REGULAR MEETING OF THE
CITY OF ALVARADO CITY COUNCIL
104 W. COLLEGE
AUGUST 19, 2024
6:30 PM
AGENDA

The City Council of the City of Alvarado will meet in a Regular Called Session on Monday, August 19, 2024 at 6:30 p.m. in the Council Chambers at City Hall for the following agenda items.

CALL TO ORDER

- Roll Call

INVOCATION

PLEDGE OF ALLEGIANCE

CITIZEN PARTICIPATION AND PUBLIC INPUT:

This is an opportunity for citizens to address the convened City Council members 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. Any response from a member of the convened City Council 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 the minutes of the 07/15/2024 Regular City Council Meeting. (Walls)
2. Consideration and action to approve the minutes of the 08/15/2024 Special City Council Meeting. (Walls)

NEW BUSINESS:

3. Consider, discuss and take a roll call vote to propose an ad valorem tax rate $0.810000 per $100 valuation; set a public hearing for Monday, September 16, 2024 to receive comments concerning said proposed City of Alvarado 2024 tax rate; and set the time, date and place of the meeting at which the City Council will vote on said proposed tax rate of $0.810000 per $100 valuation as Monday, September 16, 2024 at 6:30 p.m., in the Council Chambers located at 104 W. College Street, Alvarado, Texas, and further authorizing the required public notices. (Ad Valorem Tax) (Cox)
4. Consideration and action to approve the Alvarado Storefront Improvement Grant Program and Guidelines. (Cromer)
5. Consideration and action to approve Ordinance No. 2024-0013, an ordinance granting to Oncor Electric Delivery Company LLC, its successors and assigns, an Electric Power Franchise to use the present and future streets, alleys, highways, public utility easements, public ways and public property of the City of Alvarado, Texas. (Oncor Franchise Agreement)
6. Presentation and training from City Attorney on Open Meetings Act and Public Information Act issues. (Dierker)

7. Discussion and direction regarding possible zoning change at 118 E. Weaver. (French)

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. Discussion on the Municipal Materials Management Agreement
- 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. 200 Maple B. Millis Transfer
- 3. § 551.074 Personnel Matters. The City Council may convene in executive session to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee, including deliberation regarding the following officers or employees. A. City Manager Annual Evaluation

RECONVENE REGULAR SESSION:

8. Consideration and any action necessary as a result of items legally discussed in Executive Session.
9. Authorize the Economic Development Director and City Manager to execute an agreement between the City of Alvarado and Millis Transfer based on the terms discussed in Executive Session.

COUNCIL COMMENTS:

Pursuant to LGC Section 551.0415, City Council Members may make a report about items of Community interest during a meeting of the governing body without having given notice of the report. Items of community interest 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.

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 August 16, 2024 at 6:30 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
07/15/2024
City Council Minutes

The City Council of the City of Alvarado met in Regular Called Session on Monday, July 15, 2024 at 6:30 p.m. The following were present for roll call:

Name	Title	Present	Absent	Excused
Jacob Wheat	Mayor	**X**		
Carrie Keeton	Council Ward 1	**X**		
Beverly Short	Council Ward 1	**X**		
Lydia Moon	Mayor Pro-Tem Ward 2	**X**		
Cherry Bryant	Council Ward 2	**X**		
Scott Arthur	Council Ward 3	**X**		
Kevin Thomas	Council Ward 3	**X**		

Others Present:

Paul DeBuff	City Manager
Beth A Walls	City Secretary
Jessica Hill	Deputy City Secretary
Laura Cox	Chief Financial Officer
Ashley Dierker	City Attorney
Donielle Suber	Director of Administrative Services
Justin French	Community Development Director
Hillary Cromer	Economic Development Director
Paula Hardison	Director Billing/Accounting
John Rodgers	Fire Chief
Ben Moore	Asst. Police Chief
Dennis Stewart	Public Works Supervisor
Mikaela Hall	Communications Manager
Jules Rosen	Event Manager

Mayor Jacob Wheat called the meeting to order at 6:32 p.m. and gave the invocation.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS:
Jameye Jones – Appreciation to City and reminder of Playday in the Park scheduled July 20th.
Todd Massey – Appreciation to City funding for 4th of July Event.

RECOGNITION/PROCLAMATION:
GUN SAFETY AWARENESS MONTH
Mayor Jacob Wheat read the City of Alvarado's Proclamation proclaiming August as Gun Safety Awareness Month. Representatives from Cook Children's Medical Center attended and accepted the proclamation.

CONSENT AGENDA:

1. **CONSIDERATION AND ACTION TO APPROVE THE MINUTES OF THE 06/10/2024 MEETING BETWEEN THE CITY OF ALVARADO CITY COUNCIL, THE AEDC BOARD, AND THE ALVARADO P&Z COMMISSION.**
2. **CONSIDERATION AND ACTION TO APPROVE THE MINUTES OF THE 06/17/2024 REGULAR CITY COUNCIL MEETING.**
3. **CONSIDERATION AND ACTION TO APPROVE THE MINUTES OF THE 06/27/2024 SPECIAL CITY COUNCIL MEETING.**
5. **CONSIDERATION AND ACTION TO APPROVE AN EASEMENT AGREEMENT BETWEEN THE CITY OF ALVARADO AND ONCOR ELECTRIC DELIVERY COMPANY LLC FOR WWTP TRANSFORMER MAINTENANCE.**

Lydia Moon requested to pull items 4 and 6 from the consent agenda. Motion was made by Lydia Moon and seconded by Kevin Thomas to approve items 1, 2, 3, and 5 of the Consent Agenda. This motion supported 6 votes in approval and 0 votes opposed. Motion carried.

NEW BUSINESS:

4. **CONSIDERATION AND ACTION TO APPROVE RESOLUTION R2024-0016 AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH TXDOT FOR RIGHT-OF-WAY ACCESS FOR FLOCK CAMERAS AT 67 AND I35.**

The Police Chief presented to the council regarding the Flock Cameras enhancement to public safety by increasing the Police Department's ability to solve crimes and identify suspects. Financial Impact is between $3,000.00/year and $3,500.00/year. Staff recommendation is to approve Resolution R2024-0016.

Motion was made by Lydia Moon and seconded by Beverly Short to approve Resolution R2024-0016, authorizing the City Manager to enter into an agreement with TxDot for right-of-way access for Flock Cameras at 67 and I35. This motion supported 6 votes in approval and 0 votes opposed. Motion carried.

6. **CONSIDERATION AND ACTION APPROVING ORDINANCE 2024-0014, AN ORDINANCE OF THE CITY OF ALVARADO, TEXAS, AMENDING THE CITY'S FEE SCHEDULE RELATED TO GARBAGE COLLECTION FEES, FOOD ESTABLISHMENT PERMIT FEES, AND TEMPORARY WATER SERVICE FEE.**

The Chief Financial Officer addressed the council regarding the fee schedule, updating garbage collection fees, food establishment permit fees, and the temporary water service fee. According to the terms outlined in the agreement with the City's contractor, Republic Services, for waste collection services dated May 7, 2020, the contractor may request an annual price adjustment effective on July 1 of each year based on changes in the Consumer Price Index (CPI) Water, Sewer and Trash Services, as stipulated in the contract. The City presently charges $120.00 for each temporary event permit for food establishments, $100.00 for each complaint investigation, and $150.00/hour for consultation outside of the aforementioned scope of services: Health plan review, health final and C/O inspections, and/or for more than one reinspection. The proposed fees are based solely upon the City's third-party inspection fees plus a $25.00 administration fee, if applicable. The City presently charges $38.00 for temporary use of the City's water service for a maximum of 10 days, which covers up to 2,000 gallons of water. The water rate in 2016 for 2,000 gallons was $38.00; however, as the rates have been increased since then, the fee for temporary water has remained the same. Staff recommendation is to approve Ordinance No. 2024-0014, increasing the fee for temporary event permits for food establishments to $125.00, each complaint investigation to $150.00, and temporary use of the City's water service for a maximum of 10 days, which covers up to 2,000 gallons of water to $52.70.

Motion was made by Carrie Keeton and seconded by Beverly Short to approve Ordinance No. 2024-0014, an ordinance of the City of Alvarado, Texas, amending the City’s fee schedule related to garbage collection fees, food establishment permit fees, and temporary water service fee. This motion supported 6 votes in approval and 0 votes opposed. Motion carried.

7. PRESENTATION AND GUIDANCE REGARDING "PEDDLERS, SOLICITORS AND ITINERANT MERCHANTS" ORDINANCE.

The Police Chief addressed the council about enhancing public safety by reducing traffic dangers and driver inattention caused by solicitors on and adjacent to our roadways. Adding section 28-31.1, “Solicitation of Occupants of Vehicles on Public Roadways,” would keep individuals from soliciting vehicles from the street. Staff recommendation is to approve the draft of an ordinance.

No action taken. Council requested a draft of the ordinance for review.

8. CONSIDERATION AND ACTION TO APPROVE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT ALLOWING THE CITY OF ALVARADO TO OUTSOURCE WATER BILLING SERVICES TO INFOSEND.

The Chief Financial Officer addressed the council regarding the in-house production of all water billing statements. She proposed outsourcing this function to a third party, saving both time for Utility Billing Clerks that can be better spent serving customers and costs for paper, copier charges, envelopes, postage, and a monthly charge for an inserter that would no longer be necessary. An estimated 11 hours, or $3,700.00/year, is currently being spent on water billing statements. Financial impact is $2,000.00/month. Staff recommendation is to approve authorizing the City Manager to execute the agreement between the City of Alvarado and InfoSend.

Motion was made by Lydia and seconded by Beverly Short to deny authorization of the City Manager to enter into an agreement allowing the City of Alvarado to outsource water billing services to InfoSend. This motion supported 5 votes in approval and 1 vote opposed. Motion carried.

9. PRESENTATION AND GUIDANCE FROM COUNCIL ON POSSIBLE UPDATES TO COUNCIL CHAMBERS.

The Director of Administrative Services presented to the council regarding a façade change to the wall directly behind the Council dias.

No action taken. The Council requested pricing and color options on paint, and two options shown in the presentation: wide paneling with thick beams and paneling resembling the City of Alvarado ISD board room.

10. CONSIDERATION AND ACTION TO AUTHORIZE THE CITY MANAGER TO PURCHASE A CARILLON SYSTEM FOR THE CITY OF ALVARADO.

The Director of Administrative Services and the Event Manager presented to the council regarding the City of Alvarado purchasing an electric Carillon and how it would benefit downtown and maintain its charm and character. They would like to purchase the Carillon as soon as possible in anticipation of the Christmas season and before inflation raises prices. Financial impact is $22,000.00, paid with Hotel Occupancy Tax Funds.

Motion was made by Kevin Thomas and seconded by Scott Arthur to approve item # 10, as presented. This motion supported 3 votes in approval and 3 votes opposed. Mayor Jacob Wheat voted in approval, breaking the tie vote. Motion carried.

