and City Secretary 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 DECEMBER 18, 2023.

Beth A. Walls
City Secretary

Jacob Wheat
Mayor

(CITY SEAL)

CITY OF ALVARADO, TEXAS
RESOLUTION NO. ~~_____R 2023-~~
0016_____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALVARADO, TEXAS,
ACCEPTING FOR FILING A LANDOWNER PETITION FOR THE BOUNDARY
ADJUSTMENT TO A PUBLIC IMPROVEMENT DISTRICT AND CALLING A
PUBLIC HEARING

WHEREAS, Chapter 372 of the Texas Local Government Code (the “Act”) authorizes the creation of public improvement districts; and

WHEREAS, the City has previously created Lone Oak Public Improvement District (the “District”) consisting of 352.471 acres pursuant to a resolution approved on October 18, 2021 (the “Creation Resolution”);

WHEREAS, on April 18, 2022, the City approved a resolution expanding the Lone Oak Public Improvement District and adding 76.93 acres.

WHEREAS, the Lone Oak Public Improvement District, as expanded, is comprised of a total of approximately 429.401 acres (the “Current PID Boundaries”); and

WHEREAS, the Parties intend to reduce the acreage of the Current PID Boundaries from 429.401 to 428.755 to accurately reflect the updated legal description and depiction of the Property in **Exhibit A** attached hereto; and

WHEREAS, the owners of certain real property within the District (the “Petitioners”) delivered to the City of Alvarado, Texas a petition (the “Petition”), which is attached as **Exhibit A** meeting the requirements of the Act and indicating: (i) the owners of more than fifty percent (50%) of the appraised value of the taxable real property liable for assessment, and (ii) the owners of more than fifty percent (50%) of the area of all taxable real property liable for assessment within the Additional Land and more than fifty percent (50%) of all record owners of property liable for assessment within the Additional Land have executed the Petition requesting the adjust the Current PID Boundaries and decrease the District acreage to approximately 428.755 acres to accurately reflect the updated legal description and depiction of the Property in **Exhibit A**; and

WHEREAS, the Petitioners are the only landowners affected by the boundary reduction described in the Petition; and

WHEREAS, the Act states that a Petition to include land in a public improvement district is sufficient if signed by owners of more than fifty percent (50%) of the taxable real property, according to appraised value, and either of the following: more than fifty percent (50%) of the area of all taxable real property liable for assessment under the proposal, or more than fifty percent (50%) of all record owners of property liable for assessment; and

WHEREAS, the Act further requires that prior to the adoption of the resolution determining the boundaries of the District, the City Council must hold a public hearing on the advisability of the

improvements, the nature of the improvements contemplated, the estimated costs of the improvements, the method of assessment, and the apportionment, if any, of the costs between the District and the City.

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

Section 1. The findings set forth in the recitals of this Resolution are found to be true and correct.

Section 2. City staff reviewed the Petition and determined that it complied with the requirements of the Act and the City Council accepts the Petition. The Petition is filed with the office of the City Secretary and is available for public inspection.

Section 3. The City Council hereby calls a public hearing to be scheduled at or after 6:30 p.m. on January __, 2024 to be held at Alvarado City Hall, 104 West College Street, Alvarado, Texas 76009 on the advisability of the improvements, the nature of the improvements contemplated, the estimated costs of the improvements, the removal of land and the reduction in the boundaries of the District, the method of assessment, and the apportionment, if any, of the costs between the District and the City. Attached hereto as ***Exhibit B*** is a form of the Notice of Public Hearing, the form and substance of which is hereby adopted and approved. All residents and property owners within the District and all other persons are hereby invited to appear in person, or by their attorney, and speak on the boundary adjustment to the District.

Section 4. The Public Hearing may be adjourned from time to time. Upon the closing of the Public Hearing, the City Council may consider the adoption of a resolution decreasing the Current PID Boundaries and adjusting the boundaries of the District or may defer the adoption of such a resolution for up to six months. Adjusting the boundaries of the District is within the sole discretion of the City Council.

Section 5. The City Council hereby authorizes and directs the City Secretary to: (a) publish notice of the public hearing in a newspaper of general circulation in the City; and (b) mail notice of the public hearing to the owners of property within the District as reflected on the tax rolls.

Section 6. This Resolution shall become effective immediately from and after it is passed and approved.

Exhibit A

[Landowner Petition]

Exhibit B

NOTICE OF PUBLIC HEARING REGARDING ADJUSTING THE BOUNDARIES OF THE LONE OAK PUBLIC IMPROVEMENT DISTRICT

Pursuant to Section 372.009(c) and (d) of the Texas Local Government Code, as amended, notice is hereby given that the City Council of the City of Alvarado, Texas (the “City”), will hold a public hearing to accept public comments and discuss the petition (the “*Petition*”), filed by Alvarado 429 Partners LLC and GRBK Edgewood LLC (collectively, the “*Petitioner*”), requesting that the City adjust the boundaries of the Lone Oak Public Improvement District (the “*District*”) and decrease the District acreage from 429.401 acres to 428.755 acres.

Time and Place of Public Hearing. The public hearing will start at or after 6:30 P.M. January __, 2024 in the regular meeting place of the City Council in the Council Chamber at Alvarado City Hall, 104 West College Street, Alvarado, Texas 76009.

