

**REGULAR MEETING OF THE
CITY OF ALVARADO CITY COUNCIL
104 W. COLLEGE
JANUARY 22, 2025
6:30 PM
AGENDA**

The City Council of the City of Alvarado will meet in a Regular Called Session on Wednesday, January 22, 2025, 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 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. Citizens may obtain a form to speak by requesting it from the City Secretary or the City Marshal prior to the start of the meeting.

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.

INTRODUCTION OF NEW EMPLOYEES:

CONSENT AGENDA:

1. Consideration and action to approve minutes from the 12/16/2024 Regular City Council Meeting. (Walls)
2. Consideration and action to approve Resolution No. R2025-0001, calling the May 2025 General Election and approving the Election Agreement between the City of Alvarado, Texas, and Johnson County, Texas. (Walls)

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3. Consideration and action to approve Resolution No. R2025-0002, authorizing continued participation with the Oncor Cities Steering Committee and authorizing payment. (Walls)
4. Consideration and action to approve designation of Chief Teddy May to perform the duties of the City Manager in the event of the absence or disability of the City Manager per Section 5.06 of the City Charter. (DeBuff)
5. Consideration and action to approve Resolution No. R2025-0003, authorizing the City Manager to act on behalf of the City of Alvarado and approving the City's participation in the Recreational Trails Grant Program. (Suber)

NEW BUSINESS:

6. Consideration and action to approve Ordinance No. 2025-0001, authorizing restrictive prior service credit for employees who are members of the Texas Municipal Retirement System. (Walls)
7. Consideration and action to award the bid for Davis Avenue wastewater gravity line construction and authorize the City Manager to negotiate and execute a contract. (Dwiggins)
8. Consideration and action to authorize the City Manager to enter into a License Agreement with BNSF Railway Company for the installation, maintenance, and use of a 24-inch sanitary sewer pipeline. (Dwiggins) (BNSF Easement)
9. Workshop and discussion on the Downtown Alvarado TIRZ #3. (Cromer)
10. Public Hearing, consideration and action to approve Ordinance No. 2025-0003, establishing the Downtown Alvarado TIRZ #3, including its boundaries, termination date, and other terms as presented. (Cromer)
11. Workshop and discussion on Alvarado's temporary downtown overlay. (French)
12. Workshop and discussion on amending Chapter 8, "Buildings and Building Regulations," of the Alvarado Code. (French) (Vacant Building Ordinance Workshop)
13. Consideration and action to approve Ordinance No. 2025-0004, amending Chapter 8, "Buildings and Building Regulations," of the Alvarado Code by adopting a new Article VI, "Vacant Buildings," defining terms; providing requirements, procedures, and fees for the registration and inspection of vacant buildings in the City of Alvarado, Texas. (French) (Vacant Buildings Ordinance Adoption)
14. Consideration and action to approve Ordinance No. 2025-0002, amending the City's Master Fee Schedule. (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:

- Any item listed on the agenda.
- Valor Homes Interlocal Agreement

RECONVENE TO REGULAR SESSION:

15. Discussion, consideration and action to approve an Interlocal Agreement between the City of Alvarado, Texas, and Valor Homes, and to authorize the City Manager to negotiate and

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execute the agreement based on terms discussed in Executive Session. (DeBuff)

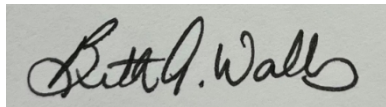
ACCESSIBILITY STATEMENT

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 January 16, 2025, at 6:30 p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

A handwritten signature in black ink, reading "Beth A. Walls", is displayed on a light gray rectangular background.

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

CITY OF ALVARADO
County of Johnson
State of Texas
12/16/2024
City Council Minutes

The City Council of the City of Alvarado met in Regular Called Session on Monday, December 16, 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
John Rodgers	Fire Chief
Brad Hargrove	Assistant Fire Chief
Teddy May	Police Chief
Mike Dwiggins	Public Works Director
Mikaela Hall	Communications Manager

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

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS:

Jackie Carpenter: Provided the City Council with pictures and additional information about the importance of and history behind the downtown Christmas decorations and how the square had been set-up in the past, along with input from citizens regarding their preferences for future decorations.

John Finley: Addressed the City Council regarding Christmas decorations donated from his family and would like to see the square Christmas decorations set-up like in the past.

Jameye Jones: Events - Gave thanks to city staff for Old Town Christmas event.

COUNCIL COMMENTS:

Lydia Moon: Update – 10,000 toys donated at the Grinch Party.

INTRODUCTION TO NEW EMPLOYEES:

Tonya Roberts, Code Enforcement Officer.

CONSENT AGENDA:

1. Consideration and action to approve minutes from the 11/18/2024 Regular City Council Meeting.
2. Consideration and action to move the January Regularly Scheduled City Council Meeting to 01/22/2025 due to the Martin Luther King Jr. Holiday falling on the third Monday of the month.
3. Consideration and action to approve Ordinance No. 2024-0029 regarding the implementation of the new personnel manual, effective 12/01/2024.
4. Consideration and action to approve Ordinance No. 2024-0024, granting Atmos Energy Corp. a gas franchise agreement.
5. Consideration and action to approve an Interlocal Agreement for the Stop the Offender Program (S.T.O.P.) Special Crimes Unit 2024.
6. Consideration and action to accept the proposal for Right-of-Way Acquisition Services on N. Cummings Road and authorize the City Manager to proceed.

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

This motion supported 6 votes in approval and 0 votes opposed. Motion carried.

REGULAR BUSINESS:

7. Discussion, consideration, and action to reject all bid submittals for Davis Avenue wastewater gravity line construction.

The city sought bids for a deep gravity sewer line project but found the lowest bidder lacked necessary experience. After consulting with the engineer and attorney, it's recommended to reject all bids and re-bid with updated criteria, including a panel to evaluate and recommend the best value for the city.

Motion was made by Lydia Moon and seconded by Beverly Short to reject all bid submittals for Davis Avenue wastewater gravity line construction.

This motion supported 6 votes in approval and 0 votes opposed. Motion carried.

8. Consideration and action to approve Ordinance 2024-0027, amending the City's Master Fee Schedule.

On June 17, 2024, the City Council approved site development user fees prepared by Willdan Financial Services to address immediate needs, with plans to update all other fees using the same methodology. Staff recommended updating them using Willdan's approach, except for building permit fees, which should reflect market rates rather than just cost recovery. A comparison of building permit fees from Johnson County and the Dallas/Fort Worth area supported the proposed fees.

No action taken.

Motion was made by Lydia Moon and seconded by Carrie Keeton to move item # 8 to the council meeting in January 2025 to give City Council more time to review.

This motion supported 6 votes in approval and 0 votes opposed. Motion carried.

9. Presentation and training from City Attorney on Chapter 171 of the Local Government Code, Conflict of Interest.

No action taken.

10. Consideration and action to approve Ordinance No. 2024-0026, adopting and enacting a new Code of Ordinances effective 06/17/2024.

On April 17, 2023, the City Council approved an agreement with General Code to update the City's Code of Ordinances, which had not been revised since 2008. This Ordinance represents the final step in adopting the updated version of the code.

Motion was made by Carrie Keeton and seconded by Beverly Short to approve Ordinance No. 2024-0026.

This motion supported 6 votes in approval and 0 votes opposed. Motion carried.

MAYOR WHEAT DECLARED COUNCIL TO BE IN EXECUTIVE SESSION AT 7:48 P.M. AND RECONVENED TO REGULAR SESSION AT 9:50 P.M.

11. Consideration and any action necessary as a result of items legally discussed in Executive Session.

12. Discussion, consideration and action regarding vacation hour allocations for newer employees under the provisions of the approved personnel manual.

Motion was made by Lydia Moon and seconded by Kevin Thomas to take action, as discussed in Executive Session.

This motion supported 6 votes in approval and 0 votes opposed. Motion carried.

13. Consideration and action to authorize the Economic Development Director and City Manager to negotiate and execute Project Red-SE-04 agreement based on terms discussed in Executive Session.

No action taken.

14. Consideration and action to authorize the Economic Development Director and City Manager to negotiate and execute Project N. Parkway 2024 A Agreement based on terms discussed in Executive Session.

Motion was made by Lydia Moon and seconded by Kevin Thomas to authorize the sale of Project N. Parkway 2024, based on terms discussed in Executive Session.

This motion supported 5 votes in approval and 1 vote opposed. Motion carried.

There being no further business, Mayor Wheat adjourned the meeting at 9:55 P.M.

Passed and approved this the 22nd day of January, 2025.

Jacob Wheat, Mayor

Respectfully Submitted,

Beth A. Walls, City Secretary/HRD

RESOLUTION NO. R2025-0001

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALVARADO, TEXAS, CALLING FOR A GENERAL ELECTION TO BE HELD ON MAY 3, 2025 ESTABLISHING PROCEDURES FOR THAT ELECTION, AUTHORIZING THE METHOD OF VOTING; APPROVING AN ELECTION CONTRACT WITH JOHNSON COUNTY; PROVIDING THAT THIS RESOLUTION SHALL BE CUMULATIVE OF ALL RESOLUTIONS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, state law has established the 1st Saturday in May as the date for general municipal elections; and

WHEREAS, by this Resolution, it is the intention of the City Council to call the general election, designate a polling place for this election, to appoint the necessary election officers and to establish and set forth procedures for conducting the election.

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

SECTION 1

Election Order. A general election shall be held in the City of Alvarado, Texas, on Saturday, May 3, 2025, at which the following officials will be elected for three (3) year terms ending in May 2028:

City Council Member, Ward 1, Place 4, Currently occupied by Beverly Short
City Council Member, Ward 3, Place 3, Currently occupied by Kevin Thomas

SECTION 2

Polling Place. The polling place for the General Election shall be as follows:

Alvarado City Hall
104 West College
Alvarado, Texas, 76009

The polls shall be open from 7:00 a.m. until 7:00 p.m. on May 3, 2025, in accordance with and pursuant to the requirements of the Texas Election Code (the "Code").

SECTION 3

Filing Dates. In accordance with the Code, eligible persons wishing to become candidates must file an application with the City Secretary of the City of Alvarado, 107 East College, Alvarado, Texas, 76009, and may do so beginning at 8:00 a.m., January 15, 2025, and continue through February 14, 2025, until 5:00 p.m. Each application shall be on a form meeting the requirements of Section 141.031 of the Code.

SECTION 4

The Presiding Election Judge and Alternate Presiding Election Judge shall be appointed by Johnson County as indicated in the Election Services Contract and authorized by Chapter 271 of the Texas Election Code.

SECTION 5

Method of Voting. The Presiding Election Judge and Alternate Presiding Election Judge shall be appointed by Johnson County as indicated in the Election Services Contract and authorized by Chapter 271 of the Texas Election Code.

SECTION 6

Governing Law and Qualified Voters. The election shall be held in accordance with the Constitution of the State of Texas, the Election Code and the Charter of the City of Alvarado. All resident qualified voters of the City shall be eligible to vote at this election.

SECTION 7

Publication and Posting of Notice of Election. Notice of the election shall be given as required by Chapter 4 of the Code, and the Charter of the City of Alvarado.

SECTION 8

Early Voting.

(a) Early Voting Clerk. The Johnson County Election Administrator is hereby appointed to serve as the Early Voting Clerk, and may appoint the necessary deputy clerks as required for early voting.

(b) Early Voting by Personal Appearance. Early voting by personal appearance shall be conducted between the hours of 8:00 a.m. until 5:00 p.m. on each day which is not a Saturday or Sunday or an official State or Federal Holiday, beginning on April 22, 2025, and continuing through April 25, 2025, and between the hours of 7:00 a.m. until 7:00 p.m. beginning on April 28, 2025, and continuing through April 29, 2025. Early Voting by personal appearance shall be at Johnson County Elections, 103 South Walnut Street, Cleburne, Texas, 76033 and Alvarado City Hall, 104 West College, Alvarado, Texas, 76009.

(c) Early Voting by Mail. Applications for early voting by mail shall be delivered to Joy Adams, Early Voting Clerk, Cleburne, Texas, not earlier than Wednesday, January 1, 2025, and not later than the close of business on Tuesday, April 22, 2025. Early voting by mail ballots shall also be mailed to the Johnson County Elections Administrator at PO Box 895, Cleburne, Texas 76033, or emailed to votebymail@johnsoncountytexas.org.

(d) Early Voting Ballot Board. Early voting, both by personal appearance and by mail, shall be canvassed by the Early Voting Ballot Board which is hereby created. The Presiding Election Judge and Alternate Presiding Election Judge, appointed herein, shall serve as the presiding officer and alternate presiding officer, respectively, of the Early Voting Ballot Board. The other election officers serving at the election shall serve as the other members of the Early Voting Ballot Board.

SECTION 9

Election Services Contract. The Contract for election services between the City of Alvarado and Johnson County, which is incorporated herein for all purposes, is hereby approved. The City Mayor is hereby authorized to execute the contract for election services with Johnson County as the authorized representative of the City. In the event of a conflict between this Resolution and the Contract, the Contract shall control.

SECTION 10

Delivery of Returns. In accordance with the Election Code, immediately after the closing of the polls on the day of the election, the election officers' names in this resolution shall make and deliver the returns of the election in triplicate as follows: one copy shall be retained by the Presiding Election Judge; one copy shall be delivered to the Mayor of the City; and one copy of the returns, together with the ballot boxes and all election supplies, shall be delivered to the City Secretary. All election records and supplies shall be preserved by the City Secretary in accordance with the Election Code.

SECTION 11

Necessary Actions. The Mayor and the City Secretary of the City, in consultation with the City Attorney, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Code in carrying out and conducting the election, whether or not expressly authorized herein.

Effective Date. This resolution shall be effective upon its adoption. **PASSED AND APPROVED** this 22nd day of January 2025.

CITY OF ALVARADO:

By: _____

Jacob Wheat, Mayor

ATTEST:

Beth A Walls, City Secretary/HRD

**ELECTION AGREEMENT
FOR JOHNSON COUNTY AND CITY OF ALVARADO
MAY 3, 2025**

THIS AGREEMENT is made and entered into this 22 day of January 2025, by and between the COUNTY OF JOHNSON, TEXAS, acting by and through the Johnson County Elections Administrator (hereinafter referred to as "COUNTY") and CITY OF ALVARADO, acting by and through its mayor or his designee (hereinafter referred to as "CITY").

WHEREAS, the COUNTY will be conducting the "CITY" General/Special Election on May 3, 2025, for registered voters of Johnson County, Texas residing within City; and

WHEREAS, pursuant to Sec. 31.093, Texas Elections Code, the County Elections Administrator is required to enter a contract with CITY to conduct and furnish election services for this May 3, 2025, General/Special Election of CITY: and

WHEREAS, CITY desires that the Johnson County Elections Administrator conduct and coordinate this election; NOW THEREFORE,

FOR AND IN CONSIDERATION of the mutual project referenced herein, the parties hereto agree to hold an election on May 3, 2025, from 7:00 a.m. until 7:00 p.m., in accordance with Section 271.002, Texas Election Code, and that said election to be conducted pursuant to the terms of this agreement.

I. AGREEMENT

GENERAL TERMS:

- 1.01 On May 3, 2025, the election shall be held from 7:00 AM until 7:00 PM, that day, at the location listed on Exhibit B.
- 1.02 The political subdivision participating in the election on May 3, 2025, shall have and use the election Judges and ES&S Express Vote voting equipment.

II. JOHNSON COUNTY

- 2.01 The COUNTY agrees to coordinate, supervise, and conduct the Election, pursuant to the provisions of the Texas Election Code unless specifically provided otherwise in this Agreement with the understanding that the Election is only for the registered voters of Johnson County, Texas residing within the CITY
- 2.02 The Elections Administrator shall perform the following duties:
- a. Designate voting locations and contact the owners or custodians of public (or if unavailable, private) buildings and arrange for their use. Such voting locations shall be furnished to CITY as soon as possible.
 - b. Appoint, notify, and train the presiding judges and alternate judges and clerks. The names and addresses of each judge and alternate judge and clerk shall be furnished to the CITY at a later date.
 - c. Compensate election judges, alternate judges and clerks.
 - d. Transport voting equipment to and from each polling location.
 - e. Rent, if necessary, voting locations.
 - f. Provide lists of registered voters to the election judges.
 - g. Preparation of programs and test materials for tabulation of the ballots to be used with electronic voting equipment in accordance with the provisions of the Texas Election Code and of this Agreement.
 - h. Publish notice of the date, time, and place of the testing of the electronic tabulation equipment and conduct such testing.

III. EARLY VOTING AND ELECTION DAY VOTING

- 3.01 Early Voting by Personal Appearance
- a. The Elections Administrator, Joy Adams shall serve as Early Voting Judge for the CITY General/Special Election and other judges and clerks shall be appointed by her as needed.
 - b. Early Voting by personal appearance shall be conducted at the locations listed on Exhibit A.

All eligible voters in the City of Alvarado may vote early at the Alvarado City Hall; 104 W. College Ave., Alvarado, Texas 76009 and Johnson County Elections, 103. S Walnut St., Cleburne, Texas 76033.

- c. Early Voting by personal appearance will begin on April 22, 2025, and will end on April 29, 2025. There will be no early voting on Saturdays, Sundays, or legal holidays, unless otherwise agreed to by the parties.
- d. Temporary extended hours at those sites listed as in sec: 85.005 of the Election Code.

3.02 Early Voting by Mail:

- a. The COUNTY shall be responsible for early voting ballot requests by mail.
- b. CITY shall forward any requests by mail applications to the COUNTY.
- c. The COUNTY shall be responsible for all preparation of mail ballots including mailing ballot to voter.

3.03 The Ballot Board Judge for the CITY shall be as designated by the COUNTY. The Early Voting Ballot Board's duties will include:

- (1) Serve as Signature Verification Committee
- (2) Prepare the mail ballots for tabulation.
- (3) Convene to count provisional ballots and late ballots from out of the country, if any. (7th day or earlier after Election Day).

3.04 Election Day Voting:

The COUNTY shall be responsible for the following:

- a. Procure, prepare, and distribute supplies and the ES&S Express Vote and other election equipment for personal appearance on Election Day.
- b. Procure, prepare, and distribute Election Day supplies, tables, chairs if needed, and equipment, including ballots.
- c. Supervise the handling and disposition of election returns, tabulate unofficial returns, and assist in preparing the tabulation for the official canvass.
- d. Prepare the canvass report after all precincts have been counted and make available a copy of the appropriate part of the tabulation report.

- e. Conduct the manual count.
- 3.05 Serve as custodian of election records and store election records as provided by Section 66.058 of the Texas Election Code for a period of 22 months.

IV. CITY

CITY shall have the following responsibilities in conducting this election on May 3, 2025

- 4.01 Prepare any election orders, resolutions, notices, writ of election, and other pertinent documents for adoption for execution by the appropriate officer; and take all actions required by law for calling the election, handling contests, canvassing the returns, and declaring the results of the election.
- 4.02 Prepare and publish information for the required election notice.
- 4.03 Deliver to the Elections Administrator the official wording, including Spanish translation, to be printed on the optical scan ballot. All documents must be delivered to the County Elections office by the 18th day of February 2025
- 4.04 Approve final optical scan ballot wording for content, form, and spelling.
- 4.05 Prepare and publish the Notice of Election, which is the required and described method of giving notice in accordance with the Texas Election Code (Sec 4.003(a) (1).
- 4.06 Provide maps and other reference guides.
- 4.07 Assist the Election Administrator with providing Election Personnel.
- 4.08 Pursuant to Texas Election Code Sec. 67.003, canvass the official results between the 3rd and 11th day following the election.

V. PAYMENT FOR SERVICES

- 5.01 In consideration for the services and expenses provided by the County for conducting this election, the County shall be reimbursed for the optical scan ballots, ballot layout, media, coding the ES&S Express Vote equipment, DS950 tabulator, voting supplies, Election Judges, Clerks, Central Count, Ballot Board, a 10 % administration fee, and any other expenses listed on Exhibit C.
- 5.02 Should a recount be required, those costs associated with the recount, if any, shall be in accordance with the provisions of the Texas Election Code.
- 5.03 The official for parties to contact for all purposes shall be listed at the end of the Agreement. All notices and other deliveries under the Agreement shall be delivered to said individual so listed.

VI. RUN-OFF ELECTION

- 6.01 In the event there is a run-off election, this Agreement shall be extended for the time necessary to conduct the run-off election and the CITY and COUNTY agree to continue to perform their respective responsibilities as set forth in this Agreement as are applicable to a run-off election. CITY will be responsible for all additional costs associated with the run-off election incurred by COUNTY. Any additional costs owed to COUNTY by CITY will be invoiced by COUNTY and CITY agrees to pay said invoiced amount within thirty (30) days of receipt of the invoice from COUNTY.

VII. TERMINATION IF ELECTION IS CANCELED

- 7.01 In the event that the election is canceled due to all candidates being unopposed, County and CITY agree that this Agreement will be terminated, and CITY will owe a cancellation fee of \$75.00 to be paid by CITY within thirty (30) days of said cancellation.

ACCEPTANCE:

On behalf of Johnson County Elections Administration, I hereby accept the terms of the Agreement.

Signed the _____ day of _____, 2025.

Joy Adams
Elections Administrator
Johnson County, Texas

On behalf of City of Alvarado, I hereby accept the terms of this Agreement.

Signed the 22 day of January, 2025.

Jacob Wheat, City of Alvarado
City Mayor

IN WITNESS WHEREOF, the above Agreement was adopted at a meeting of the Commissioner's Court of Johnson County on the _____ day of _____, 2025.

COUNTY OF JOHNSON

County Judge
Johnson County Commissioners
Court

Officials for notice:
Joy Adams
Elections Administrator
Johnson County
P.O. Box 895
Cleburne, Texas 76033

Jacob Wheat, City of Alvarado
City Mayor
104 W. College Ave.
Alvarado, Texas 76009

EXHIBIT A

**CITY OF ALVARADO GENERAL/SPECIAL ELECTION
MAY 3, 2025
EARLY VOTING POLLING LOCATION
(ELECCIÓN GENERAL/ESPECIAL CITY OF ALVARADO
3 DE MAYO DEL 2025
CENTRO PARA VOTACIÓN ADELANTADA)**

April 22, 2025, through April 29, 2025, is the period for early voting by personal appearance (Sec. 85.001). Any voter qualified to vote in the May 3, 2025, City of Alvarado General/Special Election is eligible for early voting by personal appearance.

Early voting by personal appearance will be conducted at the following locations:

Tuesday, April 22, 2025 – Friday, April 25, 2025, hours: 8:00 am until 5:00 pm

Monday, April 28, 2025 – Tuesday, April 29, 2025, hours: 7:00 am until 7:00 pm

(El plazo para la votación adelantada en persona es desde el 22 de abril, 2025

hasta el 29 de abril del 2025 (Sec. 85.001). Cualquier votante calificado para votar en la Elección General/Especial City of Alvarado del 3 de mayo del 2025, es elegible para la votación adelantada en persona.

La votación adelantada en persona se llevará a cabo en los siguientes lugares:

martes, 22 de abril del 2025 – viernes, 25 de abril del 2025; horas: 8:00 am hasta 5:00 pm

lunes, 28 de abril del 2025 – martes, 29 de abril del 2025; horas: 7:00 am hasta 7:00 pm)

Early Voting Main

Johnson County Elections

(Elecciones del condado de Johnson)

103 S Walnut St.

Cleburne, Texas 76033

Early Voting

Alvarado City Hall

(Ayuntamiento de Alvarado)

104 W. College Ave.

Alvarado, Texas 76009

EXHIBIT B

**CITY OF ALVARADO GENERAL/SPECIAL ELECTION
MAY 3, 2025
ELECTION DAY POLLING LOCATION
(ELECCIÓN GENERAL/ESPECIAL CITY OF ALVARADO
3 DE MAYO DEL 2025
LUGAR DE VOTACIÓN EL DÍA DE LAS ELECCIONES)**

Election Day

**Alvarado City Hall
(Ayuntamiento de Alvarado)
104 W. College Ave.
Alvarado, Texas 76009**

Exhibit C

COST OF SERVICE. The City of Alvarado shall pay for services, supplies, and equipment in accordance with the following estimated cost schedule. The City of Alvarado will be liable to pay all the expense that have endured; and a 10% administration fee.

CITY OF ALVARADO: 2025 MAY 3rd

Contracted Election with Johnson County/Stand Alone Election 2 EV & 1 ED Location.

Pct. 10, 24, & 28

1. VOTING EQUIPMENT, TABULATION NOTICE, AND BUILDING RENTAL	Estimated Cost
(X) Rental ES&S DS950 Tabulator	\$500.00
(X) Rental ES&S Express Vote for HAVA	\$1,000.00
(X) Programming Charges/Coding/Media/ shipping for DS950 Central Count & Express Vote	\$800.00
(X) Printing Ballots/Layout/Spanish Coding/Shipping	\$2,500.00
(X) Publish Notice of Tabulation Test	\$125.00
(X) Building Rental/Mileage Reimbursement	\$100.00
2. CENTRAL COUNT EXPENSES	
(X) CCS Personnel	\$1,000.00
(X) Early Voting Ballot Board Personnel	\$900.00
(X) Provisional/Late Ballot Board Personnel	\$350.00
(X) Security	\$180.00
3. ESTIMATED EARLY VOTING COSTS	
(X) Ballot by Mail ALC	\$500.00
(X) Early Voting Personnel	\$10,000.00
(X) Early Voting Supplies	\$200.00
4. ESTIMATED ELECTION DAY COSTS	
(X) Election Day Personnel	\$850.00
(X) Election Day Supplies	\$100.00
Subtotal	\$19,105.00
5. CONTRACT ADMINISTRATIVE FEE & TOTAL COST	
10% of Subtotal	\$1,910.50
TOTAL COST	\$21,015.50

*** Per section: 7.01**

If the Election is canceled there will be a fee of \$75.00 to be paid by CITY within (30) days of said cancellation.

RESOLUTION NO. R2025-0002

A RESOLUTION AUTHORIZING CONTINUED PARTICIPATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR; AND AUTHORIZING THE PAYMENT OF ELEVEN CENTS PER CAPITA TO THE STEERING COMMITTEE TO FUND REGULATORY AND LEGAL PROCEEDINGS AND ACTIVITIES RELATED TO ONCOR ELECTRIC DELIVERY COMPANY, LLC.

WHEREAS, the City of Alvarado, Texas is a regulatory authority under the Public Utility Regulatory Act (PURA) and has exclusive original jurisdiction over the rates and services of Oncor Electric Delivery Company, LLC (Oncor) within the municipal boundaries of the city; and

WHEREAS, the Steering Committee of Cities Served By Oncor (Steering Committee) has historically intervened in Oncor rate proceedings and electric utility related rulemakings to protect the interests of municipalities and electric customers residing within municipal boundaries; and

WHEREAS, the Steering Committee is participating in Public Utility Commission dockets and projects, as well as court proceedings, and legislative activity, affecting transmission and distribution utility rates; and

WHEREAS, the City is a member of the Steering Committee; and

WHEREAS, the Steering Committee functions under the direction of an Executive Committee which sets an annual budget and directs interventions before state and federal agencies, courts and legislatures, subject to the right of any member to request and cause its party status to be withdrawn from such activities; and

WHEREAS, the Steering Committee at its December 2024 meeting set a budget for 2025 that compels an assessment of eleven cents (\$0.11) per capita; and

WHEREAS, in order for the Steering Committee to continue its participation in these activities which affects the provision of electric utility service and the rates to be charged, it must assess its members for such costs.

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

I.

That the City is authorized to continue its membership with the Steering Committee of Cities Served by Oncor to protect the interests of the City of Alvarado, Texas and protect the interests of the customers of Oncor Electric Delivery Company, LLC residing and conducting business within the City limits.

II.

The City is further authorized to pay its assessment to the Steering Committee of eleven cents (\$0.11) per capita based on the population figures for the City shown in the latest TML Directory of City Officials.

III.

A copy of this Resolution and the assessment payment check made payable to "*Steering Committee of Cities Served by Oncor, c/o City of Arlington*" shall be sent to Brandi Stigler, Steering Committee of Cities Served by Oncor, Mail Stop 63-0300, PO Box 90231, Arlington, Texas 76004.

PRESENTED AND PASSED on this the 22nd day of January 2025, by a vote of _____ ayes and _____ nays at a regular meeting of the City Council of the City of Alvarado, Texas.

CITY OF ALVARADO:

By: _____
Jacob Wheat, Mayor

ATTEST:

Beth A. Walls, City Secretary/HRD

APPROVED AS TO FORM:

City Attorney

STAFF REPORT ON ASSESSMENT RESOLUTION FOR STEERING COMMITTEE OF CITIES SERVED BY ONCOR

Purpose of the Resolution

The City of Alvarado is a member of a 169-member city coalition known as the Steering Committee of Cities Served by Oncor (Steering Committee). The resolution approves the assessment of a eleven cent (\$0.11) per capita fee to fund the activities of the Steering Committee.

Why this Resolution is Necessary

The Steering Committee undertakes activities on behalf of municipalities for which it needs funding support from its members. Municipalities have original jurisdiction over the electric distribution rates and services within the city. The Steering Committee has been in existence since the late 1980s. It took on a formal structure in the early 1990s. Empowered by city resolutions and funded by per capita assessments, the Steering Committee has been the primary public interest advocate before the Public Utility Commission, ERCOT, the courts, and the Legislature on electric utility regulation matters for over three decades.

The Steering Committee is actively involved in rate cases, appeals, rulemakings, and legislative efforts impacting the rates charged by Oncor Electric Delivery Company, LLC within the City. Steering Committee representation is also strong at ERCOT. It is possible that additional efforts will be necessary on new issues that arise during the year, and it is important that the Steering Committee be able to fund its participation on behalf of its member cities. A per capita assessment has historically been used and is a fair method for the members to bear the burdens associated with the benefits received from that membership.

Explanation of “Be It Resolved” Paragraphs

I. The City is currently a member of the Steering Committee; this paragraph authorizes the continuation of the City’s membership.

II. This paragraph authorizes payment of the City’s assessment to the Steering Committee in the amount of eleven cents (\$0.11) per capita, based on the population figure for the City as shown in the latest TML Directory of City Officials.

III. This paragraph requires payment of the 2025 assessment be made and a copy of the resolution be sent to the Steering Committee.

Payment of Assessment

A copy of the resolution should be mailed with payment of the fee to Brandi Stigler, Steering Committee of Cities Served by Oncor, Mail Stop 63-0300, PO Box 90231, Arlington, Texas 76004. Checks should be made payable to: ***Steering Committee of Cities Served by Oncor, c/o City of Arlington***

Oncor Cities Steering Committee

Invoice

C/O City of Arlington
Attn: Brandi Stigler
PO Box 90231
Arlington, TX 76004

Date	Invoice #
12/18/2024	25-02

Bill To
City of Alvarado

Item	Population	Per Capita	Amount
2025 Membership Assessment	6,225	0.11	684.75
Please make check payable to: Oncor Cities Steering Committee and mail to Oncor Cities Steering Committee, C/O City of Arlington, Attn: Brandi Stigler, PO Box 90231, Arlington, Texas 76004			Total \$684.75

OCSC Master List of Members (169 Total)

1. Addison	57. Forest Hill	112.New Chapel Hill	167.Wilmer
2. Allen	58. Forney	113.North Richland Hills	168.Woodway
3. Alvarado	59. Fort Worth		169.Wylie
4. Andrews	60. Frisco	114. Northlake	
5. Anna	61. Frost	115.Oak Leaf	
6. Archer	62. Gainesville	116.Oak Point	
7. Argyle	63. Garland	117.Odessa	
8. Arlington	64. Garrett	118.O'Donnell	
9. Azle	65. Glenn Heights	119.Ovilla	
10. Bedford	66. Grand Prairie	120.Palestine	
11. Bellmead	67. Granger	121.Pantego	
12. Belton	68. Grapevine	122.Paris	
13. Benbrook	69. Gunter	123.Parker	
14. Beverly Hills	70. Haltom	124.Plano	
15. Big Spring	71. Harker Heights	125.Pottsboro	
16. Breckenridge	72. Haslet	126.Prospers	
17. Bridgeport	73. Henrietta	127.Ranger	
18. Brownwood	74. Hewitt	128.Red Oak	
19. Buffalo	75. Highland Park	129.Rhome	
20. Burkburnett	76. Honey Grove	130.Richardson	
21. Burleson	77. Howe	131.Richland Hills	
22. Caddo Mills	78. Hudson Oaks	132.River Oaks	
23. Cameron	79. Hurst	133.Roanoke	
24. Canton	80. Hutchins	134.Robinson	
25. Carrollton	81. Hutto	135.Rockwall	
26. Cedar Hill	82. Iowa Park	136.Rosser	
27. Celina	83. Irving	137.Rowlett	
28. Centerville	84. Jolly	138.Royse	
29. Cleburne	85. Josephine	139.Sachse	
30. Coahoma	86. Justin	140.Saginaw	
31. Colleyville	87. Kaufman	141.Sansom Park	
32. Collinsville	88. Keene	142.Seagoville	
33. Colorado	89. Keller	143.Seymour	
34. Comanche	90. Kemp	144.Sherman	
35. Commerce	91. Kennedale	145.Snyder	
36. Coppell	92. Kerens	146.Southlake	
37. Copperas Cove	93. Killeen	147.Springtown	
38. Corinth	94. Krum	148.Stephenville	
39. Cross Roads	95. Lake Worth	149.Sulphur Springs	
40. Crowley	96. Lakeside	150.Sunnyvale	
41. Dallas	97. Lamesa	151.Sweetwater	
42. Dalworthington Gardens	98. Lancaster	152.Temple	
43. De Leon	99. Lavon	153.Terrell	
44. Denison	100.Lewisville	154.The Colony	
45. DeSoto	101.Lindale	155.Trophy Club	
46. Duncanville	102.Lindsay	156.Tyler	
47. Early	103.Little River	157.University Park	
48. Eastland	Academy	158.Venus	
49. Edgecliff Village	104.Malakoff	159.Waco	
50. Ennis	105.Mansfield	160.Watauga	
51. Euless	106.McKinney	161.Waxahachie	
52. Everman	107.Mesquite	162.Westover Hills	
53. Fairview	108.Midland	163.Westworth Village	
54. Farmers Branch	109.Midlothian	164.White Settlement	
55. Fate	110.Murchison	165.Wichita Falls	
56. Flower Mound	111.Murphy	166.Willow Park	



City Council Meeting Management Report

Meeting Date: January 22, 2025

Contact: Paul DeBuff

AGENDA ITEM:

Consideration and action to approve designation of Chief Teddy May to perform the duties of the City Manager in the event of the absence or disability of the City Manager per Section 5.06 of the City Charter.

BACKGROUND AND FINDINGS:

The Alvarado City Charter, adopted by voters in May of 2023, states as follows:

§ 5.06. Acting City Manager.

- a) The City Manager, within thirty (30) days after taking office, shall designate by letter filed with the City Secretary, a qualified administrative officer of the City to perform the duties of the City Manager in his absence or disability. Such designation shall be subject to approval of the City Council. No member of the City Council nor the Mayor shall serve as Acting City Manager. Upon resignation or termination of the City Manager, the Acting City Manager shall perform the duties of the City Manager until a new City Manager or Acting City Manager is appointed by the City Council.
- b) Should the need for an Acting City Manager occur prior to the City Manager submitting a designee or prior to the City Council's approval of the City Manager's designee, the City Council shall appoint an Acting City Manager.
- c) The City Manager may select a different Acting City Manager by replacing the letter of designation and obtaining the City Council's approval. The previous designation is rescinded by this action.

(Ordinance 2023-0013 adopted 5/6/2023)

RECOMMENDATION:

Staff recommends the City Council approve the City Manager's designation of Chief Teddy May as Acting City Manager.

FINANCIAL IMPACT:

n/a

MANAGEMENT REVIEW:

Paul DeBuff, City Manager

ATTACHMENTS:

n/a



City of Alvarado
104 W. College Alvarado, TX 76009
817-790-3351 ♦ Fax 817-783-7925 ♦ www.cityofalvarado.org

January 13, 2025

Beth A. Walls
City Secretary, City of Alvarado
107 E. College
Alvarado, TX 76009

Re: Appointment of Teddy May as Acting City Manager

Dear Ms. Walls:

Please accept this letter designating Teddy May as Acting City Manager in my absence, per Alvarado City Charter section 5.06(a). Also per City Charter section 5.06(a), this designation is subject to approval of the City Council.

Sincerely,

Paul DeBuff
City Manager



City Council Meeting Management Report

Meeting Date: January 22, 2025

Contact: Donielle Suber, Administrative Services Director

AGENDA ITEM:

Consideration and action to approve Resolution No. R2025-0003, authorizing the City Manager to act on behalf of the City of Alvarado and approving the City's participation in the Recreational Trails Grant Program.

BACKGROUND & FINDINGS:

Blais & Associates will prepare and submit the Texas Parks and Wildlife Department (TPWD) application for the Recreational Trails Grant on behalf of the City of Alvarado. The TPWD grant is comprised of funds up to a maximum of \$300,000 with a 20% match for the construction of new recreational trails, improvement of existing trails, development of trailheads or trailside facilities and to acquire trail corridors.

Application submittals for the TPWD grant are due by February 3, 2025. Awards for these grant funds will be announced in May 2025 and should the City of Alvarado be awarded this grant; funds will be primarily used for the design and construction of a trail system in Pecan Orchard.

Council approval to apply for this grant is a requirement of the grant program.

FINANCIAL IMPACT:

The financial impact depends on amount awarded, but the required match by the City is 20% of awarded grant funds (max match requirement by the City is \$60,000, *if* full \$300,000 is awarded to the City).

RECOMMENDATION:

Staff recommends approval of authorizing the submission of a Texas Parks and Wildlife Department application for the Recreational Trails Grant.

MANAGEMENT REVIEW:

Paul DeBuff, City Manager

ATTACHMENTS:

Resolution No. R2025-0003

RESOLUTION NO. R2025-0003

A RESOLUTION OF THE CITY OF ALVARADO, TEXAS, AS HEREINAFTER REFERRED TO AS “APPLICANT,” DESIGNATING THE CITY MANAGER AS BEING RESPONSIBLE FOR, ACTING FOR, AND ON BEHALF OF THE APPLICANT IN DEALING WITH THE TEXAS PARKS & WILDLIFE DEPARTMENT, HEREINAFTER REFERRED TO AS “DEPARTMENT,” FOR THE PURPOSE OF PARTICIPATING IN THE RECREATIONAL TRAILS GRANT PROGRAM, HEREINAFTER REFERRED TO AS THE “PROGRAM”; CERTIFYING THAT THE APPLICANT IS ELIGIBLE TO RECEIVE PROGRAM ASSISTANCE.

WHEREAS, the Applicant is fully eligible to receive assistance under the Program; and

WHEREAS, the Applicant is aware that the grant program reimburses eligible expenses up to grant award amount and requires 20% match; and

WHEREAS, the Applicant is desirous of authorizing an official to represent and act for the Applicant in dealing with the Department concerning the Program.

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

SECTION 1

That the Applicant hereby certifies that they are eligible to receive assistance under the Program.

SECTION 2

That the Applicant acknowledges that they have the financial resources to complete the grant project.

SECTION 3

That the Applicant acknowledges that, if funded, the project must be maintained and open to the public for a period of at least 20 years after project completion.

SECTION 4

That the Applicant hereby authorizes and directs the City Manager to act for the Applicant in dealing with the Department for the purposes of the Program, and that the City Manager is hereby officially designated as the signatory and representative in this regard.

PASSED AND APPROVED on this, the 22nd of January, 2025.

CITY OF ALVARADO:

Jacob Wheat, Mayor

ATTEST:

Beth A. Walls, City Secretary/HRD



City Council Meeting Management Report

Meeting Date: January 22, 2025

Contact: Beth A Walls, Director of Human Resources

AGENDA ITEM:

Consideration and action to approve Ordinance No. 2025-0001, authorizing the issuance of “Restrictive Prior Service Credits” for City employees who have worked for other agencies and are now members of the Texas Municipal Retirement System.

BACKGROUND AND FINDINGS:

Mr. Anthony Mills, Director of Education Services for the Texas Municipal Retirement System will be at the meeting to provide additional information to Council but here is information that is on the TMRS website.

Restricted Prior Service Credit

Establishing Restricted Prior Service Credit helps an employee reach vesting and retirement eligibility sooner. Only their service **TIME** is counted under RPSC. They do not receive any monetary credit (no buyback is involved).

To be eligible to get Restricted Prior Service Credit, the City of Alvarado must offer this option which we currently do not do. That option is created by the passing of a city ordinance. RPSC may be established if an employee has previous full-time employment with any of these entities:

- A public authority or agency created by the U.S. government
- A U.S. state or territorial government
- Any political subdivision of any state in the U.S.
- Any public agency or authority created by a state or territory of the U.S.
- Any law enforcement entity that employed you as a college campus security employee at a Texas institution of higher education
- Any of the [Statewide Proportionate Retirement Systems](#) in which you have refunded your account

FINANCIAL IMPACT:

None

MANAGEMENT REVIEW:

Paul DeBuff

ATTACHMENTS:

Ordinance No. 2025-0001

ORDINANCE NO. 2025-0001

AN ORDINANCE AUTHORIZING RESTRICTED PRIOR SERVICE CREDIT FOR EMPLOYEES WHO ARE MEMBERS OF THE TEXAS MUNICIPAL RETIREMENT SYSTEM.

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

Authorization of Restricted Prior Service Credit.

(a) The City of Alvarado, Texas (the “City”) authorizes each employee who is a member (“Member”) of the Texas Municipal Retirement System (the “System”), now or in the future, to be granted restricted prior service credit for service previously performed as an employee of any entity described in Section 853.305 of Subtitle G of Title 8, Texas Government Code, as amended (which subtitle is referred to as the “TMRS Act”), provided that (1) the employee does not otherwise have credited service in the System for that service, (2) the service meets the requirements of TMRS Act §853.305, and (3) the Member seeking to establish restricted prior service credit submits an application with the verifications required by TMRS Act §853.305.

(b) Pursuant to TMRS Act §853.305, restricted prior service credit may be used only to satisfy length-of-service requirements for retirement eligibility with the System, has no monetary value in computing the annuity payments allowable to the Member, and may not be used in other computations, including computation of Updated Service Credits.

This Ordinance shall be in full force and effect from and after its passage, and it is so ordained.

PASSED AND APPROVED by the City Council of the City of Alvarado on this the 22nd day of January, 2025.

CITY OF ALVARADO:

Jacob Wheat, Mayor

ATTEST:

Beth A. Walls, City Secretary/HRD



City Council Meeting Management Report

Meeting Date: January 22, 2025

Contact: Michael Dwiggins

AGENDA ITEM:

Consideration and action to award the bid for Davis Avenue wastewater gravity line construction and authorize the City Manager to negotiate and execute a contract.

BACKGROUND & FINDINGS:

The city and engineer went out for bids on the deep gravity line, which will upsize the existing line for development and place it much deeper. This will allow the city to eliminate the need for a lift station while also accommodating future growth. The bids received range from \$2.8 million to \$6.6 million. However, the apparent low bidder lacks experience with work of this depth and possibly with the same type of ground (rock) encountered during the Santa Fe sewer line project. Our engineer cannot, in good faith, write a letter of recommendation for this low bidder to present to the council.

After consulting with our engineer and attorney, we were advised that the best course of action is to reject these bids and re-bid the project. The new bid documents will include language stating that a panel will be assembled to evaluate and grade all bidders and bid parameters. This panel will then decide and recommend to the council the best value for the city.

FINANCIAL IMPACT

N/A at this time

RECOMMENDATION:

Staff recommends rejection of these bids.

MANAGEMENT REVIEW:

Paul DeBuff, City Manager



City Council Meeting Management Report

Meeting Date: January 22, 2025

Contact: Michael Dwiggins

AGENDA ITEM:

Consideration and action to authorize the City Manager to enter into a License Agreement with BNSF Railway Company for the installation, maintenance, and use of a 24-inch sanitary sewer pipeline.

BACKGROUND & FINDINGS:

In our expansion and growth, this project is necessary to replace and upsize the existing sewer line, which will accommodate sewer services for multiple neighborhoods in the northern and northeastern parts of the city.

FINANCIAL IMPACT

N/A

RECOMMENDATION:

Staff recommends approving

MANAGEMENT REVIEW:

Paul DeBuff, City Manager



Jones Lang LaSalle Brokerage, Inc.
2650 Lou Menk Drive, MOB2
Fort Worth, TX 76131
tel +1 817-593-6140

September 26, 2024

City of Alvarado, Texas
Attention: Mr. Michael Dwiggins
104 West College Street
Alvarado, TX 76009

24W-20633

Dear Mr. Dwiggins:

Attached please find a copy of the requested contract for execution by an official authorized to execute contract agreements on behalf of your company. Please print one (1) copy, execute, and **return copy with original signature** for completion on part of BNSF Railway Company ("BNSF"), along with the following requirements:

- A credit card payment in the amount of \$3,700.00 is payable online at <https://bnsf.railpermitting.com> which covers the contract fee.

Please note the agreements cannot be executed by BNSF without an approved insurance certificate. If there are any issues with your insurance, you will be contacted by a member of the Risk Management team of BNSF Railway.

1. A Certificate of Insurance as required in the agreement.
2. A **separate policy** for Railroad Protective Liability Insurance as required in the agreement (**ORIGINAL POLICY MUST BE PROVIDED**). BNSF Railway Company will be the only insured party; OR;

In lieu of providing a separate policy for Railroad Protective Liability Insurance, you may participate in the BNSF's Railroad Protective Policy by checking the appropriate box in the contract and paying an additional \$1,266.00 with your contract fee to <https://bnsf.railpermitting.com>.

PLEASE ADVISE IF THIS PROJECT IS ARRA FUNDED.