11. CONSIDERATION AND ACTION TO APPROVE ORDINANCE 2024-0012 AMENDING ARTICLE IV, "SOLID WASTE COLLECTION AND DISPOSAL," OF CHAPTER 40, "UTILITIES," OF THE CODE OF ORDINANCES, CITY OF ALVARADO, TEXAS TO COMPORT WITH THE MUNICIPAL WASTE MANAGEMENT AGREEMENT.

The Municipal Services Manager with Republic Services answered questions regarding the agreement and discussed options for modifying pricing for commercial, residential, and industrial containers.

Motion was made by Cherry Bryant and seconded by Scott Arthur to table item # 11 until the August 19th meeting, pending clarification on contract verbiage. This motion supported 6 votes in approval and 0 votes opposed. Motion carried.

12. CONSIDERATION AND ACTION ON THE APPLICATION OF CHRIS WALL WITH JBI PARTNERS, INC. ON BEHALF OF GRBK EDGEWOOD LLC & CENTURY LAND HOLDINGS OF TEXAS, LLC OF THE LONE OAK ADDITION PHASE 1 FINAL PLAT ON 70.219 ACRES KNOWN AS TRACTS AND PORTIONS OF TRACTS OUT OF THE JAMES B. CONGER SURVEY, A-150, AND THE GEORGE S. MCINTOSH SURVEY, A-625, APPROXIMATELY ADDRESSED AT 825 AND 1029 CR 607.

The Community Development Director presented to the council the final plat application that was submitted and deemed administratively complete on April 22, 2024. Per Section 34-36.(d) of the Alvarado subdivision ordinance, the City Council shall: (1) Act within 30 days after filing the final plat, (2) Conclude one of the following.

a. Approve.

b. Approve with conditions.

c. Disapprove with reasons.

On May 16 and June 13, 2024, the Planning and Zoning Commission recommended disapproval to City Council, and on May 20 and June 17, 2024, the City Council disapproved the Lone Oak Addition Phase 1 final plat. The applicant resubmitted the final plat on June 28, 2024, and the P&Z and City Council triggering action on the plat within 15 days of this resubmittal per state statutes; however, the applicant has provided a letter tabling City Council action to July 15, 2024. The Future Lane Use (FLU) map within the Alvarado Comprehensive Plan designates the subject site for Low-Density Residential. The proposed plat is consistent with the City's FLU map. On July 11, 2024, the Planning and Zoning Commission, by a vote of 5-0, recommended City Council disapproval due to no Johnson County Special Utility District (JCSUD) approval being provided on official letterhead that clearly states adequate water pressure is available to phase 1 of the Lone Oak Addition.

Motion was made by Lydia Moon and seconded by Scott Arthur to disapprove with reasons the application of Lone Oak Addition Phase 1 final plat due to no JSUD letter stating there is adequate water pressure available, per section 34.129 of the Subdivision Ordinance. This motion supported 6 votes in approval and 0 votes opposed. Motion carried.

13. CONSIDERATION AND ACTION TO APPOINT ALVARADO EDC BOARD OF DIRECTORS' PLACES 2, 4, AND 6.

As of July 14, 2024, the Alvarado EDC Board of Directors' Places 2, 4, and 6 terms have expired. By statute, the board must consist of 7 members. Therefore, staff recommends the following re-appointments:

- Place 2: Martin Douglas
- Place 4: Jameye Jones
- Place 6: Cherry Bryant

Upon appointment, the terms for Places 2, 4, and 6 will be for 2 years, ending July 14, 2026. Mayor Jacob Wheat recommended Carrie Keeton for Place 4.

Motion was made by Lydia Moon and seconded by Kevin Thomas to appoint Martin Douglas for Place 2, Carrie Keeton for Place 4, and Cherry Bryant for Place 6. This motion supported 6 votes in approval and 0 votes opposed. Motion carried.

14. PRESENTATION AND DISCUSSION REGARDING PROPOSED MULTI-FAMILY DEVELOPMENT AT 200 MAPLE ST.

Robert Brake and RF & Sons Properties LLC presented to the council a new multi-family housing project at 1203 S Parkway Drive, Alvarado, Texas, emphasizing the benefits this development will bring to the community. The property, encompassing 5.32 acres, is currently zoned as Commercial District 2. The development plans call for rezoning the property to a Multi-Family District to accommodate the proposed 93-unit residential complex. Development Details:

- Project Name: 200 Maple
- Location: 1203 S Parkway Drive, Alvarado, Texas
- Area: 5.32 acres
- Units: 93 multi-family units

To move forward with this development, Robert Brake and RF & Sons Properties LLC are requesting the following from the City Council: (1) Property Tax Rebate: A 7-year property tax rebate not to exceed $554,025, (2) Waterline Reimbursement: $190,000 to cover the cost of installing new waterlines necessary for the development, (3) Wastewater Impact Fees Refund: $68,191 to offset wastewater impact fees. Financial impact is $812,216.

MAYOR WHEAT DECLARED COUNCIL TO BE IN EXECUTIVE SESSION AT 8:38 P.M. AND RECONVENED TO REGULAR SESSION AT 9:40 P.M.

15. CONSIDERATION AND ACTION TO AUTHORIZE THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT BASED ON DISCUSSION IN EXECUTIVE SESSION.

Motion was made by Lydia Moon and seconded by Kevin Thomas to authorize the City Manager to negotiate and execute a Development Agreement for 200 Maple Avenue, pursuant to what was discussed in Executive Session. This motion supported 6 votes in approval and 0 votes opposed. Motion carried.

There being no further business, Mayor Wheat adjourned the meeting at 9:41 p.m.

Passed and approved this the 19th day of August, 2024.

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Mayor Jacob Wheat

Respectfully Submitted,

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Beth A Walls, City Secretary/HRD

CITY OF ALVARADO
County of Johnson
State of Texas
08/15/2024
City Council Minutes

The City Council of the City of Alvarado met in Special Called Session on Thursday, August 15, 2024 at 6:30 p.m. The following were present for roll call:

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

Others Present:

Paul DeBuff	City Manager
Beth A Walls	City Secretary
Laura Cox	Chief Financial Officer
Justin French	Community Dev. Director
Paula Hardison	Director Billing/Accounting

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

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS:
None.

NEW BUSINESS:

1. **CONSIDERATION AND ACTION TO APPROVE ORDINANCE NO. 2024-0011, AUTHORIZING THE ISSUANCE OF CERTIFICATES OF OBLIGATION.**

The City Council is considering the passage of an ordinance authorizing the issuance of one or more series of interest-bearing certificates of obligation in the aggregate principal amount not to exceed $10,350,000, for paying all or a portion of the City's contractual obligations to be incurred in connection with (1) constructing and improving streets and roads including related drainage, landscaping, signalization, lighting, curbs, signage and rehabilitation and replacement of utility lines related thereto; (2) wastewater system facilities consisting of replacement and new sewer lines and (3) paying legal, fiscal, engineering, architectural and other professional services in connection with these projects. Such certificates are to be made payable from ad valorem taxes and a lien on and pledge of surplus revenues of the City's waterworks and sewer system. The certificates are to be issued, and notice was given, under and pursuant to the provisions of Texas Local Government Code, Chapter 271, Subchapter C. The current principal of all outstanding debt obligations of the City is $10,093,500. The current combined principal and interest on all outstanding debt obligations of the City, paid on time and in full, is $13,517,713. The maximum principal amount of the certificates to be authorized is $10,350,000 and the estimated combined principal and interest required to pay the certificates to be authorized on time and in full is $20,124,563. The maximum interest rate for the certificates may not exceed the maximum legal interest rate. The maximum maturity date of the certificates to be authorized is August 15, 2054. The above information excludes $27,341,500 of outstanding obligations the City has designated as self-supporting which consist of the City's General Obligation Refunding Bonds, Series 2017 ($1,640,000 is self-supporting); General Obligation Refunding Bonds, Series 2019 ($685,500 is self-supporting); Certificates of Obligation, Series 2023 ($24,760,000 is self-supporting) and Tax Notes, Series 2023 ($256,000 is self-supporting).

Motion was made by Lydia Moon and seconded by Beverly Short to approve Ordinance No. 2024-0011, authorizing the issuance of Certificates of Obligation. This motion supported 6 votes in approval and 0 votes opposed. Motion carried.

There being no further business, Mayor Wheat adjourned the meeting at 6:51 p.m.

Passed and approved this the 15th day of August, 2024.

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Mayor Jacob Wheat

Respectfully Submitted,

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Beth A Walls, City Secretary/HRD

City Council Meeting Management Report

Meeting Date: August 19, 2024
Contact: Laura Cox, CFO

AGENDA ITEM:
Consider, discuss and take a roll call vote to propose an ad valorem tax rate $0.810000 per $100 valuation; set a public hearing for Monday, September 16, 2024 to receive comments concerning said proposed City of Alvarado 2024 tax rate; and set the time, date and place of the meeting at which the City Council will vote on said proposed tax rate of $0.810000 per $100 valuation as Monday, September 16, 2024 at 6:30 p.m., in the Council Chambers located at 104 W. College Street, Alvarado, Texas, and further authorizing the required public notices.

BACKGROUND & FINDINGS:
Certified Taxable Value
The City's total adjusted taxable value has been certified at $734,165,110 making each penny worth $73,417.

Ad Valorem Tax Rates

Proposed total tax rate:	$0.810000/$100
Proposed Maintenance & Operations (M&O) tax rate:	$0.663446/$100
Proposed Interest & Sinking (I&S) tax rate (debt):	$0.146554/$100
No-New-Revenue tax rate	$0.782572/$100
Voter-approval tax rate	$0.778998/$100
De minimis rate	$0.810309/$100

Discuss an Ad Valorem Tax Rate and Take a Record Vote
The City Council must formally propose and take a record vote to establish the tax rate it is proposing.

Schedule Meeting
The City Council must set the public hearing on the proposed tax rate and schedule a meeting to adopt the proposed tax rate. The recommended date for this meeting is the regularly scheduled City Council meeting, Monday, September 16, 2024, at 6:30 p.m. in the Council Chambers located at 104 W. College Street, Alvarado, Texas.

Publish Newspaper Ad
State law requires that taxing units publish a notice of the meeting at which the governing body will vote to adopt the proposed tax rate.