General Nature of the Proposed Authorized Improvements. The proposed authorized improvements include the design, acquisition and construction of those improvements for which the District was created and identified in the resolution creating the District (the “*Initial Improvements*”), adopted by the City Council on October 18, 2021 (the “*Creation Resolution*”) and additional improvements including the design, acquisition, and construction of public improvement projects authorized by Chapter 372, Texas Local Government Code (the “*Act*”) that are necessary for development of the District, which public improvements will include: (i) street and roadway improvements, including related sidewalks, drainage, utility relocation, signalization, landscaping, lighting, signage, off-street parking and right-of-way; (ii) establishment or improvement of parks and open space, together with the design, construction and maintenance of any ancillary structures, features or amenities such as trails, playgrounds, walkways, lighting and any similar items located therein; (iii) sidewalks and landscaping, including entry monuments and features, fountains, lighting and signage; (iv) acquisition, construction, and improvement of water, wastewater and drainage improvements and facilities; (v) projects similar to those listed in subsections (i) - (iv) above authorized by the Act, including similar off-site projects that provide a benefit to the property within the District; (vi) special supplemental services for improvement and promotion of the District as approved by the City; (vii) payment of costs associated with operating and maintaining the public improvements listed in subparagraphs (i) - (vi) above; and (viii) payment of costs associated with developing and financing the public improvements listed in subparagraphs (i) - (vi) above, and costs of establishing, administering and operating the District and (ix) payment of costs associated with developing and financing the public improvements listed above, as well as the costs of issuance, reserve funds, capitalized interest or credit enhancement of bonds issued for the purposes described above (collectively, the “*Additional Improvements*”) and, together with the Initial Improvements, the “*Authorized Improvements*”). These Authorized Improvements shall promote the interests of the City and confer a special benefit on the Property.

Estimated Cost of the Authorized Improvements. The estimated cost to design, acquire and construct the Authorized Improvements, together with bond issuance costs, eligible legal and financial fees, eligible credit enhancement costs and eligible costs incurred in establishment, administration and operation of the District is \$42,000,000.

Proposed District Boundaries. The purpose of the boundary adjustment to the District is to accurately reflect the updated legal description and depiction of the property within the District and will decrease the District acreage from 429.401 acres to 428.755 acres as described by metes and bounds hereto as EXHIBIT A.

Proposed Method of Assessment. The City shall levy an assessment on each parcel within the District to pay the cost of the Authorized Improvements in a manner that results in imposing equal shares of the cost on property similarly benefited. Each assessment may be paid in full at any time (including accrued and unpaid interest) or may be paid in annual installments (including interest and debt). The installments must be paid in amounts necessary to meet annual costs for the Authorized Improvements and must continue for a period necessary to retire the indebtedness on the Authorized Improvements.

Proposed Apportionment of Cost between the District and City. The City will not be obligated to provide any funds to finance the Authorized Improvements. The cost of the Authorized Improvements will be paid from the assessments and from other sources of funds, if any, available to the Petitioner.

EXHIBIT A TO NOTICE OF PUBLIC HEARING REGARDING

THE BOUNDARY ADJUSTMENT TO THE LONE OAK PUBLIC IMPROVEMENT DISTRICT

BEING a 428.755 acre tract of land situated in the DAVID MITCHELL SURVEY, ABSTRACT NO. 586, JAMES B. CONGER SURVEY, ABSTRACT NO. 150, GEORGES. McINTOSH SURVEY, ABSTRACT NO. 625, AMOS M. JAMES SURVEY, ABSTRACT NO. 466, JAMES NICHOLSON SURVEY, ABSTRACT NO. 1079, in the City of Alvarado, Johnson County, Texas, being all of that certain tract of land described in a deed to Dale Harvey Robinson, et al, recorded in Document Number 2019- 09415, Deed Records, Johnson County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a one-half inch iron rod with cap stamped "FORTWORTH SURVEYING" found for the common corner of said Robinson tract, and Lot 3, Block 1, SR20 Addition, an addition in the City of Alvarado, Johnson County, Texas, according to the plat thereof recorded in Volume 10, Page 742, Plat Records, Johnson County, Texas, said point being in the west right-of-way line of County Road 607;

THENCE North 89 degrees 12 minutes 10 seconds West, along the common line of said Robinson tract, and said Lot 3, Block 1, a distance of 2,585.01 feet to a one-half inch iron rod with cap stamped "FORTWORTH SURVEYING" found for the common corner of said Robinson tract, and said Lot 3, Block 1;

THENCE South 05 degrees 36 minutes 42 seconds West, along the common line of said Robinson tract, and said Lot 3, Block 1, passing the common corner of said Lot 3, Block 1, and Lot 2, Block 1, of said SR20 Addition, and continuing a total distance of 1,565.44 feet to a one-half inch iron rod with cap stamped "FORTWORTH SURVEYING" found for the common corner of said Robinson tract, and said Lot 2, Block 1;

THENCE South 89 degrees 51 minutes 19 seconds East, along the common line of said Robinson tract, and said Lot 2, Block 1, a distance of 76.81 feet to a one-half inch iron rod found for the common corner of said Robinson tract, and said Lot 2, Block 1;

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THENCE North 00 degrees 19 minutes 20 seconds East, along the common line of said Robinson tract, and said Franklin tract, a distance of 2,169.58 feet to a one-half inch iron rod found for the common corner of said Robinson tract, and said Franklin tract;

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and said Block 1, passing the common corner of said Block 1, and a tract of land in a deed to Carolyn K. Myers, recorded in Volume 3272, Page 803, Deed Records, Johnson County, Texas, described in Volume 2196, Page 326, Deed Records, Johnson County Texas, passing the common corner of said Myers tract, and a tract of land described in a deed to Antonino Alegria and Jeanette F. Alegria, recorded in Document Number 2012-05342, Deed Record, Johnson County, Texas, and continuing a total distance of 1,325.63 feet to a one-half inch iron rod with plastic cap stamped "BLUESTAR SURVEYING" set for the common corner of said Robinson tract, and said Alegria tract;

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