Licensee must ensure that each of its employees, contractors, agents or invitees entering upon the premises completes the safety orientation program at the website www.BNSFcontractor.com prior to entering upon the premises. The certification is good for one year, and each person entering the premises must possess the card certifying completion.

Acceptance and deposit of any check by BNSF does not constitute an agreement between BNSF and Licensee for the requested license. BNSF shall not be obligated to hold the check in a separate fund, but may commingle the funds with other funds of BNSF, and in no event shall BNSF be responsible for interest on said funds.

The enclosed permit is not a binding agreement and shall become binding only when, and if, it is executed by you and fully approved and executed by BNSF Railway Company. Upon completion on behalf of BNSF, one fully executed counterpart will be returned for your records.

The specifications/plans you provided may differ from BNSF's minimum specification requirements. Therefore, prior to your installation, please review the Exhibit A to determine the specifications necessary for your installation.

Please be informed that if contracts, fees, and insurance are not returned within sixty (60) days, the processing fee will increase to \$2,800.00.

Sincerely,

Carlie Hennig
Carlie Hennig
Permit Manager
Attachment

PIPELINE LICENSE

THIS PIPELINE LICENSE ("**License**") is made to be effective January 22, 2025 (the "**Effective Date**") by and between **BNSF RAILWAY COMPANY**, a Delaware corporation ("**Licensor**") and **CITY OF ALVARADO** a Texas municipality ("**Licensee**").

In consideration of the mutual covenants contained herein, the parties agree to the following:

GENERAL

1. Grant of License. Licensor hereby grants Licensee a non-exclusive license, subject to all rights, interests, and estates of third parties, including, without limitation, any leases, use rights, easements, liens, or other encumbrances, and upon the terms and conditions set forth below, to construct and maintain, in strict accordance with the drawings and specifications approved by Licensor as part of Licensee's application process (the "**Drawings and Specifications**"), one (1) pipeline, 24 inches in diameter inside a(n) 34 inch steel casing (collectively, the "**Pipeline**"), across or along Licensor's rail corridor at or near the station of Alvarado, County of Johnson, State of Texas, Line Segment 7509, Mile Post 13.17 as shown on the attached Drawing No. 90721, dated April 19, 2024, attached hereto as **Exhibit "A"** and incorporated herein by reference (the "**Premises**").
2. Term. This License shall commence on the Effective Date and shall continue for a period of twenty-five (25) years, subject to prior termination as hereinafter described.
3. Existing Improvements. Licensee shall not disturb any improvements of Licensor or Licensor's existing lessees, licensees, easement beneficiaries or lien holders, if any, or interfere with the use, repair, maintenance or replacement of such improvements.
4. Use of the Premises. Licensee shall use the Premises solely for construction, maintenance, and use of the Pipeline in accordance with the Drawings and Specifications. The Pipeline shall carry sanitary sewer, and Licensee shall not use the Pipeline to carry any other material or use the Premises for any other purpose. Licensee is expressly prohibited from using or allowing any telecommunication facilities or equipment within the Premises, or using or allowing the use of the Premises for any other purpose.
5. Alterations. Except as set forth in this License, Licensee may not make any alterations to the Premises or permanently affix anything to the Premises or any buildings or other structures adjacent to the Premises without Licensor's prior written consent.

COMPENSATION

6. License Fee. Licensee shall pay Licensor, prior to the Effective Date, a one-time payment (in lieu of recurring periodic fixed license fees) in the amount the sum of Three Thousand Seven Hundred and No/100 Dollars (\$3,700.00) as compensation for the use of the Premises.
7. Costs and Expenses.
 - 7.1 For the purpose of this License, "cost" or "costs" and "expense" or "expenses" includes, but is not limited to, actual labor and material costs including all assignable additives, and material and supply costs at current value where used.
 - 7.2 Licensee agrees to reimburse Licensor (pursuant to the terms of **Section 8** below) for all costs and expenses incurred by Licensor in connection with Licensee's use of the Premises or the presence, construction and maintenance of the Pipeline, including but not limited to the furnishing of Licensor's flaggers and any vehicle rental costs incurred, inspection coordination, safety, mobilization and/or other observation services described in this License (collectively, the "**Services**"). Licensee shall bear the cost of the Services, when deemed necessary by Licensor's representative. Flagging costs shall include, but not be limited to, the following: pay for at least an eight (8) hour basic day with time and one-half or double time for overtime, rest days and holidays (as applicable); vacation allowance; paid holidays (as applicable); railway and

unemployment insurance; public liability and property damage insurance; health and welfare benefits; transportation; meals; lodging and supervision. Negotiations for railway labor or collective bargaining agreements and rate changes authorized by appropriate Federal authorities may increase flagging rates. Flagging rates in effect at the time of performance by the flaggers will be used to calculate the flagging costs pursuant to this **Section 7**.

- 7.3 Licensors, at its sole discretion, may elect to designate a third party (the "**Scheduling Agent**"), to perform and/or arrange for the performance of the Services.
8. Payment Terms. All invoices are due thirty (30) days after the date of invoice. If Licensee fails to pay any monies due to Licensors within thirty (30) days after the invoice date, then Licensee shall pay interest on such unpaid sum from the due date until paid at an annual rate equal to the lesser of (i) the prime rate last published in *The Wall Street Journal* in the preceding December plus two and one-half percent (2-1/2%), or (ii) the maximum rate permitted by law.

LICENSOR'S RESERVED RIGHTS

9. Reserved Rights of Use. Licensors excepts and reserves the right, to be exercised by Licensors and any other parties who may obtain written permission or authority from Licensors:
- 9.1 to maintain, use, operate, repair, replace, modify and relocate any utility, power or communication pipe/lines/cables and appurtenances (other than the Pipeline) and other facilities or structures of like character upon, over, under or across the Premises existing as of the Effective Date;
 - 9.2 to construct, maintain, renew, use, operate, change, modify and relocate any tracks or additional facilities, structures and related appurtenances upon, over, under or across the Premises; or
 - 9.3 to use the Premises in any manner as Licensors in its sole discretion deems appropriate, provided Licensors uses all commercially reasonable efforts to avoid material interference with the use of the Premises by Licensee for the purpose specified in **Section 4** above.
10. Right to Require Relocation. If at any time during the term of this License, Licensors desires the use of its rail corridor in such a manner as would, in Licensors's reasonable opinion, be interfered with by the Pipeline, Licensee shall, at its sole expense, within thirty (30) days after receiving written notice from Licensors to such effect, make such changes in the Pipeline as in the sole discretion of Licensors may be necessary to avoid interference with the proposed use of Licensors's rail corridor, including, without limitation, the relocation of the Pipeline, or the construction of a new pipeline to replace the Pipeline. Notwithstanding the foregoing, Licensee agrees to make all emergency changes and minor adjustments, as determined by Licensors in its sole discretion, to the Pipeline promptly upon Licensors's request.

LICENSEE'S OPERATIONS

11. Construction and Maintenance of the Pipeline.
- 11.1 Licensee shall not enter the Premises or commence construction unless accompanied by Licensors's representative, the Scheduling Agent or its designee. Licensee shall notify Licensors's representative or the Scheduling Agent at ROWCoordinator@BNSF.com at least ten (10) business days prior to installation of the Pipeline and prior to entering the Premises for any subsequent maintenance thereon. Only in the event of emergency, Licensee shall notify Licensors's Roadmaster of entry onto the Premises, at the telephone 817-224-7009, as soon as practicable and shall promptly thereafter follow up with written notice of such entry to the email provided above.
 - 11.2 Licensee's on-site supervisors shall retain/maintain a fully executed copy of this License at all times while on the Premises.
 - 11.3 While on the Premises, Licensee shall use only public roadways to cross from one side of Licensors's tracks to the other.

- 11.4 Any contractors or subcontractors performing work on the Pipeline or entering the Premises on behalf of Licensee shall be deemed servants and agents of Licensee for purposes of this License.
- 11.5 Under no conditions shall Licensee be permitted to conduct any tests, investigations or any other activity using mechanized equipment and/or machinery, or place or store any mechanized equipment, tools or other materials, within twenty-five (25) feet of the centerline of any railroad track on the Premises unless Licensee has obtained prior written approval from Licensor. Licensee shall, at its sole cost and expense, perform all activities on and about the Premises, including without limitation all construction and maintenance of the Pipeline, in such a manner and of such materials as not at any time to endanger or interfere with (i) the existence or use of present or future tracks, roadbeds, or property of Licensor, (ii) the safe operation and activities of Licensor or existing third parties, or (iii) the rights or interests of third parties. If ordered to cease using the Premises at any time by Licensor's personnel due to any hazardous condition, Licensee shall immediately do so. Notwithstanding the foregoing right of Licensor, the parties agree that Licensor has no duty or obligation to monitor Licensee's use of the Premises to determine the safe nature thereof, it being solely Licensee's responsibility to ensure that Licensee's use of the Premises is safe. Neither the exercise nor the failure by Licensor to exercise any rights granted in this Section will alter the liability allocation provided by this License.
- 11.6 Licensee shall, at its sole cost and expense, construct and maintain the Pipeline in such a manner and of such material that the Pipeline will not at any time endanger or interfere with (i) the existence or use of present or future tracks, roadbeds, or property of Licensor, (ii) the safe operation and activities of Licensor or existing third parties, or (iii) the rights or interests of third parties. The construction of the Pipeline shall be completed within one (1) year of the Effective Date, and any subsequent maintenance shall be completed within one (1) year of initiation. Within fifteen (15) days after completion of the construction of the Pipeline or the performance of any subsequent maintenance thereon, Licensee shall, at Licensee's own cost and expense, restore the Premises to substantially their state as of the Effective Date, unless otherwise approved in advance by Licensor in writing. On or before expiration or termination of this License for any reason, Licensee shall, at its sole cost and expense, surrender the Premises to Licensor pursuant to the terms and conditions set forth in **Section 24** hereof.
- 11.7 Licensor may direct one or more of its field engineers or inspectors to observe or inspect the construction and/or maintenance of the Pipeline at any time for compliance with the Drawings and Specifications and Legal Requirements (defined below). Licensee shall reimburse Licensor for the cost of such observation or inspection related services pursuant to **Section 8**. If ordered at any time to halt construction or maintenance of the Pipeline by Licensor's personnel due to non-compliance with the Drawings and Specifications or any other hazardous condition, Licensee shall immediately do so. Notwithstanding the foregoing right of Licensor, the parties agree that Licensor has no duty or obligation to observe or inspect, or to halt work on, the Pipeline, it being solely Licensee's responsibility to ensure that the Pipeline is constructed and maintained in strict accordance with the Drawings and Specifications and in a safe and workmanlike manner in compliance with all terms hereof. Neither the exercise of, nor the failure by Licensor to exercise, any right granted by this Section will alter in any way the liability allocation provided by this License. If at any time Licensee shall, in the sole judgment of Licensor, fail to properly perform its obligations under this **Section 11**, Licensor may, at its option and at Licensee's sole expense, arrange for the performance of such work as it deems necessary for the safety of its operations and activities. Licensee shall promptly reimburse Licensor for all costs and expenses of such work, pursuant to the terms of **Section 8**. Licensor's failure to perform any obligations of Licensee shall not alter the liability allocation hereunder.

12. Boring and Excavation.

- 12.1 Prior to Licensee conducting any boring, excavation, or similar work on or about any portion of the Premises, Licensee shall contact the applicable State's call-before-you-dig utility location service to have 3rd parties mark the location of utilities. Licensee shall explore the proposed location for such work with hand tools to a depth of at least three (3) feet below the surface of the ground to determine whether pipelines or other structures exist below the surface, provided,

however, that in lieu of the foregoing hand-tool exploration, Licensee shall have the right to use suitable detection equipment or other generally accepted industry practice (e.g., consulting with the United States Infrastructure Corporation) to determine the existence or location of pipelines and other subsurface structures prior to drilling or excavating with mechanized equipment. Licensee shall request information from Licensor concerning the existence and approximate location of Licensor's underground lines, utilities, and pipelines at or near the vicinity of the proposed Pipeline by contacting Licensor's Telecommunications Helpdesk, currently at 1-800-533-2891 (option 1, then option 7), at least ten (10) business days prior to installation of the Pipeline. Upon receiving Licensee's timely request, Licensor will provide Licensee with the information Licensor has in its possession regarding any existing underground lines, utilities, and pipelines at or near the vicinity of the proposed Pipeline and, if applicable, identify the location of such lines on the Premises pursuant to Licensor's standard procedures. Licensor does not warrant the accuracy or completeness of information relating to subsurface conditions of the Premises and Licensee's operations will be subject at all times to the liability provisions herein.

- 12.2 For all bores greater than 26-inch diameter and at a depth less than 10.0 feet below bottom of rail, a soil investigation must be performed by Licensee and reviewed by Licensor prior to construction. This study is to determine if granular material is present, and to prevent subsidence during the installation process. If the investigation determines in Licensor's reasonable opinion that granular material is present, Licensor may select a new location for Licensee's use, or may require Licensee to furnish for Licensor's review and approval, in Licensor's sole discretion, a remedial plan to deal with the granular material. Once Licensor has approved any such remedial plan in writing, Licensee shall, at Licensee's sole cost and expense, carry out the approved plan in accordance with all terms thereof and hereof.
- 12.3 No wells shall be installed without prior written approval from Licensor.
- 12.4 Any open hole, boring, or well constructed on the Premises by Licensee shall be safely covered and secured at all times when Licensee is not working in the actual vicinity thereof. Following completion of that portion of the work, all holes or borings constructed on the Premises by Licensee shall be:
 - 12.4.1 filled in to surrounding ground level with compacted bentonite grout; or
 - 12.4.2 otherwise secured or retired in accordance with any applicable Legal Requirement. No excavated materials may remain on Licensor's property for more than ten (10) days, but must be properly disposed of by Licensee in accordance with applicable Legal Requirements.

LIABILITY AND INSURANCE

13. Liability and Indemnification.

- 13.1 For purposes of this License: (a) "**Indemnitees**" means Licensor and Licensor's affiliated companies, partners, successors, assigns, legal representatives, officers, directors, shareholders, employees, and agents; (b) "**Liabilities**" means all claims, liabilities, fines, penalties, costs, damages, losses, liens, causes of action, suits, demands, judgments, and expenses (including, without limitation, court costs, reasonable attorneys' fees, costs of investigation, removal and remediation, and governmental oversight costs) environmental or otherwise; and (c) "**Licensee Parties**" means Licensee and Licensee's officers, agents, invitees, licensees, employees, or contractors, or any party directly or indirectly employed by any of them, or any party they control or exercise control over.
- 13.2 **TO THE FULLEST EXTENT PERMITTED BY LAW, LICENSEE SHALL, AND SHALL CAUSE ITS CONTRACTOR TO, RELEASE, INDEMNIFY, DEFEND AND HOLD HARMLESS INDEMNITEES FOR, FROM, AND AGAINST ANY AND ALL LIABILITIES OF ANY NATURE, KIND, OR DESCRIPTION DIRECTLY OR INDIRECTLY ARISING OUT OF, RESULTING FROM, OR RELATED TO (IN WHOLE OR IN PART):**

- 13.2.1 **THIS LICENSE, INCLUDING, WITHOUT LIMITATION, ITS ENVIRONMENTAL PROVISIONS,**
- 13.2.2 **ANY RIGHTS OR INTERESTS GRANTED PURSUANT TO THIS LICENSE,**
- 13.2.3 **LICENSEE'S OCCUPATION AND USE OF THE PREMISES,**
- 13.2.4 **THE ENVIRONMENTAL CONDITION AND STATUS OF THE PREMISES CAUSED BY OR CONTRIBUTED TO BY LICENSEE, OR**
- 13.2.5 **ANY ACT OR OMISSION OF ANY LICENSEE PARTY.**
- 13.3 **TO THE FULLEST EXTENT PERMITTED BY LAW, LICENSEE NOW AND FOREVER WAIVES AND WILL INDEMNIFY, DEFEND, AND HOLD THE INDEMNITEES HARMLESS FROM ANY AND ALL CLAIMS THAT BY VIRTUE OF ENTERING INTO THIS LICENSE, LICENSOR IS A GENERATOR, OWNER, OPERATOR, ARRANGER, OR TRANSPORTER FOR THE PURPOSES OF THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT, AS AMENDED ("CERCLA") OR OTHER ENVIRONMENTAL LAWS (DEFINED BELOW). NOTHING IN THIS LICENSE IS MEANT BY EITHER PARTY TO CONSTITUTE A WAIVER OF ANY INDEMNITEE'S COMMON CARRIER DEFENSES AND THIS LICENSE SHOULD NOT BE SO CONSTRUED. IF ANY AGENCY OR COURT CONSTRUES THIS LICENSE TO BE A WAIVER OF ANY INDEMNITEE'S COMMON CARRIER DEFENSES, LICENSEE AGREES TO INDEMNIFY, HOLD HARMLESS, AND DEFEND INDEMNITEES FOR ANY LIABILITIES RELATED TO THAT CONSTRUCTION OF THIS LICENSE. IN NO EVENT AS BETWEEN LICENSOR AND LICENSEE AS TO USE OF THE PREMISES AS CONTEMPLATED BY THIS LICENSE SHALL LICENSOR BE RESPONSIBLE TO LICENSEE FOR THE ENVIRONMENTAL CONDITION OF THE PREMISES.**
- 13.4 **IF ANY EMPLOYEE OF ANY LICENSEE PARTY ASSERTS THAT HE OR SHE IS AN EMPLOYEE OF ANY INDEMNITEE, TO THE FULLEST EXTENT PERMITTED BY LAW, LICENSEE SHALL, AND SHALL CAUSE ITS CONTRACTOR TO, RELEASE, INDEMNIFY, DEFEND, AND HOLD THE INDEMNITEES HARMLESS FROM AND AGAINST ANY LIABILITIES ARISING OUT OF OR RELATED TO (IN WHOLE OR IN PART) ANY SUCH ASSERTION INCLUDING, BUT NOT LIMITED TO, ASSERTIONS OF EMPLOYMENT BY AN INDEMNITEE RELATED TO THE FOLLOWING OR ANY PROCEEDINGS THEREUNDER: THE FEDERAL EMPLOYERS' LIABILITY ACT, THE SAFETY APPLIANCE ACT, THE LOCOMOTIVE INSPECTION ACT, THE OCCUPATIONAL SAFETY AND HEALTH ACT, THE RESOURCE CONSERVATION AND RECOVERY ACT, AND ANY SIMILAR STATE OR FEDERAL STATUTE.**
- 13.5 **THE FOREGOING OBLIGATIONS OF LICENSEE SHALL NOT APPLY TO THE EXTENT LIABILITIES ARE PROXIMATELY CAUSED BY THE GROSS NEGLIGENCE OR WILLFUL MISCONDUCT OF ANY INDEMNITEE, BUT SHALL APPLY TO ALL OTHER LIABILITIES, INCLUDING THOSE ARISING FROM OR ATTRIBUTED TO ANY OTHER ALLEGED OR ACTUAL NEGLIGENCE, INTENTIONAL ACTS, OR STRICT LIABILITY OF ANY INDEMNITEE.**
- 13.6 **Upon written notice from Licensor, Licensee agrees to assume the defense of any lawsuit or other proceeding brought against any Indemnatee by any entity, relating to any matter covered by this License for which Licensee has an obligation to assume liability for and/or save and hold harmless any Indemnatee. Licensee shall pay all costs and expenses incident to such defense, including, but not limited to, reasonable attorneys' fees, investigators' fees, litigation and appeal expenses, settlement payments, and amounts paid in satisfaction of judgments.**
- 14. Personal Property Risk of Loss. **ALL PERSONAL PROPERTY, INCLUDING, BUT NOT LIMITED TO, FIXTURES, EQUIPMENT, OR RELATED MATERIALS UPON THE PREMISES WILL BE AT THE RISK OF LICENSEE ONLY, AND NO INDEMNITEE WILL BE LIABLE FOR ANY DAMAGE THERETO OR**

THEFT THEREOF, WHETHER OR NOT DUE IN WHOLE OR IN PART TO THE NEGLIGENCE OF ANY INDEMNITEE.

15. Insurance. Licensee shall, at its sole cost and expense, procure and maintain during the term of this License the following insurance coverage:

15.1 Commercial General Liability "CGL" Insurance.

- a. The policy will provide a minimum of \$5,000,000 per occurrence and an aggregate limit of at least \$10,000,000 but in no event will the coverage be in an amount less than the amount otherwise carried by Licensee. Coverage must be purchased on a post 2004 ISO occurrence form or equivalent and include coverage for, but not limited to, the following:
 - Bodily Injury and Property Damage
 - Personal Injury and Advertising Injury
 - Fire legal liability
 - Products and completed operations
 - Contractual Liability for an "Insured Contract" consistent with the definition under the standard ISO general liability policy form.
- b. This policy will include the following endorsements or language, which shall be indicated on or attached to the certificate of insurance:
 - The definition of "Insured Contract" will be amended to remove any exclusion or other limitation for any work being done within 50 feet of Licensor's property;
 - Waiver of subrogation in favor of and acceptable to Licensor;
 - Additional insured endorsement in favor of and acceptable to Licensor and Jones Lang LaSalle Brokerage, Inc. to include coverage for ongoing and completed operations;
 - Separation of insureds;
 - The policy shall be primary and non-contributing with respect to any insurance carried by Licensor.
- c. The parties agree that the workers' compensation and employers' liability related exclusions in the CGL policy(s) are intended to apply to employees of the policyholder and will not apply to Licensor's employees.
- d. No other endorsements that limit coverage with respect to Licensee's obligations under this agreement may be included on the policy.

15.2 Business Automobile Insurance.

- a. The insurance will provide minimum coverage with a combined single limit of at least \$1,000,000 per accident, and include coverage for, but not limited to the following:
 - Bodily injury and property damage.
 - Any and all vehicles owned, used or hired.
- b. The policy will include the following endorsements or language, which will be indicated on or attached to the certificate of insurance:
 - Waiver of subrogation in favor of and acceptable to Licensor;
 - Additional insured endorsement in favor of and acceptable to Licensor;
 - Separation of insureds;
 - The policy shall be primary and non-contributing with respect to any insurance carried by Licensor.

15.3 Workers' Compensation and Employers' Liability Insurance.

- a. The policy will provide coverage of all employees performing any part of the installation or maintenance of the Pipeline including coverage for, but not limited to:
 - Licensee's statutory liability under the workers' compensation laws of the state(s) in which the work or services under this agreement are to be performed. The policy will cover all

of Licensee's employees, regardless of whether such coverage is optional under the law of that state(s).

- Employers' Liability (Part B) with limits of at least \$500,000 each accident, \$500,000 by disease policy limit, \$500,000 by disease each employee.

b. The policy will include contain the following endorsements or language, which shall be indicated on or attached to the certificate of insurance:

- Waiver of subrogation in favor of and acceptable to Licensor.

15.4 Railroad Protective Liability Insurance. The policy will name only Licensor as the Insured and will provide coverage of at least \$5,000,000 per occurrence and \$10,000,000 in the aggregate. The coverage obtained under this policy shall only be effective during the initial installation and/or construction of the Pipeline. **THE CONSTRUCTION OF THE PIPELINE SHALL BE COMPLETED WITHIN ONE (1) YEAR OF THE EFFECTIVE DATE.** If further maintenance of the Pipeline is needed at a later date, an additional Railroad Protective Liability Insurance Policy shall be required. The policy will be issued on a standard ISO form CG 00 35 12 04 and include the following:

- Endorsed to include the Pollution Exclusion Amendment.
- Endorsed to include the Limited Seepage and Pollution Endorsement.
- Endorsed to remove any exclusion for punitive damages.
- Endorsed to include Evacuation Expense Coverage Endorsement.
- No other endorsements restricting coverage may be added.
- The original policy must be provided to Licensor and Licensee shall not perform any work or services of any kind under this agreement until Licensor has reviewed and approved the policy.
- The definition of "Physical Damage to Property" will be endorsed to read: "means direct and accidental loss of or damage to all property owned by any named insured and all property in any named insured's care, custody and control (including, but not limited to rolling stock and their contents, mechanical construction equipment or motive power equipment, railroad tracks, roadbeds, catenaries, signals, tunnels, bridges and buildings) arising out of the acts or omissions of the contractor named on the Declarations."

In lieu of providing a Railroad Protective Liability Policy, for a period of one (1) year from the Effective Date, Licensee may participate in Licensor's Blanket Railroad Protective Liability Insurance Policy available to Licensee or its contractor. The limits of coverage are the same as above. The cost is \$1,266.00.

- ☐ Licensee may **elect** to participate in Licensor's Blanket Policy;
- ☐ Licensee **declines** to participate in Licensor's Blanket Policy.

15.5 Intentionally Deleted.

15.6 Other Requirements:

15.6.1 Where allowable by law, no exclusion for punitive damages may be included in any policy.

15.6.2 Licensee agrees to waive its right of recovery against Licensor for all claims and suits against Licensor. In addition, Licensee's insurers, through the terms of the policy or policy endorsement, waive their right of subrogation against Licensor for all claims and suits. Licensee further waives its right of recovery, and its insurers also waive their right of subrogation against Licensor for loss of Licensee's owned or leased property or property under Licensee's care, custody, or control.

15.6.3 Allocated Loss Expense, including but not limited to defense costs and expenses, will be in addition to all policy limits for coverage under the insurance requirements.

- 15.6.4 Licensee is not allowed to self-insure without the prior written consent of Licensor. If Licensor allows Licensee to self-insure, Licensee shall directly cover any self-insured retention or other financial responsibility for claims in lieu of insurance. Any and all Licensor liabilities that would otherwise be covered by Licensee's insurance in accordance with the provisions of this agreement, will be covered as if Licensee elected not to include a self-insured retention or other financial responsibility for claims.
- 15.6.5 Prior to entering the Premises or commencing any work related to the installation or subsequent maintenance of the Pipeline, Licensee shall furnish to Licensor an acceptable certificate(s) of insurance from an authorized representative evidencing the required coverage(s), endorsements, and amendments.
- 15.6.6 Licensee shall notify BNSF in writing at least 30 days prior to any cancellation, non-renewal, substitution or material alteration of any insurance requirement.
- 15.6.7 Any insurance policy shall be written by a reputable insurance company acceptable to Licensor or with a current Best's Guide Rating of A- and Class VII or better, and authorized to do business in the state(s) in which the service is to be provided.
- 15.6.8 If the coverage provided by any of the insurance policies required by this agreement is purchased on a "claims made" basis, Licensee hereby agrees to maintain coverage in force for a minimum of three years after expiration, cancellation or termination of this agreement.
- 15.6.9 Licensee agrees to provide evidence to Licensor that it has the required coverage in place at least annually or in the event of a renewal or material change of coverage
- 15.6.10 Licensee represents that this License has been thoroughly reviewed by Licensee's insurance agent(s)/broker(s), and that Licensee has instructed them to procure the insurance coverage required by this License.
- 15.6.11 Not more frequently than once every five years, Licensor may, at its discretion, reasonably modify the insurance requirements to reflect the then-current risk management practices in the railroad industry and underwriting practices in the insurance industry.
- 15.6.12 If Licensee will subcontract any portion of the operation, Licensee shall require that the subcontractor provide and maintain insurance coverage(s) as set forth herein, naming Licensor as an additional insured. In addition, Licensee shall require that the subcontractor shall release, defend and indemnify Licensee to the same extent and under the same terms and conditions as Licensee is required to release, defend and indemnify Licensor under this agreement.
- 15.6.13 Failure to provide evidence as required by this section shall entitle, but not require, Licensor to terminate this License immediately. Acceptance of a certificate that does not comply with this section shall not operate as a waiver of Licensee's obligations hereunder.
- 15.6.14 The fact that Licensee obtains insurance (including, without limitation, self-insurance) shall not release or diminish Licensee's liabilities or obligations including, without limitation, the liabilities and obligations under the indemnity provisions of the License. Damages recoverable by Licensor shall not be limited by the amount of the required insurance coverage.
- 15.6.15 In the event of a claim or lawsuit involving BNSF arising out of this Agreement, Licensee will make the policy covering such claims or lawsuits available to BNSF.
- 15.6.16 If Licensee maintains broader coverage and/or higher limits than the minimum requirements in this Agreement, BNSF requires and shall be entitled to the broader

coverage and/or the higher limits. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to BNSF.

15.6.17 These insurance provisions are intended to be a separate and distinct obligation on the part of the Licensee. Therefore, these provisions shall be enforceable and Licensee shall be bound thereby regardless of whether or not indemnity provisions are determined to be enforceable in the jurisdiction in which the work or services are performed under this License.

15.6.18 For purposes of this **Section 15**, Licensors shall mean "Burlington Northern Santa Fe, LLC", "BNSF Railway Company" and the subsidiaries, successors, assigns and affiliates of each.

COMPLIANCE WITH LAWS, REGULATIONS, AND ENVIRONMENTAL MATTERS

16. Compliance with Laws, Rules, and Regulations.

- 16.1 Licensee shall observe and comply with any and all applicable federal, state, local, and tribal laws, statutes, regulations, ordinances, orders, covenants, restrictions, or decisions of any court of competent jurisdiction ("**Legal Requirements**") relating to the construction, maintenance, and use of the Pipeline and the use of the Premises.
- 16.2 Prior to entering the Premises, Licensee shall and shall cause its contractor(s) to comply with all of Licensors applicable safety rules and regulations. Licensee must ensure that each of its employees, contractors, agents or invitees entering upon the Premises completes the safety orientation program at the Website "www.BNSFcontractor.com" (the "**Safety Orientation**") within one year prior to entering upon the Premises. Additionally, Licensee must ensure that each and every employee of Licensee, its contractors, agents and invitees possess a card certifying completion of the Safety Orientation prior to entering upon the Premises. Licensee must renew (and ensure that its contractors, agents or invitees, as applicable, renew) the Safety Orientation annually.
- 16.3 Licensee shall obtain on or before the date it or its contractor enters the Premises, any and all additional rights-of way, easements, licenses and other agreements relating to the grant of rights and interests in and/or access to the Premises (collectively, the "**Rights**") and such other rights, licenses, permits, authorizations, and approvals (including without limitation, any necessary local, state, federal or tribal authorizations and environmental permits) that are necessary in order to permit Licensee to construct, maintain, own and operate the Pipeline and otherwise to perform its obligations hereunder in accordance with the terms and conditions hereof.
- 16.4 Licensee shall either require that the initial stated term of each such Rights be for a period that does not expire, in accordance with its ordinary terms, prior to the last day of the term of this License or, if the initial stated term of any such Right expires in accordance with its ordinary terms on a date earlier than the last day of the term of this License, Licensee shall, at its cost, exercise any renewal rights thereunder, or otherwise acquire such extensions, additions and/or replacements as may be necessary, in order to cause the stated term thereof to be continued until a date that is not earlier than the last day of the term of this License.
- 16.5 Upon the expiration or termination of any Right that is necessary in order for Licensee to own, operate or use the Pipeline in accordance with the terms and conditions of this License, this License thereby shall automatically expire upon such expiration or termination of the Right.

17. Environmental.

- 17.1 Licensee shall strictly comply with Environmental Laws (as defined below). Licensee shall not maintain a treatment, storage, transfer or disposal facility, or underground storage tank, as

defined by Environmental Laws on the Premises. Licensee shall not release or suffer the release of oil or Hazardous Materials (as defined below) on or about the Premises.

- 17.2 Except as specifically set forth in Section 4 of this License, Licensee covenants that it will not handle or transport Hazardous Materials through the Pipeline or on Licensors property. Upon request by Licensor, Licensee agrees to furnish Licensor with proof, satisfactory to Licensor, that Licensee is in compliance with the provisions of this **Section 17.2**.
- 17.3 Licensee shall give Licensor immediate notice to Licensor's Resource Operations Center at (800) 832-5452 of any known (i) release of Hazardous Materials on, from, or affecting the Premises, (ii) violation of Environmental Laws, or (iii) inspection or inquiry by governmental authorities charged with enforcing Environmental Laws with respect to Licensee's use of the Premises. Licensee shall use its best efforts to immediately respond to any release on, from, or affecting the Premises. Licensee also shall give Licensor prompt notice of all measures undertaken on behalf of Licensee to investigate, remediate, respond to or otherwise cure such release or violation.
- 17.4 If Licensor has notice from Licensee or otherwise of a release or violation of Environmental Laws arising in any way with respect to the Pipeline which occurred or may occur during the term of this License, Licensor may require Licensee, at Licensee's sole risk and expense, to take timely measures to investigate, remediate, respond to or otherwise cure such release or violation affecting the Premises or Licensor's right-of-way.
- 17.5 Licensee shall immediately report to Licensor's Resource Operations Center at (800) 832-5452 any conditions or activities upon the Premises known to Licensee which create a risk of harm to persons, property or the environment and shall take all reasonable actions necessary to prevent injury to persons, property, or the environment arising out of such conditions or activities; provided, however, that Licensee's reporting to Licensor shall not relieve Licensee of any obligation whatsoever imposed on it by this License. Licensee shall promptly respond to Licensor's request for information regarding said conditions or activities.
- 17.6 During the term of this License, Licensor may, at Licensor's option, require Licensee to conduct an environmental audit, including but not limited to sampling, of the Premises through an environmental consulting engineer acceptable to Licensor, at Licensee's sole cost and expense, to determine if any noncompliance or environmental damage to the Premises has occurred during occupancy thereof by Licensee. The audit shall be conducted to Licensor's satisfaction and a copy of the audit report shall promptly be provided to Licensor for its review. Licensee shall pay all expenses for any remedial or corrective action that may be required as a result of said audit to correct any noncompliance or environmental damage, and Licensee shall diligently pursue and complete all necessary work prior to termination of this License. Licensee's obligations under this Section 17.6 shall survive termination of this License.
- 17.7 Notwithstanding anything in this Section 17, the parties agree that Licensor has no duty or obligation to monitor Licensee's use of the Premises to determine Licensee's compliance with Environmental Laws, it being solely Licensee's responsibility to ensure that Licensee's use of the Premises is compliant. Neither the exercise nor the failure by Licensor to exercise any rights granted in this Section will alter the liability allocation provided by this License.
- 17.8 **"Environmental Law(s)"** shall mean any federal, state, local, or tribal law, statute, ordinance, code, rule, regulation, policy, common law, license, authorization, decision, order, or injunction which pertains to health, safety, any Hazardous Material, or the environment (including but not limited to ground, air, water, or noise pollution or contamination, and underground or above-ground tanks) and shall include, without limitation, CERCLA 42 U.S.C. §9601 et seq.; the Resource Conservation and Recovery Act, 42 U.S.C. §6901 et seq.; the Hazardous Materials Transportation Act, 49 U.S.C. §5101 et seq.; the Federal Water Pollution Control Act, 33 U.S.C. §1251 et seq.; the Clean Air Act, 42 U.S.C. §7401 et seq.; the Toxic Substances Control Act, 15 U.S.C. §2601 et seq.; the Safe Drinking Water Act, 42 U.S.C. §300f et seq.; the Emergency Planning and Community Right-to-Know Act, 42 U.S.C. 11001 et seq.; the Federal Insecticide, Fungicide and Rodenticide Act, 7 U.S.C. 136 to 136y; the Oil Pollution Act, 33 U.S.C. 2701 et

seq.; and the Occupational Safety and Health Act, 29 U.S.C. 651 et seq.; all as have been amended from time to time, and any other federal, state, local, or tribal environmental requirements, together with all rules, regulations, orders, and decrees now or hereafter promulgated under any of the foregoing, as any of the foregoing now exist or may be changed or amended or come into effect in the future.

- 17.9 **"Hazardous Material(s)"** shall include but shall not be limited to any substance, material, or waste that is regulated by any Environmental Law or otherwise regulated by any federal, state, local, or tribal governmental authority because of toxic, flammable, explosive, corrosive, reactive, radioactive or other properties that may be hazardous to human health or the environment, including without limitation asbestos and asbestos-containing materials, radon, petroleum and petroleum products, urea formaldehyde foam insulation, methane, lead-based paint, polychlorinated biphenyl compounds, hydrocarbons or like substances and their additives or constituents, pesticides, agricultural chemicals, and any other special, toxic, or hazardous (i) substances, (ii) materials, or (iii) wastes of any kind, including without limitation those now or hereafter defined, determined, or identified as "hazardous chemicals", "hazardous substances," "hazardous materials," "toxic substances," or "hazardous wastes" in any Environmental Law.

DISCLAIMER OF WARRANTIES

18. **No Warranties.**

18.1 **LICENSOR'S DUTIES AND WARRANTIES ARE LIMITED TO THOSE EXPRESSLY STATED IN THIS LICENSE AND SHALL NOT INCLUDE ANY IMPLIED DUTIES OR IMPLIED WARRANTIES, NOW OR IN THE FUTURE. NO REPRESENTATIONS OR WARRANTIES HAVE BEEN MADE BY LICENSOR OTHER THAN THOSE CONTAINED IN THIS LICENSE. LICENSEE HEREBY WAIVES ANY AND ALL WARRANTIES, EXPRESS OR IMPLIED, WITH RESPECT TO THE PREMISES OR WHICH MAY EXIST BY OPERATION OF LAW OR IN EQUITY, INCLUDING, WITHOUT LIMITATION, ANY WARRANTY OF MERCHANTABILITY, HABITABILITY OR FITNESS FOR A PARTICULAR PURPOSE.**

18.2 **LICENSOR MAKES NO WARRANTY, REPRESENTATION OR CONDITION OF ANY KIND, EXPRESS OR IMPLIED, CONCERNING (A) THE SCOPE OF THE LICENSE OR OTHER RIGHTS GRANTED HEREUNDER TO LICENSEE OR (B) WHETHER OR NOT LICENSEE'S CONSTRUCTION, MAINTENANCE, OWNERSHIP, USE OR OPERATION OF THE PIPELINE WILL VIOLATE OR INFRINGE UPON THE RIGHTS, INTERESTS AND ESTATES OF THIRD PARTIES, INCLUDING, WITHOUT LIMITATION, ANY LEASES, USE RIGHTS, EASEMENTS AND LIENS OF ANY THIRD PARTY.**

19. **Disclaimer of Warranty for Quiet Enjoyment. LICENSOR DOES NOT WARRANT ITS TITLE TO THE PREMISES NOR UNDERTAKE TO DEFEND LICENSEE IN THE PEACEABLE POSSESSION OR USE THEREOF. NO COVENANT OF QUIET ENJOYMENT IS MADE.**

20. **Eviction at Risk of Licensee.** In case of the eviction of Licensee by anyone owning, claiming title to, or claiming any interest in the Premises, or by the abandonment by Licensor of the affected rail corridor, Licensor shall not be liable (i) to refund Licensee any compensation paid hereunder, except for the pro-rata part of any recurring charge paid in advance, or (ii) for any damages or costs Licensee sustains in connection with the eviction.

LIENS AND TAXES

21. **Liens and Charges.** Licensee shall promptly pay and discharge any and all liens arising out of any construction, alterations or repairs done, suffered or permitted to be done by Licensee on the Premises. Licensor is hereby authorized to post any notices or take any other action upon or with respect to the Premises that is or may be permitted by law to prevent the attachment of any such liens to the Premises; provided, however, that failure of Licensor to take any such action shall not relieve Licensee of any obligation or liability under this **Section 21** or any other Section of this License.

22. Taxes. Licensee shall pay when due any taxes, assessments or other charges (collectively, "**Taxes**") levied or assessed by any governmental or quasi-governmental body upon the Pipeline or any other improvements constructed or installed on the Premises by or for Licensee (collectively, the "**Improvements**") or any Taxes levied or assessed against Licensor or the Premises that are attributable to the Improvements.

DEFAULT, TERMINATION, AND SURRENDER

23. Default and Termination. In addition to and not in limitation of Licensor's right to terminate for failure to provide evidence of insurance as required pursuant to the terms of **Section 15**, the following events are also deemed to be events of default pursuant to which Licensor has the right to terminate as set forth below:

- 23.1 If default shall be made in any of Licensee's covenants, agreements, or obligations contained in this License and Licensee fails to cure said default within thirty (30) days after written notice is provided to Licensee by Licensor, or in case of any assignment or transfer of this License in violation of **Section 26** below, Licensor may, at its option, terminate this License by serving five (5) days' notice in writing upon Licensee. Notwithstanding the foregoing, Licensor shall have the right to terminate this License immediately if Licensee fails to provide evidence of insurance as required in **Section 15**.
- 23.2 Should Licensee not comply fully with the obligations of **Section 17** regarding the handling or transporting of Hazardous Materials, notwithstanding anything contained in any other provision of this License, Licensor may, at its option, terminate this License by serving five (5) days' notice in writing upon Licensee.
- 23.3 Any waiver by Licensor of any default or defaults shall not constitute a waiver of the right to terminate this License for any subsequent default or defaults, nor shall any such waiver in any way affect Licensor's ability to enforce any Section of this License. The remedies set forth in this **Section 23** shall be in addition to, and not in limitation of, any other remedies that Licensor may have at law or in equity.
- 23.4 In addition to and not in limitation of Licensor's rights to terminate this License for failure to provide evidence of insurance or occurrence of defaults as described above, this License may be terminated by either party, at any time, by serving thirty (30) days' written notice of termination upon the other party. Such termination shall not release either party hereto from any liability or obligation under the License, whether of indemnity or otherwise, resulting from any acts, omissions or events happening prior to the date of termination or thereafter in case by the terms of the License it is provided that anything shall or may be done after termination hereof.

24. Surrender of the Premises.

- 24.1 On or before expiration or termination of this License for any reason, Licensee shall, at its sole cost and expense:
- 24.1.1 if so directed by Licensor in writing, remove the Improvements, the Pipeline and all appurtenances thereto, or, at the sole discretion of Licensor, fill and cap or otherwise appropriately decommission the Pipeline with a method satisfactory to Licensor;
- 24.1.2 report and restore any damage to the Premises or Licensor's other property arising from, growing out of, or connected with Licensee's use of the Premises;
- 24.1.3 remedy any unsafe conditions on the Premises created or aggravated by Licensee; and
- 24.1.4 leave the Premises in substantially the condition which existed as of the Effective Date, or as otherwise agreed to by Licensor.

- 24.2 Upon any expiration or termination of this License, if Licensee fails to surrender the Premises to Licenser or if Licensee fails to complete its obligations under **Section 24.1** above (the "**Restoration Obligations**"), Licensee shall have a limited license to enter upon the Premises solely to the extent necessary for Licensee to complete the Restoration Obligations, and all liabilities and obligations of Licensee hereunder shall continue in effect until the Premises are surrendered and the Restoration Obligations are completed. Neither termination nor expiration shall release Licensee from any liability or obligation under this License, whether of indemnity or otherwise, resulting from any acts, omissions or events happening prior to the date of termination, or, if later, the date when Licensee surrenders the Premises and all of the Restoration Obligations are completed.
- 24.3 If Licensee fails to complete the Restoration Obligations within thirty (30) days after the date of such termination of its tenancy, then Licenser may, at its election, either: (i) remove the Pipeline and the other Improvements or otherwise restore the Premises, and in such event Licensee shall, within thirty (30) days after receipt of bill therefor, reimburse Licenser for cost incurred, (ii) upon written notice to Licensee, take and hold the Pipeline and the other Improvements and personal property as its sole property, without payment or obligation to Licensee therefor, or (iii) specifically enforce Licensee's obligation to restore and/or pursue any remedy at law or in equity against Licensee for failure to so restore. Further, if Licenser has consented to the Pipeline and the other Improvements remaining on the Premises following termination, Licensee shall, upon request by Licenser, provide a bill of sale in a form acceptable to Licenser conveying the Pipeline and the other Improvements to Licenser for no additional consideration.

MISCELLANEOUS

25. Successors and Assigns. All provisions contained in this License shall be binding upon, inure to the benefit of, and be enforceable by the respective successors and assigns of Licenser and Licensee to the same extent as if each such successor and assign was named a party to this License.
26. Assignment.
- 26.1 Licensee may not sell, assign, transfer, or hypothecate this License or any right, obligation, or interest herein (either voluntarily or by operation of law, merger, or otherwise) without the prior written consent of Licenser, which consent may not be unreasonably withheld or delayed by Licenser. Any attempted assignment by Licensee in violation of this **Section 26** shall be a breach of this License and, in addition, shall be voidable by Licenser in its sole and absolute discretion.
- 26.2 For purposes of this **Section 26**, the word "assign" shall include without limitation (a) any sale of the equity interests of Licensee following which the equity interest holders of Licensee immediately prior to such sale own, directly or indirectly, less than 50% of the combined voting power of the outstanding voting equity interests of Licensee, (b) any sale of all or substantially all of the assets of (i) Licensee and (ii) to the extent such entities exist, Licensee's parent and subsidiaries, taken as a whole, or (c) any reorganization, recapitalization, merger or consolidation involving Licensee. Notwithstanding the foregoing, any reorganization, recapitalization, merger or consolidation following which the equity interest holders of Licensee immediately prior to such reorganization, recapitalization, merger or consolidation own, directly or indirectly, at least 50% of the combined voting power of the outstanding voting equity interests of Licensee or any successor thereto or the entity resulting from such reorganization, recapitalization, merger or consolidation shall not be deemed an assignment. **THIS LICENSE SHALL NOT RUN WITH THE LAND WITHOUT THE EXPRESS WRITTEN CONSENT OF LICENSOR, SUCH CONSENT TO BE IN LICENSOR'S SOLE DISCRETION.**
- 26.3 Notwithstanding the provisions of **Section 26.1** above or anything contained in this License to the contrary, if Licensee sells, assigns, transfers, or hypothecates this License or any interest herein in contravention of the provisions of this License (a "**Purported Assignment**") to another party (a "**Purported Transferee**"), the Purported Transferee's enjoyment of the rights and privileges granted under this License shall be deemed to be the Purported Transferee's agreement to be bound by all of the terms and provisions of this License, including but not limited to the obligation to comply with the provisions of **Section 15** above concerning insurance requirements. In

addition to and not in limitation of the foregoing, Licensee, for itself, its successors and assigns, shall indemnify, defend and hold harmless Licensors for all Liabilities of any nature, kind or description of any person or entity directly or indirectly arising out of, resulting from or related to (in whole or in part) a Purported Assignment. The provisions of this **Section 26.3** shall survive the expiration or earlier termination of this License.