ATTACHMENTS:
1. Draft 2024 Tax Rate Calculation Worksheet
2. Certification of Additional Sales and Use Tax to Pay Debt Services

MANAGEMENT REVIEW:
Paul DeBuff, City Manager

2024 Tax Rate Calculation Worksheet
Taxing Units Other Than School Districts or Water Districts

Form 50-856

City of Alvarado	817-790-3351
Taxing Unit Name	Phone *(area code and number)*
104 W. College St, Alvarado, Texas 76009	https://www.cityofalvarado.org
Taxing Unit's Address, City, State, ZIP Code	Taxing Unit's Website Address

GENERAL INFORMATION: Tax Code Section 26.04(c) requires an officer or employee designated by the governing body to calculate the no-new-revenue (NNR) tax rate and voter-approval tax rate for the taxing unit. These tax rates are expressed in dollars per $100 of taxable value calculated. The calculation process starts after the chief appraiser delivers to the taxing unit the certified appraisal roll and the estimated values of properties under protest. The designated officer or employee shall certify that the officer or employee has accurately calculated the tax rates and used values shown for the certified appraisal roll or certified estimate. The officer or employee submits the rates to the governing body by Aug. 7 or as soon thereafter as practicable.

School districts do not use this form, but instead use Comptroller Form 50-859 *Tax Rate Calculation Worksheet, School District without Chapter 313 Agreements* or Comptroller Form 50-884 *Tax Rate Calculation Worksheet, School District with Chapter 313 Agreements.*

Water districts as defined under Water Code Section 49.001(1) do not use this form, but instead use Comptroller Form 50-858 *Water District Voter-Approval Tax Rate Worksheet for Low Tax Rate and Developing Districts* or Comptroller Form 50-860 *Developed Water District Voter-Approval Tax Rate Worksheet.*

The Comptroller's office provides this worksheet to assist taxing units in determining tax rates. The information provided in this worksheet is offered as technical assistance and not legal advice. Taxing units should consult legal counsel for interpretations of law regarding tax rate preparation and adoption.

SECTION 1: No-New-Revenue Tax Rate

The NNR tax rate enables the public to evaluate the relationship between taxes for the prior year and for the current year based on a tax rate that would produce the same amount of taxes (no new taxes) if applied to the same properties that are taxed in both years. When appraisal values increase, the NNR tax rate should decrease.

The NNR tax rate for a county is the sum of the NNR tax rates calculated for each type of tax the county levies.

While uncommon, it is possible for a taxing unit to provide an exemption for only maintenance and operations taxes. In this case, the taxing unit will need to calculate the NNR tax rate separately for the maintenance and operations tax and the debt tax, then add the two components together.

Line	No-New-Revenue Tax Rate Worksheet		Amount/Rate
1.	**Prior year total taxable value.** Enter the amount of the prior year taxable value on the prior year tax roll today. Include any adjustments since last year's certification; exclude Tax Code Section 25.25(d) one-fourth and one-third over-appraisal corrections from these adjustments. Exclude any property value subject to an appeal under Chapter 42 as of July 25 (will add undisputed value in Line 6). This total includes the taxable value of homesteads with tax ceilings (will deduct in Line 2) and the captured value for tax increment financing (adjustment is made by deducting TIF taxes, as reflected in Line 17).[1]		$ 638,668,371
2.	**Prior year tax ceilings.** Counties, cities and junior college districts. Enter the prior year total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing unit adopted the tax ceiling provision last year or a prior year for homeowners age 65 or older or disabled, use this step.[2]		$ 0
3.	**Preliminary prior year adjusted taxable value.** Subtract Line 2 from Line 1.		$ 638,668,371
4.	**Prior year total adopted tax rate.**		$ 0.811895 /$100
5.	**Prior year taxable value lost because court appeals of ARB decisions reduced the prior year's appraised value.**		
	A. **Original prior year ARB values:**	$ 1,252,980	
	B. **Prior year values resulting from final court decisions:**	- $ 1,130,980	
	C. **Prior year value loss.** Subtract B from A.[3]		$ 122,000
6.	**Prior year taxable value subject to an appeal under Chapter 42, as of July 25.**		
	A. **Prior year ARB certified value:**	$ 0	
	B. **Prior year disputed value:**	- $ 0	
	C. **Prior year undisputed value.** Subtract B from A.[4]		$ 0
7.	**Prior year Chapter 42 related adjusted values.** Add Line 5C and Line 6C.		$ 122,000

[1] Tex. Tax Code §26.012(14)
[2] Tex. Tax Code §26.012(14)
[3] Tex. Tax Code §26.012(13)
[4] Tex. Tax Code §26.012(13)

Line	No-New-Revenue Tax Rate Worksheet	Amount/Rate
8.	**Prior year taxable value, adjusted for actual and potential court-ordered adjustments.** Add Line 3 and Line 7.	$ 638,790,371
9.	**Prior year taxable value of property in territory the taxing unit deannexed after Jan. 1, 2023.** Enter the prior year value of property in deannexed territory.[5]	$ 0
10.	**Prior year taxable value lost because property first qualified for an exemption in the current year.** If the taxing unit increased an original exemption, use the difference between the original exempted amount and the increased exempted amount. Do not include value lost due to freeport, goods-in-transit, temporary disaster exemptions. Note that lowering the amount or percentage of an existing exemption in the current year does not create a new exemption or reduce taxable value. A. **Absolute exemptions.** Use prior year market value: .... $ 2,007,344 B. **Partial exemptions.** Current year exemption amount or current year percentage exemption times prior year value: .... + $ 4,007,929 C. **Value loss.** Add A and B.[6]	$ 6,015,273
11.	**Prior year taxable value lost because property first qualified for agricultural appraisal (1-d or 1-d-1), timber appraisal, recreational/scenic appraisal or public access airport special appraisal in the current year.** Use only properties that qualified for the first time in the current year; do not use properties that qualified in the prior year. A. **Prior year market value:** .... $ 0 B. **Current year productivity or special appraised value:** .... - $ 0 C. **Value loss.** Subtract B from A.[7]	$ 0
12.	**Total adjustments for lost value.** Add Lines 9, 10C and 11C.	$ 6,015,273
13.	**Prior year captured value of property in a TIF.** Enter the total value of the prior year captured appraised value of property taxable by a taxing unit in a tax increment financing zone for which the prior year taxes were deposited into the tax increment fund.[8] If the taxing unit has no captured appraised value in line 18D, enter 0.	$ 0
14.	**Prior year total value.** Subtract Line 12 and Line 13 from Line 8.	$ 632,775,098
15.	**Adjusted prior year total levy.** Multiply Line 4 by Line 14 and divide by $100.	$ 5,137,469
16.	**Taxes refunded for years preceding the prior tax year.** Enter the amount of taxes refunded by the taxing unit for tax years preceding the prior tax year. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for the prior tax year. This line applies only to tax years preceding the prior tax year.[9]	$ 10,472
17.	**Adjusted prior year levy with refunds and TIF adjustment.** Add Lines 15 and 16.[10]	$ 5,147,941
18.	**Total current year taxable value on the current year certified appraisal roll today.** This value includes only certified values or certified estimate of values and includes the total taxable value of homesteads with tax ceilings (will deduct in Line 20). These homesteads include homeowners age 65 or older or disabled.[11] A. **Certified values:** .... $ 703,073,088 B. **Counties:** Include railroad rolling stock values certified by the Comptroller's office: .... + $ C. **Pollution control and energy storage system exemption:** Deduct the value of property exempted for the current tax year for the first time as pollution control or energy storage system property: .... - $ 0 D. **Tax increment financing:** Deduct the current year captured appraised value of property taxable by a taxing unit in a tax increment financing zone for which the current year taxes will be deposited into the tax increment fund. Do not include any new property value that will be included in Line 23 below.[12] .... - $ 0 E. **Total current year value.** Add A and B, then subtract C and D.	$ 703,073,088

[5] Tex. Tax Code §26.012(15)
[6] Tex. Tax Code §26.012(15)
[7] Tex. Tax Code §26.012(15)
[8] Tex. Tax Code §26.03(c)
[9] Tex. Tax Code §26.012(13)
[10] Tex. Tax Code §26.012(13)
[11] Tex. Tax Code §26.012, 26.04(c-2)
[12] Tex. Tax Code §26.03(c)

Line	No-New-Revenue Tax Rate Worksheet	Amount/Rate
19.	**Total value of properties under protest or not included on certified appraisal roll.** [13] **A. Current year taxable value of properties under protest.** The chief appraiser certifies a list of properties still under ARB protest. The list shows the appraisal district's value and the taxpayer's claimed value, if any, or an estimate of the value if the taxpayer wins. For each of the properties under protest, use the lowest of these values. Enter the total value under protest. [14] . . . . $ 31,092,022 **B. Current year value of properties not under protest or included on certified appraisal roll.** The chief appraiser gives taxing units a list of those taxable properties that the chief appraiser knows about but are not included in the appraisal roll certification. These properties also are not on the list of properties that are still under protest. On this list of properties, the chief appraiser includes the market value, appraised value and exemptions for the preceding year and a reasonable estimate of the market value, appraised value and exemptions for the current year. Use the lower market, appraised or taxable value (as appropriate). Enter the total value of property not on the certified roll. [15] . . . . + $ 0 **C. Total value under protest or not certified.** Add A and B.	$ 31,092,022
20.	**Current year tax ceilings.** Counties, cities and junior colleges enter current year total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing unit adopted the tax ceiling provision in the prior year or a previous year for homeowners age 65 or older or disabled, use this step.[16]	$ 0
21.	**Current year total taxable value.** Add Lines 18E and 19C. Subtract Line 20. [17]	$ 734,165,110
22.	**Total current year taxable value of properties in territory annexed after Jan. 1, of the prior year.** Include both real and personal property. Enter the current year value of property in territory annexed. [18]	$ 283,301
23.	**Total current year taxable value of new improvements and new personal property located in new improvements.** New means the item was not on the appraisal roll in the prior year. An improvement is a building, structure, fixture or fence erected on or affixed to land. New additions to existing improvements may be included if the appraised value can be determined. New personal property in a new improvement must have been brought into the taxing unit after Jan. 1, of the prior year and be located in a new improvement. New improvements **do** include property on which a tax abatement agreement has expired for the current year. [19]	$ 76,059,103
24.	**Total adjustments to the current year taxable value.** Add Lines 22 and 23.	$ 76,342,404
25.	**Adjusted current year taxable value.** Subtract Line 24 from Line 21.	$ 657,822,706
26.	**Current year NNR tax rate.** Divide Line 17 by Line 25 and multiply by $100. [20]	$ 0.782572 /$100
27.	**COUNTIES ONLY.** Add together the NNR tax rates for each type of tax the county levies. The total is the current year county NNR tax rate. [21]	$ ______ /$100

SECTION 2: Voter-Approval Tax Rate

The voter-approval tax rate is the highest tax rate that a taxing unit may adopt without holding an election to seek voter approval of the rate. The voter-approval tax rate is split into two separate rates:

1. **Maintenance and Operations (M&O) Tax Rate:** The M&O portion is the tax rate that is needed to raise the same amount of taxes that the taxing unit levied in the prior year plus the applicable percentage allowed by law. This rate accounts for such things as salaries, utilities and day-to-day operations.
2. **Debt Rate:** The debt rate includes the debt service necessary to pay the taxing unit's debt payments in the coming year. This rate accounts for principal and interest on bonds and other debt secured by property tax revenue.

The voter-approval tax rate for a county is the sum of the voter-approval tax rates calculated for each type of tax the county levies. In most cases the voter-approval tax rate exceeds the no-new-revenue tax rate, but occasionally decreases in a taxing unit's debt service will cause the NNR tax rate to be higher than the voter-approval tax rate.

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
28.	**Prior year M&O tax rate.** Enter the prior year M&O tax rate.	$ 0.611828 /$100
29.	**Prior year taxable value, adjusted for actual and potential court-ordered adjustments.** Enter the amount in Line 8 of the *No-New-Revenue Tax Rate Worksheet.*	$ 638,790,371

[13] Tex. Tax Code §26.01(c) and (d)
[14] Tex. Tax Code §26.01(c)
[15] Tex. Tax Code §26.01(d)
[16] Tex. Tax Code §26.012(6)(B)
[17] Tex. Tax Code §26.012(6)
[18] Tex. Tax Code §26.012(17)
[19] Tex. Tax Code §26.012(17)
[20] Tex. Tax Code §26.04(c)
[21] Tex. Tax Code §26.04(d)

Line	Voter-Approval Tax Rate Worksheet		Amount/Rate
30.	**Total prior year M&O levy.** Multiply Line 28 by Line 29 and divide by $100.		$ 3,908,298
31.	**Adjusted prior year levy for calculating NNR M&O rate.**		
	A. M&O taxes refunded for years preceding the prior tax year. Enter the amount of M&O taxes refunded in the preceding year for taxes before that year. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2023. This line applies only to tax years preceding the prior tax year.	+ $ 8,003	
	B. Prior year taxes in TIF. Enter the amount of taxes paid into the tax increment fund for a reinvestment zone as agreed by the taxing unit. If the taxing unit has no current year captured appraised value in Line 18D, enter 0.	– $ 0	
	C. Prior year transferred function. If discontinuing all of a department, function or activity and transferring it to another taxing unit by written contract, enter the amount spent by the taxing unit discontinuing the function in the 12 months preceding the month of this calculation. If the taxing unit did not operate this function for this 12-month period, use the amount spent in the last full fiscal year in which the taxing unit operated the function. The taxing unit discontinuing the function will subtract this amount in D below. The taxing unit receiving the function will add this amount in D below. Other taxing units enter 0.	+/- $ 0	
	D. Prior year M&O levy adjustments. Subtract B from A. For taxing unit with C, subtract if discontinuing function and add if receiving function.	$ 8,003	
	E. Add Line 30 to 31D.		$ 3,916,301
32.	**Adjusted current year taxable value.** Enter the amount in Line 25 of the *No-New-Revenue Tax Rate Worksheet*.		$ 657,822,706
33.	**Current year NNR M&O rate (unadjusted).** Divide Line 31E by Line 32 and multiply by $100.		$ 0.595342 /$100
34.	**Rate adjustment for state criminal justice mandate.** [23]		
	A. Current year state criminal justice mandate. Enter the amount spent by a county in the previous 12 months providing for the maintenance and operation cost of keeping inmates in county-paid facilities after they have been sentenced. Do not include any state reimbursement received by the county for the same purpose.	$ 0	
	B. Prior year state criminal justice mandate. Enter the amount spent by a county in the 12 months prior to the previous 12 months providing for the maintenance and operation cost of keeping inmates in county-paid facilities after they have been sentenced. Do not include any state reimbursement received by the county for the same purpose. Enter zero if this is the first time the mandate applies.	– $ 0	
	C. Subtract B from A and divide by Line 32 and multiply by $100.	$ 0.000000 /$100	
	D. Enter the rate calculated in C. If not applicable, enter 0.		$ 0.000000 /$100
35.	**Rate adjustment for indigent health care expenditures.** [24]		
	A. Current year indigent health care expenditures. Enter the amount paid by a taxing unit providing for the maintenance and operation cost of providing indigent health care for the period beginning on July 1, of the prior tax year and ending on June 30, of the current tax year, less any state assistance received for the same purpose.	$ 0	
	B. Prior year indigent health care expenditures. Enter the amount paid by a taxing unit providing for the maintenance and operation cost of providing indigent health care for the period beginning on July 1, 2022 and ending on June 30, 2023, less any state assistance received for the same purpose.	– $ 0	
	C. Subtract B from A and divide by Line 32 and multiply by $100.	$ 0.000000 /$100	
	D. Enter the rate calculated in C. If not applicable, enter 0.		$ 0.000000 /$100

[22] [Reserved for expansion]
[23] Tex. Tax Code §26.044
[24] Tex. Tax Code §26.0441

Line	Voter-Approval Tax Rate Worksheet		Amount/Rate
36.	**Rate adjustment for county indigent defense compensation.** [25]		
	A. Current year indigent defense compensation expenditures. Enter the amount paid by a county to provide appointed counsel for indigent individuals and fund the operations of a public defender's office under Article 26.044, Code of Criminal Procedure for the period beginning on July 1, of the prior tax year and ending on June 30,of the current tax year, less any state grants received by the county for the same purpose.	$ 0	
	B. Prior year indigent defense compensation expenditures. Enter the amount paid by a county to provide appointed counsel for indigent individuals and fund the operations of a public defender's office under Article 26.044, Code of Criminal Procedure for the period beginning on July 1, 2022 and ending on June 30, 2023, less any state grants received by the county for the same purpose.	$ 0	
	C. Subtract B from A and divide by Line 32 and multiply by $100.	$ 0.000000 /$100	
	D. Multiply B by 0.05 and divide by Line 32 and multiply by $100.	$ 0.000000 /$100	
	E. Enter the lesser of C and D. If not applicable, enter 0.		$ 0.000000 /$100
37.	**Rate adjustment for county hospital expenditures.** [26]		
	A. Current year eligible county hospital expenditures. Enter the amount paid by the county or municipality to maintain and operate an eligible county hospital for the period beginning on July 1, of the prior tax year and ending on June 30, of the current tax year.	$ 0	
	B. Prior year eligible county hospital expenditures. Enter the amount paid by the county or municipality to maintain and operate an eligible county hospital for the period beginning on July 1, 2022 and ending on June 30, 2023.	$ 0	
	C. Subtract B from A and divide by Line 32 and multiply by $100.	$ 0.000000 /$100	
	D. Multiply B by 0.08 and divide by Line 32 and multiply by $100.	$ 0.000000 /$100	
	E. Enter the lesser of C and D, if applicable. If not applicable, enter 0.		$ 0.000000 /$100
38.	**Rate adjustment for defunding municipality.** This adjustment only applies to a municipality that is considered to be a defunding municipality for the current tax year under Chapter 109, Local Government Code. Chapter 109, Local Government Code only applies to municipalities with a population of more than 250,000 and includes a written determination by the Office of the Governor. See Tax Code Section 26.0444 for more information.		
	A. Amount appropriated for public safety in the prior year. Enter the amount of money appropriated for public safety in the budget adopted by the municipality for the preceding fiscal year.	$ 0	
	B. Expenditures for public safety in the prior year. Enter the amount of money spent by the municipality for public safety during the preceding fiscal year	$ 0	
	C. Subtract B from A and divide by Line 32 and multiply by $100	$ 0.000000 /$100	
	D. Enter the rate calculated in C. If not applicable, enter 0.		$ 0.000000 /$100
39.	**Adjusted current year NNR M&O rate.** Add Lines 33, 34D, 35D, 36E, and 37E. Subtract Line 38D.		$ 0.595342 /$100
40.	**Adjustment for prior year sales tax specifically to reduce property taxes.** Cities, counties and hospital districts that collected and spent additional sales tax on M&O expenses in the prior year should complete this line. These entities will deduct the sales tax gain rate for the current year in Section 3. Other taxing units, enter zero.		
	A. Enter the amount of additional sales tax collected and spent on M&O expenses in the prior year, if any. Counties must exclude any amount that was spent for economic development grants from the amount of sales tax spent	$ 793,398	
	B. Divide Line 40A by Line 32 and multiply by $100	$ 0.120609 /$100	
	C. Add Line 40B to Line 39.		$ 0.715951 /$100
41.	**Current year voter-approval M&O rate.** Enter the rate as calculated by the appropriate scenario below. **Special Taxing Unit.** If the taxing unit qualifies as a special taxing unit, multiply Line 40C by 1.08. **- or -** **Other Taxing Unit.** If the taxing unit does not qualify as a special taxing unit, multiply Line 40C by 1.035.		$ 0.741009 /$100

[25] Tex. Tax Code §26.0442
[26] Tex. Tax Code §26.0443

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
D41.	***Disaster Line 41 (D41):* Current year voter-approval M&O rate for taxing unit affected by disaster declaration.** If the taxing unit is located in an area declared a disaster area and at least one person is granted an exemption under Tax Code Section 11.35 for property located in the taxing unit, the governing body may direct the person calculating the voter-approval tax rate to calculate in the manner provided for a special taxing unit. The taxing unit shall continue to calculate the voter-approval tax rate in this manner until the earlier of: 1) the first year in which total taxable value on the certified appraisal roll exceeds the total taxable value of the tax year in which the disaster occurred; or 2) the third tax year after the tax year in which the disaster occurred. If the taxing unit qualifies under this scenario, multiply Line 40C by 1.08. [27] If the taxing unit does not qualify, do not complete Disaster Line 41 (Line D41).	$ 0.000000 /$100
42.	**Total current year debt to be paid with property taxes and additional sales tax revenue.** Debt means the interest and principal that will be paid on debts that: **(1)** are paid by property taxes; **(2)** are secured by property taxes; **(3)** are scheduled for payment over a period longer than one year; and **(4)** are not classified in the taxing unit's budget as M&O expenses. **A. Debt** also includes contractual payments to other taxing units that have incurred debts on behalf of this taxing unit, if those debts meet the four conditions above. Include only amounts that will be paid from property tax revenue. Do not include appraisal district budget payments. If the governing body of a taxing unit authorized or agreed to authorize a bond, warrant, certificate of obligation, or other evidence of indebtedness on or after Sept. 1, 2021, verify if it meets the amended definition of debt before including it here. [28] Enter debt amount .... $ 1,136,881 **B.** Subtract **unencumbered fund amount** used to reduce total debt. .... – $ 0 **C.** Subtract **certified amount spent from sales tax to reduce debt** (enter zero if none) .... – $ 0 **D.** Subtract **amount paid** from other resources .... – $ 0 **E. Adjusted debt.** Subtract B, C and D from A.	$ 1,136,881
43.	**Certified prior year excess debt collections.** Enter the amount certified by the collector. [29]	$ 15,535
44.	**Adjusted current year debt.** Subtract Line 43 from Line 42E.	$ 1,121,346
45.	**Current year anticipated collection rate.** **A.** Enter the current year anticipated collection rate certified by the collector. [30] .... 104.00 % **B.** Enter the prior year actual collection rate. .... 101.00 % **C.** Enter the 2022 actual collection rate. .... 101.00 % **D.** Enter the 2021 actual collection rate. .... 109.00 % **E.** If the anticipated collection rate in A is lower than actual collection rates in B, C and D, enter the lowest collection rate from B, C and D. If the anticipated rate in A is higher than at least one of the rates in the prior three years, enter the rate from A. Note that the rate can be greater than 100%. [31]	104.00 %
46.	**Current year debt adjusted for collections.** Divide Line 44 by Line 45E.	$ 1,078,217
47.	**Current year total taxable value.** Enter the amount on Line 21 of the *No-New-Revenue Tax Rate Worksheet.*	$ 734,165,110
48.	**Current year debt rate.** Divide Line 46 by Line 47 and multiply by $100.	$ 0.146863 /$100
49.	**Current year voter-approval M&O rate plus current year debt rate.** Add Lines 41 and 48.	$ 0.887872 /$100
D49.	***Disaster Line 49 (D49):* Current year voter-approval tax rate for taxing unit affected by disaster declaration.** Complete this line if the taxing unit calculated the voter-approval tax rate in the manner provided for a special taxing unit on Line D41. Add Line D41 and 48.	$ 0.000000 /$100