26.4 Licensors shall have the right to transfer and assign, in whole or in part, all of its rights and obligations under this License, and upon any such transfer or assignment, Licensors shall be released from any further obligations hereunder, and Licensee agrees to look solely to the successor in interest of Licensors for the performance of such obligations.

27. Notices. Any notice, invoice, or other writing required or permitted to be given hereunder by one party to the other shall be in writing and the same shall be given and shall be deemed to have been served and given if (i) placed in the United States mail, certified, return receipt requested, or (ii) deposited into the custody of a nationally recognized overnight delivery service, addressed to the party to be notified at the address for such party specified below, or to such other address as the party to be notified may designate by giving the other party no less than thirty (30) days' advance written notice of such change in address.

If to Licensors: Jones Lang LaSalle Brokerage, Inc.
2650 Lou Menk Drive, MOB2
Fort Worth, TX 76131
Attn: Permits/Licenses

with a copy to: BNSF Railway Company
2650 Lou Menk Dr.
Fort Worth, TX 76131
Attn: Senior Manager Real Estate

If to Licensee: City of Alvarado, Texas
104 West College Street
Alvarado, TX 76009

28. Survival. Neither termination nor expiration will release either party from any liability or obligation under this License, whether of indemnity or otherwise, resulting from any acts, omissions or events happening prior to the date of termination or expiration, or, if later, the date when the Pipeline and the other Improvements are removed and the Restoration Obligations are completed in accordance with the terms hereof.

29. Recordation. It is understood and agreed that this License shall not be placed or allowed to be placed on public record.

30. Applicable Law. All questions concerning the interpretation or application of provisions of this License shall be decided according to the substantive laws of the State of Texas without regard to conflicts of law provisions.

31. Severability. To the maximum extent possible, each provision of this License shall be interpreted in such manner as to be effective and valid under applicable law, but if any provision of this License shall be prohibited by, or held to be invalid under, applicable law, such provision shall be ineffective solely to the extent of such prohibition or invalidity, and this shall not invalidate the remainder of such provision or any other provision of this License.

32. Integration. This License is the full and complete agreement between Licensors and Licensee with respect to all matters relating to Licensee's use of the Premises, and supersedes any and all other agreements between the parties hereto relating to Licensee's use of the Premises as described herein. However, nothing herein is intended to terminate any surviving obligation of Licensee or Licensee's obligation to defend and hold Licensors harmless in any prior written agreement between the parties.

33. Joint and Several Liability. If Licensee consists of two or more parties, all the covenants and agreements of Licensee herein contained shall be the joint and several covenants and agreements of such parties.
34. Waiver. The waiver by Licensor of the breach of any provision herein by Licensee shall in no way impair the right of Licensor to enforce that provision for any subsequent breach thereof.
35. Interpretation.
- 35.1 This License shall be interpreted in a neutral manner, and not more strongly for or against any party based upon the source of the draftsmanship; both parties hereby agree that this License shall not be subject to the principle that a contract would be construed against the party which drafted the same. Article titles, headings to sections and paragraphs and the table of contents (if any) are inserted for convenience of reference only and are not intended to be a part or to affect the meaning or interpretation hereof. The exhibit or exhibits referred to herein shall be construed with and as an integral part of this License to the same extent as if they were set forth verbatim herein.
- 35.2 As used herein, "include", "includes" and "including" are deemed to be followed by "without limitation" whether or not they are in fact followed by such words or words of like import; "writing", "written" and comparable terms refer to printing, typing, lithography and other means of reproducing words in a visible form; references to any person are also to that person's successors and permitted assigns; "hereof", "herein", "hereunder" and comparable terms refer to the entirety hereof and not to any particular article, section, or other subdivision hereof or attachment hereto; references to any gender include references to the masculine or feminine as the context requires; references to the plural include the singular and vice versa; and references to this License or other documents are as amended, modified or supplemented from time to time.
36. Counterparts. This License may be executed in multiple counterparts, each of which shall, for all purposes, be deemed an original but which together shall constitute one and the same instrument, and the signature pages from any counterpart may be appended to any other counterpart to assemble fully executed documents, and counterparts of this License may also be exchanged electronically and any electronic version of any party's signature shall be deemed to be an original signature for all purposes.
37. Licensor's Representative. Jones Lang LaSalle Brokerage, Inc. is acting as representative for BNSF Railway Company.

END OF PAGE – SIGNATURE PAGE FOLLOWS

This License has been duly executed by the parties hereto as of the Effective Date.

LICENSOR:

BNSF Railway Company, a Delaware corporation

By: Jones Lang LaSalle Brokerage, Inc.
2650 Lou Menk Drive, MOB2
Fort Worth, TX 76131

By: _____

By: Patricia Villegas
Title: Vice President, Permits

LICENSEE:

City of Alvarado, Texas, a Texas municipality

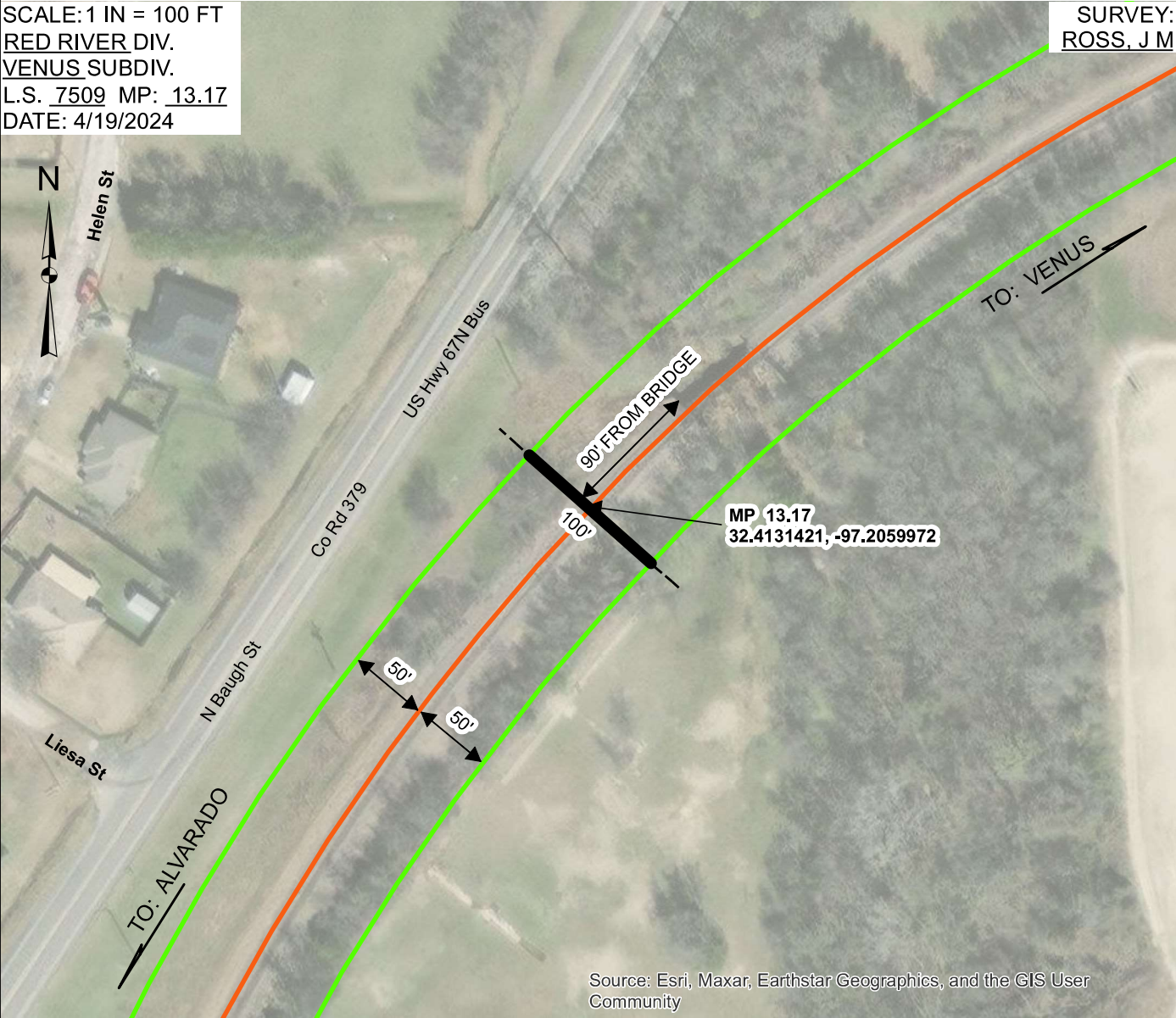
By: _____

By: Paul DeBuff
Title: City Manager

EXHIBIT "A"

SCALE: 1 IN = 100 FT
RED RIVER DIV.
VENUS SUBDIV.
L.S. 7509 MP: 13.17
DATE: 4/19/2024

SURVEY:
ROSS, J M



DESCRIPTION OF PIPELINE
PIPELINE SHOWN BOLD

	CARRIER PIPE	CASING PIPE		CARRIER PIPE	CASING PIPE
SIZE:	<u>24"</u>	<u>34"</u>	LENGTH ON R/W:	<u>100'</u>	<u>100'</u>
CONTENTS:	<u>SANITARY SEWER</u>		WORKING PRESSURE:	<u>46 PSI</u>	
PIPE MATERIAL:	<u>PVC</u>	<u>STEEL</u>	BURY: BASE/RAIL TO TOP OF CASING		<u>22'</u>
SPECIFICATIONS / GRADE:	<u>PS46</u>	<u>A1097 GRADE B</u>	BURY: NATURAL GROUND		<u>15'</u>
WALL THICKNESS:	<u>0.711"</u>	<u>0.5"</u>	BURY: ROADWAY DITCHES		<u>15'</u>
COATING:	<u>-</u>	<u>FEB ARO</u>	CATHODIC PROTECTION		<u>YES</u>

VENTS: NUMBER 0 SIZE - HEIGHT OF VENT ABOVE GROUND -
NOTE: CASING TO BE JACKED OR DRY BORED ONLY

ALVARADO
COUNTY OF JOHNSON

STATE OF TX

JPM



City Council Meeting Management Report

Meeting Date: January 22, 2025

Contact: Hillary Cromer

AGENDA ITEM: Public hearing, consideration and action to approve Ordinance No. 2025-0003, establishing the Downtown Alvarado TIRZ #3.

The City of Alvarado proposes the establishment of Tax Increment Reinvestment Zone Number Three (TIRZ #3) to foster development and redevelopment in the downtown area. This initiative, aligned with Chapter 311 of the Texas Tax Code, leverages tax increment financing (TIF) to stimulate growth in areas where private investment alone may not suffice. This ordinance represents a strategic approach to addressing challenges in downtown Alvarado through collaborative public and private efforts. By leveraging tax increment financing, the city can promote growth, enhance public infrastructure, and create a vibrant downtown area for residents and businesses alike.

Key Details of the TIRZ:

- Geographic Area: A detailed map outlining the boundaries of TIRZ #3 will be provided to illustrate the specific area included in this proposal. The zone is primarily targeted at areas suffering from underutilization, deterioration of structures, or other factors impeding growth.
- Termination Date: The TIRZ will be set to terminate 30 years from its initiation.
- Public Hearing Compliance: All legal requirements for establishing TIRZ #3, including public hearing notices and community engagement processes, will be observed to ensure transparency and adherence to Chapter 311 of the Texas Tax Code.

Purpose and Benefits:

The creation of TIRZ #3 is designed to channel future increases in property tax revenues within the designated area to fund improvements that will stimulate economic development, enhance public spaces, and support downtown revitalization. These efforts align with Alvarado's vision of fostering a vibrant downtown that blends the city's historic charm with new opportunities for business and community engagement. The zone's financial structure ensures a sustainable model for funding necessary improvements while benefiting the broader community.

TIRZ Board:

The City Council is designated as the TIRZ #3 board in this proposal. They will oversee the policy and programs eligible for funding through the TIRZ, ensuring strategic alignment with the City's development objectives.

Explanation of Map Boundaries:

The current boundaries of the TIRZ #3 map are designed to comply with state regulations, which stipulate that no more than 30% of a TIRZ can be residential. However, the opportunity to amend the boundaries after the TIRZ has been created is an option. This flexibility ensures that the TIRZ can adapt to the finalized vision of the Downtown Master Plan, allowing for adjustments that better support comprehensive and strategic development.

MANAGEMENT REVIEW:

Paul DeBuff, City Manager

ATTACHMENTS:

Draft Ordinance No. 2025-0003

ORDINANCE NO. 2025-0003

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALVARADO, TEXAS, DESIGNATING A GEOGRAPHIC AREA WITHIN THE CITY AS A REINVESTMENT ZONE PURSUANT TO CHAPTER 311 OF THE TEXAS TAX CODE, TO BE KNOWN AS REINVESTMENT ZONE NUMBER THREE, CITY OF ALVARADO, TEXAS; DESCRIBING THE BOUNDARIES OF THE ZONE; CREATING A BOARD OF DIRECTORS FOR THE ZONE; ESTABLISHING A TAX INCREMENT FUND FOR THE ZONE; CONTAINING FINDINGS RELATED TO THE CREATION OF THE ZONE; PROVIDING A DATE FOR THE TERMINATION OF THE ZONE; PROVIDING THAT THE ZONE TAKE EFFECT IMMEDIATELY UPON PASSAGE OF THE ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Alvarado, Texas (the “City”), pursuant to Chapter 311 of the Texas Tax Code as amended (the “Act”), may designate a geographic area within the City as a tax increment reinvestment zone if the area satisfies the requirements of the Act; and

WHEREAS, the Act provides that the governing body of a municipality by ordinance may designate a geographic area that is in the corporate limits of the municipality to be a reinvestment zone if the governing body determines that development or redevelopment would not occur solely through private investment in the reasonably foreseeable future; and

WHEREAS, the Alvarado City Council (the “City Council”) desires to promote the development of a certain contiguous geographic area in the city, which is more specifically described in *Exhibits “A”* and *“B”* of this Ordinance (the “Zone”), through the creation of a reinvestment zone as authorized by and in accordance with the Tax Increment Financing Act, codified at Chapter 311 of the Texas Tax Code; and

WHEREAS, pursuant to and as required by the Act, the City has prepared a *Preliminary Reinvestment Zone Project Plan and Financing Plan for Reinvestment Zone Number Three, City of Alvarado, Texas* as attached as *Exhibit “C”* (hereinafter referred to as the “Preliminary Project and Finance Plan”) for a Zone containing the real property within the Zone; and

WHEREAS, notice of the public hearing on the creation of the Zone was published in a newspaper having general circulation in the City on January 15, 2025, which date is before the seventh (7th) day before the public hearing held on January 22, 2025; and

WHEREAS, at the public hearing on January 22, 2025, interested persons were allowed to speak for or against the creation of the Zone, the boundaries of the Zone, and the concept of tax increment financing, and owners of property in the Zone were given a reasonable opportunity to protest the inclusion of their property in the Zone; the public hearing was held in full accordance with Section 311.003(c) of the Act; and

WHEREAS, after all comments and evidence, both written and oral, were received by the City Council, the public hearing was closed on January 22, 2025; and

WHEREAS, evidence was received and presented at the public hearing on January 22, 2025, and was in favor of the creation of the Zone; and

WHEREAS, the City has taken all actions required to create the Zone, including, but not limited to, all actions required by the home-rule Charter for the City, the Act, the Texas Open Meetings Act (defined herein), and all other laws applicable to the creation of the Zone; and

WHEREAS, the percentage of the property in the Zone, excluding property that is public owned, that is used for residential purposes is less than thirty percent (30%); and

WHEREAS, a Preliminary Project and Finance Plan has been prepared for the proposed reinvestment zone.

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

SECTION 1. RECITALS INCORPORATED. The facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct.

SECTION 2. FINDINGS. That the City Council, after conducting the above- described hearing and having heard the evidence and testimony presented at the hearing, has made the following findings and determined based on the evidence and testimony presented to it:

- (a) That the public hearing on the creation of the Zone has been properly called, held and conducted and that notice of such hearing has been published as required by law; and
- (b) That the creation of the Zone with boundaries as described and depicted in *Exhibits “A” and “B”* will result in benefits to the City, its residents and property owners, in general, and to the property, residents, and property owners in the reinvestment zone; and
- (c) That the Zone, as identified in *Exhibits “A” and “B”* meets the criteria for the creation of a reinvestment zone set forth in the Act in that:
 - 1. That it is a geographic area located wholly within the city limits of the City; and
 - 2. The City Council further finds and declares that the Zone meets the criteria and requirements of Sections 311.005 of the Texas Tax Code because the Zone is predominantly open and, because of the obsolete plating, deterioration of structures or site improvements, or other facts, substantially impairs or arrests the sound growth of the City or County; and

- (d) That thirty percent (30%) or less of the property in the Zone, excluding property dedicated to public use, is currently used for residential purposes; and
- (e) That the total appraised value of all taxable real property in the Zone, according to the most recent appraisal rolls of the City, together with the total appraised value of taxable real property in all other existing reinvestment zones within the City, according to the most recent appraisal rolls of the City, does not exceed 50 percent of the current total appraised value of taxable real property in the City and in the industrial districts created by the City, if any; and
- (f) That the improvements in the Zone will significantly enhance the value of all taxable real property in the Zone and will be of general benefit to the City or County; and
- (g) That the development or redevelopment of the property in the Zone will not occur solely through private investment in the reasonable foreseeable future.

SECTION 3. DESIGNATION AND NAME OF THE ZONE. Pursuant to the authority of, and in accordance with the requirements of the Act, the City Council hereby designates the area described and depicted in Exhibits “A” and “B” hereto as a tax increment reinvestment zone. The name assigned to the Zone for identification is Reinvestment Zone Number Three, City of Alvarado, Texas (hereinafter referred to as the “Zone”).

SECTION 4. BOARD OF DIRECTORS. That a board of directors for the Zone (“Board”) is hereby created. The Board shall consist of seven (7) members comprised of City Council members from Places 1 through 6 appointed by the City Council for one (1) year terms and the Mayor.

The Mayor shall serve as chairman of the Board and the Board may elect a vice chairman and such other officers as the Board sees fit. Additionally, each taxing unit that levies taxes within the Zone and chooses to contribute all or part of the tax increment produced by the unit into the tax increment fund may appoint one (1) or two (2) members of the board. The number of directors on the Board shall be increased by (1) or two (2), as applicable, for each taxing unit that appoints a director(s) to the Board; provided that the maximum number of directors shall not exceed fifteen (15).

The Board shall make recommendations to the City Council concerning the administration, management, and operation of the Zone. The Board shall prepare and adopt a project plan and a reinvestment zone financing plan for the Zone and submit such plans to the City Council for its approval. The Board shall perform all duties imposed on it by Chapter 311 of the Texas Tax Code and all other applicable laws, Notwithstanding anything to the contrary herein, the Board shall not be authorized to (i) issue bonds; (ii) impose taxes or fees; (iii) exercise the power of eminent domain, or (iv) give final approval to the Zone’s project and financing plan. The directors shall not receive any salary or other compensation for their services on the Board.

SECTION 5. DURATION OF THE ZONE. That the Zone shall take effect immediately upon the passage and approval of this Ordinance, consistent with Section 311.004(a)(3) of the Act, and

termination of the Zone shall occur upon any of the following: (i) on December 31, 2055 (with the final years tax increment to be collected by September 1, 2056) ; (ii) at an earlier time designated by subsequent ordinance; (iii) at such time, subsequent to the issuance of tax increment bonds, if any, that all project costs, tax increment bonds, notes and other obligations of the Zone, and the interest thereon, have been paid in full, in accordance with Section 311.017 of the Act.

SECTION 6. TAX INCREMENT BASE AND TAX INCREMENT. That the tax increment base for the Zone, as defined by Section 311.012(c) of the Texas Tax Code, shall be the total appraised value of all real property in the Zone taxable by a taxing unit, determined as of January 1, 2025, which is the year was designated as a reinvestment zone, as defined by Section 311.0123.

The Tax Increment Fund shall consist of (i) the percentage of the tax increment, as defined by Section 311.012(a) of the Texas Tax Code, that each taxing unit which levies real property taxes in the Zone, other than the City, has elected to dedicate to the TIF Fund under an agreement with the City authorized by Section 311.013(f) of the Texas Tax Code, and (ii) seventy-five (75%) of the City's tax increment generated by the ad valorem taxes of the City's tax rate, as defined by section 311.012(a) of the Texas Tax Code, less collection and administrative expenses, and subject to any binding agreement executed at any time by the City that pledges a portion of such tax increment or an amount of other legally available fund whose calculation is based on receipt of any portion of such tax increment.

SECTION 7. TAX INCREMENT FUND. That there is hereby created and established a Tax Increment Fund ("TIF Fund") for the Zone which may be divided into such subaccounts as may be authorized by subsequent ordinance, into which all tax increments of the City, as such increments are described in the final project plan and reinvestment zone financing plan and may include administration costs, less any of the amounts not required to be paid into the TIF Fund pursuant to the Act, are to be deposited. The TIF Fund and any subaccount are to be maintained in an account at the affiliated depository bank of the City and shall be secured in the manner prescribed by law for funds of Texas cities. In addition, all revenues from (i) the sale of any obligations hereafter issued by the City and secured in whole or in part from the tax increments; (ii) the sale of any property acquired as part of a tax increment financing plan adopted by the Board, and (iii) other revenues dedicated to and used in the Zone shall be deposited into the TIF Fund. Prior to the termination of the Zone, money shall be disbursed from the Tax Increment Fund only to pay project costs, as defined by the Texas Tax Code, for the Zone, to satisfy the claims of holders of tax increments bonds or notes issued for the Zone, or to pay obligations incurred pursuant to agreements entered into to implement the project plan and reinvestment zone financing plan and achieve their purpose pursuant to Section 311.010(b), Texas Tax Code.

SECTION 8. SEVERABILITY CLAUSE. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 9. OPEN MEETING. It is hereby found, determined and declared that sufficient written notice of the date, hour, place, and subject of the meeting of the City Council at which this Ordinance was adopted was posted at a place convenient and readily accessible at all times to the general public at the City Hall of the City for the time required by law preceding its meeting, as required by Chapter 551 of the Texas Government Code, and that this meeting has been open to the public as required by law at all times during which this Ordinance is the subject matter hereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

SECTION 10. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its adoption and publication in accordance with and as provided by law.

PASSED AND APPROVED ON this 22nd day of January 2025.

APPROVED:

JACOB WHEAT, Mayor

ATTEST:

BETH A. WALLS, City Secretary / HRD

REINVESTMENT ZONE NUMBER THREE
CITY OF ALVARADO, TEXAS (DOWNTOWN TIRZ)

PRELIMINARY PROJECT PLAN
AND
FINANCING PLAN

JANUARY 22, 2025

PREPARED BY:

MUNICAP, INC.
— PUBLIC FINANCE —

REINVESTMENT ZONE NUMBER THREE

CITY OF ALVARADO, TEXAS (DOWNTOWN TIRZ)

PRELIMINARY PROJECT PLAN AND FINANCING PLAN

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EXHIBIT A – MAP OF THE PROPERTY AND TIRZ ZONE

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EXHIBIT C-1.1 - PROJECTED TAXABLE VALUE

**EXHIBIT C-1.2 - PROJECTED INCREMENTAL ASSESSED VALUE & INCREMENTAL
REAL PROPERTY TAXES AVAILABLE FOR TIRZ OBLIGATIONS**

**EXHIBIT C-1.3 - PROJECTED INCREMENTAL REAL PROPERTY TAXES AVAILABLE TO
THE CITY**

**EXHIBIT D - MAP AND DESCRIPTION OF THE PROPOSED USES OF THE PROPERTY
(CURRENT CONCEPT PLAN)**

1. INTRODUCTION

1.1. AUTHORITY AND PURPOSE

The City of Alvarado, Texas, a Texas home rule municipality (the “City”), has the authority under Chapter 311, Texas Tax Code, as amended (the “Act”) to designate a contiguous or noncontiguous geographic area within the corporate limits of the City and within the extraterritorial jurisdiction of the City as a tax increment reinvestment zone to promote development or redevelopment of the area if the governing body of the City (the “City Council”) determines that development or redevelopment would not occur solely through private investment in the reasonably foreseeable future, that the tax increment reinvestment zone is feasible, and that creation of the tax increment reinvestment zone is in the best interest of the City and the property in the tax increment reinvestment zone. The purpose of a tax increment reinvestment zone is to facilitate such development or redevelopment by financing the costs of public works, public improvements, programs, and other projects benefiting the tax increment reinvestment zone, plus other costs incidental to those expenditures, all of which costs are authorized by the Act.

1.2. ELIGIBILITY REQUIREMENTS

Except as provided in the Act, an area may be designated as a tax increment reinvestment zone if such area is predominantly open or undeveloped and, because of obsolete platting, deterioration of structures or site improvements, or other factors, substantially impairs or arrests the sound growth of the City. The City cannot, however, designate a zone if more than 30% of the property in the proposed zone, excluding property that is publicly owned, is “used for residential purposes” (defined by the Act as follows: “...property is used for residential purposes if it is occupied by a house having fewer than five living units ...”) or if the total appraised value of taxable real property in the proposed zone and in existing reinvestment zones exceeds 50% of the total appraised value of taxable real property in the City and in industrial districts created by the City.

(a) The Zone. By City Council action on January 22, 2025, the City created a tax increment reinvestment zone to be known as “Reinvestment Zone Number Three, City of Alvarado, Texas (Downtown TIRZ)” (the “Zone” or “TIRZ”) that includes approximately 256.84 acres depicted on Exhibit A and described on Exhibit B (the “Property”). The Property meets the eligibility requirements of the Act and the City Council further finds and declares that the Property included in the proposed Zone meets the criteria and requirements of Section 311.005, because the proposed Zone impairs the sound growth of the municipality because of the presence of (i) a substantial number of substandard, slum, deteriorated, or deteriorating structures; (ii) the predominance of defective or inadequate sidewalk or street layout; (iii) the deterioration of site or other improvements; and (iv) and the need for economic incentives to attract development to the Zone for the purpose of providing long-term economic benefits including, but not limited to, increased real property tax base for all taxing units in the Zone, increased sales and use tax for the City and the State of Texas, and increased job opportunities for residents of the City and the region. If the public works, public improvements, programs, and other projects are financed as contemplated by the Final Plan (hereinafter defined), the City envisions that the Property will be developed to take full advantage of the opportunity to enhance the City and to all of the region

improved developments.

1.3. PRELIMINARY PLAN; HEARING

Before the City adopted the ordinance designating the Zone, the City Council prepared a preliminary reinvestment zone financing plan in accordance with the Act and, on January 22, 2025, held a public hearing on the creation of the proposed zone and its benefits to the City and to the Property, at which public hearing interested persons were given the opportunity to speak for and against the creation of the Zone, the boundaries of the Zone, and the concept of tax increment financing, and at which hearing the owners of the Property (collectively the “Owners”) were given a reasonable opportunity to protest the inclusion of the Property in the Zone. The requirement of the Act for a preliminary reinvestment zone financing plan was satisfied by the preliminary plan dated January 22, 2025 (the “Preliminary Plan”), the purpose of which is to describe, in general terms, the public works, public improvements, programs, and other projects that will be undertaken and financed by the Zone. A description of how such public works, improvements, programs, and projects are to be undertaken and financed will be determined by the Final Plan (hereinafter defined), which require approval by the Board and by the City Council.

1.4. CREATION OF THE ZONE

Subsequent to the above-referenced public hearing, the City Council adopted Ordinance No. _____ on January 22, 2025 (the “Creation Ordinance”) in accordance with the Act creating the Zone after the City Council found that development or redevelopment of the Property would not occur solely through private investment in the reasonably foreseeable future, that the Zone is feasible, and that creation of the Zone is in the best interest of the City and the Property. The ordinance creating the Zone appointed a Board of Directors for the Zone initially consisting of seven (7) members (the “Board”).

1.5. BOARD RECOMMENDATIONS

Upon the creation of the Zone, the Board, during its _____, 2025, meeting, reviewed the *Final Project and Finance Plan for Reinvestment Zone Number Three, City of Alvarado, Texas (Downtown TIRZ)* (the “Final Plan”), and approved and recommended to the City Council the Preliminary Plan, pursuant to which the City will contribute a portion of the ad valorem tax increment (the “Tax Increment”) to new development in the Zone into a tax increment fund created by the City and segregated from all other funds of the City (the “TIRZ Fund”) to the costs of public works, public improvements, programs, and other projects benefiting the Zone.

1.6. COUNCIL ACTION

The City Council, taking into consideration the recommendations of the Board, is anticipated to consider and approve the Final Plan in _____.

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1.7. SUMMARY OF RESULTS

As real property taxes are generated on an ad valorem basis from assessed values, it is first necessary to estimate the future assessed value resulting from the Zone. This plan provides assessed value information based on the following:

- The real property tax rate remains static at the fiscal year 2025 level in future years;
- The City's contribution of a portion of the increment attributable to ad valorem taxes levied;
- The Zone is anticipated to include the 256.84 acres comprising the Property; and
- The City has committed to using 75% of the incremental revenues generated from the Property.

In summary, the TIRZ financing analysis indicates that assuming two percent (2%) annual inflation through 2055, the Zone is estimated to have an incremental value of \$44,944,195 as of January 1, 2055.

Table 1-A below provides the projected total and incremental assessed value for the Zone in 2055. Refer to **Exhibits C-1.1/C-1.2/C-1.3**, attached hereto, for more information on the projected incremental value for each year.

Table 1-A
Projected Assessed Values

Year	Projected Value	Base Value¹	Incremental Value
2055	\$100,337,741	\$55,393,546	\$44,944,195

¹The base value of \$55,393,546 represents the allocable share of the 2024 taxable assessed value shown in JCAD records allocated based on the proportional acreage of the applicable parcels within the Zone. The base value will be updated to the 2025 taxable assessed value after the values are confirmed by JCAD.

The assessed values displayed in Table 1-A above are the basis for estimating incremental real property taxes. The projected incremental taxes are shown in Table 1-B on the following page. The total projected value as of January 1, 2055, is \$100,337,741 with an incremental value of \$44,944,195. Table 1-B illustrates the projected assessed value for taxes due as of January 2055, assuming two percent (2%) annual inflation.

Table 1-B
Projected Incremental Real Property Tax Revenue

Jurisdiction	Total Projected Appraised Value at Buildout as of January 1, 2055	Base Value¹	Total Projected Incremental Appraised Value at Buildout as of January 1, 2055	Total Projected Incremental Tax Revenue as of January 31, 2055
City of Alvarado	\$100,337,741	\$55,393,546	\$44,944,195	\$3,699,693

¹The base value of \$43,206,436 represents the allocable share of the 2023 taxable assessed value shown in JCAD records allocated based on the proportional acreage of the applicable parcels within the Zone. The base value will be updated to the 2024 taxable assessed value after the values are confirmed by JCAD.

Refer to **Exhibits C-1.2 and C-1.3** for projected tax increment revenues for each year.

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2. ASSESSMENT AND TAX COLLECTION PROCEDURES

2.1 AUTHORITY AND PURPOSE

Pursuant to Texas Tax Code, all taxable property is appraised at its market value as of January 1 of each year. Each county in Texas is served by an appraisal district, which determines the value of all that county's taxable property. Generally, local governments that collect property taxes, such as counties, cities, and school districts, are members of the appraisal district.

2.2 METHODOLOGY

Each county appraisal district determines the value of all taxable property within the county boundaries. Tax Code Section 25.18 requires appraisal districts to reappraise all property in its jurisdiction at least once every three years. Tax Code Section 23.01 requires that appraisal districts comply with the Uniform Standards of Professional Appraisal Practice if mass appraisal is used, and that the same appraisal methods and techniques be used in appraising the same or similar kinds of property. Individual characteristics that affect the property's market value must be evaluated in determining the property's market value.

Before appraisals begin, the appraisal district compiles a list of taxable property. The list contains a description and the name and address of the owner for each property. In a mass appraisal, the appraisal district then classifies properties according to a variety of factors, such as size, use and construction type. Using data from recent property sales, the appraisal district appraises the value of typical properties in each class. Taking into account differences such as age or location, the appraisal district uses typical property values to appraise all the properties in each class.

With few exceptions, Tax Code Section 23.01 requires taxable property to be appraised at market value as of January 1. Market value is the price at which a property would transfer for cash or its equivalent under prevailing market conditions if:

- it is exposed for sale in the open market with a reasonable time for the seller to find a purchaser;
- both the seller and the purchaser know of all the uses and purposes to which the property is adapted and for which it is capable of being used and of the enforceable restrictions on its use; and
- both the seller and purchaser seek to maximize their gains, and neither is in a position to take advantage of the exigencies of the other.

Source: <https://comptroller.texas.gov/taxes/property-tax/valuing-property.php>

2.3 APPEALS

According to the Central Appraisal District of Johnson County ("JCAD"), property owners may utilize the JCAD appeal procedures if they have a concern about:

- the market or appraised value of the property;
- unequal appraisal of the property compared to other properties;
- the inclusion of the property on the appraisal roll;
- any exemptions that may apply to the property owner;
- the qualification for an agricultural or timber appraisal;
- the taxable status of the property;
- the local governments which should be taxing the property;
- the ownership of property;
- a change of use of land receiving special appraisal; and/or
- any action taken by the chief appraiser, JCAD or Appraisal Review Board (“ARB”) that applies to and adversely affects the property.

If property owners cannot resolve their concern informally with the JCAD staff, they may have their cases heard by the ARB. The ARB is an independent board of citizens that review problems with appraisals or other concerns listed above. It has the power to order the JCAD to make the necessary changes to solve problems. If a property owner files a written request for an ARB hearing (called a notice of protest) on or before May 31 (or 30 days after the notice of appraised value was mailed to the property owner, whichever is later), the ARB will set the case for a hearing. The property owner will receive written notice of the time, date, and place of the hearing. After it decides the case, the ARB must send them a copy of its order by certified mail. If the property owner is not satisfied with the decision, it has the right to appeal. If it chooses to go to court, the property owner must start the process by filing a petition within 60 days of the date it receives the ARB’s order. In certain cases, as an alternative to filing an appeal in district court, the property owner may file not later than the 45th day after it receives notice of the ARB order a request for binding arbitration with the JCAD. In certain cases, originating in certain counties, as an alternative to filing an appeal in district court, the property owner may appeal to the State Office of Administrative Hearings (SOAH). An appeal to SOAH is initiated by not later than the 30th day after the property owner receives notice of the ARB’s order by filing with the chief appraiser of the JCAD a notice of appeal.

2.4 TAXATION PROCEDURES

The assessment and property tax process for each tax year includes the steps shown in Table 2-A on the following page.

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Table 2-A
Property Tax Timeline

Date(s)	Event
January 1	CADs are required to appraise property on this date. A lien attaches to each taxable property to ensure property tax payment.
January 1 - April 30	CAD completes appraisals and processes applications for exemptions.
April - May	Appraisal districts send notices of appraised value.
May 1	Appraisal review board begins hearing protests from property owners.
July 1	Local taxing units may impose additional penalties for legal costs related to collecting unpaid taxes.
August - September	Local taxing units adopt tax rates.
October 1	Local taxing units (or county tax assessor-collector, acting on their behalf) begin sending tax bills to property owners.
January 1	Taxes due to local taxing units (or county tax assessor-collector, if acting on their behalf).
February 1	Local taxing units begin charging penalties and interest for unpaid tax bills.

2.5 PENALTIES AND INTEREST

According to the Texas Comptroller, if taxes are not paid by January 31st, penalties and interest will accrue are shown in Table 2-B.

Table 2-B
Penalties and Interest

If Tax Paid In:	Penalty		Interest		Total
February	6%	+	1%	=	7%
March	7%	+	2%	=	9%
April	8%	+	3%	=	11%
May	9%	+	4%	=	13%
June	10%	+	5%	=	15%
July	12%	+	6%	=	18%

Penalties reach a maximum of 12% and interest of 1% is added each month after the due date. All real property accounts not paid in full by June 30th of the year in which they become delinquent will be referred to the delinquent tax attorney for enforced collection and will incur an additional penalty equal to 15% - 20% of the total taxes, penalties, and interest due.

2.6 TAX SALE

According to the Johnson County Tax Collector's website, tax sales are held once orders of sale are issued from the district courts in reference to tax judgments for delinquent taxes. Real property being sold as a result of a foreclosure to satisfy delinquent taxes is required by Texas law to be sold on the first Tuesday of the month. All counties have sales on the same day.

2.7 TAX RATES

Tax rates are set on an annual basis by the City. For fiscal year 2024, the real property tax rate in the City is \$0.782572 per \$100 of assessed value.

The City tax rates have fluctuated in past years. It is likely that the tax rate will continue to change over time; for purposes of this study, however, it is assumed that the tax rate will remain at its current level in future years.

Table 2-C below provides historical tax rates from fiscal years 2019 to 2024.

Table 2-C
Historical Tax Rates 2019-2024

Fiscal Year	City Tax Rate Per \$100 Assessed Value (Total)
2019	0.732031
2020	0.751419
2021	0.812696
2022	0.812696
2023	0.811895
2024	0.782572

Source: JCAD website.

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3. PROJECT PLAN

3.1. DESCRIPTIONS AND MAPS

Existing Uses and Conditions. The Property in the Zone is wholly located within the City's corporate limits. The Property is comprised of approximately 256.84 acres.

The Property is underdeveloped, and there is limited public infrastructure to support development. Development will require public infrastructure that: (1) the City cannot provide; and (2) will not be provided solely through private investment in the foreseeable future. A map of the Property and the Zone are shown on **Exhibit A**.

Proposed Uses. The Property is zoned based on the applicable City standards. A map of the Property is shown on **Exhibit A** and the property within the TIRZ is anticipated to be used primarily for commercial, institutional and residential uses.

Property Description. The descriptions of the parcels that comprise the Property are provided on **Exhibit B**. The list of Parcels in the Zone is shown in **Exhibit E**.

3.2. PROPOSED CHANGES TO ORDINANCES, PLANS, CODES, RULES AND REGULATIONS

Development of the Property will involve only those changes established by the City pursuant to the applicable City standards.

3.3. ESTIMATED NON-PROJECT COSTS

Non-project costs are funds that will be spent to develop in the Zone but will not be financed by the Zone, which are estimated at approximately \$10,000,000 for the total property within the Zone.

3.4. RELOCATION OF DISPLACED PERSONS

No persons will be displaced or relocated due to the creation of the Zone or implementation of the Final Plan.

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4. FINANCING PLAN

4.1. ESTIMATED PROJECT COSTS

The total project costs of the Zone (the “Project Costs”) include the Administrative Costs defined below and the costs of the initial Public Improvements as well as related interest expense are estimated to be approximately \$5,750,000, as set forth in **Exhibit F**. The Project Costs for administration of the Zone shall be the actual, direct costs paid or incurred by or on behalf of the City to administer of the Zone (the “Administrative Costs”). The Administrative Costs include the costs of professional services, including those for planning, engineering, and legal services paid by or on behalf of the City. The Administrative Costs also include organizational costs, including the costs of conducting studies, the cost of publicizing the creation of the Zone, and the cost of implementing the project plan for the Zone paid by or on behalf of the City. The Administrative Costs shall be paid each year from the TIRZ Fund before any other Project Costs are paid.

4.2. PROPOSED PUBLIC IMPROVEMENTS

Categories of Public Improvements. The Public Improvements that are proposed to be financed within the Zone are as follows: sanitary and storm sewer improvements, water improvements, roadway improvements, public parking, enhanced street lighting, decorations, and economic development grants, as further specified in **Exhibit F**. All Public Improvements shall be designed and constructed in accordance with the applicable City standards and shall be reviewed, inspected, approved, and accepted by the City. At the discretion of the City, some of the Public Improvements that are to be financed with the TIRZ Increments may be owned by the City but maintained by a third party as may be agreed by the City from time to time.

Locations of Public Improvements. The estimated locations of the proposed Public Improvements to be constructed within the Zone are shown in **Exhibit G**. These locations are provided for informational purposes only and may be revised by City Staff without amending the Final Plan.

4.3. ECONOMIC FEASIBILITY

The Property within the TIRZ boundary is currently zoned for commercial, agricultural, institutional, and residential uses. As shown in **Exhibit H**, the current aggregate taxable assessed value of the property in the development based on the proportional acreage of the applicable parcels is \$55,393,546 (shown as assessed value in the JCAD records).

For purposes of this Plan, economic feasibility has been evaluated over the term of the Zone based on the projected taxable value growth as shown in the projected incremental assessed values and projected incremental taxes shown in **Exhibits C C-1.1/C-1.2/C-1.3**. This evaluation focuses only on ‘direct’ financial benefits (i.e., projected tax revenues from new development in the Zone) of the Public Improvements to be constructed within the Zone and does not take into consideration the potential ‘multiplier effect’ of this development towards new development outside the Zone and the non-property tax revenue-related benefits like job creation to the properties within and

outside of the Zone. The new proposed redevelopment could not occur without the Public Improvements required to be constructed within the Zone. The total projected value of the new development at build-out as of January 1, 2055, is \$100,337,741, with an incremental value of \$4,932,924. The new development is projected to generate approximately \$4,932,924 in projected incremental real property taxes during the anticipated term of the Zone as shown in Table 4-A below.

Table 4-A
Projected Incremental Tax Revenue

Jurisdiction	Total Projected Incremental Taxable Value as of January 1, 2055	Total Projected Annual Incremental Tax Revenue (Due by January 31, 2055)	Total Projected Incremental Tax Revenue during the Term of the TIRZ
City of Alvarado	\$100,337,741	\$351,721	\$4,932,924

Approximately 25% of the tax revenue generated from the development within the Zone will be retained by the City. The remaining 75% of the tax revenue generated by the new development within the Zone will be available to pay for Project Costs until the earlier of (i) completion of all Project Costs, or (ii) the term of the Zone expires on December 31, 2055. Upon expiration or termination of the Zone, 100% of all tax revenue generated within the Zone will be retained by the City.

These projections assume a two percent (2%) annual property value inflation factor. As shown in **Exhibits C-1.2 and C-1.3**, the total anticipated TIRZ contribution amount towards the Project Costs is projected to be \$3,699,693. As a result, the TIRZ is anticipated to generate \$1,233,231 (i.e. \$4,932,924 - \$3,699,693) in excess incremental real property taxes during the anticipated term of the Zone for payment of costs of the City, demonstrating economic feasibility of the proposed TIRZ structure.

Table 4-B below shows the projected TIRZ contribution by each participating jurisdiction.

Table 4-B
Projected TIRZ Contribution

Jurisdiction	Total Projected Incremental Tax Revenue during the Term of the TIRZ¹	Total Projected Incremental Tax Revenue Available for payment of Project Costs²	Total Projected Incremental Tax Revenue Retained by the City³
City of Alvarado	\$4,932,924	\$3,699,693	\$1,233,231

¹Represents the projected incremental tax revenues generated from the Property.

²Represents the total projected incremental tax revenue available for the payment of the Project Costs.

³Represents the total projected incremental tax revenue available for the City assuming the TIRZ contribution is fully paid out.

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4.4. TIRZ PARTICIPATION LEVEL

For properties within the TIRZ, 75% of the total City incremental real property tax revenue will be pledged to the TIRZ Fund as shown in Table 4-C below.

Table 4-C
TIRZ Participation by Entity

Jurisdiction	TIRZ Participation level
City of Alvarado	75%

4.5. ESTIMATED BONDED INDEBTEDNESS

It is not anticipated that bonds backed by the TIRZ Increments will be issued in the future.

4.6. ESTIMATED TIME FOR COSTS OR OBLIGATIONS

The Project Costs are estimated to be incurred within the term of the TIRZ. The Administrative Costs will be incurred annually and will continue to be collected until all Project Costs are reimbursed or the term of the Zone has expired.

4.7. METHOD OF FINANCING

The City, in the future, will pay (using the TIRZ funds) the Project Costs as annual TIRZ contributions. The Final Plan shall obligate the City to pay from the TIRZ Fund annual TIRZ contributions related to the Project Costs, which shall be reviewed and approved by the City. Funds deposited into the TIRZ Fund shall always first be applied to pay the Administrative Costs. After the Administrative Costs have been paid, funds in the TIRZ Fund shall next be used to pay or reimburse the Project Costs. All payments of Project Costs shall be made solely from the TIRZ Fund and from no other funds of the City unless otherwise approved by the respective governing body, and the TIRZ Fund shall only be used to pay the Project Costs. The Final Plan shall obligate the City to deposit into the TIRZ Fund each year for the duration of the Zone a portion of the Tax Increment calculated as a millage rate per \$100 of the taxable assessed value in the Zone that equals 75% of the incremental property taxes collected in the Zone for years one through thirty (1-30).

4.8. TOTAL APPRAISED VALUE

The current preliminary total taxable assessed value of taxable real property in the Zone is \$55,393,546 as shown in **Exhibit H**. It is estimated that upon expiration of the term of the Zone, the total appraised value of taxable real property in the Zone is estimated to be \$100,337,741.

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4.9. ESTIMATED CAPTURED APPRAISED VALUE TAXABLE BY THE CITY

The captured appraised value of the Property taxable by the City for a year is the total taxable value of the Property for that year less the tax increment base of the Property. The tax increment base of the Property is the total taxable value of the Property for the year in which the Zone was designated. If the Zone is created during calendar year 2025, the tax increment base of the Property will be \$55,393,546 as shown in **Exhibit H**.