[27] Tex. Tax Code §26.042(a)
[28] Tex. Tax Code §26.012(7)
[29] Tex. Tax Code §26.012(10) and 26.04(b)
[30] Tex. Tax Code §26.04(b)
[31] Tex. Tax Code §§26.04(h), (h-1) and (h-2)

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
50.	**COUNTIES ONLY.** Add together the voter-approval tax rates for each type of tax the county levies. The total is the current year county voter-approval tax rate.	$ 0.000000 /$100

SECTION 3: NNR Tax Rate and Voter-Approval Tax Rate Adjustments for Additional Sales Tax to Reduce Property Taxes

Cities, counties and hospital districts may levy a sales tax specifically to reduce property taxes. Local voters by election must approve imposing or abolishing the additional sales tax. If approved, the taxing unit must reduce its NNR and voter-approval tax rates to offset the expected sales tax revenue.

This section should only be completed by a county, city or hospital district that is required to adjust its NNR tax rate and/or voter-approval tax rate because it adopted the additional sales tax.

Line	Additional Sales and Use Tax Worksheet	Amount/Rate
51.	**Taxable Sales.** For taxing units that adopted the sales tax in November of the prior tax year or May of the current tax year, enter the Comptroller's estimate of taxable sales for the previous four quarters. [32] Estimates of taxable sales may be obtained through the Comptroller's Allocation Historical Summary webpage. Taxing units that adopted the sales tax before November of the prior year, enter 0.	$ 0
52.	**Estimated sales tax revenue.** Counties exclude any amount that is or will be spent for economic development grants from the amount of estimated sales tax revenue. [33] **Taxing units that adopted the sales tax in November of the prior tax year or in May of the current tax year.** Multiply the amount on Line 51 by the sales tax rate (.01, .005 or .0025, as applicable) and multiply the result by .95. [34] **- or -** **Taxing units that adopted the sales tax before November of the prior year.** Enter the sales tax revenue for the previous four quarters. Do not multiply by .95.	$ 799,315
53.	**Current year total taxable value.** Enter the amount from Line 21 of the *No-New-Revenue Tax Rate Worksheet.*	$ 734,165,110
54.	**Sales tax adjustment rate.** Divide Line 52 by Line 53 and multiply by $100.	$ 0.108874 /$100
55.	**Current year NNR tax rate, unadjusted for sales tax.**[35] Enter the rate from Line 26 or 27, as applicable, on the *No-New-Revenue Tax Rate Worksheet*.	$ 0.782572 /$100
56.	**Current year NNR tax rate, adjusted for sales tax.** **Taxing units that adopted the sales tax in November the prior tax year or in May of the current tax year.** Subtract Line 54 from Line 55. Skip to Line 57 if you adopted the additional sales tax before November of the prior tax year.	$ 0.782572 /$100
57.	**Current year voter-approval tax rate, unadjusted for sales tax.**[36] Enter the rate from Line 49, Line D49 (disaster) or Line 50 (counties) as applicable, of the *Voter-Approval Tax Rate Worksheet*.	$ 0.887872 /$100
58.	**Current year voter-approval tax rate, adjusted for sales tax.** Subtract Line 54 from Line 57.	$ 0.778998 /$100

SECTION 4: Voter-Approval Tax Rate Adjustment for Pollution Control

A taxing unit may raise its rate for M&O funds used to pay for a facility, device or method for the control of air, water or land pollution. This includes any land, structure, building, installation, excavation, machinery, equipment or device that is used, constructed, acquired or installed wholly or partly to meet or exceed pollution control requirements. The taxing unit's expenses are those necessary to meet the requirements of a permit issued by the Texas Commission on Environmental Quality (TCEQ). The taxing unit must provide the tax assessor with a copy of the TCEQ letter of determination that states the portion of the cost of the installation for pollution control.

This section should only be completed by a taxing unit that uses M&O funds to pay for a facility, device or method for the control of air, water or land pollution.

Line	Voter-Approval Rate Adjustment for Pollution Control Requirements Worksheet	Amount/Rate
59.	**Certified expenses from the Texas Commission on Environmental Quality (TCEQ).** Enter the amount certified in the determination letter from TCEQ. [37] The taxing unit shall provide its tax assessor-collector with a copy of the letter. [38]	$ 0
60.	**Current year total taxable value.** Enter the amount from Line 21 of the *No-New-Revenue Tax Rate Worksheet.*	$ 734,165,110
61.	**Additional rate for pollution control.** Divide Line 59 by Line 60 and multiply by $100.	$ 0.000000 /$100

[32] Tex. Tax Code §26.041(d)
[33] Tex. Tax Code §26.041(i)
[34] Tex. Tax Code §26.041(d)
[35] Tex. Tax Code §26.04(c)
[36] Tex. Tax Code §26.04(c)
[37] Tex. Tax Code §26.045(d)
[38] Tex. Tax Code §26.045(i)

Line	Voter-Approval Rate Adjustment for Pollution Control Requirements Worksheet	Amount/Rate
62.	**Current year voter-approval tax rate, adjusted for pollution control.** Add Line 61 to one of the following lines (as applicable): Line 49, Line D49 (disaster), Line 50 (counties) or Line 58 (taxing units with the additional sales tax).	$ 0.778998 /$100

SECTION 5: Voter-Approval Tax Rate Adjustment for Unused Increment Rate

The unused increment rate is the rate equal to the sum of the prior 3 years Foregone Revenue Amounts divided by the current taxable value. [39] The Foregone Revenue Amount for each year is equal to that year's adopted tax rate subtracted from that year's voter-approval tax rate adjusted to remove the unused increment rate multiplied by that year's current total value. [40]

The difference between the adopted tax rate and adjusted voter-approval tax rate is considered zero in the following scenarios:

- a tax year in which a taxing unit affected by a disaster declaration calculates the tax rate under Tax Code Section 26.042; [41]
- a tax year in which the municipality is a defunding municipality, as defined by Tax Code Section 26.0501(a); [42] or
- after Jan. 1, 2022, a tax year in which the comptroller determines that the county implemented a budget reduction or reallocation described by Local Government Code Section 120.002(a) without the required voter approval. [43]

This section should only be completed by a taxing unit that does not meet the definition of a special taxing unit. [44]

Line	Unused Increment Rate Worksheet	Amount/Rate
63.	**Year 3 Foregone Revenue Amount. Subtract the 2023 unused increment rate and 2023 actual tax rate from the 2023 voter-approval tax rate. Multiply the result by the 2023 current total value**	
	A. Voter-approval tax rate (Line 67)	$ 0.757217 /$100
	B. Unused increment rate (Line 66)	$ 0.000000 /$100
	C. Subtract B from A	$ 0.757217 /$100
	D. Adopted Tax Rate	$ 0.811895 /$100
	E. Subtract D from C	$ -0.054678 /$100
	F. 2023 Total Taxable Value (Line 60)	$ 623,717,969
	G. Multiply E by F and divide the results by $100. If the number is less than zero, enter zero.	$ 0
64.	**Year 2 Foregone Revenue Amount. Subtract the 2022 unused increment rate and 2022 actual tax rate from the 2022 voter-approval tax rate. Multiply the result by the 2022 current total value**	
	A. Voter-approval tax rate (Line 67)	$ 0.750406 /$100
	B. Unused increment rate (Line 66)	$ 0.000000 /$100
	C. Subtract B from A	$ 0.750406 /$100
	D. Adopted Tax Rate	$ 0.812696 /$100
	E. Subtract D from C	$ -0.062290 /$100
	F. 2022 Total Taxable Value (Line 60)	$ 491,975,232
	G. Multiply E by F and divide the results by $100. If the number is less than zero, enter zero.	$ 0
65.	**Year 1 Foregone Revenue Amount. Subtract the 2021 unused increment rate and 2021 actual tax rate from the 2021 voter-approval tax rate. Multiply the result by the 2021 current total value**	
	A. Voter-approval tax rate (Line 67)	$ 0.812696 /$100
	B. Unused increment rate (Line 66)	$ 0.000000 /$100
	C. Subtract B from A	$ 0.812696 /$100
	D. Adopted Tax Rate	$ 0.812696 /$100
	E. Subtract D from C	$ 0.000000 /$100
	F. 2021 Total Taxable Value (Line 60)	$ 380,683,425
	G. Multiply E by F and divide the results by $100. If the number is less than zero, enter zero.	$ 0
66.	**Total Foregone Revenue Amount.** Add Lines 63G, 64G and 65G	$ 0 /$100
67.	**2024 Unused Increment Rate.** Divide Line 66 by Line 21 of the *No-New-Revenue Rate Worksheet*. Multiply the result by 100	$ 0.000000 /$100
68.	**Total 2024 voter-approval tax rate, including the unused increment rate.** Add Line 67 to one of the following lines (as applicable): Line 49, Line 50 (counties), Line 58 (taxing units with additional sales tax) or Line 62 (taxing units with pollution)	$ 0.778998 /$100

[39] Tex. Tax Code §26.013(b)
[40] Tex. Tax Code §26.013(a)(1-a), (1-b), and (2)
[41] Tex. Tax Code §§26.04(c)(2)(A) and 26.042(a)
[42] Tex. Tax Code §§26.0501(a) and (c)
[43] Tex. Local Gov't Code §120.007(d)
[44] Tex. Local Gov't Code §120.007(d)

SECTION 6: De Minimis Rate

The de minimis rate is the rate equal to the sum of the no-new-revenue maintenance and operations rate, the rate that will raise $500,000, and the current debt rate for a taxing unit. [44]

This section should only be completed by a taxing unit that is a municipality of less than 30,000 or a taxing unit that does not meet the definition of a special taxing unit. [45]

Line	De Minimis Rate Worksheet	Amount/Rate
69.	**Adjusted current year NNR M&O tax rate.** Enter the rate from Line 39 of the *Voter-Approval Tax Rate Worksheet.*	$ 0.595342 /$100
70.	**Current year total taxable value.** Enter the amount on Line 21 of the *No-New-Revenue Tax Rate Worksheet.*	$ 734,165,110
71.	**Rate necessary to impose $500,000 in taxes.** Divide $500,000 by Line 70 and multiply by $100.	$ 0.068104 /$100
72.	**Current year debt rate.** Enter the rate from Line 48 of the *Voter-Approval Tax Rate Worksheet.*	$ 0.146863 /$100
73.	**De minimis rate.** Add Lines 69, 71 and 72.	$ 0.810309 /$100

SECTION 7: Voter-Approval Tax Rate Adjustment for Emergency Revenue Rate

In the tax year after the end of the disaster calculation time period detailed in Tax Code Section 26.042(a), a taxing unit that calculated its voter-approval tax rate in the manner provided for a special taxing unit due to a disaster must calculate its emergency revenue rate and reduce its voter-approval tax rate for that year.[48]

Similarly, if a taxing unit adopted a tax rate that exceeded its voter-approval tax rate, calculated normally, without holding an election to respond to a disaster, as allowed by Tax Code Section 26.042(d), in the prior year, it must also reduce its voter-approval tax rate for the current tax year. [49]

This section will apply to a taxing unit other than a special taxing unit that:

- directed the designated officer or employee to calculate the voter-approval tax rate of the taxing unit in the manner provided for a special taxing unit in the prior year; and
- the current year is the first tax year in which the total taxable value of property taxable by the taxing unit as shown on the appraisal roll for the taxing unit submitted by the assessor for the taxing unit to the governing body exceeds the total taxable value of property taxable by the taxing unit on January 1 of the tax year in which the disaster occurred or the disaster occurred four years ago.This section will apply to a taxing unit in a disaster area that adopted a tax rate greater than its voter-approval tax rate without holding an election in the prior year.

Note: This section does not apply if a taxing unit is continuing to calculate its voter-approval tax rate in the manner provided for a special taxing unit because it is still within the disaster calculation time period detailed in Tax Code Section 26.042(a) because it has not met the conditions in Tax Code Section 26.042(a)(1) or (2).

Line	Emergency Revenue Rate Worksheet	Amount/Rate
74.	**2023 adopted tax rate.** Enter the rate in Line 4 of the *No-New-Revenue Tax Rate Worksheet.*	$ 0.811895 /$100
75.	**Adjusted 2023 voter-approval tax rate.** Use the taxing unit's Tax Rate Calculation Worksheets from the prior year(s) to complete this line. If a disaster occurred in 2023 and the taxing unit calculated its 2023 voter-approval tax rate using a multiplier of 1.08 on Disaster Line 41 (D41) of the 2023 worksheet due to a disaster, complete the applicable sections or lines of *Form 50-856-a, Adjusted Voter-Approval Tax Rate for Taxing Units in Disaster Area Calculation Worksheet.* **- or -** If a disaster occurred prior to 2023 for which the taxing unit continued to calculate its voter-approval tax rate using a multiplier of 1.08 on Disaster Line 41 (D41) in 2023, complete form 50-856-a, *Adjusted Voter-Approval Tax Rate for Taxing Units in Disaster Area Calculation Worksheet* to recalculate the voter-approval tax rate the taxing unit would have calculated in 2023 if it had generated revenue based on an adopted tax rate using a multiplier of 1.035 in the years following the disaster. [50] Enter the final adjusted 2023 voter-approval tax rate from the worksheet. **- or -** If the taxing unit adopted a tax rate above the 2023 voter-approval tax rate without calculating a disaster tax rate or holding an election due to a disaster, no recalculation is necessary. Enter the voter-approval tax rate from the prior year's worksheet.	$ 0.000000 /$100
76.	**Increase in 2023 tax rate due to disaster.** Subtract Line 75 from Line 74.	$ 0.000000 /$100
77.	**Adjusted 2023 taxable value.** Enter the amount in Line 14 of the *No-New-Revenue Tax Rate Worksheet.*	$ 632,775,098
78.	**Emergency revenue.** Multiply Line 76 by Line 77 and divide by $100.	$ 0
79.	**Adjusted 2023 taxable value.** Enter the amount in Line 25 of the *No-New-Revenue Tax Rate Worksheet.*	$ 657,822,706
80.	**Emergency revenue rate.** Divide Line 78 by Line 79 and multiply by $100. [51]	$ 0.000000 /$100

[45] Tex. Tax Code §26.04(c)(2)(B)
[46] Tex. Tax Code §26.012(8-a)
[47] Tex. Tax Code §26.063(a)(1)
[48] Tex. Tax Code §26.042(b)
[49] Tex. Tax Code §26.042(f)
[50] Tex. Tax Code §26.042(c)
[51] Tex. Tax Code §26.042(b)

Line	Emergency Revenue Rate Worksheet	Amount/Rate
81.	**Current year voter-approval tax rate, adjusted for emergency revenue.** Subtract Line 80 from one of the following lines (as applicable): Line 49, Line D49 (disaster), Line 50 (counties), Line 58 (taxing units with the additional sales tax), Line 62 (taxing units with pollution control) or Line 68 (taxing units with the unused increment rate).	$ 0.778998/$100

SECTION 8: Total Tax Rate

Indicate the applicable total tax rates as calculated above.

No-new-revenue tax rate. .... $ 0.782572/$100
As applicable, enter the current year NNR tax rate from: Line 26, Line 27 (counties), or Line 56 (adjusted for sales tax).
Indicate the line number used: 26

Voter-approval tax rate............ $ 0.778998/$100
As applicable, enter the current year voter-approval tax rate from: Line 49, Line D49 (disaster), Line 50 (counties), Line 58 (adjusted for sales tax), Line 62 (adjusted for pollution control), Line 68 (adjusted for unused increment), or Line 81 (adjusted for emergency revenue).
Indicate the line number used: 58

De minimis rate............. $ 0.810309/$100
If applicable, enter the current year de minimis rate from Line 73.

SECTION 9: Taxing Unit Representative Name and Signature

Enter the name of the person preparing the tax rate as authorized by the governing body of the taxing unit. By signing below, you certify that you are the designated officer or employee of the taxing unit and have accurately calculated the tax rates using values that are the same as the values shown in the taxing unit's certified appraisal roll or certified estimate of taxable value, in accordance with requirements in the Tax Code. [52]

print here Scott Porter
Printed Name of Taxing Unit Representative

sign here ______________________
Taxing Unit Representative

Date

[52] Tex. Tax Code §§26.04(c-2) and (d-2)

Certification of Additional Sales and Use Tax to Pay Debt Services

THE STATE OF TEXAS,
County of Johnson

Chief Financial Officer or Auditor: Laura Cox

For the taxing unit: City of Alvarado

Hereby certifies that the amount of additional sales and use tax revenue collected to pay debt service has been deducted from the total amount described by Tax Code Section 26.05(e-1), 26.04(e)(3)(C) and 26.05(a)(1).

This certification is submitted to the governing body of City of Alvarado, Texas on 8/19/24.

Laura C. Cox
Signature of Financial Officer or Auditor

AEDC Board Meeting Management Report

Meeting Date: August 19, 2024
Contact: Hillary Cromer

AGENDA ITEM: Consideration and action to approve the Alvarado Storefront Improvement Grant Program and Guidelines.

BACKGROUND AND FINDINGS:

The City of Alvarado has established the Storefront Improvement Grant Program, funded by the Alvarado Economic Development Corporation (AEDC), to provide technical and financial assistance to property owners or business tenants aiming to renovate or restore their existing commercial businesses. Eligible businesses must have been operating within the city for at least the last twelve months.

The program's objectives include:

- Enhancing the exterior appearance and visibility of commercial properties.
- Improving the overall presentation of businesses.
- Supporting the revitalization of properties in need of aesthetic upgrades.

Eligible Improvements:

- Structural or life/fire safety upgrades
- Brick/masonry repair or cleaning
- Indoor/outdoor lighting
- Facade repair/remodel/upgrades
- Painting
- Door/window replacement
- Enhanced exterior signage
- Landscaping enhancements
- Parking improvements
- Monument signage

The grant will provide a 50% matching contribution of up to $25,000 for approved improvements. AEDC staff will assist applicants during the conceptual stage at no cost. Applicants must hire licensed architects and contractors for detailed design and implementation.

Eligibility Criteria:

- Commercial property owners or tenants operating in Alvarado for at least twelve months.
- Written approval from property owners for tenants.
- Removal of nonconforming signage.

- Up-to-date on all municipal taxes and free of city liens or code violations.
- Compliance with all state and local laws and regulations.

Application and Implementation Process:

- Initial project discussions with the Director of Economic Development.
- Design review and approval by staff.
- Obtain necessary permits and begin construction.
- Complete improvements within specified timeframes.
- Reimbursement upon satisfactory completion and verification of improvements.
- The City attorney has reviewed and approved of the program and guidelines.

The AEDC board of directors approved the program and guidelines at their July 22, 2024 board meeting.

STAFF RECOMMENDATION

Staff and the AEDC board of directors recommend that City Council approve the proposed Alvarado Storefront Improvement Grant Program and authorize staff to administer it pursuant to the accompanying guidelines to include a matching grant, offering up to 50% of project costs, with a maximum grant amount of $25,000.

ATTACHMENTS:

Storefront Improvement Grant Program Guidelines and Application

Storefront Improvement Grant Program

Guidelines and Application

July 22, 2024

Please return completed application with necessary attachments and signature to:

City of Avarado
Economic Development Corporation
104 West College Street
Alvarado, TX 76009

If you have any application questions, please contact the Director of Economic Development at (817) 790-3351, extension 123 or email at cromerh@cityofalvarado.org

Alvarado Storefront Improvement Grant Program

Guidelines and Application

A. INTRODUCTION

The City of Alvarado has established the Storefront Improvement Grant Program (the “GRANT”), which will provide technical and financial assistance to property owners or business tenants seeking to renovate or restore existing commercial businesses, who have been operating for at least the last twelve (12) months, within the City of Alvarado (the “City”). The program is funded by the Alvarado Economic Development Corporation (AEDC).

The following items are eligible for improvement funds:

- Structural or life/fire safety upgrades;
- Adding brick/masonry, repair, and/or cleaning of the same;
- Indoor/outdoor lighting;
- Facade repair/remodel/upgrades;
- Painting;
- Door/window replacement;
- Enhanced exterior signage;
- Landscaping enhancements;
- Parking improvements; and
- Monument Signage.

Grant funds are designated to impact properties in need of revitalization, resulting in an improved exterior, visibility, and presentation of a business. The funds are not designed to subsidize corrections to building code violations that prolong the life of a commercial property.