4.10. DURATION OF THE ZONE; TERMINATION

The stated term of the Zone shall be thirty (30) years and commence on January 22, 2025 (base value as of January 1, 2025), and shall continue until December 31, 2055, unless otherwise terminated in accordance with this section and the Act. The City shall have the right to terminate the Zone prior to the expiration of its stated term if all the Project Costs have been paid. If upon expiration of the stated term of the Zone, Project Costs have not been paid, the City has no obligation to pay the shortfall. The provisions of this section shall be included in the ordinance that creates the Zone. Nothing in this section is intended to prevent the City from extending the term of the Zone in accordance with the Act.

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5. ASSUMPTION AND LIMITATIONS

The valuation of property for real property tax purposes is determined by the JCAD. This plan attempts to estimate how the JCAD may estimate the value of the subject properties in the future. The values estimated by the JCAD will almost certainly differ from the estimates included in this report. Values can change significantly over time, and these changes can be significantly higher or lower than values in previous years. Determining property values for tax purposes is not as straight forward or as simple as the analysis in this report. Many factors not considered in this report may impact actual future values. Furthermore, property values are not likely to be consistent from year to year.

The JCAD often relies on market data to estimate the value of property. Property values can be appealed, competition can be greater, national, or local market conditions can change; in short, there are many factors that can affect the valuation of property. These factors make the projection of future values an imprecise exercise. The successful development of the subject properties is critical to the values estimated in the report.

This report has assumed property taxes are paid as due. This report does not include an analysis to determine if the owners of property within the Zone will be able or willing to pay property taxes or if the tax collector will be able to collect unpaid taxes. The actual delinquencies in the payment of real property taxes in the Zone will likely be different than assumed in this report and a significant increase in the failure to pay property taxes would materially affect the tax increment revenues available for the payment of Project Costs.

This report estimates future tax increment revenues based on current real property tax rates. Scenarios do not assume real property tax rates in the future will be different than tax rates for fiscal year 2024 as shown in Exhibit C-1.3. Real property tax rates have varied over the years and have declined over the years. Real property tax rates will likely vary significantly in future years and be different than assumed in this report and a significant decrease in real property tax rates could materially affect the tax increment revenues available for the payment of Project Costs.

This report includes projections of tax increment revenues based on zero percent annual appreciation for real property. Changes in values will not be consistent from year to year. Future values are estimated based on values in 2025. Values in any future year may be less than values in 2025.

This report assumes that the subject properties will be developed as projected in this report. A delay in the development of properties or changes to the program of development would reduce tax increment revenues during the years of the delay and could result in there being inadequate tax increment revenues to pay the Project Costs. No analysis has been conducted to determine if the subject properties are likely to be developed as projected.

Numerous sources of information were relied on in the preparation of this report. These sources are believed to be reliable; however, no effort has been made to verify information obtained from other sources.

In summary, this report necessarily incorporates numerous estimates and assumptions with respect to property performance, general and local business and economic conditions, the absence of material changes in the competitive environment and other matters. Some estimates or assumptions will inevitably not materialize, and unanticipated events and circumstance will occur. As a result, actual results will vary from the estimates in this report and the variations may be material.

Other assumptions made in the preparation of this report and limiting conditions to this report are as follows:

1. There are no zoning, building, safety, environmental or other federal, state, or local laws, regulations, or codes that would prohibit or impair the development, marketing, or operation of the subject properties in the manner contemplated in this report, and the subject properties will be developed, marketed, and operated in compliance with all applicable laws, regulations, and codes.
2. No material changes will occur in (a) any federal, state, or local law, regulation, or code affecting the subject properties or (b) any federal, state, or local grant, financing, or other programs to be utilized in connection with the subject properties.
3. The local, national, and international economies will not deteriorate and there will be no significant changes in interest rates or in rates of inflation or deflation.
4. The subject properties will be served by adequate transportation, utilities, and governmental facilities.
5. The subject properties will not be subjected to any war, energy crises, embargo, strike, earthquake, flood, fire, or other casualty or act of God.
6. The subject properties will be developed, marketed, and operated in a highly professional manner.
7. There are no existing, impending, or threatened litigation that could hinder the development, marketing, or operation of the subject properties.
8. MuniCap, Inc. does not have expertise in and has no responsibility for legal, environmental, architectural, geologic, engineering, and other matters related to the development and operation of the subject properties.

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6. LIST OF EXHIBITS

Unless otherwise stated, all references to “Exhibits” contained in this Preliminary Plan shall mean and refer to the following exhibits, all of which are attached to and made a part of this Preliminary Plan for all purposes.

Exhibit A	Map of the Property and TIRZ Zone
Exhibit B	Description of Property in the Zone
Exhibit C-1.1	Projected Taxable Value
Exhibit C-1.2	Projected Incremental Assessed Values and Incremental Real Property Taxes Available for TIRZ Obligations
Exhibit C-1.3	Projected Incremental Real Property Taxes Available to the City
Exhibit D	Map and Description of the Proposed Uses of the Property (Current Concept Plan)
Exhibit E	List of Parcels in the Zone
Exhibit F	Project Costs
Exhibit G	Map of Public Improvements
Exhibit H	Current Appraised Value of the Zone (Base Year)

EXHIBIT A
MAP OF THE PROPERTY AND TIRZ ZONE

Proposed Downtown TIRZ Boundary

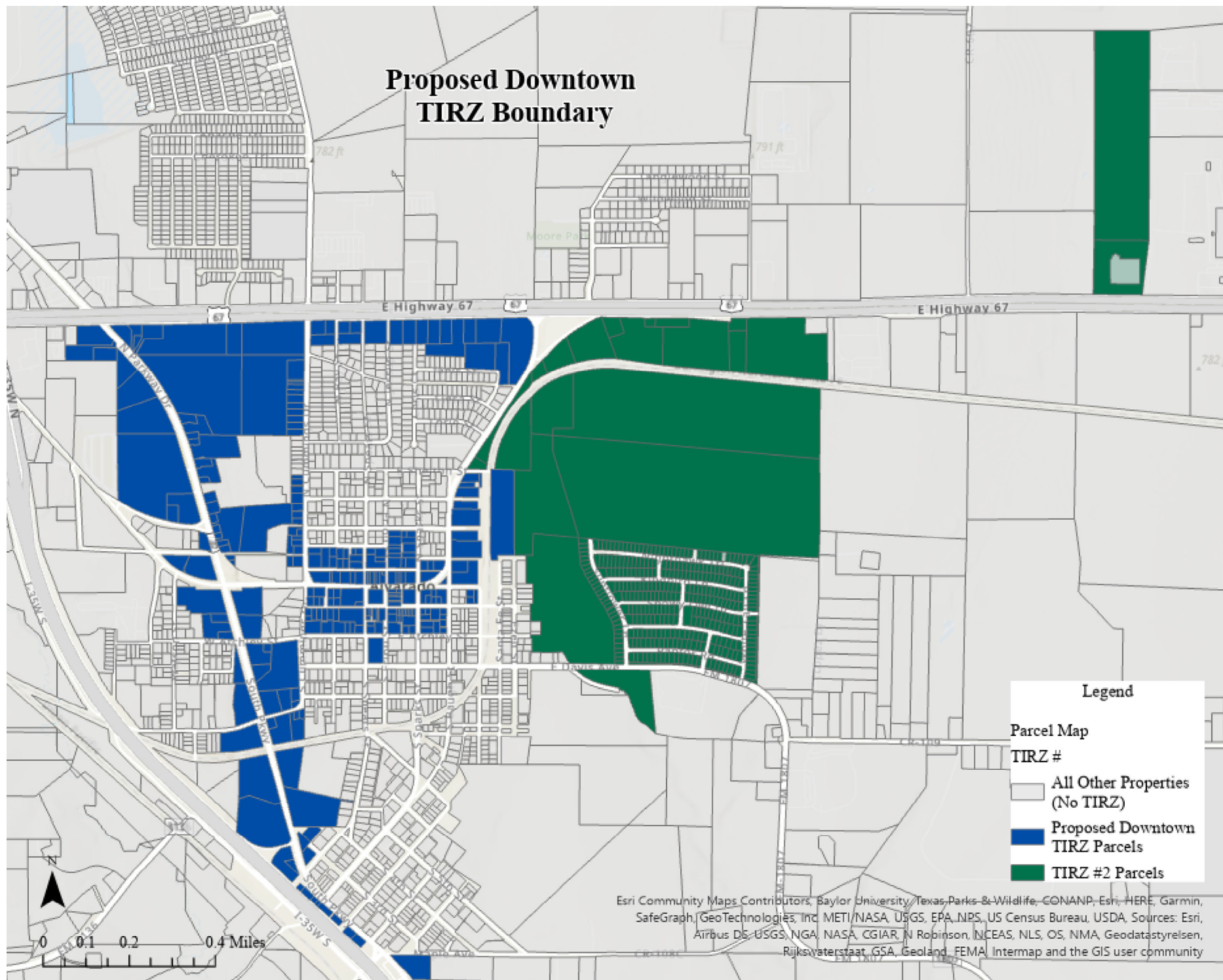


EXHIBIT B
DESCRIPTION OF THE PROPERTY

**Reinvestment Zone Number Three
Alvarado, Texas (Downtown TIRZ)
Legal Descriptions**

Property ID	Acerage¹	Property Address¹
126-0044-00840	5.822	603 S PARKWAY DR
126-0214-00551	2	611 N PARKWAY DR
126-0214-00730	10.594	600 N PARKWAY DR
126-0214-00735	0.569	1009 W HWY 67
126-0214-00737	0.256	1009 W HWY 67
126-0313-00005	0.16	300 W COTTER ST
126-0313-00170	0.22	203 N CUMMINGS DR
126-0313-00210	0.1755	205 N CUMMINGS DR
126-0313-00260	1.83	307 W COTTER ST
126-0313-00350	0.264	201 N CUMMINGS DR
126-0313-00370	0.36	408 S CUMMINGS DR
126-0313-00371	0.89	306 W COTTER ST
126-0313-00390	0.868	200 S PARKWAY DR
126-0313-00450	1.083	505 OGLETREE ST
126-0313-00460	0.1469	100 N PARKWAY DR
126-0313-00461	0.0771	100 N PARKWAY DR
126-0313-00500	0.48	717 N CUMMINGS DR
126-0313-00510	0.39	713 N CUMMINGS DR
126-0313-00521	0.25	303 W PURDOM AVE
126-0313-00530	0.43	304 N PARKWAY DR
126-0313-00590	0.723	201 N PARKWAY DR 209
126-0313-00600	0.23	500 N PARKWAY DR
126-0313-00610	1.5	205 S PARKWAY DR
126-0313-00615	17.724	415 N PARKWAY DR
126-0313-00618	5.286	220 S CUMMINGS DR
126-0313-00630	0.1671	207 N CUMMINGS DR
126-0313-00640	1.83	310 W ATCHLEY ST
126-0313-00650	1.59	100 S PARKWAY DR
126-0313-00700	0.197	407 N CUMMINGS DR
126-0313-00701	5.593	402 N PARKWAY DR
126-0313-00789	0.083	723 N CUMMINGS DR
126-0313-00790	0.082	725 N CUMMINGS DR
126-0313-00791	0.4532	719 N CUMMINGS DR
126-0313-00792	0.29	721 N CUMMINGS DR
126-0313-00795	1.24	725 N CUMMINGS DR
126-0313-00800	1.096	408 N PARKWAY DR
126-0313-00811	1.52	606 W ATCHLEY ST
126-0313-00820	0.29	502 N PARKWAY DR
126-0313-00840	1.24	504 N PARKWAY DR
126-0313-00841	0.65	510 N PARKWAY DR
126-0313-00860	0.39	711 N CUMMINGS DR

**Reinvestment Zone Number Three
Alvarado, Texas (Downtown TIRZ)
Legal Descriptions**

Property ID	Acerage¹	Property Address¹
126-0313-00880	0.39	619 N CUMMINGS DR
126-0313-00890	1.793	305 N PARKWAY DR
126-0313-00891	0.79	401 W PURDOM AVE
126-0313-00900	1.406	201 S PARKWAY DR
126-0313-00901	0.78	203 S PARKWAY DR A
126-0313-00902	0.23	305 W ATCHLEY ST
126-0313-00950	0.195	202 N PARKWAY DR
126-0313-00960	0.204	200 N PARKWAY DR A
126-0313-01250	0.5	412 N PARKWAY DR
126-0313-01260	4	521 N PARKWAY DR
126-0313-01270	4.38	609 N PARKWAY DR
126-0313-01300	17.513	600 N PARKWAY DR
126-0313-01310	12.987	723 N CUMMINGS DR
126-0313-01390	0.41	110 S PARKWAY DR
126-0313-01410	0.39	707 N CUMMINGS DR
126-0313-01420	0.36	304 W PATTON ST
126-0313-01430	0.52	302 N PARKWAY DR
126-0313-01440	0.4785	104 S PARKWAY DR
126-0313-01460	0.39	703 N CUMMINGS DR
126-0479-00140	2.53	1203 S PARKWAY DR
126-0479-00140	2.53	1203 S PARKWAY DR
126-0515-00290	4.729	580 S PARKWAY DR
126-0515-00380	2.2	708 S SPEARS ST
126-0684-00020	1.06	105 E WEAVER ST
126-0737-00005	0.677	600 N PARKWAY DR
126-0737-00008	7.013	723 N CUMMINGS DR
126-0737-00070	3.531	696 E HWY 67
126-0737-01102	1.1	300 E Hwy 67
126-0737-01103	1.1	300 E Hwy 67
126-0737-01106	1.1	600 E Hwy 67
126-0737-01108	1.1	450 E Hwy 67
126-0737-01109	1.1	599 E Hwy 67
126-2152-14010	1.61	302 N BAUGH ST
126-2154-00190	3.1547	302 S PARKWAY DR
126-2174-01010	2.285	694 E HWY 67
126-2177-01010	1.476	601 N PARKWAY DR
126-2343-01010	0.358	111 N CUMMINGS DR
126-2343-01020	0.232	111 N CUMMINGS DR
126-2344-02180	2.59	101 S PARKWAY DR
126-2344-10780	2.345	210 S PARKWAY DR
126-2344-12670	0.3016	301 S PARKWAY DR

**Reinvestment Zone Number Three
Alvarado, Texas (Downtown TIRZ)
Legal Descriptions**

Property ID	Acerage¹	Property Address¹
126-2357-00010	0.23	300 N PARKWAY DR
126-2357-00020	0.2	208 N PARKWAY DR
126-2357-00030	0.152	206 N PARKWAY DR
126-2357-00040	3.098	204 N PARKWAY DR
126-2365-00010	0.215	404 N PARKWAY DR
126-2384-00010	1.15	955 W HWY 67
126-2389-00010	1.85	1165 W HWY 67
126-2389-00020	1.1	1163 W HWY 67
126-2401-00010	1.82	129 JANIS ST
126-2419-00050	0.46	105 S 5TH ST
126-2419-00090	0.5792	800 S SPARKS ST
126-2419-04130	0.7202	703 S PARKWAY DR
126-2419-04460	0.7148	709 S PARKWAY DR
126-2419-04500	0.2777	700 S PARKWAY DR
126-2419-04570	0.4345	701 S PARKWAY DR
126-2419-05700	0.3224	1004 S PARKWAY DR
126-2419-05710	0.809	1004 S PARKWAY DR
126-2419-05820	0.5221	902 S PARKWAY DR
126-2419-05990	0.3257	900 S PARKWAY DR
126-2419-06100	0.1056	810 S PARKWAY DR
126-2419-06101	0.284	808 S PARKWAY DR
126-2419-06105	0.0839	812 S PARKWAY DR
126-2419-06270	0.6456	800 S PARKWAY DR
126-2419-06380	1.54	702 S PARKWAY DR
126-2423-01010	0.911	1011 W HWY 67
126-2427-23010	0.304	211 N FRIOU ST
126-2427-23020	0.63	101 E PATTON ST
126-2427-23025	0.216	101 E PATTON ST
126-2431-00010	0.7	410 N BAUGH ST
126-2431-00030	0.267	408 N BAUGH ST
126-2431-00035	0.114	511 E SHELTON ST
126-2431-00050	1.4534	408 N BAUGH ST
126-2431-01001	0.05	204 E WEAVER ST
126-2431-01002	0.049	206 E WEAVER ST
126-2431-01003	0.053	208 E WEAVER ST
126-2431-01004	0.054	210 E WEAVER ST
126-2431-01005	0.054	212 E WEAVER ST
126-2431-01006	0.054	214 E WEAVER ST
126-2431-01007	0.054	216 E WEAVER ST
126-2431-01008	0.073	218 E WEAVER ST
126-2431-01009	0.06	205 E WEAVER ST

**Reinvestment Zone Number Three
Alvarado, Texas (Downtown TIRZ)
Legal Descriptions**

Property ID	Acerage¹	Property Address¹
126-2431-01010	0.059	207 E WEAVER ST
126-2431-01100	0.2141	409 N CUMMINGS DR
126-2431-01120	0.29	403 N CUMMINGS DR 1 & 2
126-2431-01230	0.293	311 N CUMMINGS DR
126-2431-01260	0.256	303 N CUMMINGS DR
126-2431-01270	0.21	301 N CUMMINGS DR
126-2431-02400	0.796	310 N BAUGH ST
126-2431-02550	1.725	206 N BAUGH ST
126-2431-02555	1.2251	210 N BAUGH ST
126-2431-02880	0.3989	310 N FRIOU ST
126-2431-02890	0.39	300 N FRIOU ST
126-2431-02900	0.118	207 E PURDOM AVE
126-2431-02910	0.3306	309 N SPARKS ST
126-2431-02920	0.2584	311 N SPARKS ST
126-2431-02940	0.4587	205 N SPARKS ST
126-2431-02950	0.2236	203 N SPARKS ST
126-2431-03540	0.222	113 W ADAIR ST
126-2431-03550	0.551	206 W PATTON ST
126-2431-03560	0.28	204 W PATTON ST
126-2431-03570	0.3871	202 N CUMMINGS DR
126-2431-03580	0.64	200 N CUMMINGS DR
126-2431-03590	0.7087	208 W COLLEGE AVE
126-2431-03595	0.0967	110 W COLLEGE AVE
126-2431-03700	0.17	207 N SPEARS ST
126-2431-03710	0.3263	205 N SPEARS ST
126-2431-03720	0.1837	107 W ADAIR ST
126-2431-03730	0.3012	201 N SPEARS ST
126-2431-03740	0.2489	109 W ADAIR ST
126-2431-03750	0.2708	111 W ADAIR ST
126-2431-03760	0.2214	106 W PATTON ST
126-2431-03770	0.238	108 W PATTON ST
126-2431-03780	0.4824	104 W COLLEGE AVE
126-2431-03790	0.3541	110 W COLLEGE ST
126-2431-03800	0.0951	104 W COLLEGE AVE
126-2431-03810	0.3673	100 W COLLEGE AVE
126-2431-03940	0.158	209 N FRIOU ST
126-2431-03950	0.1102	101 E COLLEGE AVE
126-2431-03951	0.0918	103 E COLLEGE AVE
126-2431-03960	0.169	107 E COLLEGE AVE
126-2431-03970	0.0992	111 E COLLEGE AVE
126-2431-03990	0.1653	115 E COLLEGE AVE

**Reinvestment Zone Number Three
Alvarado, Texas (Downtown TIRZ)
Legal Descriptions**

Property ID	Acerage¹	Property Address¹
126-2431-04010	0.193	119 E COLLEGE AVE
126-2431-04015	0.0403	105 N FRIOU ST
126-2431-04120	0.126	209 E PATTON ST
126-2431-04130	0.4025	201 N SPARKS ST
126-2431-04140	0.171	208 N FRIOU ST
126-2431-04143	0.171	210 N FRIOU ST
126-2431-04145	0.171	206 N FRIOU ST
126-2431-04150	0.45	201 E PATTON ST
126-2431-04160	0.11	207 E COLLEGE AVE
126-2431-04170	0.3636	201 E COLLEGE AVE
126-2431-04180	0.106	205 E COLLEGE AVE
126-2431-04190	0.202	209 E COLLEGE AVE
126-2431-04200	0.459	219 E COLLEGE AVE
126-2431-04300	0.3173	110 N SPARKS ST
126-2431-04320	0.2209	304 E PATTON ST
126-2431-04350	0.4065	103 N BAUGH ST
126-2431-04400	0.482	301 E COLLEGE AVE
126-2431-04480	0.0892	303 E COLLEGE AVE
126-2431-04590	1.518	100 N BAUGH ST
126-2431-04595	0.671	108 N BAUGH ST
126-2431-04800	0.1981	406 E COLLEGE AVE
126-2431-04840	0.2497	411 E WEAVER ST
126-2431-04850	0.2	409 E WEAVER ST
126-2431-05000	0.364	101 S SPARKS ST
126-2431-05020	0.1608	303 E WEAVER ST
126-2431-05040	0.127	305 E WEAVER ST
126-2431-05045	0.127	306 E COLLEGE AVE
126-2431-05070	0.1583	307 E WEAVER ST
126-2431-05080	0.4838	100 S BAUGH ST
126-2431-05200	0.8416	110 S SPARKS ST
126-2431-05230	0.0943	101 S FRIOU ST
126-2431-05231	0.074	206 E COLLEGE AVE
126-2431-05240	0.055	105 S FRIOU ST
126-2431-05250	0.057	103 S FRIOU ST
126-2431-05260	0.057	105 S FRIOU ST
126-2431-05270	0.184	109 S FRIOU ST
126-2431-05280	0.073	115 S FRIOU ST
126-2431-05290	0.147	117 S FRIOU ST
126-2431-05400	1.301	100 S SPEARS ST
126-2431-05401	0.124	110 S SPEARS ST
126-2431-05430	0.2436	109 W COLLEGE AVE

**Reinvestment Zone Number Three
Alvarado, Texas (Downtown TIRZ)
Legal Descriptions**

Property ID	Acerage¹	Property Address¹
126-2431-05450	0.2014	110 W WEAVER ST
126-2431-05560	0.366	209 W COLLEGE AVE
126-2431-05570	0.2014	111 W COLLEGE AVE
126-2431-05580	0.1473	206 W WEAVER ST
126-2431-05590	0.2011	108 W WEAVER ST
126-2431-05600	0.2413	211 W COLLEGE AVE
126-2431-05610	0.1909	208 W WEAVER ST
126-2431-05620	0.2561	210 W WEAVER ST
126-2431-05730	0.3289	109 W WEAVER ST
126-2431-05740	0.2278	111 W WEAVER ST
126-2431-05750	0.2323	205 W WEAVER ST
126-2431-05760	0.2088	207 W WEAVER ST
126-2431-05770	0.1488	209 W WEAVER ST
126-2431-05780	0.165	211 W WEAVER ST
126-2431-05785	0.1095	209 S CUMMINGS DR
126-2431-05790	0.705	210 W ATCHLEY ST
126-2431-05800	0.4855	200 W ATCHLEY ST
126-2431-05810	0.5021	202 W ATCHLEY ST
126-2431-05920	1.21	103 W WEAVER ST
126-2431-05930	0	103 W WEAVER ST
126-2431-05955	0.2	104 W ATCHLEY ST
126-2431-05960	0.2	106 W ATCHLEY ST
126-2431-05970	0.2379	210 S SPEARS ST
126-2431-06090	0.117	102 E WEAVER ST
126-2431-06100	0.0661	207 S SPEARS ST
126-2431-06110	0.059	104 E WEAVER ST
126-2431-06120	0.155	108 E WEAVER ST
126-2431-06140	0.069	110 E WEAVER ST
126-2431-06150	0.069	112 E WEAVER ST
126-2431-06160	0.2609	118 E WEAVER ST
126-2431-06170	0.1641	209 S SPEARS ST
126-2431-06175	0.3526	205 S FRIOU ST
126-2431-06200	0.2132	101 E ATCHLEY ST
126-2431-06320	0.415	204 S SPARKS ST
126-2431-06330	0.1616	202 E WEAVER ST
126-2431-06340	0.256	203 S FRIOU ST
126-2431-06350	0.4936	205 S FRIOU ST
126-2431-06360	0.18	209 E ATCHLEY ST
126-2431-06365	0.1842	206 S SPARKS ST
126-2431-06470	0.3686	304 E WEAVER ST
126-2431-06500	0.1956	306 E WEAVER ST

**Reinvestment Zone Number Three
Alvarado, Texas (Downtown TIRZ)
Legal Descriptions**

Property ID	Acerage¹	Property Address¹
126-2431-06510	0.1693	202 S BAUGH ST
126-2431-06550	0.2121	302 E WEAVER ST
126-2431-06560	0.129	201 S SPARKS ST
126-2431-06570	0.177	203 S SPARKS ST
126-2431-06580	0.2742	211 S SPARKS ST
126-2431-06585	0.2748	205 S SPARKS ST
126-2431-06690	0.2745	307 E ATCHLEY ST
126-2431-06710	0.146	204 S BAUGH ST
126-2431-06720	0.1455	309 E ATCHLEY ST
126-2431-07060	0.44	401 N CUMMINGS DR
126-2431-07800	1.2317	301 S SPEARS ST
126-2431-11900	7.159	502 E SHELTON ST
126-2443-00290	1.061	300 E Hwy 67
126-2443-01070	1.791	200 E Hwy 67
126-2443-01180	0.855	811 N Spears St
126-2443-01181	0.498	209 W Hwy 67
126-2443-01182	0.498	205 W Hwy 67
126-2443-01220	0.399	301 W Hwy 67
126-2443-01230	0.699	311 W Hwy 67
126-2443-01240	0.964	806 N Cummings Dr.
126-2460-01010	6.62	600 S PARKWAY DR
126-2468-00010	0.89	500 GLENWOOD DR
126-2468-00020	2.15	101 N PARKWAY DR
126-2491-00958	2.832	600 E Hwy 67
126-2491-00960	2.8	125 Janis St
126-3820-01010	0.14	303 W COTTER ST
126-3820-01020	0.18	301 W COTTER ST
126-3858-01010	3.497	416 N PARKWAY DR

¹Values obtained from Johnson County Appraisal District in 2023.

EXHIBIT C-1.1
PROJECTED TAXABLE VALUE

Reinvestment Zone Number Three
Alvarado, Texas (Downtown TIRZ)

Exhibit C-1.1: Projected Taxable Value - All

Year	Assessed	2.0%	Single-Family	Agricultural	Commercial	Industrial	Vacant Lots, Residential	Vacant Lots, Commercial	Institutional	Multi-Family	Undeveloped	Total
Ending	As Of ¹	Inflation Factor ²	Projected	Projected	Projected	Projected	Projected	Projected	Projected	Projected	Projected	Projected
			Assessed Value	Assessed Value	Assessed Value	Assessed Value	Assessed Value	Assessed Value	Assessed Value	Assessed Value	Assessed Value	Assessed Value
31-Dec-25	1-Jan-26	100%	\$15,590,272	\$2,078	\$20,132,886	\$964,580	\$752,473	\$958,923	\$9,657,904	\$4,796,493	\$2,537,937	\$55,393,546
31-Dec-26	1-Jan-27	102%	\$15,902,077	\$2,120	\$20,535,544	\$983,872	\$767,522	\$978,101	\$9,851,062	\$4,892,423	\$2,588,696	\$56,501,417
31-Dec-27	1-Jan-28	104%	\$16,220,119	\$2,162	\$20,946,255	\$1,003,549	\$782,873	\$997,663	\$10,048,083	\$4,990,271	\$2,640,470	\$57,631,445
31-Dec-28	1-Jan-29	106%	\$16,544,521	\$2,205	\$21,365,180	\$1,023,620	\$798,530	\$1,017,617	\$10,249,045	\$5,090,077	\$2,693,279	\$58,784,074
31-Dec-29	1-Jan-30	108%	\$16,875,412	\$2,249	\$21,792,483	\$1,044,092	\$814,501	\$1,037,969	\$10,454,026	\$5,191,878	\$2,747,145	\$59,959,756
31-Dec-30	1-Jan-31	110%	\$17,212,920	\$2,294	\$22,228,333	\$1,064,974	\$830,791	\$1,058,728	\$10,663,106	\$5,295,716	\$2,802,088	\$61,158,951
31-Dec-31	1-Jan-32	113%	\$17,557,178	\$2,340	\$22,672,900	\$1,086,274	\$847,407	\$1,079,903	\$10,876,369	\$5,401,630	\$2,858,129	\$62,382,130
31-Dec-32	1-Jan-33	115%	\$17,908,322	\$2,387	\$23,126,358	\$1,107,999	\$864,355	\$1,101,501	\$11,093,896	\$5,509,663	\$2,915,292	\$63,629,772
31-Dec-33	1-Jan-34	117%	\$18,266,488	\$2,435	\$23,588,885	\$1,130,159	\$881,642	\$1,123,531	\$11,315,774	\$5,619,856	\$2,973,598	\$64,902,368
31-Dec-34	1-Jan-35	120%	\$18,631,818	\$2,483	\$24,060,662	\$1,152,762	\$899,275	\$1,146,002	\$11,542,089	\$5,732,253	\$3,033,070	\$66,200,415
31-Dec-35	1-Jan-36	122%	\$19,004,455	\$2,533	\$24,541,876	\$1,175,818	\$917,260	\$1,168,922	\$11,772,931	\$5,846,898	\$3,093,731	\$67,524,423
31-Dec-36	1-Jan-37	124%	\$19,384,544	\$2,584	\$25,032,713	\$1,199,334	\$935,606	\$1,192,300	\$12,008,390	\$5,963,836	\$3,155,606	\$68,874,912
31-Dec-37	1-Jan-38	127%	\$19,772,235	\$2,635	\$25,533,367	\$1,223,321	\$954,318	\$1,216,146	\$12,248,558	\$6,083,113	\$3,218,718	\$70,252,410
31-Dec-38	1-Jan-39	129%	\$20,167,679	\$2,688	\$26,044,035	\$1,247,787	\$973,404	\$1,240,469	\$12,493,529	\$6,204,775	\$3,283,092	\$71,657,458
31-Dec-39	1-Jan-40	132%	\$20,571,033	\$2,742	\$26,564,916	\$1,272,743	\$992,872	\$1,265,279	\$12,743,399	\$6,328,871	\$3,348,754	\$73,090,608
31-Dec-40	1-Jan-41	135%	\$20,982,453	\$2,797	\$27,096,214	\$1,298,198	\$1,012,730	\$1,290,584	\$12,998,267	\$6,455,448	\$3,415,729	\$74,552,420
31-Dec-41	1-Jan-42	137%	\$21,402,103	\$2,853	\$27,638,138	\$1,324,162	\$1,032,984	\$1,316,396	\$13,258,233	\$6,584,557	\$3,484,044	\$76,043,468
31-Dec-42	1-Jan-43	140%	\$21,830,145	\$2,910	\$28,190,901	\$1,350,645	\$1,053,644	\$1,342,724	\$13,523,397	\$6,716,248	\$3,553,725	\$77,564,337
31-Dec-43	1-Jan-44	143%	\$22,266,747	\$2,968	\$28,754,719	\$1,377,658	\$1,074,717	\$1,369,578	\$13,793,865	\$6,850,573	\$3,624,799	\$79,115,624
31-Dec-44	1-Jan-45	146%	\$22,712,082	\$3,027	\$29,329,813	\$1,405,211	\$1,096,211	\$1,396,970	\$14,069,742	\$6,987,585	\$3,697,295	\$80,697,937
31-Dec-45	1-Jan-46	149%	\$23,166,324	\$3,088	\$29,916,410	\$1,433,315	\$1,118,135	\$1,424,909	\$14,351,137	\$7,127,336	\$3,771,241	\$82,311,895
31-Dec-46	1-Jan-47	152%	\$23,629,651	\$3,150	\$30,514,738	\$1,461,981	\$1,140,498	\$1,453,407	\$14,638,160	\$7,269,883	\$3,846,666	\$83,958,133
31-Dec-47	1-Jan-48	155%	\$24,102,244	\$3,213	\$31,125,032	\$1,491,221	\$1,163,308	\$1,482,475	\$14,930,923	\$7,415,281	\$3,923,599	\$85,637,296
31-Dec-48	1-Jan-49	158%	\$24,584,288	\$3,277	\$31,747,533	\$1,521,045	\$1,186,574	\$1,512,125	\$15,229,542	\$7,563,586	\$4,002,071	\$87,350,042
31-Dec-49	1-Jan-50	161%	\$25,075,974	\$3,342	\$32,382,484	\$1,551,466	\$1,210,306	\$1,542,367	\$15,534,133	\$7,714,858	\$4,082,112	\$89,097,043
31-Dec-50	1-Jan-51	164%	\$25,577,494	\$3,409	\$33,030,133	\$1,582,496	\$1,234,512	\$1,573,215	\$15,844,815	\$7,869,155	\$4,163,755	\$90,878,984
31-Dec-51	1-Jan-52	167%	\$26,089,044	\$3,477	\$33,690,736	\$1,614,146	\$1,259,202	\$1,604,679	\$16,161,712	\$8,026,538	\$4,247,030	\$92,696,563
31-Dec-52	1-Jan-53	171%	\$26,610,824	\$3,547	\$34,364,551	\$1,646,429	\$1,284,386	\$1,636,773	\$16,484,946	\$8,187,069	\$4,331,970	\$94,550,495
31-Dec-53	1-Jan-54	174%	\$27,143,041	\$3,618	\$35,051,842	\$1,679,357	\$1,310,074	\$1,669,508	\$16,814,645	\$8,350,810	\$4,418,610	\$96,441,504
31-Dec-54	1-Jan-55	178%	\$27,685,902	\$3,690	\$35,752,879	\$1,712,944	\$1,336,275	\$1,702,898	\$17,150,938	\$8,517,827	\$4,506,982	\$98,370,335
31-Dec-55	1-Jan-56	181%	\$28,239,620	\$3,764	\$36,467,936	\$1,747,203	\$1,363,001	\$1,736,956	\$17,493,956	\$8,688,183	\$4,597,122	\$100,337,741

MuniCap, Inc.

[https://municap.sharepoint.com/sites/ALLSTAFF/TEXAS/texas/Alvarado/TIRZ/Downtown_TIRZ/Projections/\[Alvarado Downtown TIRZ Projection_v2.1.xlsx\]EXHIBIT C-1.1-15-Jan-25](https://municap.sharepoint.com/sites/ALLSTAFF/TEXAS/texas/Alvarado/TIRZ/Downtown_TIRZ/Projections/[Alvarado Downtown TIRZ Projection_v2.1.xlsx]EXHIBIT C-1.1-15-Jan-25)

¹According to the Johnson County Appraisal District property is assessed as of January 1 annually.

²Assumes an annual inflation factor of 2.0%.

EXHIBIT C-1.2
INCREMENTAL REAL PROPERTY TAXES AVAILABLE FOR TIRZ OBLIGATIONS

Reinvestment Zone Number Three
Alvarado, Texas (Downtown TIRZ)

Exhibit C-1.2: Projected Incremental Assessed Value & Incremental Real Property Taxes Available for TIRZ Obligations

Development Year	Assessed	Inflation	Total Projected		Estimated	City of Alvarado Real Property Tax Rate	Total Incremental	Tax Rate Percentage of Total Incremental	Total Available Incremental
Ending	As of	Factor ¹	Assessed Value ²	Base Value	Incremental Value	(Per \$100 A.V.) ³	Tax Revenues	Tax Revenues ⁴	Tax Revenues
31-Dec-25	1-Jan-26	100%	\$55,393,546	(\$55,393,546)	\$0	\$0.782572	\$0	75.00%	\$0
31-Dec-26	1-Jan-27	102%	\$56,501,417	(\$55,393,546)	\$1,107,871	\$0.782572	\$8,670	75.00%	\$6,502
31-Dec-27	1-Jan-28	104%	\$57,631,445	(\$55,393,546)	\$2,237,899	\$0.782572	\$17,513	75.00%	\$13,135
31-Dec-28	1-Jan-29	106%	\$58,784,074	(\$55,393,546)	\$3,390,528	\$0.782572	\$26,533	75.00%	\$19,900
31-Dec-29	1-Jan-30	108%	\$59,959,756	(\$55,393,546)	\$4,566,210	\$0.782572	\$35,734	75.00%	\$26,800
31-Dec-30	1-Jan-31	110%	\$61,158,951	(\$55,393,546)	\$5,765,405	\$0.782572	\$45,118	75.00%	\$33,839
31-Dec-31	1-Jan-32	113%	\$62,382,130	(\$55,393,546)	\$6,988,584	\$0.782572	\$54,691	75.00%	\$41,018
31-Dec-32	1-Jan-33	115%	\$63,629,772	(\$55,393,546)	\$8,236,226	\$0.782572	\$64,454	75.00%	\$48,341
31-Dec-33	1-Jan-34	117%	\$64,902,368	(\$55,393,546)	\$9,508,822	\$0.782572	\$74,413	75.00%	\$55,810
31-Dec-34	1-Jan-35	120%	\$66,200,415	(\$55,393,546)	\$10,806,869	\$0.782572	\$84,572	75.00%	\$63,429
31-Dec-35	1-Jan-36	122%	\$67,524,423	(\$55,393,546)	\$12,130,877	\$0.782572	\$94,933	75.00%	\$71,200
31-Dec-36	1-Jan-37	124%	\$68,874,912	(\$55,393,546)	\$13,481,366	\$0.782572	\$105,501	75.00%	\$79,126
31-Dec-37	1-Jan-38	127%	\$70,252,410	(\$55,393,546)	\$14,858,864	\$0.782572	\$116,281	75.00%	\$87,211
31-Dec-38	1-Jan-39	129%	\$71,657,458	(\$55,393,546)	\$16,263,912	\$0.782572	\$127,277	75.00%	\$95,458
31-Dec-39	1-Jan-40	132%	\$73,090,608	(\$55,393,546)	\$17,697,062	\$0.782572	\$138,492	75.00%	\$103,869
31-Dec-40	1-Jan-41	135%	\$74,552,420	(\$55,393,546)	\$19,158,874	\$0.782572	\$149,932	75.00%	\$112,449
31-Dec-41	1-Jan-42	137%	\$76,043,468	(\$55,393,546)	\$20,649,922	\$0.782572	\$161,601	75.00%	\$121,200
31-Dec-42	1-Jan-43	140%	\$77,564,337	(\$55,393,546)	\$22,170,791	\$0.782572	\$173,502	75.00%	\$130,127
31-Dec-43	1-Jan-44	143%	\$79,115,624	(\$55,393,546)	\$23,722,078	\$0.782572	\$185,642	75.00%	\$139,232
31-Dec-44	1-Jan-45	146%	\$80,697,937	(\$55,393,546)	\$25,304,391	\$0.782572	\$198,025	75.00%	\$148,519
31-Dec-45	1-Jan-46	149%	\$82,311,895	(\$55,393,546)	\$26,918,349	\$0.782572	\$210,655	75.00%	\$157,992
31-Dec-46	1-Jan-47	152%	\$83,958,133	(\$55,393,546)	\$28,564,587	\$0.782572	\$223,538	75.00%	\$167,654
31-Dec-47	1-Jan-48	155%	\$85,637,296	(\$55,393,546)	\$30,243,750	\$0.782572	\$236,679	75.00%	\$177,509
31-Dec-48	1-Jan-49	158%	\$87,350,042	(\$55,393,546)	\$31,956,496	\$0.782572	\$250,083	75.00%	\$187,562
31-Dec-49	1-Jan-50	161%	\$89,097,043	(\$55,393,546)	\$33,703,497	\$0.782572	\$263,754	75.00%	\$197,816
31-Dec-50	1-Jan-51	164%	\$90,878,984	(\$55,393,546)	\$35,485,438	\$0.782572	\$277,699	75.00%	\$208,274
31-Dec-51	1-Jan-52	167%	\$92,696,563	(\$55,393,546)	\$37,303,017	\$0.782572	\$291,923	75.00%	\$218,942
31-Dec-52	1-Jan-53	171%	\$94,550,495	(\$55,393,546)	\$39,156,949	\$0.782572	\$306,431	75.00%	\$229,823
31-Dec-53	1-Jan-54	174%	\$96,441,504	(\$55,393,546)	\$41,047,958	\$0.782572	\$321,230	75.00%	\$240,922
31-Dec-54	1-Jan-55	178%	\$98,370,335	(\$55,393,546)	\$42,976,789	\$0.782572	\$336,324	75.00%	\$252,243
31-Dec-55	1-Jan-56	181%	\$100,337,741	(\$55,393,546)	\$44,944,195	\$0.782572	\$351,721	75.00%	\$263,791
Total							\$4,932,924		\$3,699,693

MuniCap, Inc.

¹Assumes an annual inflation factor of 2.0%.

²See Exhibit C-1.1.

³Represents the City of Alvarado real property tax rate for tax year 2024. Source: Johnson County Tax Assessor-Collector.

⁴Assumes 75.0% of the incremental tax revenues are available for the repayment of TIRZ obligations.

EXHIBIT C-1.3
**PROJECTED INCREMENTAL REAL PROPERTY TAXES AVAILABLE TO THE
CITY**

Reinvestment Zone Number Three
Alvarado, Texas (Downtown TIRZ)

Exhibit C-1.3: Projected Incremental Real Property Taxes Available to the City

Development Year	Bond Year	Inflation	Total Projected		Estimated	City of Alvarado Real Property Tax Rate	Total Incremental	Tax Rate Percent Available for	Total Available Incremental
Ending	Ending	Factor ¹	Assessed Value ²	Base Value	Incremental Value	(Per \$100 A.V.) ³	Tax Revenues	City ⁴	Tax Revenues
31-Dec-25	1-Jan-26	100%	\$55,393,546	(\$55,393,546)	\$0	\$0.782572	\$0	25.00%	\$0
31-Dec-26	1-Jan-27	102%	\$56,501,417	(\$55,393,546)	\$1,107,871	\$0.782572	\$8,670	25.00%	\$2,167
31-Dec-27	1-Jan-28	104%	\$57,631,445	(\$55,393,546)	\$2,237,899	\$0.782572	\$17,513	25.00%	\$4,378
31-Dec-28	1-Jan-29	106%	\$58,784,074	(\$55,393,546)	\$3,390,528	\$0.782572	\$26,533	25.00%	\$6,633
31-Dec-29	1-Jan-30	108%	\$59,959,756	(\$55,393,546)	\$4,566,210	\$0.782572	\$35,734	25.00%	\$8,933
31-Dec-30	1-Jan-31	110%	\$61,158,951	(\$55,393,546)	\$5,765,405	\$0.782572	\$45,118	25.00%	\$11,280
31-Dec-31	1-Jan-32	113%	\$62,382,130	(\$55,393,546)	\$6,988,584	\$0.782572	\$54,691	25.00%	\$13,673
31-Dec-32	1-Jan-33	115%	\$63,629,772	(\$55,393,546)	\$8,236,226	\$0.782572	\$64,454	25.00%	\$16,114
31-Dec-33	1-Jan-34	117%	\$64,902,368	(\$55,393,546)	\$9,508,822	\$0.782572	\$74,413	25.00%	\$18,603
31-Dec-34	1-Jan-35	120%	\$66,200,415	(\$55,393,546)	\$10,806,869	\$0.782572	\$84,572	25.00%	\$21,143
31-Dec-35	1-Jan-36	122%	\$67,524,423	(\$55,393,546)	\$12,130,877	\$0.782572	\$94,933	25.00%	\$23,733
31-Dec-36	1-Jan-37	124%	\$68,874,912	(\$55,393,546)	\$13,481,366	\$0.782572	\$105,501	25.00%	\$26,375
31-Dec-37	1-Jan-38	127%	\$70,252,410	(\$55,393,546)	\$14,858,864	\$0.782572	\$116,281	25.00%	\$29,070
31-Dec-38	1-Jan-39	129%	\$71,657,458	(\$55,393,546)	\$16,263,912	\$0.782572	\$127,277	25.00%	\$31,819
31-Dec-39	1-Jan-40	132%	\$73,090,608	(\$55,393,546)	\$17,697,062	\$0.782572	\$138,492	25.00%	\$34,623
31-Dec-40	1-Jan-41	135%	\$74,552,420	(\$55,393,546)	\$19,158,874	\$0.782572	\$149,932	25.00%	\$37,483
31-Dec-41	1-Jan-42	137%	\$76,043,468	(\$55,393,546)	\$20,649,922	\$0.782572	\$161,601	25.00%	\$40,400
31-Dec-42	1-Jan-43	140%	\$77,564,337	(\$55,393,546)	\$22,170,791	\$0.782572	\$173,502	25.00%	\$43,376
31-Dec-43	1-Jan-44	143%	\$79,115,624	(\$55,393,546)	\$23,722,078	\$0.782572	\$185,642	25.00%	\$46,411
31-Dec-44	1-Jan-45	146%	\$80,697,937	(\$55,393,546)	\$25,304,391	\$0.782572	\$198,025	25.00%	\$49,506
31-Dec-45	1-Jan-46	149%	\$82,311,895	(\$55,393,546)	\$26,918,349	\$0.782572	\$210,655	25.00%	\$52,664
31-Dec-46	1-Jan-47	152%	\$83,958,133	(\$55,393,546)	\$28,564,587	\$0.782572	\$223,538	25.00%	\$55,885
31-Dec-47	1-Jan-48	155%	\$85,637,296	(\$55,393,546)	\$30,243,750	\$0.782572	\$236,679	25.00%	\$59,170
31-Dec-48	1-Jan-49	158%	\$87,350,042	(\$55,393,546)	\$31,956,496	\$0.782572	\$250,083	25.00%	\$62,521
31-Dec-49	1-Jan-50	161%	\$89,097,043	(\$55,393,546)	\$33,703,497	\$0.782572	\$263,754	25.00%	\$65,939
31-Dec-50	1-Jan-51	164%	\$90,878,984	(\$55,393,546)	\$35,485,438	\$0.782572	\$277,699	25.00%	\$69,425
31-Dec-51	1-Jan-52	167%	\$92,696,563	(\$55,393,546)	\$37,303,017	\$0.782572	\$291,923	25.00%	\$72,981
31-Dec-52	1-Jan-53	171%	\$94,550,495	(\$55,393,546)	\$39,156,949	\$0.782572	\$306,431	25.00%	\$76,608
31-Dec-53	1-Jan-54	174%	\$96,441,504	(\$55,393,546)	\$41,047,958	\$0.782572	\$321,230	25.00%	\$80,307
31-Dec-54	1-Jan-55	178%	\$98,370,335	(\$55,393,546)	\$42,976,789	\$0.782572	\$336,324	25.00%	\$84,081
31-Dec-55	1-Jan-56	181%	\$100,337,741	(\$55,393,546)	\$44,944,195	\$0.782572	\$351,721	25.00%	\$87,930
Total							\$4,932,924		\$1,233,231

MuniCap, Inc.