GRANT will provide a fifty percent (50%) matching grant of up to twenty-five thousand dollars ($25,000) for the funding of well-designed improvements which will coordinate all the important features of the storefront into a more attractive image while creating, if necessary, an accessible entrance for the public. This may include the restoration of architectural details, better windows and doors, and/or well- proportioned signage and lighting. A EDC staff will be available to help applicants through the conceptual stage at no cost. Applicants, however, will be responsible for hiring licensed architects and contractors to refine any conceptual design.

B. DEFINITIONS

The following definitions shall apply to the terms used in these guidelines:

<u>Applicant</u>: the property owner or business occupant signing the application for a Storefront Improvement Grant.

<u>Construction Costs</u>: the cost of permits, fees, construction materials, and

installation labor. All other associated costs are deemed excluded, including, but not limited to the following: design, construction document preparation, bidding, sweat equity, and construction financing expenses.

DRC: the City's Development Review Committee.

Eligible Enhancements: the improvements identified as eligible in Section C of these guidelines.

Well-designed improvements: Enhancements that are thoughtfully planned and executed to elevate both the functionality and aesthetic appeal of the storefront.

Sweat Equity: the non-monetary investment that individuals contribute to a project through their time, effort, and labor, rather than financial contributions.

Facade: the portion of the building parallel to the primary right-of-way as determined by City.

AEDC: the Alvarado Economic Development Corporation.

Notice to Proceed: a written notice from City Staff authorizing the Applicant to begin construction as approved by the City.

Property: the physical lot and/or building to which improvements are being made.

Staff: the City Manager or their designee(s).

C. ELIGIBILITY CRITERIA

The following criteria must be met for participation in GRANT:

a. Applicant must be commercial property owners or commercial tenants located in the City for at least the last twelve (12) months;
b. Tenants must have written approval from property owners to participate in program;
c. Nonconforming signage on property, if applicable, must be permanently removed as part of the improvement;
d. Applicant must be up to date on all municipal taxes prior to participation in the program;
e. Applicant must not have any City liens or code violations filed against any property owned by Applicant, including but not limited to, weed liens, demolition liens, board-up/open structure liens and/or paying liens;
f. Applicant must comply with all State and local laws and regulations pertaining to licensing, permits, building code, and zoning requirements;
g. Applicant must acknowledge that the overall objective of the GRANT is to

improve the exterior, visibility, and presentation of a property; the AEDC has the discretion to decline an application while suggesting enhancements that would enable future acceptance.

h. The following businesses are ineligible for grant funds: non-profits, government offices, residences, home businesses, and sexually-oriented businesses.

D. DESIGN PRINCIPLES AND GUIDELINES

Improvements to be funded by the program must be compatible with the character and architecture of the individual building as well as meet City standards with regards to the latest construction and design trends. Buildings with significant architectural qualities are strongly encouraged to restore and maintain these features. Improvements for buildings without such architectural features should still be carefully considered and be seen as an opportunity to substantially enhance the appearance of the buildings and their streetscapes.

a. Eligible Facade/Signage Improvements:

i. Restoration of details in historically contributing or significant buildings and removal of elements which cover architectural details;
ii. Window replacement and window framing visible from the street, to be appropriately scaled to the building;
iii. Visually appealing and appropriate City-approved signage, including monument signage, electronic message boards, and other signage as specified in the City's codes;
iv. Lighting which is visually appealing and appropriately illuminates signage, storefront window displays, and recessed areas of a Facade;
v. Awnings or canopies that are both functional and/or visually appealing;
vi. Curbing, irrigation, approved trees, landscaping beds, or other landscaping features where appropriate;
vii. Cleaning, repainting, or residing of building;
viii. Resurfacing of parking lots visible from street;
ix. New storefront construction, provided that said construction is appropriately scaled within an existing building;
x. Removal of architectural barriers to public accessibility;
xi. Replacement or repair of the portions of a roof that are visible from an adjacent public street;
xii. Replacement or repair of existing gutters and/or downspouts.
xiii. Installation of new sidewalks and/or the replacement or repair of existing sidewalks;
xiv. New patios with outdoor dining/seating; and

xv. Other improvements (approved on a case-by-case basis if they meet the objectives of the Program).

b. Ineligible Improvements/Expenses:

i. Interior improvements;
ii. The addition of playground or recreational equipment;
iii. Structural changes;
iv. Burglar bars;
v. Security/alarm system;
vi. "Sweat equity";
vii. New commercial construction;
viii. Benches/porch swings;
ix. Umbrellas;
x. Gazebos;
xi. Trellises;
xii. Architectural, survey or other professional fees;
xiii. Asbestos testing, removal, abatement, or remediation;
xiv. Improvements for which insurance monies are received; and
xv. Outline lighting.

c. Prior Improvements

Any permits, alterations, or improvements pertaining to or relating to the GRANT application made prior to receiving a “Notice to Proceed” are not eligible for reimbursement.

d. Alterations

Applicant must agree not to change or alter the improved Facade without prior written approval from the City for three (3) years from the date of grant payment.

E. PROGRAM ASSISTANCE

a. Financial Assistance

GRANT reimburses Applicant fifty percent (50%) of total project costs, up to a $25,000 maximum match for Storefront improvements.

Applicant’s match may be in the form of other financial aid (grant or loan) received from other agencies. The GRANT will only provide reimbursement after the Applicant has paid their architect, contractor, and vendor(s) in full and after the project is determined to have been completed in accordance with the contract between the AEDC and Applicant.

F. PROCEDURES

All prospective applicants must follow the procedures in the order outlined below.

a. Applicant meets with Director of Economic Development for initial project discussions and files an application.

b. Applicant meets with Staff to discuss building program and design alternatives.

c. Applicant's architect prepares final design drawings and submits them to Staff for review and approval.

d. The proposed project will be presented to the DRC for review followed by review by the City Manager.

e. Staff issues applicant a "Notice to Proceed" and fully executed Storefront Improvement Grant Program Agreement. **Any work completed prior to receiving the "Notice to Proceed" will not be reimbursed.**

f. Applicant has ninety (90) days from the date the Notice to Proceed is sent to begin implementation of approved improvements. Applicant must provide Staff with copies of all building permits and certifications received from improvement project.

g. Applicant must complete improvements within six (6) months of receiving a Notice to Proceed. If additional time is required to complete the project, the Applicant must request an extension and provide Staff with a reason as to why more time is needed. The extension may not exceed six (6) months.

h. Contractor constructs project improvements as specified in the final design. Any changes to the approved design must be approved by Staff.

i. Applicant notifies Staff once project is completed.

j. Staff certifies the improvements comply with the final drawings and specifications.

k. Applicant must submit copies of all paid invoices to the Economic Development Director, who then submits a request for reimbursement check.

l. If the application is denied, the Applicant will not be allowed to reapply to the Program for one hundred and eighty (180) days from the original application date.

The City and/or AEDC reserve the right to adjust conditions and parameters outlined in these guidelines if the need arises.

G. TERMINATION

The AEDC and/or City of Alvarado may terminate an agreement under the GRANT if a participant is found to be in violation of any conditions set forth in these guidelines or if the project has been started prior to the execution of a Storefront Improvement Program Agreement with the AEDC and the receipt of a Notice to Proceed from the City.

Alvarado Economic Development Corporation

Storefront Improvement Grant Program Application

Please return the completed application with necessary attachments and signature to Alvarado Economic Development Office, 104 West College Street, Alvarado TX 76009. If you have any application questions, please contact the Director of Economic Development Director at (817) 790-3351, extension 123 or email at cromerh@cityofalvarado.org

Applicant Name:	**Date**
Business Name:	
Mailing Address:	
Contact Phone:	
Email Address:	
Building Owner (if different than applicant):	
Historical/Current Building Name:	
Project Site/Address:	

Type of Work: (check all that apply)

Facade ☐ **Landscaping** ☐ **Signage** ☐ **Awnings**

☐ **Parking & Driveways** ☐ ☐ **Pedestrian Amenities**

Details of Planned Improvements relating Grant Request (attach additional information if necessary)

____

____

____

____

How will this project benefit the community?

____

____

____

____

____

Project Expenditures	Estimated Costs	Grant Requested
Facade / Building Rehab		
Signage / Lighting		
Landscaping		
Parking / Driveways		
Awnings		
Pedestrian Amenities		
Total		

TOTAL COST OF PROPOSED PROJECT $ ______________________________

TOTAL GRANT REQUEST
(May not exceed 50% of TOTAL COST up to $25,000) $ ______________________________

Attach with final design drawings and photographs of building's exterior Facade.

____

Applicant Signature ***Date***

____

Property Owner Signature ***Date***

ORDINANCE NO. 2024 - 0013

AN ORDINANCE GRANTING TO ONCOR ELECTRIC DELIVERY COMPANY LLC, ITS SUCCESSORS AND ASSIGNS, AN ELECTRIC POWER FRANCHISE TO USE THE PRESENT AND FUTURE STREETS, ALLEYS, HIGHWAYS, PUBLIC UTILITY EASEMENTS, PUBLIC WAYS AND PUBLIC PROPERTY OF THE CITY OF ALVARADO, TEXAS, PROVIDING FOR COMPENSATION THEREFOR, PROVIDING FOR AN EFFECTIVE DATE AND A TERM OF SAID FRANCHISE, PROVIDING FOR WRITTEN ACCEPTANCE OF THIS FRANCHISE, PROVIDING FOR THE REPEAL OF ALL EXISTING FRANCHISE ORDINANCES TO ONCOR ELECTRIC DELIVERY COMPANY LLC, ITS PREDECESSORS AND ASSIGNS, AND FINDING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC.

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

SECTION 1. GRANT OF AUTHORITY: That there is hereby granted to Oncor Electric Delivery Company LLC, its successors and assigns (herein called "Company"), the right, privilege and franchise to construct, extend, maintain and operate in, along, under and across the present and future streets, alleys, highways, easements held by the City to which the City holds the property rights in regard to use for utilities, public ways and other public property ("Public Rights-of-Way" or "Rights-of-Way") of the City of Alvarado, Texas (herein called "City") electric power lines, with all necessary or desirable appurtenances (including underground conduits, poles, towers, wires, transmission lines, telephone and communication lines, and other structures for Company's own use), (herein called "Facilities") for the purpose of delivering electricity to the City, the inhabitants thereof, and persons, firms and corporations beyond the corporate limits thereof, for the term set out in Section 7.

SECTION 2. Poles, towers and other structures shall be so erected as not to unreasonably interfere with traffic over streets, alleys and highways.

SECTION 3. The City reserves the right to lay, and permit to be laid, storm, sewer, gas, water, wastewater and other pipe lines, cables, and conduits, or other improvements and to do and permit to be done any underground or overhead work that may be necessary or proper in, across, along, over, or under Public Rights-of-Way occupied by Company. The City also reserves the right to change in any manner any curb, sidewalk, highway, alley, public way, street, utility lines (or in the case of utility line owned by Company, to require that change by Company), storm sewers, drainage basins, drainage ditches, and the like. City shall provide Company with at least thirty (30) days' notice when requesting Company to relocate facilities and shall specify a new location for such facilities along the Public Rights-of-Way. Company shall, except in cases of emergency conditions or work incidental in nature, obtain a permit, if required by City ordinance, prior to performing work in the Public Rights-of-Way, except in no instance shall Company be required to pay fees or bonds related to its use of the Public Rights-of-Way, despite the City's enactment of any ordinance providing the contrary. Company shall construct its facilities in conformance with the applicable provisions of the National Electrical Safety Code. City-requested relocations of Company facilities in the Public Rights-of-Way shall be at the Company's expense; provided however, if the City is the end use Retail Customer (customer who purchases electric power or energy and ultimately consumes it) requesting the removal or relocation of Company Facilities for its own benefit, or the project requiring the relocation is solely aesthetic/beautification in nature, it will be at the total expense of the City. Provided further, if the relocation request includes, or is for, the Company to relocate above-ground facilities to an underground location, City shall be fully responsible for the additional cost of placing the facilities underground.

If any other corporation or person (other than City) requests Company to relocate Company facilities located in City Rights-of-Ways, the Company shall not be bound to make such changes until such other corporation or person shall have undertaken, with good and sufficient bond, to reimburse the Company for any costs, loss, or expense which will be caused by, or arises out of such change, alteration, or relocation of Company's Facilities. City may not request the Company to pay for any relocation which has already been requested, and paid for, by any entity other than City.

If City abandons any Public Rights-of-Way in which Company has facilities, such abandonment shall be conditioned on Company's right to maintain its use of the former Public Rights-of-Way and on the obligation of the party to whom the Public Rights-of-Way is abandoned to reimburse Company for all removal or relocation expenses if Company agrees to the removal or relocation of its facilities following abandonment of the Public Rights-of-Way. If the party to whom the Public Rights-of-Way is abandoned requests the Company to remove or relocate its facilities and Company agrees to such removal or relocation, such removal or relocation shall be done within a reasonable time at the expense of the party requesting the removal or relocation. If relocation cannot practically be made to another Public Rights-of-Way, the expense of any right-of-way acquisition shall be considered a relocation expense to be reimbursed by the party requesting the relocation.

SECTION 4.

A. In consideration of the granting of this Franchise, Company shall, at its sole cost and expense, indemnify and hold the City, and its past and present officers, agents and employees harmless against any and all liability arising from suits, actions or claims regarding injury or death to any person or persons, or damages to any property arising out of or occasioned by the intentional and/or negligent acts or omissions of Company or any of its officers, agents, or employees in connection with Company's construction, maintenance and operation of Company's Facilities in the City Public Rights-of-Way, including any court costs, reasonable expenses and reasonable defenses thereof.

B. This indemnity shall only apply to the extent that the loss, damage, death or injury is attributable to the negligence or wrongful act or omission of the Company or its officers, agents or employees, and does not apply to the extent such loss, damage, death or injury is attributable to the negligence or wrongful act or omission of the City or the City's officers, agents, or employees or any other person or entity. This provision is not intended to create a cause of action or liability for the benefit of third parties but is solely for the benefit of Company and the City.

C. In the event of joint and concurrent negligence or fault of both Company and the City, responsibility and indemnity, if any, shall be apportioned comparatively between the City and Company in accordance with the laws of the state of Texas without, however, waiving any governmental immunity available to the City under Texas law and without waiving any of the defenses of the parties under Texas law. Further, in the event of joint and concurrent negligence or fault of both Company and the City, responsibility for all costs of defense shall be apportioned between the City and Company based upon the comparative fault of each.

D. In fulfilling its obligation to defend and indemnify City, Company shall have the right to select defense counsel, subject to City's approval, which will not be unreasonably withheld. Company shall retain defense counsel within seven (7) business days of City's written notice that City is invoking its right to indemnification under this franchise. If Company fails to retain counsel within such time period, City shall have the right to retain defense counsel on its own behalf, and Company shall be liable for all reasonable defense costs incurred by City, except as otherwise provided in section 4.B and 4.C.

SECTION 5. This franchise is not exclusive, and nothing herein contained shall be construed so as to prevent the City from granting other like or similar rights, privileges and franchises to any other person, firm, or corporation. Any Franchise granted by the City to any other person, firm, or corporation shall not unreasonably interfere with this Franchise.

SECTION 6. In consideration of the grant of said right, privilege and franchise by the City and as full payment for the right, privilege and franchise of using and occupying the said Public Rights-of-Way, and in lieu of any and all occupation taxes, assessments, municipal charges, fees, easement taxes, franchise taxes, license, permit and inspection fees or charges, street taxes, bonds, street or alley rentals, and all other taxes, charges, levies, fees and rentals of whatsoever kind and character which the City may impose or hereafter be authorized or empowered to levy and collect, excepting only the usual general or special ad valorem taxes which the City is authorized to levy and impose upon real and personal property, sales and use taxes, and special assessments for public improvements, Company shall pay to the City the following:

A. A final quarterly payment will be made on or before July 1, 2024 for the basis period of January 1, 2024 through March 31, 2024 and the privilege period of April 1, 2025 through June 30, 2025 in accordance with the provisions in the previous franchise.

B. As authorized by Section 33.008(b) of PURA, the original franchise fee factor calculated for the City in 2002 was 0.003096 (the “Base Factor”), multiplied by each kilowatt hour of electricity delivered by Company to each retail customer whose consuming facility’s point of delivery is located within the City’s municipal boundaries for determining franchise payments going forward.

Due to a 2006 agreement between Company and City the franchise fee factor was increased to a franchise fee factor of 0.003251 (the “Current Factor”), multiplied by each kilowatt hour of electricity delivered by Company to each retail customer whose consuming facility’s point of delivery is located within the City’s municipal boundaries on a quarterly basis.

However, consistent with the 2006 agreement, should the Public Utility Commission of Texas at any time disallow Company’s recovery through rates of the higher franchise payments made under the Current Factor as compared to the Base Factor, then the franchise fee factor shall immediately revert to the Base Factor of 0.003096 and all future payments, irrespective of the time period that is covered by the payment, will be made using the Base Factor.

Company shall make quarterly payments as follows:

Payment Due Date	Basis Period	Privilege Period (Following Pmt)
October 1	Apr. 1 - Jun. 30	Jul. 1 - Sept. 30
January 1	Jul.1 - Sept. 30	Oct.1 - Dec. 31
April 1	Oct. 1 - Dec. 31	Jan. 1 – Mar. 31
July 1	Jan. 1 - Mar. 31	Apr. 1 - Jun. 30

1. The first payment hereunder shall be due and payable on or before October 1, 2024 and will cover the basis period of April 1, 2024 through June 30, 2024 and the privilege period of July 1, 2025 through September 30, 2025. If this franchise is not effective prior to the first quarterly payment date, Company will pay any payments due within 30 days of the effective date of this agreement. The final payment under this franchise is due on or before October 1, 2043 and covers the basis period of April 1, 2043 through June 30, 2043 and the privilege period of July 1, 2044 through September 30, 2044; and
2. After the final payment date of October 1, 2043, Company may continue to make additional quarterly payments in accordance with the above schedule. City acknowledges that such continued payments will correspond to privilege periods that extend beyond the term of this Franchise and that such continued payments will be recognized in any subsequent franchise as full payment for the relevant quarterly periods.

C. A sum equal to four percent (4%) of gross revenues received by Company from services identified as DD1 through DD24 in Section 6.1.2 “Discretionary Service Charges,” in Oncor’s Tariff for Retail Delivery Service (Tariff), effective 1/1/2002, that are for the account and benefit of an end-use retail electric consumer. Company will, upon request by City, provide a cross reference to Discretionary Service Charge numbering changes that are contained in Company’s current approved Tariff.

1. The franchise fee amounts based on “Discretionary Service Charges” shall be calculated on an annual calendar year basis, i.e. from January 1 through December

31 of each calendar year.

2. The franchise fee amounts that are due based on "Discretionary Service Charges" shall be paid at least once annually on or before April 30 each year based on the total "Discretionary Service Charges", as set out in Section 6C, received during the preceding calendar year. The initial Discretionary Service Charge franchise fee amount will be paid on or before April 30, 2025 and will be based on the calendar year January 1 through December 31, 2024. The final Discretionary Service Charge franchise fee amount will be paid on or before April 30, 2045 and will be based on the calendar months of January 1, 2044 through September 30, 2044.
3. Company may file a tariff or tariff amendment(s) to provide for the recovery of the franchise fee on Discretionary Service Charges.
4. City agrees (i) to the extent the City acts as regulatory authority, to adopt and approve that portion of any tariff which provides for 100% recovery of the franchise fee on Discretionary Service Charges; (ii) in the event the City intervenes in any regulatory proceeding before a federal or state agency in which the recovery of the franchise fees on such Discretionary Service Charges is an issue, the City will take an affirmative position supporting the 100% recovery of such franchise fees by Company and; (iii) in the event of an appeal of any such regulatory proceeding in which the City has intervened, the City will take an affirmative position in any such appeals in support of the 100% recovery of such franchise fees by Company.
5. City agrees that it will take no action, nor cause any other person or entity to take any action, to prohibit the recovery of such franchise fees by Company.
6. In the event of a regulatory disallowance of the recovery of the franchise fees on the Discretionary Service Charges, Company will not be required to continue payment of such franchise fees.

SECTION 7. This Ordinance shall become effective upon Company's written acceptance hereof, said written acceptance to be filed by Company with the City within sixty (60) days after final passage and approval hereof by City. The right, privilege and franchise granted hereby shall expire on September 30, 2044; provided that, unless written notice of cancelation is given by either party hereto to the other not less than sixty (60) days before the expiration of this franchise agreement, it shall be automatically renewed for an additional period of six (6) months from such expiration date and shall be automatically renewed thereafter for like periods until canceled by written notice given not less than sixty (60) days before the expiration of any such renewal period.

SECTION 8. This Ordinance shall supersede any and all other franchises granted by the City to Company, its predecessors and assigns.

SECTION 9. The sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable. If any portion of this Ordinance is declared illegal or unconstitutional by the valid final non-appealable judgment or decree of any court of competent jurisdiction, such illegality or unconstitutionality shall not affect the legality and enforceability of any of the remaining portions of this Ordinance.

SECTION 10. In order to accept this franchise, Company must file with the City Secretary its written acceptance of this franchise ordinance within sixty (60) days after its final passage and approval by City.

SECTION 11. It is hereby officially found that the meeting at which this Ordinance is passed is open to the public and that due notice of this meeting was posted by City, all as required by law.

PASSED AND APPROVED at a regular meeting of the City Council of Alvarado, Texas, on this the 19th day of August, 2024.

____
Jacob Wheat, Mayor

ATTEST:

____
Beth A. Walls, City Secretary

STATE OF TEXAS §
COUNTY OF JOHNSON §
CITY OF ALVARADO §