¹Assumes an annual inflation factor of 2.0%.

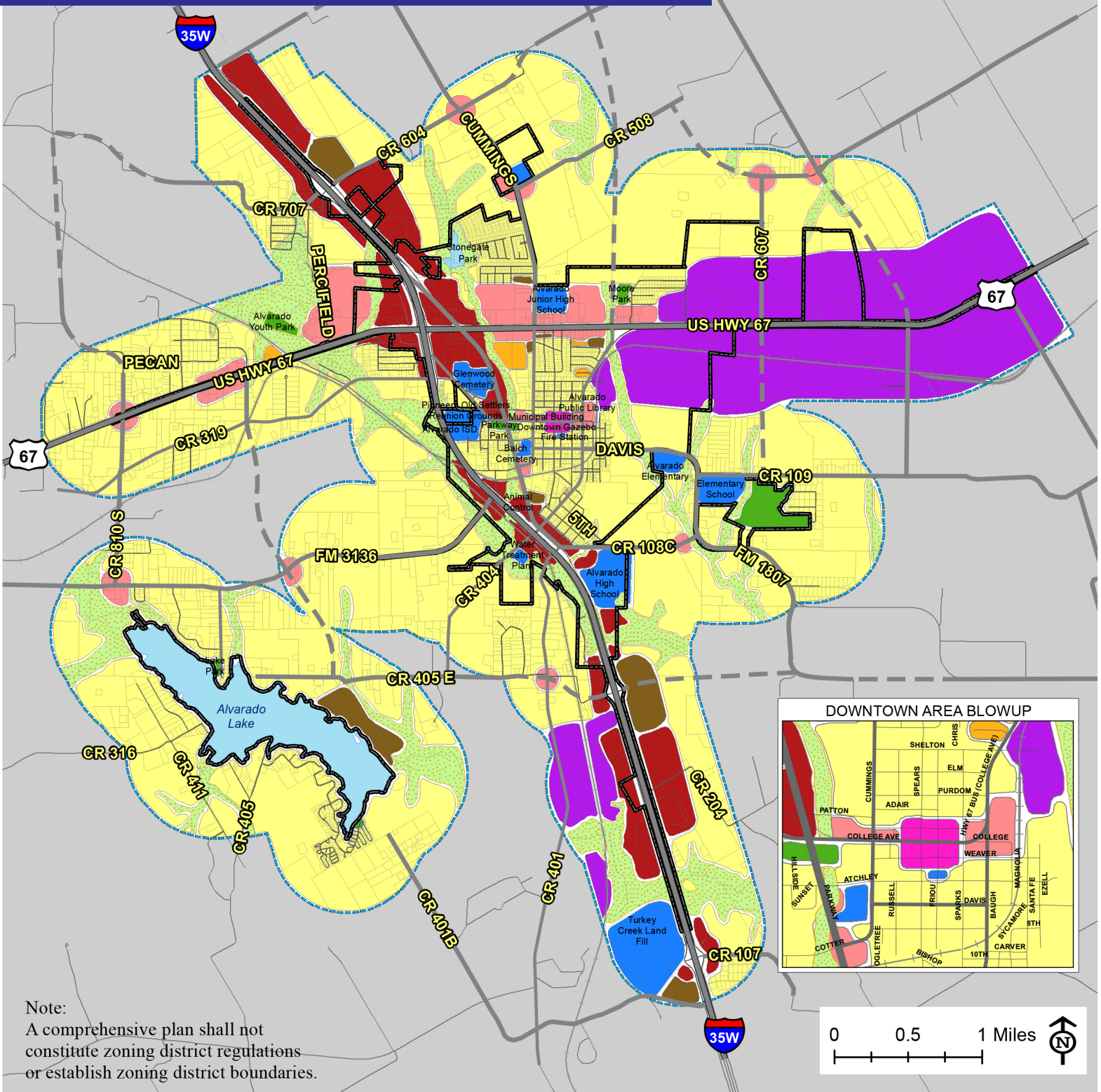
²See Exhibit C-1.1.

³Represents the City of Alvarado real property tax rate for tax year 2024. Source: Johnson County Tax Assessor-Collector.

⁴Assumes 25.0% of the incremental tax revenues are available to the City.

EXHIBIT D
MAP AND DESCRIPTION OF THE PROPOSED USES OF THE PROPERTY
(CURRENT CONCEPT PLAN)

Figure 18. Future Land Use



City of Alvarado

Future Land Use

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

- City Limits
- ETJ

EXHIBIT E
LIST OF PARCELS IN THE ZONE
(See Exhibit H)

EXHIBIT F
PROJECT COSTS

ESTIMATED PROJECT COSTS

Public Improvement	Total
Water Improvements	\$500,000
Sanitary Sewer Improvements	\$500,000
Storm Drainage Improvements	\$500,000
Roadway Improvements	\$1,000,000
Parking Improvements	\$1,000,000
Lighting Improvements	\$500,000
Decorations	\$500,000
Administrative Expenses	\$750,000
Economic Development Grants	\$500,000
Total Project Costs financed	\$500,000

EXHIBIT G
MAP OF PUBLIC IMPROVEMENTS

EXHIBIT H
CURRENT APPRAISED VALUE OF THE ZONE (BASE YEAR)

**Reinvestment Zone Number Three
Alvarado, Texas (Downtown TIRZ)
Base Year Market Value vs Taxable Value
2023**

Property ID	Existing Land Use	Acreage	Owner	Market Value ¹	Taxable Value ^{1,2}
126-0044-00840	Multi-Family	5.822	ALVARADO HEIGHTS LTD	\$800,122.00	\$800,122.00
126-0214-00551	Commercial	2	WELLS FARGO	\$1,440,799.00	\$1,440,799.00
126-0214-00730	Agricultural	10.594	TOCHAL INVESTMENT PROPERTIES LLC	\$1,979,728.00	\$1,250.00
126-0214-00735	Commercial	0.569	ALVARADO EXPRESS LUBE	\$473,919.00	\$473,919.00
126-0214-00737	Vacant Lots, Commercial	0.256	J L R J INC	\$39,029.00	\$39,029.00
126-0313-00005	Undeveloped	0.16	BALL RALPH O &	\$20,602.00	\$20,602.00
126-0313-00170	Undeveloped	0.22	CANALES RAMIRO ETUX	\$48,170.00	\$48,170.00
126-0313-00210	Single-Family	0.1755	CANALES RAMIRO ETUX	\$81,274.00	\$81,274.00
126-0313-00260	Single-Family	1.83	BALL RALPH O JR	\$235,543.00	\$157,815.00
126-0313-00350	Single-Family	0.264	LOPEZ BEATRIZ	\$95,723.00	\$88,600.00
126-0313-00370	Single-Family	0.36	BAILEY ELSEN EDWARD JR ETUX	\$77,000.00	\$77,000.00
126-0313-00371	Single-Family	0.89	ROSAS GUILLERMO ETUX	\$180,508.00	\$180,508.00
126-0313-00390	Commercial	0.868	JOHNSON COLTON	\$43,515.00	\$43,515.00
126-0313-00450	Undeveloped	1.083	WALLACE PEGGY & CYNTHIA RUSSELL	\$75,810.00	\$75,810.00
126-0313-00460	Single-Family	0.1469	NY TEXAS EQUITIES LLC	\$68,367.00	\$68,367.00
126-0313-00461	Commercial	0.0771	NY TEXAS EQUITIES LLC	\$26,189.00	\$26,189.00
126-0313-00500	Undeveloped	0.48	MC CARRELL SUSAN THRELKELD	\$80,956.00	\$62,155.00
126-0313-00510	Single-Family	0.39	WEICHEL STEPHANIE NICOLE	\$229,449.00	\$229,449.00
126-0313-00521	Single-Family	0.25	SCARBERRY DOUGLAS E ETUX	\$78,430.00	\$78,430.00
126-0313-00530	Commercial	0.43	PICKENS ROBERT W	\$70,699.00	\$70,699.00
126-0313-00590	Commercial	0.723	ALVARADO OLD PUEBLO LTD	\$225,205.00	\$225,205.00
126-0313-00600	Commercial	0.23	KALACHANDJIS INN CORP	\$134,057.00	\$134,057.00
126-0313-00610	Single-Family	1.5	MANOS RONNIE & NICOLE JACKSON	\$250,546.00	\$190,598.00
126-0313-00615	Institutional	17.724	ALVARADO GLENWOOD CEMETERY	\$274,722.00	\$274,722.00
126-0313-00618	Institutional	5.286	CITY OF ALVARADO	\$232,584.00	\$232,584.00
126-0313-00630	Single-Family	0.1671	CANALES RAMIRO	\$106,162.00	\$106,162.00
126-0313-00640	Commercial	1.83	TEXAS FIRST HOMES LLC	\$130,828.00	\$130,828.00
126-0313-00650	Institutional	1.59	ALVARADO ECONOMIC	\$109,375.00	\$109,375.00
126-0313-00700	Single-Family	0.197	SCARBERRY DOUGLAS E ETUX ROBIN A	\$105,112.00	\$105,112.00
126-0313-00701	Undeveloped	5.593	REYNOLDS JONI L AND	\$262,871.00	\$262,871.00
126-0313-00789	Multi-Family	0.083	MOORE JEREMY ETUX &	\$98,155.00	\$65,875.00
126-0313-00790	Multi-Family	0.082	MOORE JEREMY ETUX &	\$116,766.00	\$65,758.00
126-0313-00791	Single-Family	0.4532	DHW HOLDINGS LLC	\$94,916.00	\$94,916.00
126-0313-00792	Single-Family	0.29	MORGAN CHARLES	\$79,959.00	\$79,959.00
126-0313-00795	Undeveloped	1.24	MOORE JEREMY ETUX &	\$86,800.00	\$86,800.00
126-0313-00800	Single-Family	1.096	SAN MIGUEL JOSE &	\$119,996.00	\$59,208.00
126-0313-00811	Single-Family	1.52	BRADLEY GLENN D	\$164,381.00	\$102,895.00
126-0313-00820	Single-Family	0.29	GOENAGA NORELIA	\$142,496.00	\$95,725.00
126-0313-00880	Undeveloped	0.39	E-Z MART STORES INC	\$32,277.00	\$32,277.00
126-0313-00890	Undeveloped	1.793	MASSEY H F	\$46,862.00	\$46,862.00
126-0313-00891	Single-Family	0.79	LAROCCO MICKI	\$111,924.00	\$111,924.00
126-0313-00900	Single-Family	1.406	MARTINEZ ROSA	\$144,477.00	\$60,210.00
126-0313-00901	Undeveloped	0.78	MARTINEZ ARNOLD	\$45,882.00	\$45,882.00
126-0313-00902	Single-Family	0.23	MORALEZ ANNETTE ETVIR FRANKIE	\$45,418.00	\$34,319.00
126-0313-00950	Commercial	0.195	379 PROPERTY GROUP LLC	\$103,804.00	\$103,804.00
126-0313-00960	Commercial	0.204	ALVARADO OLD PUEBLO LTD	\$315,375.00	\$315,375.00
126-0313-01250	Undeveloped	0.5	LAMBERT & GREEN LLC	\$36,102.00	\$36,102.00
126-0313-01260	Undeveloped	4	AGAVE DEVELOPMENT GROUP LLC	\$261,360.00	\$261,360.00
126-0313-01270	Undeveloped	4.38	AGAVE DEVELOPMENT GROUP LLC	\$205,860.00	\$134,028.00
126-0313-01300	Undeveloped	17.513	TOCHAL INVESTMENT PROPERTIES LLC	\$308,667.00	\$308,667.00
126-0313-01310	Undeveloped	12.987	E-Z MART STORES INC	\$305,195.00	\$241,559.00
126-0313-01390	Single-Family	0.41	JONES IAN ETUX AMANDA	\$167,765.00	\$167,765.00
126-0313-01410	Single-Family	0.39	RETANA ALBERT	\$108,179.00	\$108,179.00
126-0313-01420	Single-Family	0.36	MAIN BEAM CONSTRUCTION LLC	\$115,073.00	\$115,073.00
126-0313-01430	Commercial	0.52	TACKETT JOE N ETUX	\$54,951.00	\$54,951.00
126-0313-01440	Single-Family	0.4785	WEST CODY ALLEN	\$241,330.00	\$241,330.00
126-0313-01460	Undeveloped	0.39	E-Z MART STORES INC	\$32,277.00	\$32,277.00
126-0479-00140	Commercial	2.53	RF & SONS PROPERTIES LLC	\$966,899.00	\$966,899.00
126-0479-00140	Commercial	2.53	RF & SONS PROPERTIES LLC	\$966,899.00	\$966,899.00
126-0515-00290	Undeveloped	4.729	BOREN MARK A	\$184,663.00	\$184,663.00
126-0515-00380	Undeveloped	2.2	RAMIREZ HUGO	\$77,000.00	\$67,320.00
126-0684-00020	Institutional	1.06	CITY OF ALVARADO	\$99,347.00	\$99,347.00
126-0737-00005	Undeveloped	0.677	TOCHAL INVESTMENT PROPERTIES LLC	\$51,608.00	\$51,608.00
126-0737-00008	Agricultural	7.013	E-Z MART STORES INC	\$534,601.00	\$828.00
126-0737-00070	Vacant Lots, Commercial	3.531	TWO MARIES HARRIS LLC	\$230,715.00	\$230,715.00
126-0737-01102	Vacant Lots, Commercial	1.1	Fraeter Antje & Florian	\$167,706.00	\$167,706.00
126-0737-01103	Commercial	1.1	Cfre Holdings Llc	\$471,333.00	\$471,333.00
126-0737-01106	Undeveloped	1.1	Alvarado Mini Storage Lp	\$143,748.00	\$143,748.00
126-0737-01108	Undeveloped	1.1	Torrez & Sons Real Estate Llc	\$167,706.00	\$167,706.00
126-0737-01109	Undeveloped	1.1	Alvarado Mini Storage Lp	\$143,748.00	\$143,748.00
126-2152-14010	Industrial	1.61	HOLMES JASON	\$63,118.00	\$63,118.00
126-2154-00190	Vacant Lots, Residential	3.1547	ULLOA FRANCISCO J & MARIA T VALLE	\$111,203.00	\$111,203.00
126-2174-01010	Vacant Lots, Commercial	2.285	MACDONALD REALTY GROUP LLC	\$348,371.00	\$348,371.00
126-2177-01010	Commercial	1.476	MC ANALLY BRUCE	\$874,670.00	\$874,670.00
126-2343-01010	Single-Family	0.358	SCARBERRY DOUGLAS	\$108,750.00	\$108,750.00
126-2343-01020	Vacant Lots, Residential	0.232	SCARBERRY DOUGLAS	\$20,717.00	\$20,717.00
126-2344-02180	Institutional	2.59	CITY OF ALVARADO	\$42,500.00	\$42,500.00
126-2344-10780	Commercial	2.345	THOMPSON DANELLA ETVIR JOHNNY	\$259,529.00	\$259,529.00
126-2344-12670	Single-Family	0.3016	THOMAS ORBIE KENNETH	\$83,492.00	\$83,492.00

**Reinvestment Zone Number Three
Alvarado, Texas (Downtown TIRZ)
Base Year Market Value vs Taxable Value
2023**

Property ID	Existing Land Use	Acerage	Owner	Market Value ¹	Taxable Value ^{1,2}
126-2357-00010	Commercial	0.23	LARIZ FERNANDO	\$165,463.00	\$165,463.00
126-2357-00020	Commercial	0.2	WATSON SUSAN & JEREMY	\$158,822.00	\$158,822.00
126-2357-00030	Commercial	0.152	THOMPSON DANELLA ETVIR JOHNNY	\$135,645.00	\$135,645.00
126-2357-00040	Commercial	3.098	AMADEUS HOLDINGS INC	\$222,793.00	\$222,793.00
126-2365-00010	Institutional	0.215	ALVARADO HELPING HANDS FOR JESUS	\$198,354.00	\$198,354.00
126-2419-05700	Institutional	0.3224	FULL GOSPEL INC	\$42,500.00	\$42,500.00
126-2419-05710	Institutional	0.809	FULL GOSPEL INC	\$470,757.00	\$470,757.00
126-2419-05820	Vacant Lots, Residential	0.5221	MOORE MARTIN S JR ETUX	\$42,500.00	\$42,500.00
126-2419-05990	Commercial	0.3257	HATAWAY D J & WOLFE MARIE	\$47,360.00	\$47,360.00
126-2419-06100	Commercial	0.1056	MURRAYS AUTO REPAIR	\$111,668.00	\$111,668.00
126-2419-06101	Vacant Lots, Residential	0.284	MURRAY JARED & SHANNON	\$25,979.00	\$25,979.00
126-2419-06105	Commercial	0.0839	MURRAYS AUTO REPAIR	\$24,175.00	\$24,175.00
126-2419-06270	Single-Family	0.6456	DAVIS FORREST BROWN III	\$190,630.00	\$180,596.00
126-2419-06380	Industrial	1.54	BIDA DAN P	\$186,613.00	\$186,613.00
126-2423-01010	Commercial	0.911	PARSONS TRUST	\$682,744.00	\$682,744.00
126-2427-23010	Single-Family	0.304	DAVILA ADRIAN L	\$198,150.00	\$198,150.00
126-2427-23020	Institutional	0.63	PAULA RAYBURN MINISTRIES INC	\$48,025.00	\$48,025.00
126-2427-23025	Institutional	0.216	PAULA RAYBURN MINISTRIES INC	\$107,085.00	\$107,085.00
126-2431-00010	Commercial	0.7	TERRAZAS JUAN	\$121,776.00	\$121,776.00
126-2431-00030	Single-Family	0.267	BENNETT JOE D ETUX	\$192,610.00	\$87,407.00
126-2431-00035	Single-Family	0.114	BENNETT MICHAEL WAYNE ETUX	\$142,277.00	\$142,277.00
126-2431-00050	Vacant Lots, Residential	1.4534	BENNETT JOE DOUGLAS	\$101,738.00	\$101,738.00
126-2431-01001	Vacant Lots, Residential	0.05	BARMONT LP	\$8,500.00	\$8,500.00
126-2431-01002	Vacant Lots, Residential	0.049	BARMONT LP	\$8,500.00	\$8,500.00
126-2431-01003	Vacant Lots, Residential	0.053	BARMONT LP	\$8,500.00	\$8,500.00
126-2431-01004	Vacant Lots, Residential	0.054	BARMONT LP	\$8,500.00	\$8,500.00
126-2431-01005	Vacant Lots, Residential	0.054	BARMONT LP	\$8,500.00	\$8,500.00
126-2431-01006	Vacant Lots, Residential	0.054	BARMONT LP	\$8,500.00	\$8,500.00
126-2431-01007	Vacant Lots, Residential	0.054	BARMONT LP	\$8,500.00	\$8,500.00
126-2431-01008	Vacant Lots, Residential	0.073	BARMONT LP	\$8,500.00	\$8,500.00
126-2431-01009	Vacant Lots, Residential	0.06	BARMONT LP	\$8,500.00	\$8,500.00
126-2431-01010	Vacant Lots, Residential	0.059	BARMONT LP	\$8,500.00	\$8,500.00
126-2431-01100	Single-Family	0.2141	NELSON THOMAS DONNAVAN &	\$42,500.00	\$20,068.00
126-2431-01120	Multi-Family	0.29	LEHEW INVESTMENTS INC &	\$280,910.00	\$280,910.00
126-2431-01230	Multi-Family	0.293	LEHEW INVESTMENTS INC	\$280,910.00	\$280,910.00
126-2431-01260	Single-Family	0.256	SCARBERRY DOUG ETUX ROBIN	\$174,010.00	\$146,297.00
126-2431-01270	Vacant Lots, Residential	0.21	SCARBERRY DOUGLAS E	\$42,500.00	\$42,500.00
126-2431-02400	Commercial	0.796	WELBORN BILLY D	\$134,781.00	\$134,781.00
126-2431-02550	Institutional	1.725	JOHNSON COUNTY	\$2,309,628.00	\$2,309,628.00
126-2431-02555	Institutional	1.2251	CITY OF ALVARADO	\$601,319.00	\$601,319.00
126-2431-02880	Single-Family	0.3989	DUNCAN DANA ETVIR JAMES VINCENT	\$263,779.00	\$97,785.00
126-2431-02890	Single-Family	0.39	GRIFFIN KALOB & AMANDA COLEMAN	\$261,390.00	\$227,456.00
126-2431-02900	Single-Family	0.118	SEC OF HUD	\$143,000.00	\$143,000.00
126-2431-02910	Single-Family	0.3306	BAKER CHARLES	\$240,667.00	\$77,245.00
126-2431-02920	Single-Family	0.2584	BATES CYNTHIA	\$221,809.00	\$70,617.00
126-2431-02940	Single-Family	0.4587	FARMER RUSSELL W ETUX KATHERINE	\$290,292.00	\$149,303.00
126-2431-02950	Single-Family	0.2236	NICHOLS JERRY WAYNE	\$241,632.00	\$241,632.00
126-2431-03540	Single-Family	0.222	CROWELL JAMES ANDREW	\$211,720.00	\$80,244.00
126-2431-03550	Single-Family	0.551	CASSEL JACK E	\$252,721.00	\$220,501.00
126-2431-03560	Single-Family	0.28	ALVAREZ VIRGINIA	\$367,736.00	\$132,865.00
126-2431-03570	Single-Family	0.3871	STEPHENS RABIN DEAN &	\$230,561.00	\$202,637.00
126-2431-03580	Single-Family	0.64	CLARK DONALD R ETUX KATE H	\$221,029.00	\$137,336.00
126-2431-03590	Commercial	0.7087	STEEL CITY HOLDINGS LLC	\$99,827.00	\$99,827.00
126-2431-03595	Commercial	0.0967	DORAN LARRY	\$42,500.00	\$42,500.00
126-2431-03700	Single-Family	0.17	LEWIS BRENDON & RELEIGH LEWIS	\$112,728.00	\$112,728.00
126-2431-03710	Single-Family	0.3263	SHELPER KENNETH ETUX JOYCE ANN	\$368,524.00	\$156,235.00
126-2431-03720	Single-Family	0.1837	STACKS SHERRY LYNN	\$269,303.00	\$217,405.00
126-2431-03730	Single-Family	0.3012	CARRIER RESIDENTIAL PROPERTIES INC	\$231,505.00	\$203,396.00
126-2431-03740	Single-Family	0.2489	VALENZUELA RAMON ALEJANDRO	\$273,385.00	\$234,556.00
126-2431-03750	Single-Family	0.2708	LOVE JAMES LOVAN	\$223,694.00	\$69,480.00
126-2431-03760	Single-Family	0.2214	POWELL DAL ETUX LOLA FAYE	\$265,318.00	\$230,406.00
126-2431-03770	Single-Family	0.238	GARZA LILIANA VAQUERA	\$142,814.00	\$49,124.00
126-2431-03780	Institutional	0.4824	CITY OF ALVARADO	\$248,900.00	\$248,900.00
126-2431-03790	Commercial	0.3541	STEEL CITY HOLDINGS LLC	\$143,911.00	\$143,911.00
126-2431-03800	Institutional	0.0951	CITY OF ALVARADO	\$42,500.00	\$42,500.00
126-2431-03810	Institutional	0.3673	CITY OF ALVARADO	\$110,189.00	\$110,189.00
126-2431-03940	Institutional	0.158	PAULA RAYBURN MINISTRIES INC	\$252,996.00	\$252,996.00
126-2431-03950	Institutional	0.1102	ALVARADO CENTRAL BAPTIST CHURCH INC	\$179,920.00	\$179,920.00
126-2431-03951	Institutional	0.0918	ALVARADO CENTRAL BAPTIST CHURCH INC	\$88,300.00	\$88,300.00
126-2431-03960	Institutional	0.169	CITY OF ALVARADO	\$181,781.00	\$181,781.00
126-2431-04145	Single-Family	0.171	DHW HOLDINGS LLC	\$290,806.00	\$290,806.00
126-2431-04150	Commercial	0.45	VAUGHN FAMILY INVESTMENTS LLC	\$301,857.00	\$301,857.00
126-2431-04160	Commercial	0.11	STANLEY ROGER	\$78,313.00	\$78,313.00
126-2431-04170	Institutional	0.3636	ALVARADO ECONOMIC	\$234,824.00	\$234,824.00
126-2431-04180	Commercial	0.106	WELBORN RONALD TRUSTEE	\$113,843.00	\$113,843.00
126-2431-04190	Commercial	0.202	SWINDLE KENNETH M	\$90,720.00	\$90,720.00
126-2431-04200	Commercial	0.459	HANKS DEBORA K	\$171,320.00	\$171,320.00
126-2431-04300	Single-Family	0.3173	HICKMAN JOANN ESTATE OF	\$169,505.00	\$73,591.00
126-2431-04320	Single-Family	0.2209	HERNANDEZ SHARLIN ETVIR MIGUEL A	\$242,807.00	\$194,589.00

**Reinvestment Zone Number Three
Alvarado, Texas (Downtown TIRZ)
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2023**

Property ID	Existing Land Use	Acerage	Owner	Market Value ¹	Taxable Value ^{1,2}
126-2431-04350	Single-Family	0.4065	MAGER MICHAEL B	\$110,849.00	\$110,849.00
126-2431-04400	Commercial	0.482	SWINDLE KENNETH	\$253,226.00	\$253,226.00
126-2431-04480	Vacant Lots, Residential	0.0892	RAMBO BILLY W	\$12,750.00	\$12,750.00
126-2431-04590	Commercial	1.518	SPEARPOINT ENTERPRISES LLC	\$616,042.00	\$616,042.00
126-2431-04595	Commercial	0.671	WALDROP & WILLIAMS LLCL	\$318,897.00	\$318,897.00
126-2431-04800	Vacant Lots, Residential	0.1981	TORREZ AND SONS RE LLC	\$42,500.00	\$42,500.00
126-2431-04840	Commercial	0.2497	TACKETT JOE	\$32,411.00	\$32,411.00
126-2431-04850	Single-Family	0.2	WOOD JAMIE JO	\$270,669.00	\$99,766.00
126-2431-05000	Commercial	0.364	STEEL CITY HOLDINGS LLC	\$119,196.00	\$119,196.00
126-2431-05020	Vacant Lots, Residential	0.1608	STEEL CITY HOLDINGS LLC	\$42,500.00	\$42,500.00
126-2431-05040	Single-Family	0.127	WOODALL JAMES	\$221,884.00	\$221,884.00
126-2431-05045	Single-Family	0.127	WOODALL JAMES	\$221,884.00	\$221,884.00
126-2431-05070	Single-Family	0.1583	RIOS CANDELARIA CASTILLO ETAL	\$194,110.00	\$173,070.00
126-2431-05080	Single-Family	0.4838	WLASIUK JENNIFER	\$406,166.00	\$315,160.00
126-2431-05200	Single-Family	0.8416	ALVARADO RENTALS LLC	\$372,177.00	\$372,177.00
126-2431-05230	Commercial	0.0943	COSTANZA MIKE ETUX MARY	\$72,660.00	\$72,660.00
126-2431-05231	Commercial	0.074	DANCE FUSION LLC	\$70,304.00	\$70,304.00
126-2431-05240	Vacant Lots, Residential	0.055	LAMBERT & GREEN LLC	\$42,500.00	\$42,500.00
126-2431-05250	Commercial	0.057	WILLIAMS STEVEN C & REBECCA	\$73,644.00	\$73,644.00
126-2431-05260	Commercial	0.057	LAMBERT & GREEN LLC	\$49,460.00	\$49,460.00
126-2431-05270	Commercial	0.184	NEELEY LINDA	\$109,923.00	\$109,923.00
126-2431-05280	Commercial	0.073	NEATHERY JAMES C ETUX JANA KAYE	\$58,415.00	\$58,415.00
126-2431-05290	Commercial	0.147	NEATHERY JAMES C ETUX JANA KAYE	\$138,607.00	\$138,607.00
126-2431-05400	Commercial	1.301	DAVIDS SUPERMARKETS INC	\$481,034.00	\$481,034.00
126-2431-05610	Single-Family	0.1909	GARCIA ROBERT	\$164,232.00	\$149,231.00
126-2431-05620	Single-Family	0.2561	JASTER JEFFREY ANDREW	\$223,262.00	\$144,955.00
126-2431-05730	Single-Family	0.3289	LOPEZ BEATRIZ	\$200,460.00	\$74,425.00
126-2431-05740	Single-Family	0.2278	SANCHEZ BEATRIZ ADRIANA	\$181,604.00	\$181,604.00
126-2431-05750	Single-Family	0.2323	TORRES LETICIA	\$201,862.00	\$179,312.00
126-2431-05760	Vacant Lots, Residential	0.2088	GARCIA ROBERT ETUX SULEMA V	\$42,500.00	\$42,500.00
126-2431-05770	Single-Family	0.1488	GARCIA ROBERT	\$213,444.00	\$188,635.00
126-2431-05780	Single-Family	0.165	OLVERA GUILLERMO ETUX MARICELA	\$164,899.00	\$106,188.00
126-2431-05785	Single-Family	0.1095	OLVERA RODOLFO	\$214,856.00	\$173,960.00
126-2431-05790	Institutional	0.705	TEXAS CONFERENCE ASSOCIATION	\$456,137.00	\$456,137.00
126-2431-05800	Single-Family	0.4855	WETHERBY MARTHA	\$243,880.00	\$88,799.00
126-2431-05810	Institutional	0.5021	TEXAS CONFERENCE ASSOCIATION	\$562,064.00	\$562,064.00
126-2431-05920	Commercial	1.21	SOUTHWESTERN BELL	\$158,122.00	\$158,122.00
126-2431-05930	Industrial	0	SW Bell Telephone Co	\$150,000.00	\$150,000.00
126-2431-05955	Single-Family	0.2	GIPSON JERRON	\$386,795.00	\$353,113.00
126-2431-05960	Single-Family	0.2	CRUZ RAFAEL ETUX MARTHA Y	\$360,911.00	\$313,053.00
126-2431-05970	Single-Family	0.2379	HARDEGREE JAMES S	\$250,567.00	\$97,896.00
126-2431-06090	Vacant Lots, Residential	0.117	G & L ENTERPRISES	\$15,300.00	\$15,300.00
126-2431-06100	Vacant Lots, Residential	0.0661	LAFOUNTAIN GREG	\$8,638.00	\$8,638.00
126-2431-06110	Vacant Lots, Residential	0.059	G & L ENTERPRISES LLC	\$7,650.00	\$7,650.00
126-2431-06120	Vacant Lots, Residential	0.155	G & L ENTERPRISES	\$20,250.00	\$20,250.00
126-2431-06140	Vacant Lots, Residential	0.069	G & L ENTERPRISES	\$9,000.00	\$9,000.00
126-2431-06150	Vacant Lots, Residential	0.069	LAFOUNTAIN LANNA	\$9,000.00	\$9,000.00
126-2431-06160	Commercial	0.2609	G & L ENTERPRISES	\$281,708.00	\$281,708.00
126-2431-06170	Single-Family	0.1641	PATTERSON FAMILY TRUST	\$46,504.00	\$46,504.00
126-2431-06175	Institutional	0.3526	CITY OF ALVARADO	\$64,870.00	\$64,870.00
126-2431-06200	Institutional	0.2132	ALVARADO MASONIC LODGE	\$77,644.00	\$77,644.00
126-2431-06320	Single-Family	0.415	LOPER ROBERT E SR ETUX	\$204,400.00	\$78,780.00
126-2431-06330	Commercial	0.1616	SOHI ARSHDEEP & RUPINDER SINGH	\$284,058.00	\$284,058.00
126-2431-06340	Single-Family	0.256	FALK JOHN F TRUST	\$279,940.00	\$81,004.00
126-2431-06350	Institutional	0.4936	CITY OF ALVARADO	\$258,190.00	\$258,190.00
126-2431-06360	Single-Family	0.18	CALHOUN JAMES ETUX DETTA K	\$292,824.00	\$176,465.00
126-2431-06365	Single-Family	0.1842	TEAFATILLER MICHAEL	\$212,558.00	\$194,009.00
126-2431-06470	Single-Family	0.3686	FANNON CONNIE LIFE ESTATE	\$190,742.00	\$73,775.00
126-2431-06500	Single-Family	0.1956	RHODES KAYLA ETVIR RYAN REEVES	\$274,614.00	\$191,619.00
126-2431-06510	Single-Family	0.1693	GONZALES SANTOS L ETUX	\$172,013.00	\$58,769.00
126-2431-06550	Single-Family	0.2121	TRIANA PEDRO	\$141,668.00	\$131,064.00
126-2431-06560	Multi-Family	0.129	JANNAHS REAL ESTATE LLC	\$171,875.00	\$171,875.00
126-2431-06570	Single-Family	0.177	GARCIA SIOMARA C	\$234,931.00	\$88,250.00
126-2431-06580	Single-Family	0.2742	THOMAS FRANCES	\$214,124.00	\$78,086.00
126-2431-06585	Single-Family	0.2748	MARTINEZ MARCO	\$272,750.00	\$272,750.00
126-2431-06690	Single-Family	0.2745	BARTULA BRIAN ETUX DEBORAH	\$92,105.00	\$92,105.00
126-2431-06710	Single-Family	0.146	ROSALES ONELIA AQUINO	\$204,514.00	\$204,514.00
126-2431-06720	Single-Family	0.1455	EASON WYNDALE	\$153,047.00	\$140,010.00
126-2431-07060	Single-Family	0.44	BOATRIGHT ANDREA KAYE	\$437,533.00	\$369,314.00
126-2431-07800	Institutional	1.2317	FIRST UNITED METHODIST CHURCH	\$1,018,752.00	\$1,018,752.00
126-2431-11900	Industrial	7.159	I & H MANAGEMENT CO LLC	\$564,849.00	\$564,849.00
126-2443-00290	Commercial	1.061	Fraeter Antje & Florian	\$52,009.00	\$520,909.00
126-2443-01070	Commercial	1.791	Kirkland Janie Lou	\$348,247.00	\$348,247.00
126-2443-01180	Multi-Family	0.855	Lightyear Investments Llc	\$1,106,214.00	\$1,106,214.00
126-2443-01181	Commercial	0.498	Hill Robert Earl	\$147,925.00	\$147,925.00
126-2443-01182	Commercial	0.498	Taylor Randy Etux	\$198,264.00	\$198,264.00
126-2443-01220	Commercial	0.399	Thompson Troy T & Lisa	\$291,058.00	\$291,058.00
126-2443-01230	Commercial	0.699	Gpm Alt001 Llc	\$237,746.00	\$237,746.00
126-2443-01240	Multi-Family	0.964	Ds Brown Investments Llc	\$1,350,496.00	\$1,350,496.00

**Reinvestment Zone Number Three
Alvarado, Texas (Downtown TIRZ)
Base Year Market Value vs Taxable Value
2023**

Property ID	Existing Land Use	Acerage	Owner	Market Value ¹	Taxable Value ^{1,2}
126-2460-01010	Institutional	6.62	CITY OF ALVARADO	\$1,344,641.00	\$1,344,641.00
126-2468-00010	Commercial	0.89	FAROOQUI JUNAID	\$63,968.00	\$63,968.00
126-2468-00020	Commercial	2.15	AUBURN CAL ASSOCIATES LP	\$991,572.00	\$991,572.00
126-2491-00958	Commercial	2.832	Alvarado Mini Storage Lp	\$982,316.00	\$982,316.00
126-2491-00960	Multi-Family	2.8	Northchase Apartments Ltd	\$674,333.00	\$674,333.00
126-3820-01010	Single-Family	0.14	ATTAWAY TOMMY L JR	\$20,818.00	\$17,009.00
126-3820-01020	Single-Family	0.18	CONNER JEFFREY RAY	\$127,409.00	\$88,487.00
126-3858-01010	Vacant Lots, Commercial	3.497	LAMBERT & GREEN LLC	\$77,015.00	\$77,015.00
Total		256.8445		\$63,248,864.00	\$55,393,546.00

1 - Values obtained from Johnson County Appraisal District in 2023.



City Council Meeting Management Report

Meeting Date: January 22, 2025

Contact: Justin French, Community Development Director

AGENDA ITEM:

Workshop and discussion on a Downtown Overlay District.

BACKGROUND & FINDINGS:

On October 23, 2024, the City Council approved a professional services agreement with LJA Engineering, Inc. to propose a Downtown Overlay District, and revision to the agreement was approved by City Council on November 18, 2024.

The purpose of the Downtown Overlay District is to establish safeguards for the core of Downtown Alvarado and ensure that any new development reflects a historic character, is functional, and has organized design. This zoning overlay provides a framework for thoughtful development and redevelopment while preserving the downtown area's unique assets and character. Any regulations not mentioned within this overlay default to the underlying zoning district. In cases of conflict, the most restrictive regulations shall apply.

The Downtown Overlay District is designed to manage development through the use of Specific Use Permits (SUPs), with waived fees for property owners and businesses within the downtown area (pending City Council approval). This approach provides flexibility and adaptability during the interim period while the City of Alvarado completes its new comprehensive plan. The comprehensive plan will guide future zoning changes based on the community's collective wants and desires. Once the plan is finalized, permanent zoning regulations tailored to the Downtown will replace the overlay.

Key Highlights:

- Design Standards:
 - New developments must harmonize with the historic architectural style and integrate features from the 1800s and early 1900s.
 - Masonry requirements apply to maintain visual cohesion.
- Permitted Uses and Parking:
 - A wide range of uses is allowed, with parking requirements outlined for each.
 - Shared parking and parking reductions are encouraged where applicable.
- Signage and Transparency:
 - Signage size, placement, and design must align with historic aesthetics.
 - Transparency standards for building facades ensure street-level engagement.
- Future Transition:
 - The overlay ensures downtown remains functional and appealing until comprehensive community-driven zoning is implemented.

The proposed framework emphasizes preserving the historic character of Downtown Alvarado while accommodating responsible growth and preparing for a future alignment with community input.

FINANCIAL IMPACT:

None.

RECOMMENDATION:

The proposed Downtown Overlay District is consistent with the Downtown Strategic Vision of December 2021 and the Future Land Use map within the 2017 Comprehensive Plan. Therefore, staff suggests the Planning and Zoning Commission recommend approval to Council after discussion and particularly the following:

1. Full waiver of Specific Use Permit (SUP) application fees within the Downtown Overlay District, and
2. Prohibition of shipping, cargo, Conex, and like containers within the Downtown Overlay District.

On January 16, 2025, the Planning and Zoning Commission met to workshop and discuss the Downtown Overlay District standards and provided the following recommendations:

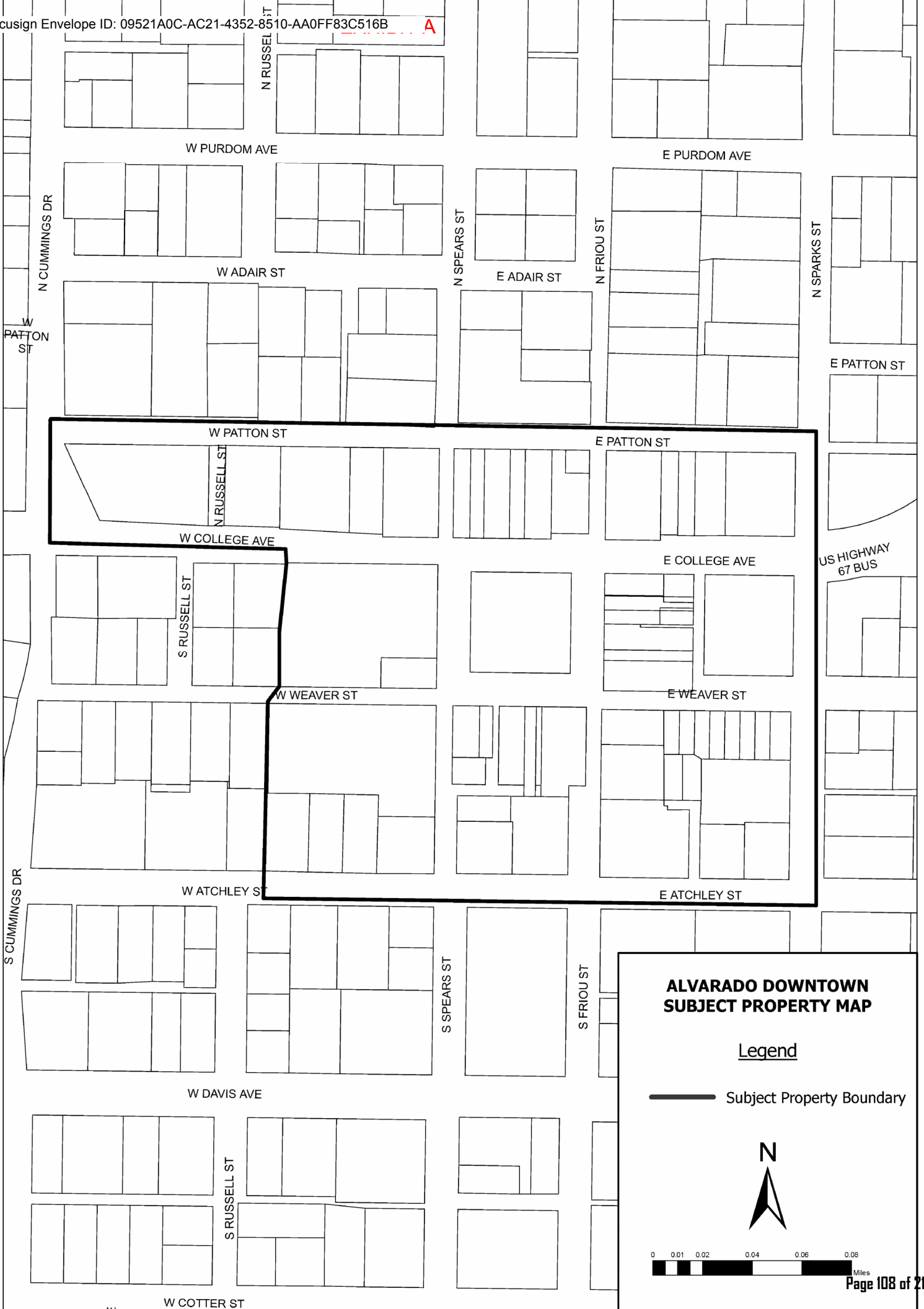
- Full waiver of SUP application fees within the Downtown Overlay District
- Prohibition of shipping, cargo, Conex, and like containers within the Downtown Overlay District

MANAGEMENT REVIEW:

Paul DeBuff, City Manager

ATTACHMENT:

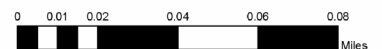
Proposed Downtown Overlay District Boundaries Proposed Downtown Overlay District Standards



ALVARADO DOWNTOWN SUBJECT PROPERTY MAP

Legend

 Subject Property Boundary



§ 42-37 SFA, single family-Attached dwelling district.

...

§ 42-38 Downtown Overlay District

- (a) Purpose The Downtown Overlay District is established to safeguard the core of Downtown Alvarado and ensure that any new development is compatible with existing development and also reflects a historic character, is functional, and has organized design. This zoning overlay is intended to provide a framework for the thoughtful consideration of development and redevelopment, while preserving the Downtown area's unique assets and character. Any regulations not mentioned within this overlay shall default to the underlying zoning district. When there is a conflict, the most restrictive regulations shall apply.
- (b) Permitted uses and parking regulations Within the overlay district encompassing Alvarado's core downtown area, the use and development of buildings and land shall adhere to standards contained herein. No buildings or land shall be used, and no buildings shall be erected, placed, reconstructed, altered, or enlarged, unless otherwise provided herein. Permitted uses include those as specified in the Permitted Uses and Parking Requirements Table below. Minimum residential unit sizes shall be controlled only by the Building Code (outside any dimensional standards for lots and structures for any use contained herein). All buildings within the overlay district must harmonize with the downtown character through thoughtful design and architectural features that integrate development harmoniously. In cases where regulations from the underlying zoning districts conflict, the most restrictive requirement shall apply to ensure consistency and preserve the cohesive character of the area. Any land use within the below table that requires a specific use permit (S) shall only be permitted under the provisions of section 42-45 of Alvarado's zoning ordinance; **except that the specific use permit application fee shall be waived:**

PERMITTED USES AND PARKING REQUIREMENTS TABLE

Land Use	Downtown Overlay	Parking
Accessory building to main use	S	1 space per employee to be occupying the building
Amusement, commercial (indoor or outdoor)	S	1 space per 150 sq. ft. for uses not otherwise listed below
		Bowling, miniature golf, axe-throwing or similar use: 2 spaces per lane or hole
		Stadiums, outdoor theaters, or similar uses: 1 space per 4 seats in assembly areas or 1 space per 8 linear feet of seating
		Playing fields: 40 spaces per field. If fixed seating is provided the ratio shall be 1 space per 4 seats or 1 space per 8 linear feet of seating
		Golf course: 5 spaces per hole
		Miniature golf or driving range: 3 spaces per hole; or 1.5 spaces per driving bay
		Sports courts: 4 spaces per court; or if fixed seating is provided the ratio shall be 1 space per 4 seats or 1 space per 8 linear feet of seating
Antique shop	P	1/200 sq. ft.
Arcade	S	1/200 sq. ft.
Arts, crafts store (inside sales)	P	1/200 sq. ft.
Arts, crafts store (outdoor sales)	S	1/200 sq. ft.
Assisted living facility		
Auto laundry		
Auto parts sales (inside)		
Auto repair, minor		

Automobile and trailer sales area, new or used		
Automobile service station (no garage or automobile repair facilities)	S	3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle
Bakery and confectionary, commercial	S	1/300 sq. ft.
Bakery and confectionary, retail sales	P	1/300 sq. ft.
Bank, savings and loan, credit union	P	1/200 sq. ft.
Bar, tavern, nightclub	S	1/300 sq. ft.
Barber school or college		
Barbershop	P	1/200 sq. ft.
Beauty culture school; cosmetology spec. shop		
Beauty shop	P	1/200 sq. ft.
Bed and breakfast inn	S	One (1) space per guest room in addition to the requirements for a normal residential use
Boarding home facility	S	1 space per employee, plus 1 space for each 6 beds
Boat sales and storage		
Bowling alley	S	6 spaces for each lane
Building materials, hardware (inside storage)	S	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 sq. ft.
Building materials, hardware (outside storage)		
Business service	P	1/300 sq. ft.
Cabinet and upholstery shop		
Candle manufacturing	S	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater

Carport	P	0 spaces
Carwash		
Cemetery or mausoleum	S	1 space per employee plus 1 space for every 1,000 square feet of gross floor area
Child care center	S	1/300 sq. ft.
Church, rectory, place of worship	P	1 space for every 4 seats in the main auditorium
Civic center	P	10 spaces plus 1 space for each 300 square feet of floor area in excess of 2,000 square feet. In an auditorium is included as part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains
Cleaning and dyeing, small shop		
Clinic, medical or dental	S	1/200 sq. ft.
College or university		
Community center, private	S	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains
Community center, public	S	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains
Community home	S	1 space per employee, plus 1 space for each 6 beds

Concrete, asphalt batching plant (allowed only on a temporary basis in a new subdivision composed of no less than 100 lots, to cease upon completion and dedication of the streets)		
Concrete, asphalt batching plant (temporary)		
Construction yard (temporary)		
Convenience store	S	1 space per 300 square feet of gross floor area or 32 [sic]
Country club (private)		
Custom personal service shop	P	1/200 sq. ft.
Dance hall	S	1/100 sq. ft.
Discount, variety, or department store of not greater than 20,000 square feet floor space	S	1/200 sq. ft.
Dormitory		
Drapery, needlework, or weaving shop	P	1/300 sq. ft.
Electrical substation	S	1 space per employee
Electrical transmission line	S	0 spaces
Exhibition area	S	1 space per employee, plus 1 space for each 2 patrons based on maximum patron load
Fairgrounds	S	1 space per employee, plus 1 space for each 2 patrons based on maximum patron load
Farm, ranch, or orchard		
Feed and farm supply (inside sales/storage)		
Field or sales office, temporary	S	1 space per employee
Florist	P	1/300 sq. ft.
Food store; grocery store with floor space not greater than 20,000 square feet	S	1/300 sq. ft.

Forge plant		
Foundry (iron, steel, brass or copper)		
Fraternal organization, lodge		
Fraternal organization, lodge or civic club		
Furniture, appliance store	S	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 sq. ft.
Garage, private		1 space per employee to be occupying the garage
Garden center (retail sales)	S	1/200 sq. ft.
Gas metering station	S	1 space per employee
General merchandise indoor auction		
General merchandise store	P	1/200 sq. ft.
Glass products		
Golf course		
Golf driving range		
Greenhouse or plant nursery, commercial		
Greenhouse or plant nursery, noncommercial		
Guest house	S	1 space per unit
Gymnastic or dance studio	S	1/200 sp. Ft
Handcraft shop	P	1/300 sq. ft.
Health club; gymnasium	S	1 space per employee plus 1 space per 100 square feet of floor area
Heliport or helistop		
Home occupation	P	0 spaces
Hospital (acute care)		
Hospital (chronic care); long term health care facility		

Hotel, motel, motor hotel, or motor lodge	S	1 space for each sleeping room, unit or guest accommodation, plus 1 space for each 300 square feet of commercial floor area
Household care facility		
Household care institution		
Kennel (no outside pens)		
Laboratory, medical or dental		
Laundry and cleaning, commercial		
Library	P	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains
Local utility distribution lines	P	0 spaces
Medical supplies, sales and service		
Metal dealer, crafted precious	S	1/300 sq. ft.
Metal fabrication		
Mobile food vendor	S	0 spaces
Mortuary or funeral home		
Motorcycle sales and service		
Museum or art gallery	P	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains
Musical instrument manufacturing		
Nonprofit animal shelter		

Nursery school, kindergarten	S	1 space per 10 pupils/clients (design capacity)
Office center	S	1/300 sq. ft.
Office, professional or general administrative	S	1/300 sq. ft.
Office-showroom/warehouse		
Oil, gas, other mineral extraction		
Park, playground or recreation center (private)	S	1 space per acre plus additional parking per facility constructed as herein provided
Park, playground or recreation center (public)	S	1 space per acre plus additional parking per facility constructed as herein provided
Parking lot or parking garage, automobile	S	1 space per employee, plus 1 space per vehicle to be parked
Personal service shop	S	1/200 sq. ft.
Pet shop		
Pharmacy		
Post office, government and private		
Print shop	S	1/300 sq. ft.
Prison, jail or place of incarceration		
Private open space as a part of a planned residential development	P	0 spaces required
Public or private franchised utility, excluding office buildings, garages, shops, railroad yards, loading yards, and warehouses	S	1 space per employee
Racetrack		
Racquetball facilities		
Radio, TV or microwave operation, amateur. (See further regulations in section 42-5(i))	S	1 space per employee
Railroad track and right-of-way	S	1 space per employee
Registered family home	S	1 space per employee
Residence hotel		

Restaurant or cafeteria, with drive-in or drive-through service		
Restaurant or cafeteria, without drive-in or drive-through service	P	1/100 sq. ft.
Retirement housing	s	1 per dwelling unit
Rodeo arena and grounds		
School, commercial		1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
School, private (primary and/or secondary)		1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater
School, public (primary and/or secondary)		1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater
School, trade	S	
School, trade or commercial	S	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Second hand store, furniture/clothing	S	1/200 sq. ft.
Servant's, caretaker's or guard's residence	S	1 space per unit
Service yards of government agency	S	1 space per employee
Service, retail	S	1/200 sq. ft.
Sewage pumping station	S	0 spaces
Sewage treatment plant		
Shooting range, target range		
Shopping center	S	1 space per 200 square feet of gross floor area. The total floor area used for restaurants and cafeterias (but not including private clubs) which exceeds 10 percent of the shopping center floor area, shall require an additional 1 parking space per 100 square feet of gross floor area

Single-family dwelling, attached		
Single-family dwelling, detached	S	2 spaces per unit
Stadium or playfield		
Studio (photographer, musician, artist)	P	1/200 sq. ft.
Studio for radio and television		
Swimming pool, commercial	S	1 space for each 100 square feet of gross water surface and deck area
Swimming pool, private	S	1 space for each 100 square feet of gross water surface and deck area
Tanning salon		
Tattoo parlor/body piercing studio	S	1/200 sq. ft.
Taxidermist		
Telephone exchange		
Telephone line	P	0 spaces
Theater (indoor)	S	1 parking space for each 4 seats
Tire dealer (with outside storage)		
Tobacco sales		
Tool rental shop		
Townhouse or row dwelling	S	2 spaces per unit, 1 covered
Transit station or turnaround	S	1 space per intended user
Two-family dwelling	S	2 spaces per unit, 1 covered
Vendor, stationary	S	1/200 sq. ft.
Veterinarian clinic (no outside pens)		
Washateria		
Water pumping station or well	S	0 spaces
Water storage, elevated	S	0 spaces
Water storage, ground		
Water treatment plant	S	1 space per employee

- (c) Parking Requirement Reduction Developments seeking a parking reduction shall submit a formal request, with justification and explanation, as part of the site plan review process. Eligibility for a reduction is based on compliance with one or more of the parking reduction criteria established below. Approval of any parking reduction request is discretionary and shall be considered on a case-by-case basis to ensure the request aligns with the purpose of the Downtown Overlay District and to ensure that adequate provision of parking is provided. Final approval shall be subject to review and determination by City Council.

(1) Shared Parking:

- a. Review Criteria: Under specific circumstances listed below, some off-street parking spaces may be shared between different uses and properties. The Director of Planning may approve a proposed shared parking arrangement during the Site Plan process for up to 50 percent of the parking spaces required, as outlined below.
1. For any shared parking arrangement or off-site parking arrangement described above, a written parking agreement ensuring retention of parking spaces for such purposes, shall be properly drawn and executed by the parties concerned, approved as to form by the city attorney and shall be filed with the County as part of the Site Plan approval process. The agreement shall meet the following:
 - i. A permanent easement for shared or off-site parking facilities shall be dedicated and recorded as a condition of such use.
 - ii. The City shall be made a party to any shared parking agreement necessary for meeting parking requirements.

Option	Requirements
Off-Peak Shared Parking	Parking spaces may be shared if the peak business hours do not overlap for the businesses that propose to share. Businesses sharing parking shall be within 500 feet of one another.
Surplus Shared Parking	Parking spaces may be shared if they exceed a use's minimum requirements and are located on non-residential property within 500 feet of the other use to share parking. Parking spaces may also be utilized from an off-site parking lot within 500 feet as long as they are not being utilized by another use.
Parking Reductions for Developments with Parking Garages	A reduction of up to 20 percent in the minimum parking requirements, based on land use, may be considered for developments that incorporate a parking garage as part of the project.

- b. Application Requirements: The applicant shall submit a formal Parking Reduction Request as part of the site plan review process. The Request shall include data, studies, or other supporting documentation sufficient to demonstrate that the proposed reduction will not negatively affect parking availability, site functionality, or surrounding properties.
- c. Final Determination: All parking reduction requests within the Overlay shall be subject to review by City staff and shall require final approval by City Council.

(d) Dimensional Standards

Minimum Lot Area:	1600'
Minimum Lot Width:	20'
Minimum Lot Depth:	80'
Minimum Front Yard:	Setback Averaging ¹
Minimum Side Yard for Interior Unit:	0'
Minimum Side Yard not abutting street:	5'
Minimum Side Yard abutting residential street:	10'
Minimum Side Yard abutting collector or major street:	15'
Minimum Rear Yard Setback adjacent to Overlay boundary properties:	10'
Minimum Rear Yard Setback adjacent to Overlay boundary properties:	25'
Max Imperious Coverage:	90%
Max Density/Acre:	8 DU/A
Max Height:	35'

¹The proposed building shall be located within the range of existing primary street setbacks, no closer than the smallest setback in the range and no further than the largest setback in the range. On an interior lot, the range of setbacks is measured on the basis of the two closest lots in either direction along the block face. On a corner lot, the range of setbacks is measured on the basis of the three closest lots along the block face.

(e) Masonry Requirements

- (1) Masonry shall mean and include that form of construction defined below and composed of brick, stone, granite, marble, stucco (three-step hard coat), and exterior insulation finish systems (EIFS).
- (2) All single-story buildings hereafter constructed or placed in the overlay district shall have at least 75 percent of their exterior wall surface constructed of masonry and/or glass pane.
- (3) All buildings having more than a single-story hereafter constructed or placed in the overlay district shall have at least 50 percent of their exterior wall surface constructed of masonry and/or glass pane.

- (4) All additions hereafter constructed to buildings in the overlay district shall have at least 50 percent of their exterior wall surface constructed of masonry and/or glass pane.

(f) Architectural Guidelines

- (1) New development sites, signage, and other structural elements within the overlay district shall not be permitted unless architecturally consistent with other historic buildings within the area to maintain the functional and visual appearance of the historic architectural style.
- (2) Buildings within the overlay district shall be oriented toward the street in order to create a cohesive, pedestrian-oriented development plan. Front building facades and sidewalks may be utilized for outdoor uses such as cafes, restaurant seating, street side seating, etc., provided these uses do not obstruct pedestrian movement or disrupt the streetscape's aesthetic continuity. Parking areas shall be located primarily in the rear of buildings to preserve the visual integrity of the streetscape and minimize disruptions to the pedestrian environment.
- (3) New development/renovation in the overlay district shall incorporate design elements dating from the 1800's and early 1900's. Retail uses are preferred with parking in common areas. Roof lines featuring parapets, articulated cornice line, articulated ground floor levels, and strong corner treatments are a few of the design options. Exterior finishes should utilize the classic base colors of the natural environment, e.g., tan, ochre, beige, and terra cotta.
- (4) A high-quality durable base material, such as terra cotta, natural stone, cast stone, clay fired tile, or other approved masonry material is suggested for building facades abutting the sidewalk. The base should be a minimum of 18 inches in height and appropriately proportioned and detailed for the facade of the building.

(g) Design A minimum of three of the following elements must be incorporated in the design of a new or refurbished building in the overlay district:

- (1) Overhangs
- (2) Cornices
- (3) String courses
- (4) Peaked roof forms
- (5) Arches
- (6) Lintels
- (7) Pilasters
- (8) Rustication
- (9) Canopies
- (10) Awnings or porticos
- (11) Outdoor Patios

(h) Window Transparency The following transparency standards apply to building façades to ensure visibility and engagement at the street level:

- (1) Transparency percentages refer to the area of clear, unobstructed glass that allows views into the building interior.
- (2) Reflective, mirrored, or opaque treatments that obstruct visibility shall not qualify as transparent.
- (3) The remaining window area may be used for signage, decorative elements, or illustrative graphics, provided they do not obstruct transparency minimums.

Level	Minimum Transparency Requirement
Floor 1	65%
Floor 2	30%

- (i) **Signage** The types of signage listed in the table below shall be permitted within the overlay district, provided all applicable requirements of this ordinance are met.

- (1) Any permanent signage not explicitly listed herein shall be prohibited within the overlay district.
- (2) All permitted signage shall comply with the size, placement, design, and operational standards established by this ordinance.
- (3) Any sign authorized by this ordinance is allowed to contain a noncommercial message in place of any other authorized message.

SCHEDULE OF PERMANENT SIGNS							
Sign regulation/ Sign Type		Permit Required	Maximum Gross Surface Area (sq. ft.)	Sign Height	Number of Signs	Setback	Spacing of Signs
Wall		Yes	25% of wall	Attached to structure and not to exceed the roofline	One sign for each exterior wall; not to exceed four in total.	---	---
Ground		Yes	Off-premises 150' On-premises 300'	Off-premises 20' On-premises 25' 10' from bottom of sign to ground. On-premises signs on property	One for each premises, or for each street frontage	10' (any portion of the sign)	100' separation from adjacent ground sign on each premises. Minimum

				with I-35 or Hwy 67 frontage 70'			of 50' on adjacent premises
Wall—Residential		Yes	1'	Attached to structure and not to exceed the roofline	One sign for each exterior wall; not to exceed four in total.	---	---
Canopy, marquee or projection		Yes	50% of canopy, marquee or projection	---	One for each premises, or for each street frontage	---	---
Window		No	See window transparency standard listed in (g) above.	---	---	---	---
Monument		Yes	Off-premises 150' On-premises 300'	8 feet	One for each premises (multitenant sites see § 30-12)	10' (any portion of the sign)	No restriction s
Nameplate		No	5 sf in SF-1, -2, -3, MH-1, MH-2, MF, TF 10 sf in C-1, C-2, M-1, M-2	10' from top of roof, not to exceed a total distance of 40' from ground	One for each premises, or for each street frontage	---	---
Roof		Yes	200 sf in C-1, C-2, CBD, M-1, M-2	10' from top of roof, not to exceed a total distance of 40' from ground	One for each main structure	---	---

(j) Temporary and portable type accessory buildings are permitted per sections 42-48(b) and 42-44(g); however, shipping, cargo, Conex, and like containers are prohibited.

§ 42-39 through § 42-44. (Reserved)



City Council Meeting Management Report

Meeting Date: January 22, 2025

Contact: Justin French, Community Development Director

AGENDA ITEM:

Workshop and discussion on amending Chapter 8, “Buildings and Building Regulations,” of the Alvarado Code by adopting a new Article VI, “Vacant Buildings,” defining terms; providing requirements, procedures, and fees for the registration and inspection of vacant buildings in the City of Alvarado, Texas.

BACKGROUND & FINDINGS:

City Council goals for fiscal years 2024 and 2025 include downtown revitalization and increased code enforcement. Attached are a vacant buildings ordinance recommended by a consultant and a modified version of this ordinance for comparison that omits an annual registration fee and proof of insurance.

FINANCIAL IMPACT:

None.

RECOMMENDATION:

Workshop the merits of a vacant buildings ordinance and discuss provisions of the ordinance, particularly in regards to an annual registration fee and proof of insurance.

MANAGEMENT REVIEW:

Paul DeBuff, City Manager

ATTACHMENT:

Proposed Vacant Buildings Ordinance from Consultant

Proposed Vacant Buildings Ordinance Modified

CITY OF ALVARADO

ORDINANCE NO. 2025-0004

AN ORDINANCE OF THE CITY OF ALVARADO, TEXAS AMENDING CHAPTER 8, “BUILDINGS AND BUILDING REGULATIONS,” OF THE ALVARADO CODE BY ADOPTING A NEW ARTICLE VI, “VACANT BUILDINGS,” DEFINING TERMS; PROVIDING REQUIREMENTS, PROCEDURES AND FEES FOR THE REGISTRATION AND INSPECTION OF VACANT BUILDINGS IN THE CITY; PROVIDING DEFENSES; PROVIDING AN APPEAL PROCESS FOR THE DENIAL OR REVOCATION OF A CERTIFICATE OF REGISTRATION; PROVIDING SIGNAGE REQUIREMENTS; PROVIDING INSURANCE REQUIREMENTS; REQUIRING A VACANT BUILDING PLAN; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATION; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AS REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Alvarado, Texas, (“City”) is a home-rule municipality located in Johnson County, created in accordance with the provisions of Chapter 9 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, there are buildings in the City that are vacant and if an owner fails to monitor and maintain a vacant building, the building may become a blight on the City, dilapidated and substandard, and a haven for criminal activity; and

WHEREAS, buildings that remain vacant discourage economic development, become an attractive nuisance for children, become a harborage for rodents, and an invitation to vagrants and criminals, and affect nearby businesses and residences and their property values; and

WHEREAS, vacant buildings that are unsecured are extremely vulnerable to being set on fire and are public nuisances; and

WHEREAS, with increased demand for copper, vacant buildings attract copper thieves, and removal of copper from buildings may pose environmental risks; and

WHEREAS, the City Council has determined that a vacant building registration program will protect the health, safety, welfare of the City.

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

SECTION 1.

All matters stated herein above are found to be true and correct and are incorporated by reference as if copied in their entirety.

SECTION 2.

Chapter 8, “Buildings and Building Regulations,” of the Alvarado Code is hereby amended by adding a new Article VI to read as follows:

“ARTICLE VI. VACANT BUILDINGS

§ 8-300 Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Building means a structure for the support or shelter of any use or occupancy.

Certificate of registration means a certificate of registration issued by the building official under this article to the owner or operator of a vacant building.

Building official means the person designated by the City manager to enforce and administer this article and includes any representatives, agents, or department employees designated by the official.

Dwelling unit means one or more rooms designed to be a single housekeeping unit to accommodate one family and containing one or more kitchens, one or more bathrooms, and one or more bedrooms.

Occupied means that one or more persons lawfully conduct business in or reside in at least 50 percent of the total area of a building (excluding stairwells, elevator shafts, and mechanical rooms) as the legal or equitable owner, operator, lessee, or invitee on a permanent, nontransient basis pursuant to and within the scope of a valid certificate of occupancy.

Owner means a person in whom is vested the ownership or title of real property:

- (1) including, but not limited to:
 - a. the holder of fee simple title;
 - b. the holder of a life estate;
 - c. the holder of a leasehold estate for an initial term of five years or more;
 - d. the buyer in a contract for deed;
 - e. a mortgagee, receiver, executor, or trustee in control of real property; and
 - f. the named grantee in the last recorded deed; and
- (2) not including the holder of a leasehold estate or tenancy for an initial term of less than five years.

Person means any individual, corporation, organization, partnership, association, governmental entity, or any other legal entity.

Premises or property means a lot, plot, or parcel of land, including any structures on the land.

Registrant means a person issued a certificate of registration for a vacant building under this article.

Structure means that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

Vacant building means a building located in the city other than a building last lawfully occupied for single-family or two-family use that, regardless of its structural condition, is not occupied.

§ 8-301 Authority of building official.

The building official shall implement and enforce this article and may by written order establish such rules, regulations, or procedures, not inconsistent with this article, as the building official determines are necessary to discharge any duty under or to affect the policy of this article.

§ 8-302 Delivery of notices.

Any written notice that the building official is required to give an applicant or registrant under this article is deemed to be delivered:

- (1) on the date the notice is hand delivered to the applicant or registrant; or
- (2) three days after the date the notice is placed in the United States mail with proper postage and properly addressed to the applicant or registrant at the address provided for the applicant or registrant in the most recent registration application.

§ 8-303 Violations and penalty.

- (a) a person who violates a provision of this article, or who fails to perform an act required of the person by this article, commits an offense. A person commits a separate offense each day or portion of a day during which a violation is committed, permitted, or continued.
- (b) An offense under this article is punishable by a fine not to exceed \$2,000.
- (c) The penalties provided for in Subsection (b) are in addition to any other enforcement remedies that the City may have under city ordinances and state law.

§ 8-304 Registration required; defenses.

- (a) A person commits an offense if the person owns or operates a vacant building without a valid certificate of registration. A separate certificate of registration is required for each street address at which any vacant building is located, regardless of any separate occupied buildings that may also be located at the same street address. If more than one vacant building is located at the same street address, only one certificate of registration is required for all of the vacant buildings. Also, only one certificate of registration is required for a

single vacant building that has more than one street address. Suite numbers and apartment unit numbers will not be considered in determining the street address of a vacant building.

- (b) It is a defense to prosecution under this section that:
- (1) the building was occupied within the forty-five (45) day period preceding the date of the alleged offense;
 - (2) at the time of the alleged offense, the building was in the process of being renovated, rehabilitated, repaired, or demolished (pursuant to appropriate and valid permits issued by the building official, if required) and had been occupied within the ninety (90) day period preceding the date of the alleged offense;
 - (3) at the time of the alleged offense, the building was in the process of being actively marketed and advertised for lease or sale and had been occupied within the ninety (90) day period preceding the date of the alleged offense;
 - (4) within the ninety (90) day period preceding the date of the alleged offense, the building suffered damage or destruction from a fire, flood, storm, or similar event that rendered the building incapable of being occupied, except that this defense does not apply if the building was rendered incapable of being occupied by the intentional act of the owner, operator, lessee, or other invitee or an agent of the owner, operator, lessee, or other invitee; or
 - (5) the building was owned by the City of Alvarado, the State of Texas, or the United States Government.

§ 8-305 Registration application.

- (a) To obtain a certificate of registration for a vacant building, a person must submit an application on a form provided for that purpose to the building official. The applicant must be the person who will own, control, or operate the vacant building. The application must contain all of the following information:
- (1) The name, street address, mailing address, and telephone number of the applicant or the applicant's authorized agent.
 - (2) The name, all street addresses, and the main telephone number, if any, of the vacant building and a description of the type of property it last was (such as, but not limited to, a commercial building, institutional building, industrial building, a warehouse, an office, a hotel, an apartment complex, a boarding home, retail store, or restaurant).
 - (3) The names, street addresses, mailing addresses, and telephone numbers of all owners of the vacant building and any lien holders and other persons with a financial interest in the vacant building.

- (4) The name, street address, mailing address, and telephone number of a person or persons to contact in an emergency as required by Section 8-291 of this article.
 - (5) The form of business of the applicant (and owner, if different from the applicant); the name, street address, mailing address, and telephone number of a high managerial agent of the business; and, if the business is a corporation or association, a copy of the documents establishing the business.
 - (6) Proof of insurance required by Section 8-292 of this article.
 - (7) The number of buildings (including vacant and occupied buildings), dwelling units, swimming pools, and spas located in or on the premises of the vacant building.
 - (8) Documentary evidence of payment of ad valorem taxes owed in connection with the vacant building and the premises on which it is located.
 - (9) The total area in square feet of the vacant building, the number of stories contained in the vacant building, the area in square feet of each story, and whether each story is above or below ground level.
 - (10) The date on which the vacant building was last occupied, a description of the last use of the vacant building, and a description of any hazardous materials, uses, or conditions that currently exist or previously existed in the vacant building.
 - (11) Such additional information as the applicant desires to include or that the building official deems necessary to aid in the determination of whether the requested certificate of registration should be granted.
- (b) If the application for a certificate of registration is being made for multiple vacant buildings located at the same address, then the information required in Subsection (a) must be provided for each vacant building located at that address.
 - (c) A registrant shall notify the building official within 10 days after any material change in the information contained in the application for a certificate of registration for a vacant building, including any changes in ownership of the property.

§ 8-306 Registration fee.

The fee for a certificate of registration for each vacant building is seventy-five dollars (\$75.00).

§ 8-307 Issuance, denial, and display of certificate of registration.

- (a) Upon payment of all required fees, the building official shall issue a certificate of registration for a vacant building to the applicant if the building official determines that:
 - (1) the applicant has complied with all requirements for issuance of the certificate of registration;

- (2) the applicant has not made a false statement as to a material matter in an application for a certificate of registration; and
 - (3) the applicant has no outstanding fees assessed under this article.
- (b) If the building official determines that the requirements of Subsection (a) have not been met, the building official shall deny a certificate of registration to the applicant.
- (c) If the building official determines that an applicant should be denied a certificate of registration, the building official shall deliver written notice to the applicant that the application is denied and include in the notice the reason for denial and a statement informing the applicant of the right of appeal.
- (d) A certificate of registration issued under this section must be displayed to the public in a manner and location approved by the building official. The certificate of registration must be presented upon request to the building official or to a peace officer for examination.

§ 8-308 Revocation of registration.

- (a) The building official shall revoke a certificate of registration for a vacant building if the building official determines that:
 - (1) the registrant failed to comply with any provision of this article or any other city ordinance or state or federal law applicable to the building;
 - (2) the registrant intentionally made a false statement as to a material matter in the application or in a hearing concerning the certificate of registration; or
 - (3) the registrant failed to pay a fee required by this article at the time it was due.
- (b) Before revoking a certificate of registration under Subsection (a), the building official shall deliver written notice to the registrant that the certificate of registration is being considered for revocation. The notice must include the reason for the proposed revocation, action the registrant must take to prevent the revocation, and a statement that the registrant has ten (10) days after the date of delivery to comply with the notice.
- (c) If, after ten (10) days from the date the notice required in Subsection (b) is delivered, the registrant has not complied with the notice, the building official shall revoke the certificate of registration and deliver written notice of the revocation to the registrant. The notice must include the reason for the revocation, the date the building official orders the revocation, and a statement informing the registrant of the right of appeal.

§ 8-309 Appeal.

- (a) If the building official denies the issuance or renewal of a certificate of registration or revokes a certificate of registration, the action is final unless the registrant files a written appeal to the construction board of appeals within seven (7) calendar days of delivery of the notice of revocation.

- (b) If a written request for an appeal hearing is filed with the building official within the seven-day period, the construction board of appeals shall hear the appeal within thirty (30) days from the City's receipt of the appeal unless otherwise agreed by the City and the appellant.
- (c) Failure to file an appeal in accordance with this section is a waiver of appeal and the building official's decision shall be final.
- (d) The revocation of a certificate of registration is stayed pending appeal.
- (e) At the appeal hearing, the construction board of appeals is limited to affirming or reversing the denial or revocation based upon proof by the appellant that there was error as of the date of the revocation or denial. Subsequent repair, renovation, correction, or payment of a fee shall not form the basis of the board's decision. Otherwise, the appeal shall be handled in accordance with Section 113 of the 2021 International Building Code. The decision of the board is final as to administrative remedies, and no rehearing or appeal may be granted.

§ 8-310 Expiration and renewal of registration.

- (a) A certificate of registration for a vacant building expires the earlier of:
 - (1) one (1) year after the date of issuance;
 - (2) the date the vacant building changes controlling ownership, as determined by the building official;
 - (3) the date the vacant building becomes occupied, as determined by the building official; or
 - (4) the date the vacant building is demolished, as determined by the building official.
- (b) A certificate of registration may be renewed by making application in accordance with Section 8-283 and paying the registration fee required by Section 8-284. A registrant shall apply for renewal at least thirty (30) days before the expiration of the certificate of registration.

§ 8-311 Transfer of certificate of registration.

A certificate of registration for a vacant building is not transferable.

§ 8-312 Inspection.

- (a) For the purpose of ascertaining whether violations of this article or any other city ordinance or state or federal law applicable to the building exist, the building official is authorized at a reasonable time to inspect:
 - (1) the exterior of a vacant building; and
 - (2) the interior of a vacant building, if the permission of the owner, operator, or other person in control is given or a search warrant is obtained.

- (b) The building official shall inspect a vacant building at least once during each 12-month period that the building is not occupied.
- (c) An applicant or registrant shall permit representatives of the police department, the fire department, the department of code compliance, and the building official to inspect the interior and exterior of a vacant building, for the purpose of ensuring compliance with the law, at reasonable times upon request. The applicant or registrant commits an offense if he, either personally or through an agent or employee, refuses to permit a lawful inspection of the vacant building as required by this subsection.
- (d) Whenever a vacant building is inspected by the building official and a violation of this article or any other city ordinance or state or federal law applicable to the building is found, the building or premises will, after the expiration of any time limit for compliance given in a notice or order issued because of the violation, be reinspected by the building official to determine that the violation has been eliminated.

§ 8-313 Emergency response information.

- (a) An owner, operator, or other person in control of a vacant building shall provide the building official with the name, street address, mailing address, and telephone number of a person or persons who can be contacted twenty-four (24) hours a day, seven (7) days a week, in the event of an emergency condition in or on the premises of the vacant building. An emergency condition includes any fire, natural disaster, collapse hazard, burst pipe, serious police incident, or other condition that requires an immediate response to prevent harm to property or the public.
- (b) The owner, operator, or other person in control of the vacant building shall notify the building official within five (5) days after any change in the emergency response information.
- (c) The owner, operator, or other person in control of a vacant building, or an authorized agent, must arrive at the premises within one hour after a contact person named under this section is notified by the City or emergency response personnel that an emergency condition has occurred on the premises.
- (d) A sign containing the emergency contact information required in Subsection (a) of this section must be attached in a conspicuous location on the exterior of each facade of the vacant building that faces a public right-of-way.
- (e) The sign required by Subsection (d) must:
 - (1) comply with the City's sign regulations;
 - (2) be 24 inches tall and 18 inches wide and constructed of a rigid weather-resistant material;

- (3) contain the words "VACANT BUILDING" contrasting colors that are visible yet harmonious with the city's aesthetic standards, such as black text on a neutral background;
 - (4) be in a format approved by the building official; and
 - (5) be readable day and night.
- (f) A person commits an offense if he removes or obstructs or allows the removal or obstruction of a sign required to be posted on a vacant building under this section. It is a defense to prosecution under this subsection that the removal or obstruction was caused by:
- (1) a city employee in the performance of official duties; or
 - (2) the owner, operator, or lessee of the vacant building for the purpose of:
 - a. repairing or maintaining the sign;
 - b. complying with this article or a rule or regulation promulgated under this article; or
 - c. removing the sign when registration of the vacant building is no longer required under this article.
- (g) A minor variation of a required or minimum height or width of a sign or lettering is not a violation of this section

§ 8-314 Insurance.

The registrant shall maintain in full force and effect liability insurance during the registration period for the vacant building in an amount of not less than one million dollars (\$1,000,000.00) for any vacant building. The policy shall designate the City as an additional insured and cover any loss or damage resulting from damages to persons or property resulting from the owner's supervision, management, and maintenance of the vacant building, the use of the building, or a condition of the vacant building. The insurance policy shall require notice to the building official within thirty (30) days of the policy's lapse, cancellation, or change in coverage. The insurance policy must be written by an insurance company approved by the State of Texas and issued in a standard form approved by the Texas Department of Insurance. The owner shall provide a current certificate of insurance upon application, reinstatement, or renewal of the certificate of registration and every six (6) months that the building is required to be registered pursuant to this article. Upon a reasonable request by the building official, the owner shall provide the building official such additional information and documents as are necessary to ensure compliance with this section.

§ 8-315 Vacant building plan.

- (a) Within thirty (30) days after the date a certificate of registration is issued for a vacant building, the registrant shall submit to the building official a vacant building plan complying with this section.
- (b) The vacant building plan must contain the following:
 - (1) A plan of action and a time schedule for correcting all existing violations of this article or any other city ordinance or state or federal law applicable to the building or its premises.
 - (2) A plan of action for maintaining the building and its premises in compliance with this article and all applicable city ordinances and state and federal laws.
 - (3) A plan of action for maintaining the building and its premises in a safe and secure manner, including but not limited to any provisions for lighting, security patrols, alarm systems, fire suppression systems, and securing the building from unauthorized entry.
 - (4) A plan of action for occupying or selling the building, including but not limited to a time schedule for renovating or repairing the building and a time schedule for marketing, advertising, or offering the building for sale or lease.
 - (5) A plan of action and time schedule for any demolition of the building.
- (c) A registrant may update the vacant building plan at any time, but shall provide the building official with an updated vacant building plan at least once every six months that the building is required to be registered under this article.

§ 8-316 through § 8-346. (Reserved)”

SECTION 3.

This Ordinance shall be cumulative of all provisions of ordinances and of the Alvarado Code, as amended, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.

SECTION 4.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 5.

All rights and remedies of the City are expressly saved as to any and all violations of the provisions of the Alvarado Code amended or revised herein, or any other ordinances affecting the matters regulated herein which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 6.

The City Secretary of the City of Alvarado is directed to publish the caption and penalty clause of this Ordinance to the extent required by law.

SECTION 7.

Any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined no more than Two Thousand Dollars and no cents (\$2,000.00) for each violation of this Ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 8.

This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED ON THIS ____ DAY OF _____ 2025.

JACOB WHEAT, MAYOR

ATTEST:

BETH A. WALLS, CITY SECRETARY

EFFECTIVE DATE: _____

APPROVED AS TO FORM AND LEGALITY:

ASHLEY DIERKER, CITY ATTORNEY

CITY OF ALVARADO

ORDINANCE NO. 2025-0004

AN ORDINANCE OF THE CITY OF ALVARADO, TEXAS AMENDING CHAPTER 8, “BUILDINGS AND BUILDING REGULATIONS,” OF THE ALVARADO CODE BY ADOPTING A NEW ARTICLE VI, “VACANT BUILDINGS,” DEFINING TERMS; PROVIDING REQUIREMENTS, PROCEDURES FOR THE REGISTRATION AND INSPECTION OF VACANT BUILDINGS IN THE CITY; PROVIDING DEFENSES; PROVIDING AN APPEAL PROCESS FOR THE DENIAL OR REVOCATION OF A CERTIFICATE OF REGISTRATION; PROVIDING SIGNAGE REQUIREMENTS; REQUIRING A VACANT BUILDING PLAN; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATION; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AS REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Alvarado, Texas, (“City”) is a home-rule municipality located in Johnson County, created in accordance with the provisions of Chapter 9 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, there are buildings in the City that are vacant and if an owner fails to monitor and maintain a vacant building, the building may become a blight on the City, dilapidated and substandard, and a haven for criminal activity; and

WHEREAS, buildings that remain vacant discourage economic development, become an attractive nuisance for children, become a harborage for rodents, and an invitation to vagrants and criminals, and affect nearby businesses and residences and their property values; and

WHEREAS, vacant buildings that are unsecured are extremely vulnerable to being set on fire and are public nuisances; and

WHEREAS, with increased demand for copper, vacant buildings attract copper thieves, and removal of copper from buildings may pose environmental risks; and

WHEREAS, the City Council has determined that a vacant building registration program will protect the health, safety, welfare of the City.

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

SECTION 1.

All matters stated herein above are found to be true and correct and are incorporated by reference as if copied in their entirety.

SECTION 2.

Chapter 8, “Buildings and Building Regulations,” of the Alvarado Code is hereby amended by adding a new Article VI to read as follows:

“ARTICLE VI. VACANT BUILDINGS

§ 8-300 Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Building means a structure for the support or shelter of any use or occupancy.

Certificate of registration means a certificate of registration issued by the building official under this article to the owner or operator of a vacant building.

Building official means the person designated by the City manager to enforce and administer this article and includes any representatives, agents, or department employees designated by the official.

Dwelling unit means one or more rooms designed to be a single housekeeping unit to accommodate one family and containing one or more kitchens, one or more bathrooms, and one or more bedrooms.

Occupied means that one or more persons lawfully conduct business in or reside in at least 50 percent of the total area of a building (excluding stairwells, elevator shafts, and mechanical rooms) as the legal or equitable owner, operator, lessee, or invitee on a permanent, nontransient basis pursuant to and within the scope of a valid certificate of occupancy.

Owner means a person in whom is vested the ownership or title of real property:

- (1) including, but not limited to:
 - a. the holder of fee simple title;
 - b. the holder of a life estate;
 - c. the holder of a leasehold estate for an initial term of five years or more;
 - d. the buyer in a contract for deed;
 - e. a mortgagee, receiver, executor, or trustee in control of real property; and
 - f. the named grantee in the last recorded deed; and
- (2) not including the holder of a leasehold estate or tenancy for an initial term of less than five years.

Person means any individual, corporation, organization, partnership, association, governmental entity, or any other legal entity.

Premises or property means a lot, plot, or parcel of land, including any structures on the land.

Registrant means a person issued a certificate of registration for a vacant building under this article.

Structure means that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

Vacant building means a building located in the city other than a building last lawfully occupied for single-family or two-family use that, regardless of its structural condition, is not occupied.

§ 8-301 Authority of building official.

The building official shall implement and enforce this article and may by written order establish such rules, regulations, or procedures, not inconsistent with this article, as the building official determines are necessary to discharge any duty under or to affect the policy of this article.

§ 8-302 Delivery of notices.

Any written notice that the building official is required to give an applicant or registrant under this article is deemed to be delivered:

- (1) on the date the notice is hand delivered to the applicant or registrant; or
- (2) three days after the date the notice is placed in the United States mail with proper postage and properly addressed to the applicant or registrant at the address provided for the applicant or registrant in the most recent registration application.

§ 8-303 Violations and penalty.

- (a) a person who violates a provision of this article, or who fails to perform an act required of the person by this article, commits an offense. A person commits a separate offense each day or portion of a day during which a violation is committed, permitted, or continued.
- (b) An offense under this article is punishable by a fine not to exceed \$2,000.
- (c) The penalties provided for in Subsection (b) are in addition to any other enforcement remedies that the City may have under city ordinances and state law.

§ 8-304 Registration required; defenses.

- (a) A person commits an offense if the person owns or operates a vacant building without a valid certificate of registration. A separate certificate of registration is required for each street address at which any vacant building is located, regardless of any separate occupied buildings that may also be located at the same street address. If more than one vacant building is located at the same street address, only one certificate of registration is required for all of the vacant buildings. Also, only one certificate of registration is required for a

single vacant building that has more than one street address. Suite numbers and apartment unit numbers will not be considered in determining the street address of a vacant building.

- (b) It is a defense to prosecution under this section that:
- (1) the building was occupied within the forty-five (45) day period preceding the date of the alleged offense;
 - (2) at the time of the alleged offense, the building was in the process of being renovated, rehabilitated, repaired, or demolished (pursuant to appropriate and valid permits issued by the building official, if required) and had been occupied within the ninety (90) day period preceding the date of the alleged offense;
 - (3) at the time of the alleged offense, the building was in the process of being actively marketed and advertised for lease or sale and had been occupied within the ninety (90) day period preceding the date of the alleged offense;
 - (4) within the ninety (90) day period preceding the date of the alleged offense, the building suffered damage or destruction from a fire, flood, storm, or similar event that rendered the building incapable of being occupied, except that this defense does not apply if the building was rendered incapable of being occupied by the intentional act of the owner, operator, lessee, or other invitee or an agent of the owner, operator, lessee, or other invitee; or
 - (5) the building was owned by the City of Alvarado, the State of Texas, or the United States Government.

§ 8-305 Registration application.

- (a) To obtain a certificate of registration for a vacant building, a person must submit an application on a form provided for that purpose to the building official. The applicant must be the person who will own, control, or operate the vacant building. The application must contain all of the following information:
- (1) The name, street address, mailing address, and telephone number of the applicant or the applicant's authorized agent.
 - (2) The name, all street addresses, and the main telephone number, if any, of the vacant building and a description of the type of property it last was (such as, but not limited to, a commercial building, institutional building, industrial building, a warehouse, an office, a hotel, an apartment complex, a boarding home, retail store, or restaurant).
 - (3) The names, street addresses, mailing addresses, and telephone numbers of all owners of the vacant building and any lien holders and other persons with a financial interest in the vacant building.

- (4) The name, street address, mailing address, and telephone number of a person or persons to contact in an emergency as required by Section 8-291 of this article.
 - (5) The form of business of the applicant (and owner, if different from the applicant); the name, street address, mailing address, and telephone number of a high managerial agent of the business; and, if the business is a corporation or association, a copy of the documents establishing the business.
 - (6) The number of buildings (including vacant and occupied buildings), dwelling units, swimming pools, and spas located in or on the premises of the vacant building.
 - (8) Documentary evidence of payment of ad valorem taxes owed in connection with the vacant building and the premises on which it is located.
 - (9) The total area in square feet of the vacant building, the number of stories contained in the vacant building, the area in square feet of each story, and whether each story is above or below ground level.
 - (10) The date on which the vacant building was last occupied, a description of the last use of the vacant building, and a description of any hazardous materials, uses, or conditions that currently exist or previously existed in the vacant building.
 - (11) Such additional information as the applicant desires to include or that the building official deems necessary to aid in the determination of whether the requested certificate of registration should be granted.
- (b) If the application for a certificate of registration is being made for multiple vacant buildings located at the same address, then the information required in Subsection (a) must be provided for each vacant building located at that address.
 - (c) A registrant shall notify the building official within 10 days after any material change in the information contained in the application for a certificate of registration for a vacant building, including any changes in ownership of the property.

§ 8-306 Registration fee.

There is no fee for a certificate of registration.

§ 8-307 Issuance, denial, and display of certificate of registration.

- (a) The building official shall issue a certificate of registration for a vacant building to the applicant if the building official determines that:
 - (1) the applicant has complied with all requirements for issuance of the certificate of registration;
 - (2) the applicant has not made a false statement as to a material matter in an application for a certificate of registration; and

- (b) If the building official determines that the requirements of Subsection (a) have not been met, the building official shall deny a certificate of registration to the applicant.
- (c) If the building official determines that an applicant should be denied a certificate of registration, the building official shall deliver written notice to the applicant that the application is denied and include in the notice the reason for denial and a statement informing the applicant of the right of appeal.
- (d) A certificate of registration issued under this section must be displayed to the public in a manner and location approved by the building official. The certificate of registration must be presented upon request to the building official or to a peace officer for examination.

§ 8-308 Revocation of registration.

- (a) The building official shall revoke a certificate of registration for a vacant building if the building official determines that:
 - (1) the registrant failed to comply with any provision of this article or any other city ordinance or state or federal law applicable to the building; or
 - (2) the registrant intentionally made a false statement as to a material matter in the application or in a hearing concerning the certificate of registration.
- (b) Before revoking a certificate of registration under Subsection (a), the building official shall deliver written notice to the registrant that the certificate of registration is being considered for revocation. The notice must include the reason for the proposed revocation, action the registrant must take to prevent the revocation, and a statement that the registrant has ten (10) days after the date of delivery to comply with the notice.
- (c) If, after ten (10) days from the date the notice required in Subsection (b) is delivered, the registrant has not complied with the notice, the building official shall revoke the certificate of registration and deliver written notice of the revocation to the registrant. The notice must include the reason for the revocation, the date the building official orders the revocation, and a statement informing the registrant of the right of appeal.

§ 8-309 Appeal.

- (a) If the building official denies the issuance or renewal of a certificate of registration or revokes a certificate of registration, the action is final unless the registrant files a written appeal to the construction board of appeals within seven (7) calendar days of delivery of the notice of revocation.
- (b) If a written request for an appeal hearing is filed with the building official within the seven-day period, the construction board of appeals shall hear the appeal within thirty (30) days from the City's receipt of the appeal unless otherwise agreed by the City and the appellant.
- (c) Failure to file an appeal in accordance with this section is a waiver of appeal and the building official's decision shall be final.

- (d) The revocation of a certificate of registration is stayed pending appeal.
- (e) At the appeal hearing, the construction board of appeals is limited to affirming or reversing the denial or revocation based upon proof by the appellant that there was error as of the date of the revocation or denial. Subsequent repair, renovation, correction, or payment of a fee shall not form the basis of the board's decision. Otherwise, the appeal shall be handled in accordance with Section 113 of the 2021 International Building Code. The decision of the board is final as to administrative remedies, and no rehearing or appeal may be granted.

§ 8-310 Expiration and renewal of registration.

- (a) A certificate of registration for a vacant building expires the earlier of:
 - (1) one (1) year after the date of issuance;
 - (2) the date the vacant building changes controlling ownership, as determined by the building official;
 - (3) the date the vacant building becomes occupied, as determined by the building official; or
 - (4) the date the vacant building is demolished, as determined by the building official.
- (b) A certificate of registration may be renewed by making application in accordance with Section 8-283 and paying the registration fee, if any, required by Section 8-284. A registrant shall apply for renewal at least thirty (30) days before the expiration of the certificate of registration.

§ 8-311 Transfer of certificate of registration.

A certificate of registration for a vacant building is not transferable.

§ 8-312 Inspection.

- (a) For the purpose of ascertaining whether violations of this article or any other city ordinance or state or federal law applicable to the building exist, the building official is authorized at a reasonable time to inspect:
 - (1) the exterior of a vacant building; and
 - (2) the interior of a vacant building, if the permission of the owner, operator, or other person in control is given or a search warrant is obtained.
- (b) The building official shall inspect a vacant building at least once during each 12-month period that the building is not occupied.
- (c) An applicant or registrant shall permit representatives of the police department, the fire department, the department of code compliance, and the building official to inspect the interior and exterior of a vacant building, for the purpose of ensuring compliance with the

law, at reasonable times upon request. The applicant or registrant commits an offense if he, either personally or through an agent or employee, refuses to permit a lawful inspection of the vacant building as required by this subsection.

- (d) Whenever a vacant building is inspected by the building official and a violation of this article or any other city ordinance or state or federal law applicable to the building is found, the building or premises will, after the expiration of any time limit for compliance given in a notice or order issued because of the violation, be reinspected by the building official to determine that the violation has been eliminated.

§ 8-313 Emergency response information.

- (a) An owner, operator, or other person in control of a vacant building shall provide the building official with the name, street address, mailing address, and telephone number of a person or persons who can be contacted twenty-four (24) hours a day, seven (7) days a week, in the event of an emergency condition in or on the premises of the vacant building. An emergency condition includes any fire, natural disaster, collapse hazard, burst pipe, serious police incident, or other condition that requires an immediate response to prevent harm to property or the public.
- (b) The owner, operator, or other person in control of the vacant building shall notify the building official within five (5) days after any change in the emergency response information.
- (c) The owner, operator, or other person in control of a vacant building, or an authorized agent, must arrive at the premises within one hour after a contact person named under this section is notified by the City or emergency response personnel that an emergency condition has occurred on the premises.
- (d) A sign containing the emergency contact information required in Subsection (a) of this section must be attached in a conspicuous location on the exterior of each facade of the vacant building that faces a public right-of-way.
- (e) The sign required by Subsection (d) must:
 - (1) comply with the City's sign regulations;
 - (2) be 24 inches tall and 18 inches wide and constructed of a rigid weather-resistant material;
 - (3) contain the words "VACANT BUILDING" contrasting colors that are visible yet harmonious with the city's aesthetic standards, such as black text on a neutral background;
 - (4) be in a format approved by the building official; and
 - (5) be readable day and night.

- (f) A person commits an offense if he removes or obstructs or allows the removal or obstruction of a sign required to be posted on a vacant building under this section. It is a defense to prosecution under this subsection that the removal or obstruction was caused by:
 - (1) a city employee in the performance of official duties; or
 - (2) the owner, operator, or lessee of the vacant building for the purpose of:
 - a. repairing or maintaining the sign;
 - b. complying with this article or a rule or regulation promulgated under this article; or
 - c. removing the sign when registration of the vacant building is no longer required under this article.
- (g) A minor variation of a required or minimum height or width of a sign or lettering is not a violation of this section

§ 8-315 Vacant building plan.

- (a) Within thirty (30) days after the date a certificate of registration is issued for a vacant building, the registrant shall submit to the building official a vacant building plan complying with this section.
- (b) The vacant building plan must contain the following:
 - (1) A plan of action and a time schedule for correcting all existing violations of this article or any other city ordinance or state or federal law applicable to the building or its premises.
 - (2) A plan of action for maintaining the building and its premises in compliance with this article and all applicable city ordinances and state and federal laws.
 - (3) A plan of action for maintaining the building and its premises in a safe and secure manner, including but not limited to any provisions for lighting, security patrols, alarm systems, fire suppression systems, and securing the building from unauthorized entry.
 - (4) A plan of action for occupying or selling the building, including but not limited to a time schedule for renovating or repairing the building and a time schedule for marketing, advertising, or offering the building for sale or lease.
 - (5) A plan of action and time schedule for any demolition of the building.

- (c) A registrant may update the vacant building plan at any time, but shall provide the building official with an updated vacant building plan at least once every six months that the building is required to be registered under this article.

§ 8-316 through § 8-346. (Reserved)”

SECTION 3.

This Ordinance shall be cumulative of all provisions of ordinances and of the Alvarado Code, as amended, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.

SECTION 4.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 5.

All rights and remedies of the City are expressly saved as to any and all violations of the provisions of the Alvarado Code amended or revised herein, or any other ordinances affecting the matters regulated herein which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 6.

The City Secretary of the City of Alvarado is directed to publish the caption and penalty clause of this Ordinance to the extent required by law.

SECTION 7.

Any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined no more than Two Thousand Dollars and no cents (\$2,000.00) for each violation of this Ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 8.

This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED ON THIS ____ DAY OF _____ 2025.

JACOB WHEAT, MAYOR

ATTEST:

BETH A. WALLS, CITY SECRETARY

EFFECTIVE DATE: _____

APPROVED AS TO FORM AND LEGALITY:

ASHLEY DIERKER, CITY ATTORNEY



City Council Meeting Management Report

Meeting Date: January 22, 2025

Contact: Justin French

AGENDA ITEM:

Consideration and action to approve Ordinance 2024-0027, amending the City's Master Fee Schedule.

BACKGROUND AND FINDINGS:

On December 16, 2024, the City Council tabled action on the proposed fee schedule changes to allow more review of specific fees.

On June 17, 2024, the City Council approved site development user fees as prepared by Willdan Financial Services to address immediate needs and with the understanding that Willdan would come back to address all other fees using the same methodology. The various fees charged by the City of Alvarado in Willdan's new study have not been updated comprehensively in a considerable amount of time. Therefore, staff finds that these fees are in need of update with Willdan's methodology, except building permit fees that staff proposes to be based on market rates rather than cost recovery alone.

Provided is a comparison of building permit fees from strategic Johnson County cities that incorporates data from a market study of various cities in the Dallas/Fort Worth Metropolitan Area that was prepared by the City of Mansfield in 2020. This study, along with the City's in-house professional experience and expertise, are the basis for the suggested building permit fees for the City of Alvarado. At this time, building permit fees are not mandated by the State of Texas to only recover costs to perform permitting and building inspections. Unlike several other city fees, it is not uncommon for municipalities to receive revenue beyond expenses from permit fees for the City's general fund.

RECOMMENDATION:

Staff recommends the City Council approve this action to update changes to the Master Fee Schedule.

FINANCIAL IMPACT:

No negative financial impact is anticipated by this Master Fee Schedule adoption.

MANAGEMENT REVIEW:

Paul DeBuff, City Manager

ATTACHMENTS:

User Fee Study Presentation (Willdan Financial Services)

Market Study of Building Permit Fees

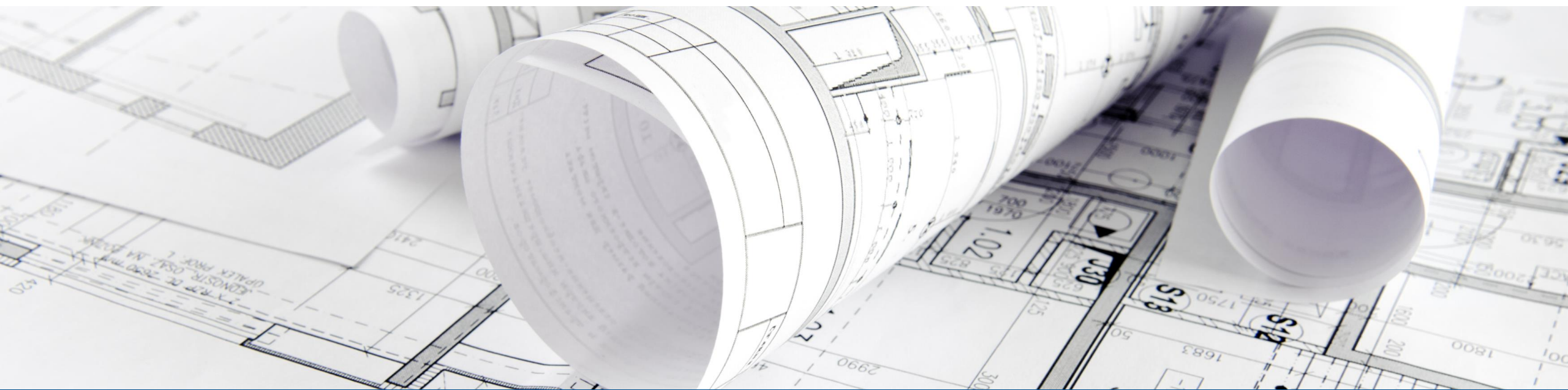
Draft Ordinance No. 2024-0027 Fee Schedule Amendment

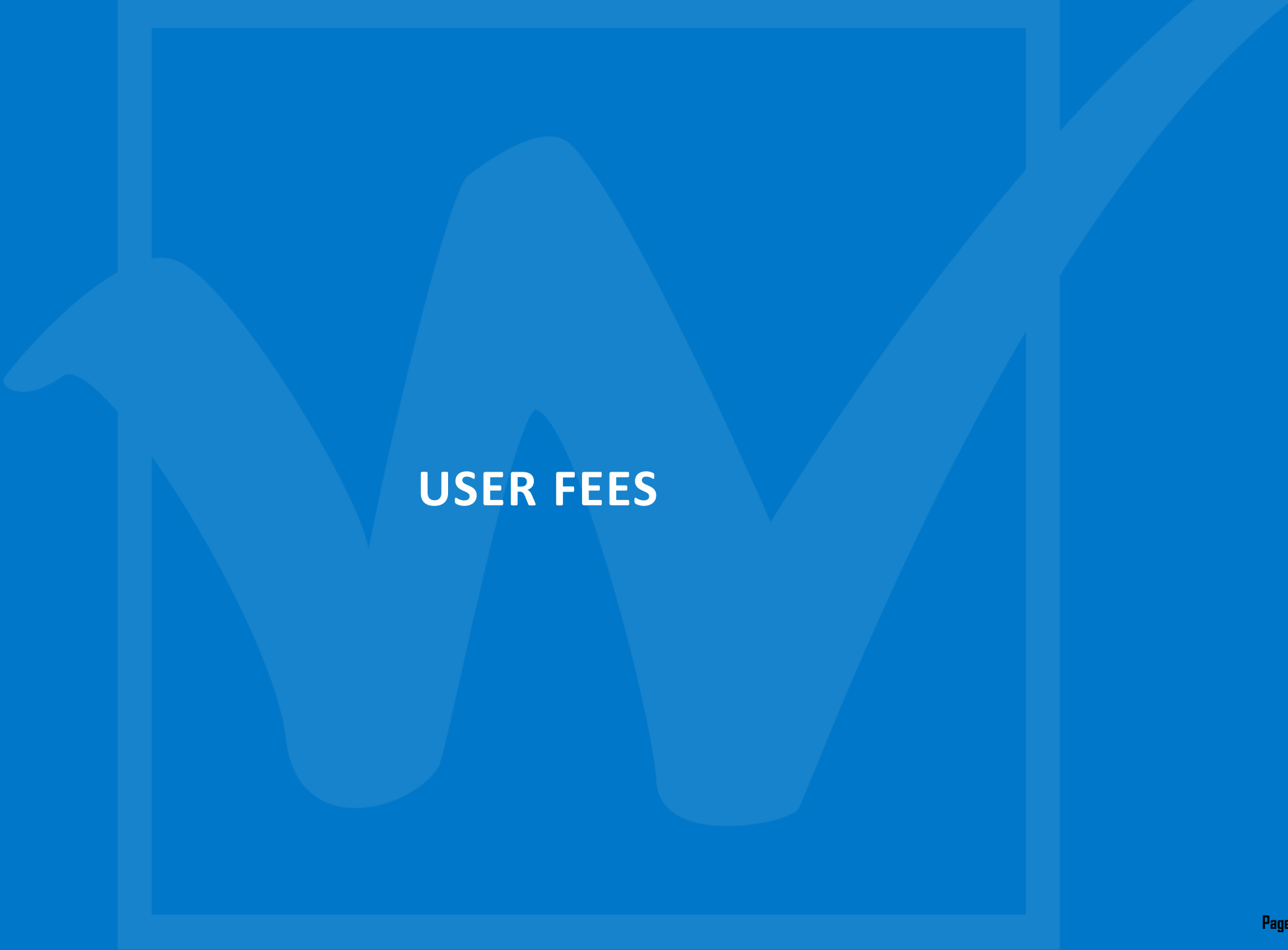


City of Alvarado, Texas

User Fee Study

December 2024





USER FEES

USER FEE BACKGROUND



- **User Fees** fund programs and services that provide a specific benefit to individuals or groups requesting them, with limited or no benefit to the community as a whole
- **H.B. 3492 (approved in June 2023)** requires that a cities may no longer consider the cost of constructing or improving infrastructure for a development in determining the amount of the fee to review and inspect the improvements; City has already adjusted the fees related to H.B. 3492

USER FEE STUDY



- Primary objective of a **User Fee Study** is to determine the “reasonable” full cost of providing services
- Each fee or service’s cost is calculated individually
- Develop **fully burdened hourly rates** for personnel
 - Salary & Benefit cost divided by productive hours
 - Layer on direct and indirect overhead as applicable to the position’s department and services provided

**Up to 100% of
the full
calculated cost
may be
recovered**

USER FEE BACKGROUND



Willdan has used the following to determine full cost of providing each service:

Department
Budgets &
Cost Data

Salary &
Benefit
Information

Staffing
Structures

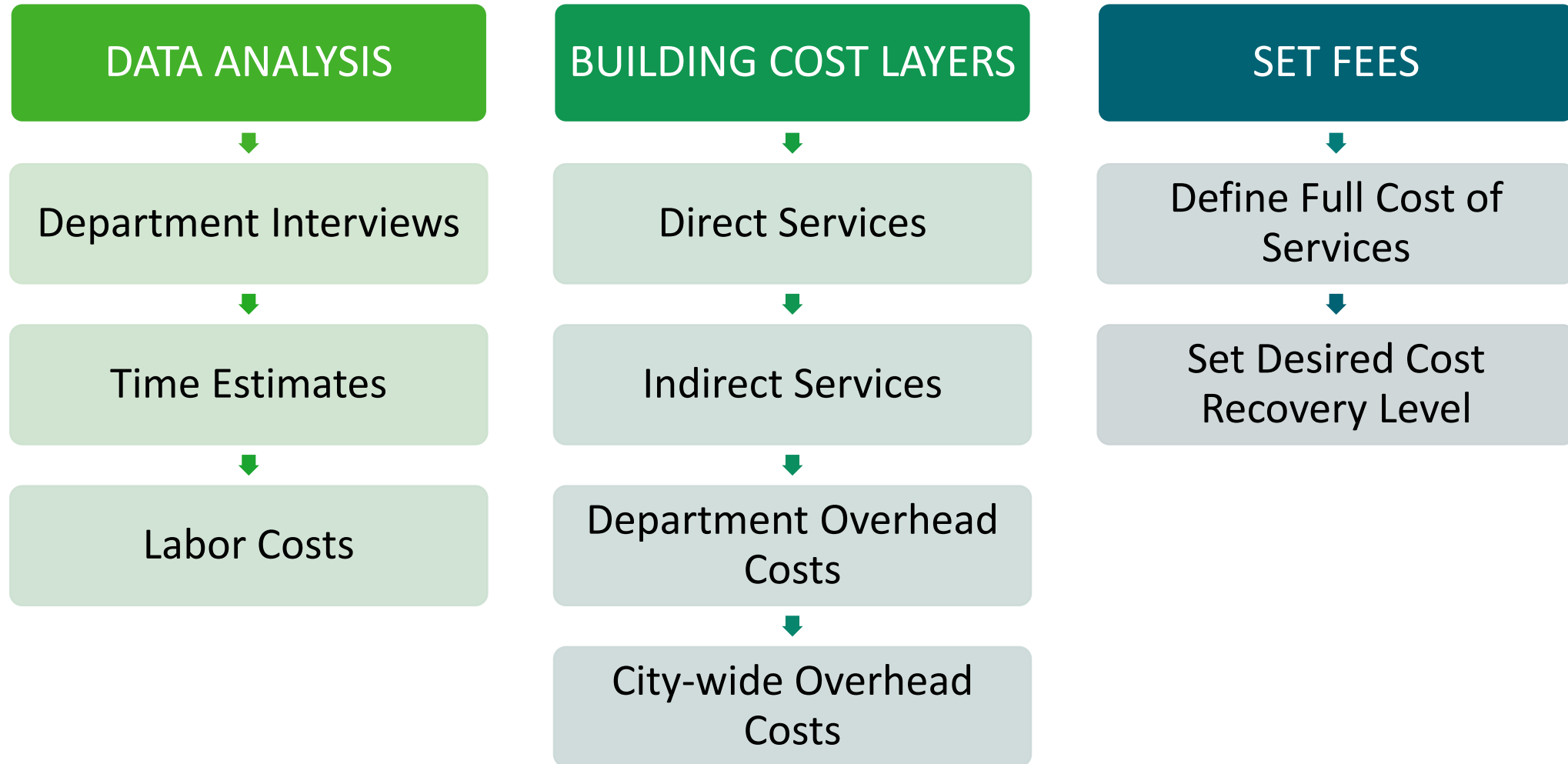
Productive
Hours

Time
Estimates per
Program/Fee

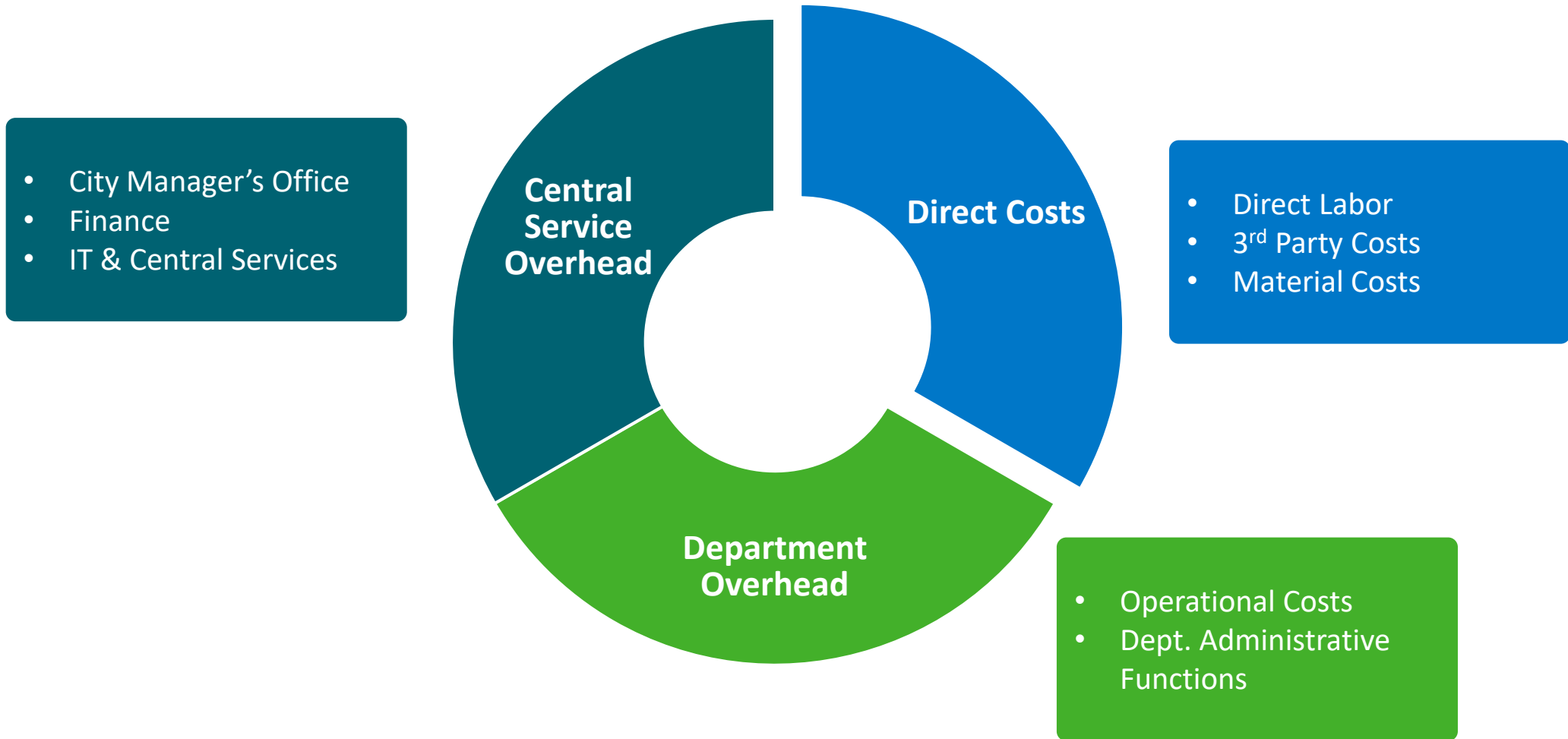
Current
Activity Level
& Revenues

City Staff
Interviews &
Policies

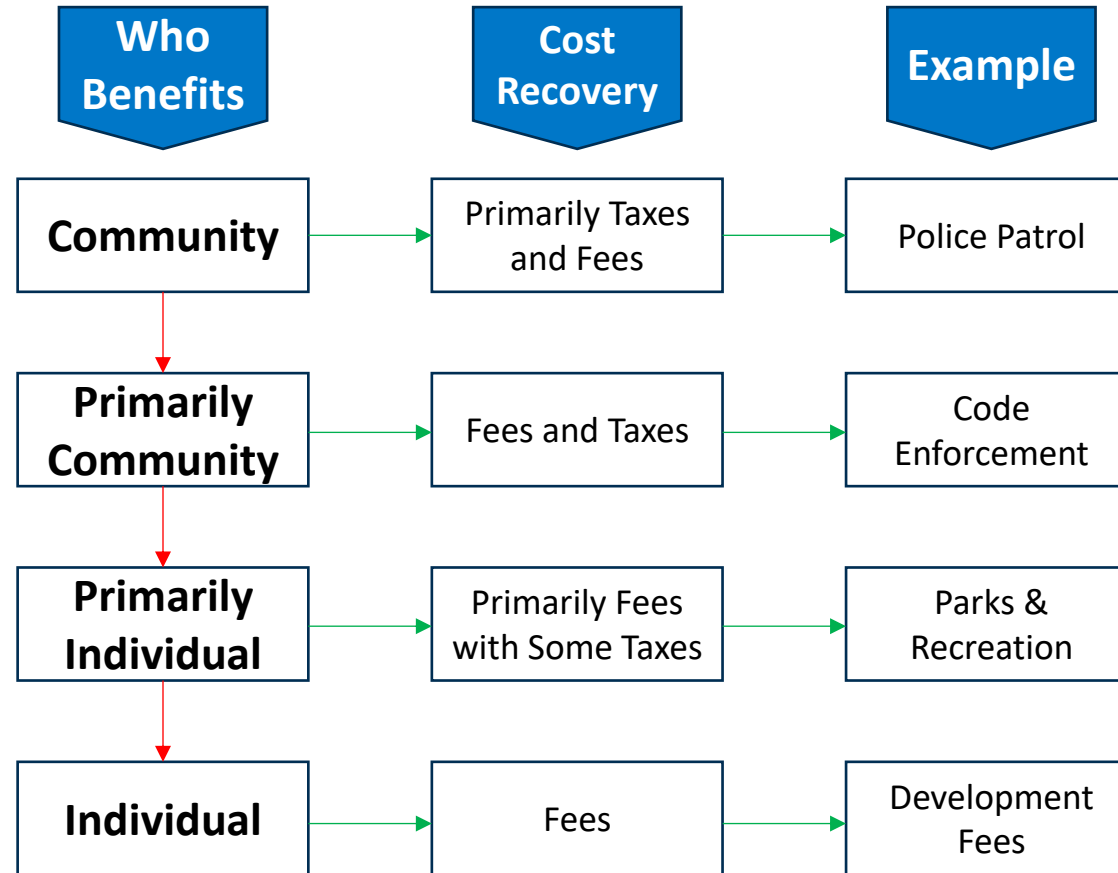
USER FEE STUDY | METHODOLOGY COMPONENTS



TYPICAL FEE COMPOSITION



USER FEE POLICY CONSIDERATIONS



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USER FEE RECOMMENDATIONS

FEE TYPES REVIEWED



Building &
Permit Fees

Fire Fees

Utility User
Fees

Animal
Control Fees

Development
Fees

City Secretary
Fees

Library Fees

Other Fees

DEVELOPMENT FEES (OTHER THAN HB 3492 FEES)



- Current fees are subsidizing the cost of providing services, the current cost recovery for development fees (other than HB 3492 fees) is at 46%
- The suggested fees are to bring Department services up closer to full cost recovery.

Development Fees	Number of Fees
New	0
Increased	8
Decreased	0
Remain the Same	1
Deleted	0
Average Cost Recovery	80%

BUILDING AND PERMITS FEES



- Building and Permits Department has changed the entire fee schedule.
- The recommendations are based on both market and cost analysis

Building & Permits	Number of Fees
New	42
Increased	0
Decreased	0
Remain the Same	0
Deleted	176
Average Cost Recovery	82%



- Current fees are heavily subsidizing the cost of providing services, the current cost recovery for fire fees is at 26%
- The suggested fees are to slightly increase the cost recovery for fire fees.

Fire Fees	Number of Fees
New	84
Increased	10
Decreased	0
Remain the Same	0
Deleted	4
Average Cost Recovery	55%

UTILITY USER FEES



- Current fees are subsidizing the cost of providing services, the current cost recovery for utility user fees is at 57%
- The suggested fees are to bring Department services up closer to full cost recovery.

Utility User Fees	Number of Fees
New	5
Increased	18
Decreased	0
Remain the Same	13
Deleted	4
Average Cost Recovery	82%



- Current fees are heavily subsidizing the cost of providing services, the current cost recovery for library fees is at 33%
- The suggested fees are to slightly increase the cost recovery for library fees.
- Comparisons were used to set final recommendations

Library	Number of Fees
New	0
Increased	7
Decreased	0
Remain the Same	16
Deleted	5
Average Cost Recovery	40%

ANIMAL CONTROL FEES



- Current fees are subsidizing the cost of providing services, the current cost recovery for animal control fees is at 54%
- Comparisons were used to set final recommendations

Animal Control	Number of Fees
New	1
Increased	0
Decreased	0
Remain the Same	15
Deleted	0
Average Cost Recovery	53%

CITY SECRETARY FEES



- Current fees are slightly subsidizing the cost of providing services, the current cost recovery for city secretary fees is at 87%
- Comparisons were used to set final recommendations

City Secretary	Number of Fees
New	1
Increased	1
Decreased	1
Remain the Same	12
Deleted	16
Average Cost Recovery	87%

FINAL CONSIDERATIONS



- **General standard:** individuals or groups who receive specific benefit from service should pay 100% of cost

- In certain **targeted situations**, subsidization is an effective public policy tool to:
 - Encourage participation
 - Ensure compliance when cost is prohibitive to target industries or residents
 - Allow access to services

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APPENDIX A

BUILDING AND PERMITS 1



Building				
#	Description	Current Fee/Charge	Unit	Notes
	BUILDING PERMITS			
	One- and Two- Family Dwelling to include Townhomes: new ,additions, alterations, remodels, and repairs			
	Permit Fee (includes typical inspections)	New Structure	per sq ft	sample 2,227
	Plan Review	New Structure		
	Patio cover, carport, deck, porch, etc. (that exceed 200 square feet and are 30 inches above grade at any point), and one-story accessory structures (that exceed 200 square feet)			
	Permit Fee	New Structure	per sq ft	sample 500
	Plan Review	New Structure		Min fee \$75
	Foundation repair, window replacement, wind and solar energy			
	Permit Fee	New Structure		
	Plan Review	New Structure		
	New commercial structures (shell buildings) and additions			
	Permit Fee	New Structure	per sq ft	sample 3,003
	Plan Review	New Structure		
	All interior finishes, alterations, remodels, repairs, renovations, of non-residential structures, etc.			
	Permit Fee	New Structure	change to per sq ft	2.5% of valuation (Min. fee \$125); per sq ft; 1,500
	Plan Review	New Structure		

Full Cost	Subsidy %	Suggested Fee	Cost Recove	Calculation
NA	NA	\$0.73	NA	Market Based
NA	NA	\$100.00	NA	Market Based
NA	NA	\$0.30	NA	Market Based
NA	NA	\$100.00	NA	Market Based
NA	NA	\$200.00	NA	Market Based
NA	NA	\$0.00	NA	Market Based
NA	NA	\$0.75	NA	Market Based
NA	NA	\$200.00	NA	Market Based
NA	NA	\$0.55	NA	Market Based
NA	NA	\$200.00	NA	Market Based

BUILDING AND PERMITS 2



Building				
#	Description	Current Fee/Charge	Unit	Notes
	BUILDING PERMITS			
	Multi-Family Building: new and additions			
	Permit Fee	New Structure	per sq ft	sample 33,000 sq ft building
	Plan Review	New Structure		
	Multi-Family Building: alterations, remodels, and repairs			
	Permit Fee	New Structure	per sq ft	sample 33,000 sq ft building
	Plan Review	New Structure		
	Note: 1. Permit fees calculated by the square foot shall include the entire square footage of the structure under roof. 2. MEP fees included in permit fee. 3. Plan review fee per building is required at time of application submittal and is non-refundable.			
	OTHER BUILDING PERMITS and FEES			
	Moving of Buildings in/out of city	New Structure		
	Construction Trailer/Sales Trailer, includes MEP	New Structure	each	
	Pre-manufactured Structure/Industrialized Building, includes MEP	New Structure	each	
	In-ground swimming pool, includes MEP	New Structure		
	Prefabricated above ground swimming pools, spas and portable hot tubs, includes MEP	New Structure		
	Fence	New Structure		
	Screening Walls and Retaining Walls	New Structure		
	Drive Approach	New Structure		

Full Cost	Subsidy %	Suggested Fee	Cost Recove	Calculation
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NA	NA	\$0.65	NA	Market Based
NA	NA	\$200.00	NA	Market Based

NA	NA	\$0.55	NA	Market Based
NA	NA	\$200.00	NA	Market Based

\$287.60	-4%	\$300.00	104%	Cost Based
\$198.00	-1%	\$200.00	101%	Cost Based
\$198.00	-52%	\$300.00	152%	Cost Based
\$404.16	26%	\$300.00	74%	Cost Based
\$236.22	58%	\$100.00	42%	Cost Based
\$177.71	72%	\$50.00	28%	Cost Based
\$148.84	33%	\$100.00	67%	Cost Based
\$355.99	49%	\$180.00	51%	Cost Based

BUILDING AND PERMITS 3



Building				
#	Description	Current Fee/Charge	Unit	Notes
	OTHER BUILDING PERMITS and FEES			
	Demolition	New Structure		
	Certificate of Occupancy	New Structure	each	
	Roof Replacement	New Structure		
	Building - Mechanical	New Structure		
	Building - Plumbing	New Structure		
	Building - Electrical	New Structure		
	Irrigation Permit	New Structure		
	Inspection outside of normal business hours (in addition)	New Structure	per hour	(Minimum charge of two (2) hours)
	Re-inspection Fees	New Structure	each	
	Work commencing before permit issuance	New Structure		
	Inspections, for which no fee is specifically indicated	New Structure	per hour	(Minimum charge of one (1) hour)
	Additional plan review required by changes, additions or revisions to scope of work submitted or approved plans	New Structure	per hour	(Minimum charge of one (1) hour)
	Miscellaneous building permit fee for item not listed above	New Structure	each	
	MISCELLANEOUS PERMITS and FEES			
	Garage Sale Permit	New Structure		
	Wall Signs, Temporary Signs and Promotional Displays	New Structure	each	
	Pole, ground and all other signs not classified as wall signs	New Structure	each	
	Multiple Sign Package (includes all signs)	New Structure	each	
	Code Administration/ Lien Processing	New Structure		
	ETJ Release Fee	New		
	Engineering review pass through	2,500.00	deposit	

Full Cost	Subsidy %	Suggested Fee	Cost Recover	Calculation
\$134.43	26%	\$100.00	74%	Cost Based
\$208.78	64%	\$75.00	36%	Cost Based
\$104.30	28%	\$75.00	72%	Cost Based
\$99.13	-1%	\$100.00	101%	Cost Based
\$99.13	-1%	\$100.00	101%	Cost Based
\$99.13	-1%	\$100.00	101%	Cost Based
\$146.31	32%	\$100.00	68%	Cost Based
\$124.29	60%	\$50.00	40%	Cost Based
\$49.57	-102%	\$100.00	202%	Cost Based
NA	NA	100% of original permit fee in addition to regular permit fee	NA	Cost Based
\$62.14	-21%	\$75.00	121%	Cost Based
\$149.88	33%	\$100.00	67%	Cost Based
\$115.24	35%	\$75.00	65%	Cost Based
\$18.49	73%	\$5.00	27%	Cost Based
\$67.31	-11%	\$75.00	111%	Cost Based
\$134.43	26%	\$100.00	74%	Cost Based
\$672.36	26%	\$500.00	74%	Cost Based
NA	NA	\$200.00	NA	Market Based
\$1,114.78	10%	\$1,000.00	90%	Cost Based
NA	NA	\$5,000.00	NA	Cost Based

DEVELOPMENT SERVICES



Development Services					
#	Description	Current Fee/Charge	Unit	Notes	Fee Type
31.00	Public Improvement Construction (Drives & Sidewalks)				
31.00.d	Standalone Sidewalks (per linear foot) (length – straight line)	0.25	LF	\$35.00 Min	no HB3492 item, change language; 600 LF Sample
31.00.e	Standalone Curb and Gutter (per linear ft)	0.30	LF	\$35.00 Min	no HB3492 item, change language; 600 LF Sample
38.00	Zoning Change				
38.00.a.1	The filing, processing and review fee for straight rezoning each single or contiguous piece of property is: Area of Application	400.00		+\$20.00 per acre	
	The filing, processing and review fee for PD or MF rezoning each single or contiguous piece of property is: Area of Application	400.00		+\$20.00 per acre	
	+\$20.00 per acre (applies to 38.00.a.1, 38.00.a.2, & 38.00.c)	20.00			Sample 2 acres
38.00.b	For variance or special exception request to the Board of Adjustment or City Council	200.00			
38.00.c	Specific Use Permit Application	250.00			
38.00.d.1	Vacation of Right-of-Way: Vacation Easement	100.00			
38.00.d.2	Vacation of Right-of-Way: Vacation of Street or Alley	100.00			

Full Cost	Subsidy %	Suggested Fee	Fee Δ
\$0.54	5%	\$0.51	\$0.26
\$0.54	5%	\$0.51	\$0.21
\$623.24	5%	\$590.00	\$190
\$1,111.88	47%	\$590.00	\$190
\$43.31	8%	\$40.00	\$20
\$448.24	55%	\$200.00	\$0
\$715.07	17%	\$590.00	\$340
\$246.22	19%	\$200.00	\$100
\$246.22	19%	\$200.00	\$100

LIBRARY 1



Library				
#	Description	Current Fee/Charge	Unit	Notes
45.00	Library Services			
45.00.a	Non-Resident Library Card			
45.00.a.1	City employee, library volunteer, AISD student or teacher	0.00		no charge
45.00.a.3	Individual , membership fee (per year)	10.00	year	Comps
45.00.a.4	Family, membership fee (per year)	15.00	year	
45.00.b	Library or Computer Card Replacement			
45.00.b.1	1st replacement	1.50		
45.00.b.2	2nd and subsequent replacements	1.50		maximum fee of \$7.50
45.00.c	Fines for Overdue Material			
45.00.c.1	All materials	0.25	per item per business day	Plus actual postage costs needed to notify customer of overdue items; COMPS
45.00.d	Lost or Completely Damaged Materials	actual cost		In addition a \$10.00 processing fee may be charged
45.00.e	Other Damaged Materials			
45.00.e.1	Book pocket	1.00		
45.00.e.2	Date card	1.00		
45.00.e.3	Protective book cover	2.00		
45.00.e.4	Protective plastic DVD/CD case	2.00		
45.00.g	Computer Printing	0.10	per page	

Full Cost	Subsidy %	Suggested Fee	Fee Δ	Cost Recovery
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\$4.46	100%	\$0.00	\$0	0%
NA	NA	\$10.00	NA	NA
NA	NA	\$15.00	NA	NA

\$2.67	44%	\$1.50	\$0	56%
NA	NA	\$1.50	\$0	NA

NA	NA	\$0.25	NA	NA
NA	NA	actual cost	NA	NA

\$1.45	14%	\$1.25	\$0	86%
\$1.42	12%	\$1.25	\$0	88%
\$5.79	22%	\$4.50	\$3	78%
\$3.37	18%	\$2.75	\$1	82%
\$1.78	94%	\$0.10	\$0	6%

LIBRARY 2



Library				
#	Description	Current Fee/Charge	Unit	Notes
	Color computer prints (flyers,brochures,etc.)			
	8-1/2 X 11	0.25	per page	
	8-1/2 X 14	0.35	per page	
45.00.h	Photocopies			
45.00.h.1	8-1/2 X 11	0.10	per page	Sample 6 sample
45.00.h.2	8-1/2 X 14	0.15	per page	Sample 6 sample
45.00.h.3	10 X 17	0.20	per page	Sample 6 sample
45.00.j	Fascimile Policy (Incoming or Outgoing pages)			
45.00.j.1	First Page	1.00		1 page
45.00.j.2	Addl. pages (each)	0.10		2 page
45.00.k	Facility Rental			
45.00.k.1	Non-profit organizations	no charge		
45.00.k.2	Conference room	10.00	per hour	
45.00.k.3	Conference room	40.00	all day	
45.00.k.4	Cleaning Deposit	25.00		

Full Cost	Subsidy %	Suggested Fee	Fee Δ	Cost Recovery
\$1.78	86%	\$0.25	\$0	14%
\$1.78	80%	\$0.35	\$0	20%
\$2.67	96%	\$0.10	\$0	4%
\$2.67	94%	\$0.15	\$0	6%
\$2.67	93%	\$0.20	\$0	7%
\$1.78	44%	\$1.00	\$0	56%
\$1.78	92%	\$0.15	\$0.05	8%
NA	NA	\$0.00	NA	NA
NA	NA	\$15.00	\$5	NA
NA	NA	\$80.00	\$40	NA
\$26.74	7%	\$25.00	\$0	93%

ANIMAL CONTROL



Animal Control				
#	Description	Current Fee/Charge	Unit	Notes
16.00	Animal Impoundment			
16.00.a	The owner of any dog or cat impounded shall be allowed to redeem such dog or cat upon payment of the following fees to the City:			
16.00.a.1	Capture of the animal by an animal control officer	25.00		
16.00.a.2	Boarding a dog or cat	10.00	per day	
16.00.a.3	Boarding any other animal	20.00	per day	
16.00.a.4	Medical treatment and medication expended by the ACO for the animal, including required vaccinations	Actual cost		
16.00.a.5	Advertising the animal	Actual cost		
16.00.b.1	Pickup and disposal of a dead animal	25.00		
16.00.b.2	Animal which is voluntarily surrendered to the shelter by its owner	25.00		
16.00.b.3	Quarantine of an animal	150.00		state law
New	Quarantine of an animal - Test in Austin	New		
16.00.c.1	Adoption Fee -- dog	50.00		
16.00.c.2	Adoption Fee -- cat	25.00		
16.00.d.1	Dangerous Dog Annual Registration Fee	400.00		COMPS
16.00.e	Pet Registration Fee (annual):			
16.00.e.1	first pet in household	12.00		intact
16.00.e.2	pet thereafter (same household)	10.00		intact
16.00.e.3	first pet in household	8.00		sterilized
16.00.e.4	pet thereafter (same household)	4.00		sterilized

Full Cost	Subsidy %	Suggested Fee	Fee Δ	Cost Recovery
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\$30.80	19%	\$25.00	\$0	81%
\$35.20	72%	\$10.00	\$0	28%
\$35.20	43%	\$20.00	\$0	57%
NA	NA	actual cost	NA	NA
NA	NA	actual cost	NA	NA
\$30.80	19%	\$25.00	\$0	81%
NA	NA	\$25.00	\$0	NA
\$501.65	70%	\$150.00	\$0	30%
\$888.89	66%	\$300.00	NA	34%
\$76.44	35%	\$50.00	\$0	65%
\$72.44	65%	\$25.00	\$0	35%
NA	NA	\$400.00	\$0	NA

\$17.60	32%	\$12.00	\$0	68%
\$13.20	24%	\$10.00	\$0	76%
\$17.60	55%	\$8.00	\$0	45%
\$13.20	70%	\$4.00	\$0	30%



City Secretary				
#	Description	Current Fee/Charge	Unit	Notes
1.00	Public Information Fees			
	Copying Fees -- General Copies			
1.1.1	Standard size paper, 8.5"X11" or 8.5"X14"	0.10	page	Attorney general
1.1.4	Oversized paper copy, above 8.5"X14"	0.50	page	Attorney general
	Copies of Computer Data Formats			
1.2.8	JAZ drive	Actual cost		
1.2.9	Mylar	Actual cost		
1.2.10	Blueline/blueprint paper	Actual cost		
1.2.11	Maps/Photographic	Actual cost		
	Computer resource charge			
1.2.15	Document retrieval charge	Actual cost		
1.2.16	Postage and shipping	Actual cost		
1.2.17	Photographs	Actual cost		
1.2.18	Other costs	Actual cost		
1.2.19	Outsourced/Contracted services	Actual cost		
1.2.20	Fascimile – first page	1.00		COPY LIBRARY
1.2.20	Every page thereafter	0.10	per page	COPY LIBRARY
	Credit Card Fees			
	Processing Fee	3%	per transaction	
New	research charge		per hour	Attorney general

Full Cost	Subsidy %	Suggested Fee	Fee Δ
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NA	NA	\$0.10	\$0
NA	NA	\$0.10	-\$0.40

NA	NA	Actual cost	NA
NA	NA	Actual cost	NA
NA	NA	Actual cost	NA
NA	NA	Actual cost	NA

NA	NA	Actual cost	NA
NA	NA	Actual cost	NA
NA	NA	Actual cost	NA
NA	NA	Actual cost	NA
NA	NA	Actual cost	NA
\$1.94	48%	\$1.00	\$0
\$1.94	92%	\$0.15	\$0.05

NA	NA	3%	0%
NA	NA	\$15.00	NA

FIRE 1



Fire				
#	Description	Current Fee/Charge	Unit	Notes
40.00	Public Fireworks Display			
	Permit Fee	25.00		
41.00	Burn Permit			
	Burn Permit			Change
44.00	Fire Services			
44.00.a	Fire Inspection Fees:			
44.00.a.1	Less than 5,000 sq ft	20.00		sample 5,000 sq ft
44.00.a.2	5,000-10,000 sq ft	25.00		sample 10,000 sq ft
44.00.a.3	10,001-25,000 sq ft	30.00		sample 25,000 sq ft
44.00.a.4	25,001-50,000 sq ft	45.00		sample 50,000 sq ft
44.00.a.5	50,001-75,000 sq ft	70.00		sample 75,000 sq ft
44.00.a.6	75,001-100,000 sq ft	95.00		sample 100,000 sq ft
44.00.a.7	greater than 100,000 sq ft	95.00		+\$15.00 for each addl. 50,000 sq ft of storage area
44.00.a.8	Multiple Story Charge	5.00	per floor	for inspection of multiple story building three stories or more in height.
	Construction Permits			
Change	Automatic Fire-extinguishing Systems, 1 to 20 heads	Change	Change	sample 20 heads
Change	Automatic Fire-extinguishing Systems, 21 to 250 heads	Change	Change	sample 250 heads
Change	Automatic Fire-extinguishing Systems, 251 to 500 heads	Change	Change	sample 500 heads
Change	Automatic Fire-extinguishing Systems >500+ \$.50/head additional	Change	Change	sample 500 heads
Change	Automatic Fire-extinguishing Systems (Commercial Cooking)	Change	Change	

Full Cost	Subsidy %	Suggested Fee	Fee Δ	Cost Recovery
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\$158.25	37%	\$100.00	\$75	63%
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\$105.50	5%	\$100.00	\$100	95%
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\$79.13	37%	\$50.00	\$30	63%
\$114.29	39%	\$70.00	\$45	61%
\$193.42	41%	\$115.00	\$85	59%
\$298.92	43%	\$170.00	\$125	57%
\$457.17	41%	\$270.00	\$200	59%
\$509.92	41%	\$300.00	\$205	59%
\$104.96	43%	\$300 + \$60 per 50k sq ft	NA	57%
\$35.17	43%	\$20.00	\$15	57%

\$193.42	48%	\$100.00	NA	52%
\$298.92	40%	\$180.00	NA	60%
\$457.17	40%	\$275.00	NA	60%
\$0.36	4%	\$275 + \$0.35 per head	NA	96%
\$246.17	39%	\$150.00	NA	61%

FIRE 2



Fire				
#	Description	Current Fee/Charge	Unit	Notes
	Construction Permits			
New	Battery systems	New		
New	Capacitor storage systems	New		
New	Compressed gases	New		
New	Cryogenic fluids	New		
New	Emergency responder radio coverage systems	New		
New	Fire alarm/detection systems and related equipment 1 to 10 devices	New		Sample 10 devices
New	Fire alarm/detection systems and related equipment 11 to 25 devices	New		Sample 25 devices
New	Fire alarm/detection systems and related equipment 26 to 150 devices	New		150
New	Fire alarm/detection systems and related equipment 151 to 500 devices	New		500
New	Fire alarm/detection systems and related equipment >500 + \$.50/device additional	New		
New	Fire pumps and related equipment	New		
New	Flammable and combustible liquids - Storage/Dispensing	New		
New	Fuel cell power systems	New		
New	Gas detection systems	New		
New	Gates and barricades across fire apparatus access roads	New		
New	Hazardous materials	New		
New	High piled combustible storage	New		
New	Industrial ovens.	New		
New	LP-gas -Storage	New		

Full Cost	Subsidy %	Suggested Fee	Fee Δ	Cost Recovery
\$246.17	39%	\$150.00	NA	61%
\$246.17	39%	\$150.00	NA	61%
\$193.42	48%	\$100.00	NA	52%
\$193.42	48%	\$100.00	NA	52%
\$246.17	39%	\$150.00	NA	61%
\$193.42	48%	\$100.00	NA	52%
\$246.17	39%	\$150.00	NA	61%
\$351.67	40%	\$210.00	NA	60%
\$457.17	40%	\$275.00	NA	60%
\$0.36	4%	\$275 + \$0.35 per device	NA	96%
\$193.42	48%	\$100.00	NA	52%
\$193.42	48%	\$100.00	NA	52%
\$193.42	48%	\$100.00	NA	52%
\$193.42	48%	\$100.00	NA	52%
\$193.42	48%	\$100.00	NA	52%
\$246.17	39%	\$150.00	NA	61%
\$219.79	41%	\$130.00	NA	59%
\$193.42	48%	\$100.00	NA	52%
\$193.42	48%	\$100.00	NA	52%

FIRE 3



Fire				
#	Description	Current Fee/Charge	Unit	Notes
	Construction Permits			
New	Motor vehicle repair room and booths	New		
New	Plants extraction systems	New		
New	Private fire hydrants	New		
New	Smoke control or smoke exhaust systems	New		
New	Solar voltaic power systems	New		
New	Special event structures	New		
New	Spraying or dipping - Building/Booths	New		
New	Standpipe systems	New		
	Temporary membrane structures and tents	New		
	Operational Permits			
New	Aerosol products	New		
New	Amusement buildings	New		
New	Aviation Facilities	New		
New	Carnivals and Fairs	New		
New	Cellulose nitrate film	New		
New	Combustible dust producing operations	New		
New	Combustible fibers	New		
New	Compressed gasses	New		
New	Covered and open mall buildings	New		
New	Cryogenic fluids	New		
New	Cutting and welding	New		
New	Dry cleaning	New		
New	Exhibits and trade shows	New		

Full Cost	Subsidy %	Suggested Fee	Fee Δ	Cost Recovery
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\$193.42	48%	\$100.00	NA	52%
\$246.17	39%	\$150.00	NA	61%
\$246.17	39%	\$150.00	NA	61%
\$193.42	48%	\$100.00	NA	52%
\$246.17	39%	\$150.00	NA	61%
\$193.42	48%	\$100.00	NA	52%
\$246.17	39%	\$150.00	NA	61%
\$246.17	39%	\$150.00	NA	61%
\$193.42	48%	\$100.00	NA	52%

\$193.42	48%	\$100.00	NA	52%
\$193.42	48%	\$100.00	NA	52%
\$193.42	48%	\$100.00	NA	52%
\$193.42	48%	\$100.00	NA	52%
\$193.42	48%	\$100.00	NA	52%
\$193.42	48%	\$100.00	NA	52%
\$193.42	48%	\$100.00	NA	52%
\$193.42	48%	\$100.00	NA	52%
\$193.42	48%	\$100.00	NA	52%
\$193.42	48%	\$100.00	NA	52%
\$193.42	48%	\$100.00	NA	52%
\$193.42	48%	\$100.00	NA	52%
\$193.42	48%	\$100.00	NA	52%
\$193.42	48%	\$100.00	NA	52%
\$193.42	48%	\$100.00	NA	52%

[illegible]

FIRE 5



Fire				
#	Description	Current Fee/Charge	Unit	Notes
	Operational Permits			
New	Refrigeration equipment	New		
New	Repair garages and motor fuel dispensing facilities	New		
New	Rooftop heliports	New		
New	Spraying or dipping	New		
New	Storage of scrap tires and tire byproducts	New		
New	Temporary membrane structures and tents	New		
New	Tire rebuilding plants	New		
New	Waste handling	New		
New	Wood Products	New		
New	Multi-Family Dwellings (4 or more units)	New	per hour	
New	Public Schools, K thru 12	New	per hour	
New	All other schools.... See inspection rate	New		
New	Licensed Day Care Centers	New		
New	Foster Homes	New	per hour	
New	Licensed Hospital, Nursing Homes, and other 24-hr facilities	New	per hour	

Full Cost	Subsidy %	Suggested Fee	Fee Δ	Cost Recovery
\$193.42	48%	\$100.00	NA	52%
\$193.42	48%	\$100.00	NA	52%
\$193.42	48%	\$100.00	NA	52%
\$193.42	48%	\$100.00	NA	52%
\$193.42	48%	\$100.00	NA	52%
\$193.42	48%	\$100.00	NA	52%
\$193.42	48%	\$100.00	NA	52%
\$193.42	48%	\$100.00	NA	52%
\$193.42	48%	\$100.00	NA	52%
\$105.50	38%	\$65.00	NA	62%
\$105.50	53%	\$50.00	NA	47%
NA	NA	NA	NA	NA
\$193.42	48%	\$100.00	NA	52%
\$105.50	53%	\$50.00	NA	47%
\$105.50	53%	\$50.00	NA	47%

WATER AND SEWER 1



Water -- Sewer				
#	Description	Current Fee/Charge	Unit	Notes
3.00	Water and Sewer Tap Fees			
3.00.a	Water Tap Fees (No street cut)			
	3/4"	1,000.00		
	1"	1,250.00		
	2"	1,500.00		
	Over 2"	Actual cost		
	Water & Sewer Street Cut Fees			
	Street Cut Fee:	1,000.00	per street cut	
	Street Cut Fee:	6.00	per sq. ft.	72 sq ft sample; COMPS
New	Street Cut Fee: concrete	New		72 sq ft sample; COMPS
	Street Bore Fee:	4.00	per sq. ft.	
3.00.c	Sewer Tap Fees			
	4" or 6" Sewer Tap	900.00		name change
New	Over 6"	New		
3.00.d	Culverts			
	12" X 20' steel	250.00		
	12" X 30' steel	325.00		
	15" X 20' steel	400.00		
	18" x 20' steel (includes safety ends per state specs)	1,500.00		
New	If Bands are needed	New	Per Band	If bands are needed theyare also 56.00 each (Will be needed for ends x2)

Full Cost	Subsidy %	Suggested Fee	Fee Δ	Cost Recovery
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\$1,421.01	19%	\$1,150.00	\$150	81%
\$1,421.01	11%	\$1,270.00	\$20	89%
\$1,823.20	10%	\$1,640.00	\$140	90%
NA	NA	Actual Cost	NA	NA

NA	NA	\$1,000.00	\$0	NA
\$7.56	10%	\$6.80	\$0.8	90%
NA	NA	actual cost	NA	NA
NA	NA	actual cost	NA	NA

\$1,421.01	1%	\$1,400.00	\$500	99%
NA	NA	actual cost	NA	NA

\$1,258.75	21%	\$1,000.00	\$750	79%
\$1,444.75	20%	\$1,150.00	\$825	80%
\$1,411.88	15%	\$1,200.00	\$800	85%
\$2,662.75	21%	\$2,100.00	\$600	79%
\$56.00	0%	\$56.00	NA	100%

WATER AND SEWER 2



Water -- Sewer				
#	Description	Current Fee/Charge	Unit	Notes
4.00	Meter Charges (Meter set only)			
	¾" meter	300.00		
	1" meter	450.00		
	1 ½" meter	800.00		
	2" meter	900.00		
	Over 2"	Actual cost		
5.00	Meter Boxes			
	Single (plastic)	91.00		
	Double (plastic)	149.00		
New	If iron lid needed	New		
6.00	Miscellaneous Water and Sewer Charges			
	Fire hydrant installation	2,500.00	paid by developer	If the utility or other development plan for property to be developed requires fire hydrants. Such fee is calculated based on tapping a 6" PVC main and two (2) hours of labor. If more time is needed, an additional fee will be charged.
7.00	Temporary Water Service			
	Temporary Water Service	38.00	max 10 days	This fee covers up to 2,000 gallons of water. Any amount over 2,000 gallons will be billed according to the rates set forth by city ordinance

Full Cost	Subsidy %	Suggested Fee	Fee Δ	Cost Recovery
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\$434.73	10%	\$390.00	\$90	90%
\$607.73	11%	\$540.00	\$90	89%
\$976.73	11%	\$870.00	\$70	89%
\$1,181.73	10%	\$1,060.00	\$160	90%
NA	NA	Actual Costs	NA	NA

\$113.70	12%	\$100.00	\$9	88%
\$213.70	11%	\$190.00	\$41	89%
\$92.00	0%	\$92.00	NA	100%

\$0.00	NA	actual cost, 2,500 min deposit	NA	NA
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\$145.95	31%	\$100.00	\$62	69%
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WATER AND SEWER 3



Water -- Sewer				
#	Description	Current Fee/Charge	Unit	Notes
8.00	Utility Security Deposits			
8.00.a	Security deposit - Residential	150.00		
	Security deposit - Commercial	200.00		
	Transfer of deposit to new address	15.00		
8.00.b	Security deposit - Fire Hydrant service	2,500.00		
	Monthly base rate - Fire Hydrant service	150.00		
11.00	Delinquent penalty			
	Delinquent penalty	10%		
12.00	Service Reconnection Fee			
12.00.a	Request for utility service reconnection	50.00		
13.00	Service Charge for Insufficient Funds Check and Credit Card Payment not honored			
	NSF	35.00		
14.00	Meter Reread			
	Meter Reread	15.00		This fee is refundable if the meter reading is found to be in error
New	Mapping the Meter after First Mapping			1 free per calander year
15.00	Meter Testing Deposit			
15.00.a	24-h Meter Reread Test Deposit	25.00		

Full Cost	Subsidy %	Suggested Fee	Fee Δ	Cost Recovery
NA	NA	\$150.00	\$0	NA
NA	NA	\$200.00	\$0	NA
NA	NA	\$15.00	\$0	NA
NA	NA	\$2,500.00	\$0	NA
NA	NA	\$150.00	\$0	NA
NA	NA	10%	NA	NA
\$89.78	16%	\$75.00	\$25	84%
NA	NA	\$35.00	NA	NA
\$62.69	76%	\$15.00	\$0	24%
\$88.01	43%	\$50.00	\$50	57%
\$134.68	26%	\$100.00	\$75	74%

OTHER FEES



Police				
#	Description	Current Fee/Charge	Unit	Notes
42.00	Impoundment Fees-Abandoned Motor Vehicles and Other Property			
42.00.a	Vehicles and vehicle parts	10.00	day	
42.00.b	Large items requiring outdoor storage	10.00	day	
42.00.c	Large items requiring indoor storage	15.00	day	
42.00.d	All other items	5.00	day	
48.00	Towing Fees			
	All charges will be billed per Johnson County Interlocal Agreement Police/EMS Dispatching Services.	third party cost		
49.00	Alarm Permits			
49.00.1	Alarm Permit -- Commercial	100.00	every 2 years	
49.00.1	Alarm Permit -- Residential	no charge		
49.00.2	False Alarm Response Fee (within a calendar year)	50.00	per occurrence	In excess of 5 alarms per calendar year
50.00	Careflite Optional Enrollment Membership Program			
	Membership cost	1.00	per month per household	

Parks				
#	Description	Current Fee/Charge	Unit	Notes
43.00	Parkway Park Pavilion Rental Fees			
43.00.a	City Residents	10.00	hour	requires a two (2) hour minimum rental
43.00.b	Non-Residents	15.00	hour	requires a two (2) hour minimum rental
	Refundable Deposit	30.00		

Full Cost	Subsidy %	Suggested Fee	Fee Δ
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NA	NA	\$10.00	NA
NA	NA	\$10.00	NA
NA	NA	\$15.00	NA
NA	NA	\$5.00	NA

NA	NA	third party cost	NA
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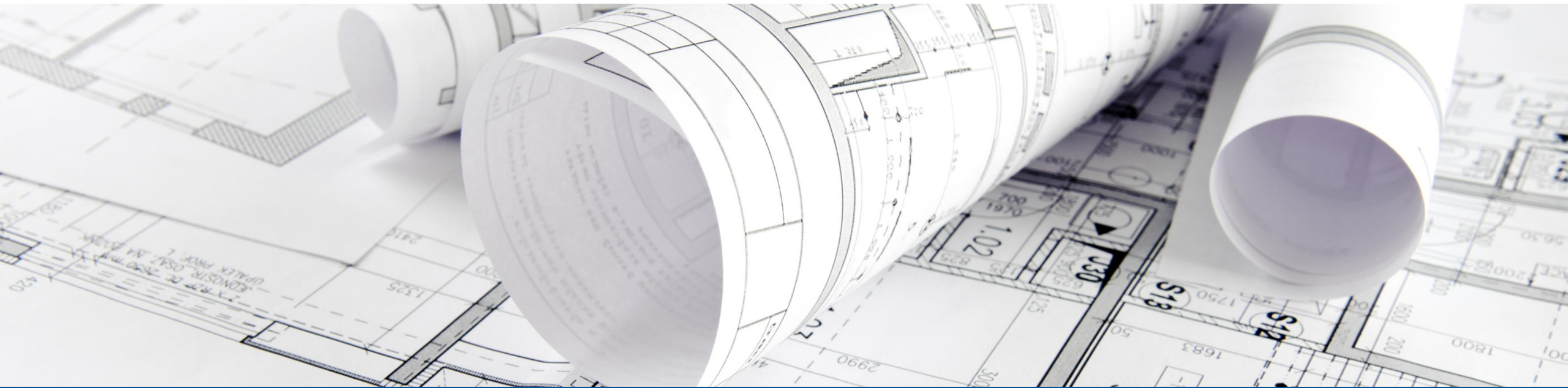
NA	NA	\$100.00	NA
NA	NA	\$0.00	NA
NA	NA	\$50.00	NA

NA	NA	\$1.00	NA
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Full Cost	Subsidy %	Suggested Fee	Fee Δ
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NA	NA	\$10.00	\$0
NA	NA	\$15.00	\$0
NA	NA	\$30.00	\$0

DISCUSSION & QUESTIONS



Disclosure

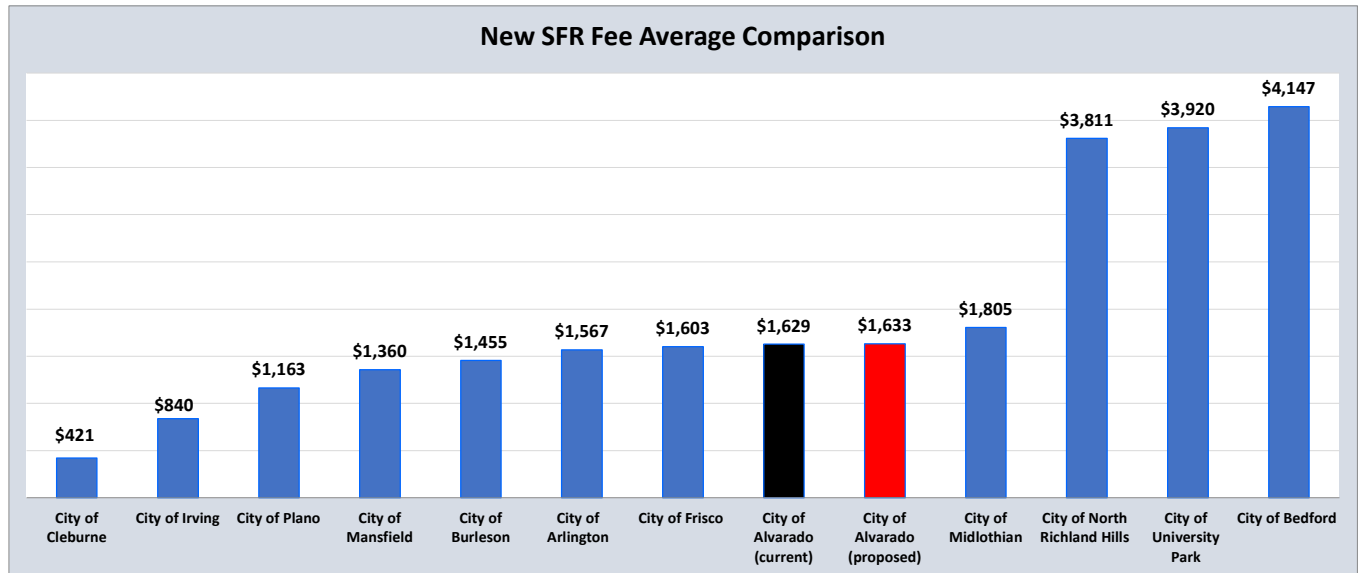
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New Residential Permit Fee Comparison (2024)					
	Value	Permit Fee and MEP	Plan Review	Total Fees	Average
City Of Cleburne					
2500 sqft (living) 400 sqft (garage) 100 sqft (porches) = 3000 sqft	\$389,400	3000 x \$0.19 = \$570 + \$20 (admin fee)	\$0.00	\$595.00	\$421.00
1500 sqft (living) 400 sqft (garage) 100 sqft (porches) = 2000 sqft	\$352,000	2000 x \$0.19 = \$380 + \$20 (admin fee)	\$0.00	\$400.00	
800 sqft (living) 400 sqft (garage) 100 sqft (porches) = 1300 sqft	\$229,000	1300 x \$0.19 = \$247 + \$20 (admin fee)	\$0.00	\$267.00	
City Of Arlington					
2500 sqft (living) 400 sqft (garage) 100 sqft (porches) = 3000 sqft	\$389,400	3000 x \$0.53 = \$1,590	\$556.50	\$0.00	\$1,567.00
1500 sqft (living) 400 sqft (garage) 100 sqft (porches) = 2000 sqft	\$352,000	2000 x \$0.53= \$1,060	\$371.00	\$0.00	
800 sqft (living) 400 sqft (garage) 100 sqft (porches) = 1300 sqft	\$229,000	1300 x \$0.64 = \$832	\$291.20	\$0.00	
City of Irving					
2500 sqft (living) 400 sqft (garage) 100 sqft (porches) = 3000 sqft	\$389,400	Permit Fee 3000 sqft(.32) = \$960	\$240.00	\$1,200.00	\$840.00
1500 sqft (living) 400 sqft (garage) 100 sqft (porches) = 2000 sqft	\$352,000	Permit Fee 2000 sqft(.32) = \$640	\$160.00	\$800.00	
800 sqft (living) 400 sqft (garage) 100 sqft (porches) = 1300 sqft	\$229,000	Permit Fee 1300 sqft(.32) = \$416	\$104.00	\$520.00	
City of Burleson					
2500 sqft (living) 400 sqft (garage) 100 sqft (porches) = 3000 sqft	\$389,400	3000 x \$0.60 = \$1,800 + \$195 (MEP)	\$0.00	\$1,995.00	\$1,455.00
1500 sqft (living) 400 sqft (garage) 100 sqft (porches) = 2000 sqft	\$352,000	2000 x \$0.60 = \$1,200 + \$195 (MEP)	\$0.00	\$1,395.00	
800 sqft (living) 400 sqft (garage) 100 sqft (porches) = 1300 sqft	\$229,000	1300 x \$0.60 = \$780 + \$195 (MEP)	\$0.00	\$975.00	
City of Mansfield					
2500 sqft (living) 400 sqft (garage) 100 sqft (porches) = 3000 sqft	\$389,400	3000 x \$0.60 = \$1,800	\$100.00	\$1,900.00	\$1,360.00
1500 sqft (living) 400 sqft (garage) 100 sqft (porches) = 2000 sqft	\$352,000	2000 x \$0.60 = \$1,200	\$100.00	\$1,300.00	
800 sqft (living) 400 sqft (garage) 100 sqft (porches) = 1300 sqft	\$229,000	1300 x \$0.60 = \$780	\$100.00	\$880.00	
City of Plano					
2500 sqft (living) 400 sqft (garage) 100 sqft (porches) = 3000 sqft	\$389,400	Building Permit Fee 3000 sqft(.48) = \$1,440 + \$75.00	\$80.00	\$1,595.00	\$1,163.00
1500 sqft (living) 400 sqft (garage) 100 sqft (porches) = 2000 sqft	\$352,000	Building Permit Fee 2000 sqft(.48) = \$960 + \$75.00	\$80.00	\$1,115.00	
800 sqft (living) 400 sqft (garage) 100 sqft (porches) = 1300 sqft	\$229,000	Building Permit Fee 1300 sqft(.48) = \$624+ \$75.00	\$80.00	\$779.00	
City of Midlothian					
2500 sqft (living) 400 sqft (garage) 100 sqft (porches) = 3000 sqft	\$389,400	3000 x \$0.80 = \$2,400	\$125.00	\$2,525.00	\$1,805.00
1500 sqft (living) 400 sqft (garage) 100 sqft (porches) = 2000 sqft	\$352,000	2000 x \$0.80 = \$1,600	\$125.00	\$1,725.00	
800 sqft (living) 400 sqft (garage) 100 sqft (porches) = 1300 sqft	\$229,000	1300 x \$0.80 = \$1,040	\$125.00	\$1,165.00	
City of Frisco					
2500 sqft (living) 400 sqft (garage) 100 sqft (porches) = 3000 sqft	\$389,400	Permit \$1,360, Mech \$180 , elec \$120, Plumb \$300	\$0.00	\$1,960.00	\$1,603.00
1500 sqft (living) 400 sqft (garage) 100 sqft (porches) = 2000 sqft	\$352,000	Permit \$1,000, Mech \$180 , elec \$120, Plumb \$300	\$0.00	\$1,600.00	
800 sqft (living) 400 sqft (garage) 100 sqft (porches) = 1300 sqft	\$229,000	Permit \$1,000, Mech \$180 , elec \$120, Plumb \$300	\$0.00	\$1,250.00	
City of Bedford					
2500 sqft (living) 400 sqft (garage) 100 sqft (porches) = 3000 sqft	\$389,400	\$2,950 + MEP (145+145+145) + \$435	\$1,950.00	\$5,335.00	\$4,147.00
1500 sqft (living) 400 sqft (garage) 100 sqft (porches) = 2000 sqft	\$352,000	\$1,950 + MEP (145+145+145) + \$435	\$1,735.00	\$4,120.00	
800 sqft (living) 400 sqft (garage) 100 sqft (porches) = 1300 sqft	\$229,000	\$1,250 + MEP (145+145+145) + \$435	\$1,300.00	\$2,985.00	
City of University Park					
2500 sqft (living) 400 sqft (garage) 100 sqft (porches) = 3000 sqft	\$389,400	\$0.95 per sf =2,375 + 2% Valuation for MEP = \$6,125	\$0.00	\$10,163.00	\$3,920.00
1500 sqft (living) 400 sqft (garage) 100 sqft (porches) = 2000 sqft	\$352,000	\$0.95 per sf =1,425 + 2% Valuation for MEP = \$3,675	\$0.00	\$8,465.00	
800 sqft (living) 400 sqft (garage) 100 sqft (porches) = 1300 sqft	\$229,000	\$0.95 per sf =760 + 2% Valuation for MEP = \$1,960	\$0.00	\$5,340.00	
City of North Richland Hills					
2500 sqft (living) 400 sqft (garage) 100 sqft (porches) = 3000 sqft	\$389,400	\$1.10 per sf = \$3,300	\$2,145.00	\$5,445.00	\$3,811.00
1500 sqft (living) 400 sqft (garage) 100 sqft (porches) = 2000 sqft	\$352,000	\$1.10 per sf = \$2,200	\$1,430.00	\$3,630.00	
800 sqft (living) 400 sqft (garage) 100 sqft (porches) = 1300 sqft	\$229,000	\$1.10 per sf = \$1,430	\$929.00	\$2,359.00	

City of Alvarado (current)					
2500 sqft (living) 400 sqft (garage) 100 sqft (porches) = 3000 sqft	\$389,400	\$1,420 + \$726 (MEP)	\$0.00	\$2,146.00	\$1,629.00
1500 sqft (living) 400 sqft (garage) 100 sqft (porches) = 2000 sqft	\$352,000	\$940 + \$626 (MEP)	\$0.00	\$1,566.00	
800 sqft (living) 400 sqft (garage) 100 sqft (porches) = 1300 sqft	\$229,000	\$620 + \$556 (MEP)	\$0.00	\$1,176.00	
City of Alvarado (proposed)					
2500 sqft (living) 400 sqft (garage) 100 sqft (porches) = 3000 sqft	\$389,400	\$0.73 per sf (includes MEP) = \$2,100	\$100.00	\$2,290.00	\$1,633.00
1500 sqft (living) 400 sqft (garage) 100 sqft (porches) = 2000 sqft	\$352,000	\$0.73 per sf (includes MEP) = \$1,400	\$100.00	\$1,560.00	
800 sqft (living) 400 sqft (garage) 100 sqft (porches) = 1300 sqft	\$229,000	\$0.73 per sf (includes MEP) = \$910	\$100.00	\$1,049.00	

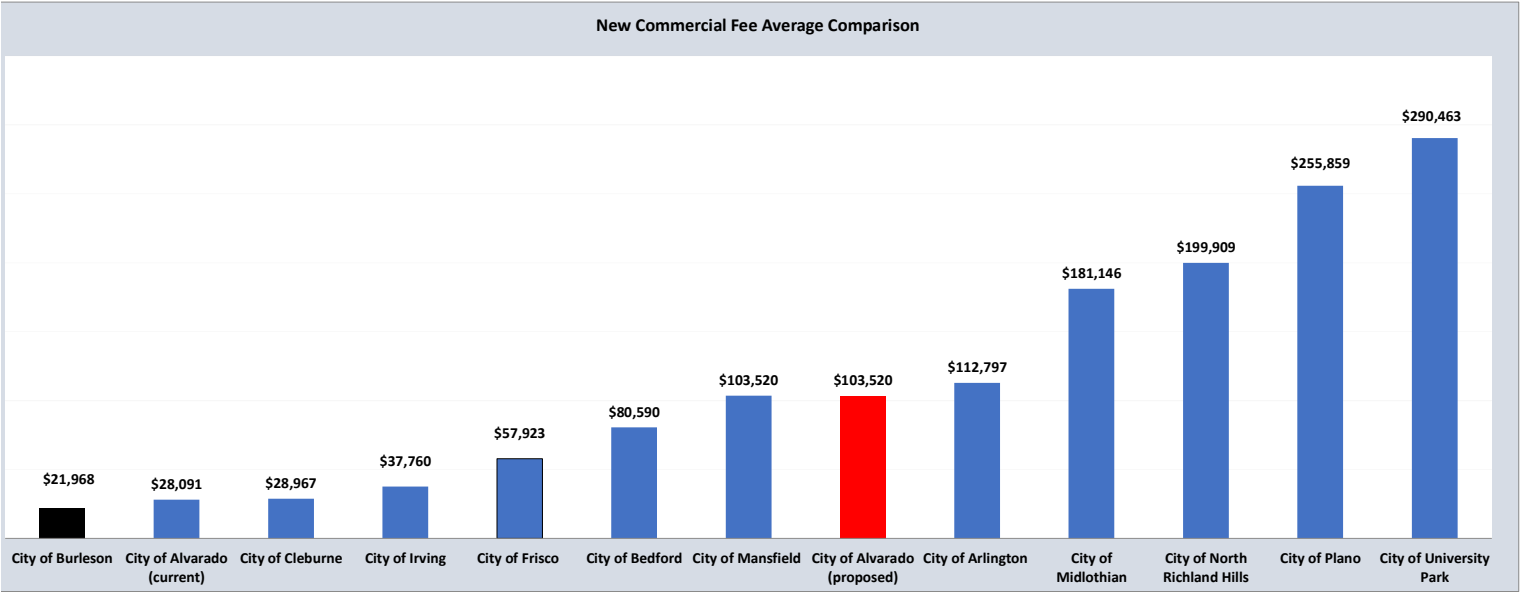
New Residential Permit Fee Average Comparison (2024)		
City of Cleburne	\$421	
City of Irving	\$840	
City of Plano	\$1,163	
City of Mansfield	\$1,360	
City of Burleson	\$1,455	
City of Arlington	\$1,567	
City of Frisco	\$1,603	
City of Alvarado (current)	\$1,629	
City of Alvarado (proposed)	\$1,633	fee based on \$0.73 sf + \$100 plan review fee
City of Midlothian	\$1,805	
City of North Richland Hills	\$3,811	
City of University Park	\$3,920	
City of Bedford	\$4,147	



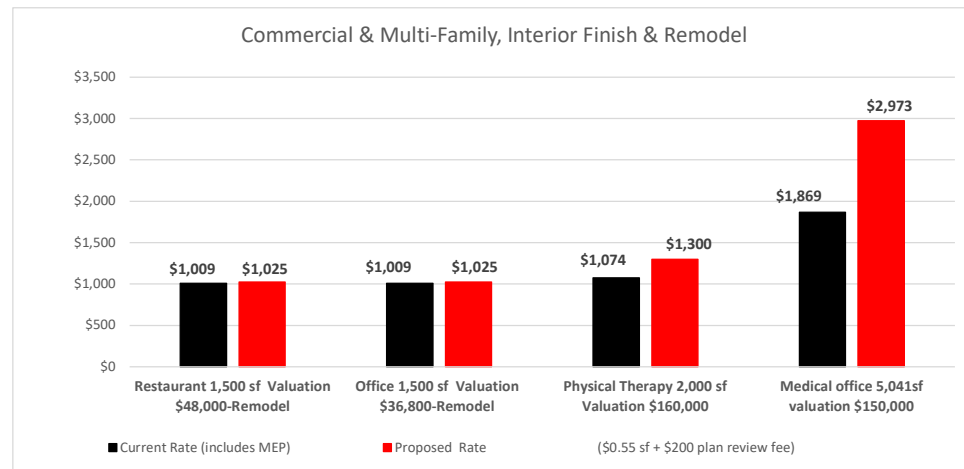
New Commercial Permit Fee Comparison (2024)							
	Value	Permit fee and MEP	Plan Review	CO Fee	Total Fees	Proposed	Avg
City of Cleburne							
Small: Office Bldg 14,692sf	\$2.9M	14,692 sf x .21 = \$3085 + \$20 (admin fee)	\$0	\$38	\$3,143		\$28,967.00
Medium: MOB 92,874sf	\$15.7M	92,874 sf x .21 = \$19,504 + \$20 (admin fee)	\$0	\$38	\$19,562		
Large: Hotel/Conf. 305,414sf	\$70M	305,414 sf x .21 = \$64,137 + \$20 (admin fee)	\$0	\$38	\$64,195		
City of Arlington							
Small: Office Bldg 14,692sf	\$2.9M	\$5,012.25 for first 1.0 M + \$5,225 (\$2.75 for each additional \$1,000 or fraction) = \$10,237.25	\$3,583	\$100	\$13,920		\$112,796.54
Medium: MOB 92,874sf	\$15.7M	\$5,012.25 for first 1.0 M + \$40,425 (\$2.75 for each additional \$1,000 or fraction) = \$45437.25	\$15,903	\$100	\$61,440		
Large: Hotel/Conf. 305,414sf	\$70M	\$5,012.25 for first 1.0 M +189,750 (\$2.75 for each additional \$1,000 or fraction) = \$194762.25	\$68,167	\$100	\$263,029		
City of Irving							
Small: Office Bldg 14,692sf	\$2.9M	14,692 sf (.24) = \$3,526.08 + \$620 = \$4,146.08	\$1,037	\$100	\$5,283		\$37,759.70
Medium: MOB 92,874sf	\$15.7M	92,874 sf (.21) = \$19,503.54 + \$1,865 = \$21,368.54	\$5,342	\$100	\$26,811		
Large: Hotel/Conf. 305,414sf	\$70M	305,414 sf (.19) = \$58,028.66 + \$6,840 = \$64,868.66	\$16,217	\$100	\$81,186		
City of Burleson							
Small: Office Bldg 14,692sf	\$2.9M	\$3,450 + 14,692 sf x \$0.24 = \$6,976	\$0	\$150	\$7,126		\$21,968.00
Medium: MOB 92,874sf	\$15.7M	\$9,450 + 92,874 sf x \$0.12 = \$20,595	\$0	\$150	\$20,745		
Large: Hotel/Conf. 305,414sf	\$70M	\$13,450 + 305,414 sf x \$0.08 = 37,883	\$0	\$150	\$38,033		
City of Mansfield							
Small: Office Bldg 14,692sf	\$2.9M	14,692 sf x \$0.75 sf = \$11,019 (includes MEP)	\$200	\$75	\$11,294		\$103,520
Medium: MOB 92,874sf	\$15.7M	92,874 sf x \$0.75 sf = \$69,655.50 (includes MEP)	\$200	\$75	\$69,931		
Large: Hotel/Conf. 305,414sf	\$70M	305,414 sf x \$0.75 sf = \$229,060.50 (includes MEP)	\$200	\$75	\$229,336		
City of Plano							
Small: Office Bldg 14,692sf	\$2.9M	\$2,900,000(.00525) = \$15,225.00	\$9,896	\$100	\$25,001		\$255,859.17
Medium: MOB 92,874sf	\$15.7M	\$15,700,000(.00525) = \$82,425.00	\$53,576	\$100	\$136,101		
Large: Hotel/Conf. 305,414sf	\$70M	\$70,000,000(.00525) = \$367,500.00	\$238,875	\$100	\$606,475		
City of Midlothian							
Small: Office Bldg 14,692sf	\$2.9M	\$5,608.75 for first \$1 Mil + \$6,935 (\$3.65 for each additional \$1,000 or fraction) = \$12,543.75	\$8,153	\$50	\$20,747		\$181,146
Medium: MOB 92,874sf	\$15.7M	\$5,608.75 for first \$1 Mil + \$53,655 (\$3.65 for each additional \$1,000 or fraction) = \$59,263.75	\$38,521	\$50	\$97,835		
Large: Hotel/Conf. 305,414sf	\$70M	\$5,608.75 for first \$1 Mil + \$251,850 (\$3.65 for each additional \$1,000 or fraction) = \$257,458.75	\$167,348	\$50	\$424,857		
City of Frisco							
Small: Office Bldg 14,692sf	\$2.9M	\$5,608.75 for first \$1 Mil+ \$5,608.75 = \$14,743.75(60%) = \$8,846.25	\$0	\$0	\$8,846		\$57,923.25
Medium: MOB 92,874sf	\$15.7M	\$5,608.75 for first \$1 Mil + \$5,608.75 = \$51,913.75(60%) = \$31,148.25	\$0	\$0	\$31,148		
Large: Hotel/Conf. 305,414sf	\$70M	\$5,608.75 for first \$1 Mil+ \$5,608.75 = \$222,958.75(60%) = \$133,775.25	\$0	\$0	\$133,775		
City of Bedford							
Small: Office Bldg 14,692sf	\$2.9M	\$3,429.10 for first 1.0 M + 3,021 (\$1.59 for each additional \$1,000 or fraction) = \$6,450.10	\$4,193	\$75	\$10,718		\$80,590.05
Medium: MOB 92,874sf	\$15.7M	\$3,429.10 for first 1.0 M + 23,373 (\$1.59 for each additional \$1,000 or fraction) = \$26,802.10	\$17,421	\$75	\$44,298		
Large: Hotel/Conf. 305,414sf	\$70M	\$3,429.10 for first 1.0 M + 109,710 (\$1.59 for each additional \$1,000 or fraction) = \$113,139.10	\$73,540	\$75	\$186,754		
City of University Park							
Small: Office Bldg 14,692sf	\$2.9M	Permit \$9,000,000 x.75% + MEP \$9,000,000 x2% = \$85,500	\$0	\$0	\$85,500		\$290,463.33
Medium: MOB 92,874sf	\$15.7M	Permit \$15,700,000 x.75% + MEP \$15,700,000 x2% = \$120,890	\$0	\$0	\$120,890		
Large: Hotel/Conf. 305,414sf	\$70M	Permit \$70,000,000 x.75% + MEP \$70,000,000 x2% = \$665,000	\$0	\$0	\$665,000		
City of North Richland Hills							
Small: Office Bldg 14,692sf	\$2.9M	\$7267 for first 1.0 M + \$7,581 (\$3.99 for each additional \$1,000 or fraction) = \$14,848	\$9,651	\$69	\$24,568		\$199,908.75
Medium: MOB 92,874sf	\$15.7M	\$7267 for first 1.0 M + \$58,653 (\$3.99 for each additional \$1,000 or fraction) = \$65,920	\$42,848	\$69	\$108,837		
Large: Hotel/Conf. 305,414sf	\$70M	\$7267 for first 1.0 M + \$ (\$3.99 for each additional \$1,000 or fraction) = \$282,577	\$183,675	\$69	\$466,321		

City of Alvarado (current)							
Small: Office Bldg 14,692sf	\$2.9M	\$7056 + 1,214 (MEP) = \$8,270	\$0	\$60	\$8,330		\$28,090.67
Medium: MOB 92,874sf	\$15.7M	\$20,675 + \$4,341 (MEP) = \$25,016	\$0	\$60	\$25,076		
Large: Hotel/Conf. 305,414sf	\$70M	\$37,963 + \$12, 843 (MEP) = \$50,806	\$0	\$60	\$50,866		
City of Alvarado (proposed)							
Small: Office Bldg 14,692sf	\$2.9M	14,692 sf x \$0.75 = \$11,019 (includes MEP)	\$200	\$75		\$11,294	\$103,520.00
Medium: MOB 92,874sf	\$15.7M	92,874 sf x \$0.75 = \$69,655.50 (includes MEP)	\$200	\$75		\$69,931	
Large: Hotel/Conf. 305,414sf	\$70M	305,414 sf x \$0.75 = \$229,060.50 (includes MEP)	\$200	\$75		\$229,336	

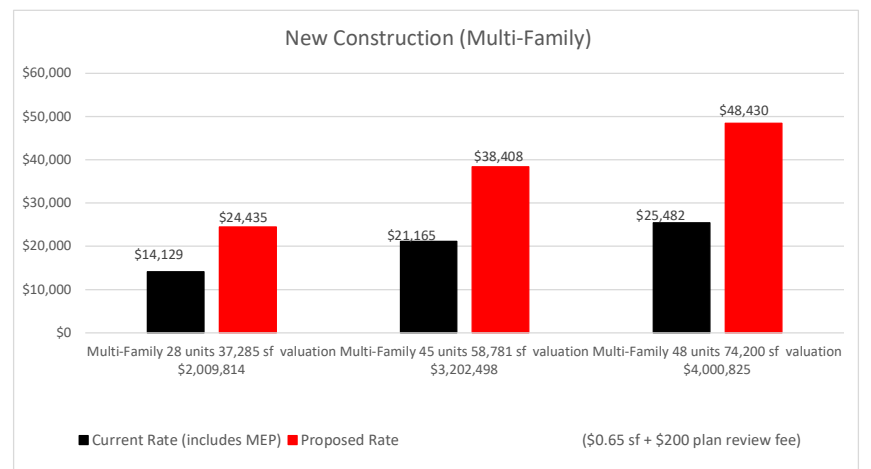
New commercial Permit Fee Average Comparison (2024)		
City of Burleson	\$21,968	
City of Alvarado (current)	\$28,091	
City of Cleburne	\$28,967	
City of Irving	\$37,760	
City of Frisco	\$57,923	
City of Bedford	\$80,590	
City of Mansfield	\$103,520	
City of Alvarado (proposed)	\$103,520	
City of Arlington	\$112,797	
City of Midlothian	\$181,146	
City of North Richland Hills	\$199,909	
City of Plano	\$255,859	
City of University Park	\$290,463	



Commercial & Multi-Family Permits	Interior Finishes & Remodels	
Commercial Interior Finishes, Remodels & Repairs	Current Rate (includes MEP)	Proposed Rate (\$0.55 sf + \$200 plan review fee)
Restaurant 1,500 sf Valuation \$48,000-Remodel	\$1,009	\$1,025
Office 1,500 sf Valuation \$36,800-Remodel	\$1,009	\$1,025
Physical Therapy 2,000 sf Valuation \$160,000	\$1,074	\$1,300
Medical office 5,041sf valuation \$150,000	\$1,869	\$2,973



Multi-Family Permit - New Construction		
New Commercial Construction	Current Rate (includes MEP)	Proposed Rate (\$0.65 sf + \$200 plan review fee)
Multi-Family 28 units 37,285 sf valuation \$2,009,814	\$14,129	\$24,435
Multi-Family 45 units 58,781 sf valuation \$3,202,498	\$21,165	\$38,408
Multi-Family 48 units 74,200 sf valuation \$4,000,825	\$25,482	\$48,430





BUILDING SAFETY PERMIT FEE SCHEDULE

BUILDING PERMITS (Regulated by IRC)

Occupancy Type	Permit Fee ^{1,2}	Plan Review Fee ³
One- and Two- Family Dwelling to include Townhomes: new, alterations, remodels, repairs and additions	\$0.73/sf ²	\$100.00
Patio cover, carport, deck, porch, etc. (that exceed 200 square feet and are 30 inches above grade at any point), and one-story accessory structures (that exceed 200 square feet)	\$0.30/sf ² (Min. fee \$75)	\$100.00
Foundation repair, window replacement, wind and solar energy	\$200.00	N/A
Note: 1. Permit fees calculated by the square foot shall include the entire square footage of the structure under roof. 2. MEP fees included in permit fee. 3. Plan review fee per building is required at time of application submittal and is non-refundable.		

BUILDING PERMITS (Regulated by IBC)

Occupancy Type	Permit Fee ^{1,2}	Plan Review Fee ³
New commercial structures (shell buildings) and additions	\$0.75/sf ²	\$200.00
All interior finishes, alterations, remodels, repairs, renovations, of non-residential structures, etc.	\$0.55/sf ²	\$200.00
Multi-Family Building: new and additions	\$0.65/sf ²	\$200.00
Multi-Family: alterations, remodel and repair	\$0.55/sf ²	\$200.00
Note: 1. The value to be used in computing this fee shall be the total value of all construction work for which the permit is issued as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning and any other permanent equipment. 2. MEP Fees included in permit fee. 3. Plan review fee per building is required at time of application submittal and is non-refundable.		

OTHER BUILDING PERMITS and FEES

Permit Type	Fee
Moving of Buildings in/out of city	\$300.00
Construction Trailer / Sales Trailer, includes MEP	\$200.00 each
Pre-manufactured Structure / Industrialized Building, includes MEP	\$300.00 each
In-ground swimming pool, includes MEP	\$300.00
Prefabricated above ground swimming pools, spas and portable hot tubs, includes MEP	\$100.00
Fence	\$50.00
Screening Walls and Retaining Walls	\$100.00 / lot
Drive Approach	\$180.00
Demolition	\$100.00
Certificate of Occupancy	\$75.00
Roof Replacement	\$75.00



Building - Mechanical	\$100.00
Building - Plumbing	\$100.00
Building - Electrical	\$100.00
Irrigation Permit	\$100.00
Inspection outside of normal business hours	\$50.00 per hour (Minimum charge of two (2) hours)
Re-inspection Fees	\$100.00 each
Work commencing before permit issuance	100% of original permit fee in addition to regular permit fee
Inspections, for which no fee is specifically indicated	\$75.00 per hour (Minimum charge of one (1) hour)
Additional plan review required by changes, additions or revisions to scope of work submitted or approved plans	\$100.00 per hour (Minimum charge of one (1) hour)
Miscellaneous building permit fee for item not listed above	\$75.00 each

MISCELLANEOUS PERMITS and FEES

Permit Type	Fee
Garage Sale Permit	\$5.00
Wall Signs, Temporary Signs and Promotional Displays	\$75.00 each
Pole, ground and all other signs not classified as wall signs	\$100.00 each
Code Administration / Lien Processing	\$200.00

ORDINANCE NO. 2024-0027

AN ORDINANCE OF THE CITY OF ALVARADO, TEXAS, AMENDING THE ALVARADO MASTER FEE SCHEDULE, PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Alvarado, Texas is a home-rule municipality located in Johnson County, created in accordance with the provisions of Chapter 9 of the Local Government Code and operating pursuant to the provisions of, and subject only to the limitations imposed by the State Constitutions, State Laws, and the City Charter; and

WHEREAS, the City desires to amend its Fee Schedule to modernize and update fees; and

WHEREAS, The City Council has determined that it is in the best interest of the health, safety and welfare of the citizens of Alvarado to amend its Fee Schedule as set forth herein; and

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

SECTION 1.

The Fee Schedule is amended as provided in Exhibit A – Master Fee Schedule Amendments, an attachment to this ordinance. A fee imposed under this section shall be collected for each license or permit issued regardless of whether the amount of the fee is set forth in the Fee Schedule.

SECTION 2.

This ordinance shall be cumulative of all provisions and ordinances of the Code of Ordinances of the City of Alvarado, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.

SECTION 3.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and section of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 5.

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance involving zoning, fire safety, or public health and sanitation shall be fined not more than Two Thousand Dollars (\$2,000.00). Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 6.

The City Secretary of the City of Alvarado is hereby directed to publish the caption, penalty clause, publication clause and effective date clause of this ordinance one time in the official newspaper of the City, as authorized by Section 52.013 of the Local Government Code.

SECTION 7.

This ordinance shall be in full force and effect from and after its passage and publication as required by law.

PASSED AND APPROVED by the City Council of the City of Alvarado, Texas, on this the 22nd day of January, 2025.

APPROVED:

Jacob Wheat, Mayor

ATTEST:

Beth A. Walls, City Secretary/HRD

Exhibit A – Master Fee Schedule Amendments

(See Next Page)



City Secretary				
#	Description			
1.00	Public Information Fees			
	Copying Fees -- General Copies			
1.1.1	Standard size paper, 8.5"X11" or 8.5"X14"			
1.1.4	Oversized paper copy, above 8.5"X14"			
	Copies of Computer Data Formats			
1.2.8	JAZ drive			
1.2.9	Mylar			
1.2.10	Blueline/blueprint paper			
1.2.11	Maps/Photographic			
	Computer resource charge			
1.2.15	Document retrieval charge			
1.2.16	Postage and shipping			
1.2.17	Photographs			
1.2.18	Other costs			
1.2.19	Outsourced/Contracted services			
1.2.20	Fascimile – first page			
1.2.20	Every page thereafter			
	Credit Card Fees			
	Processing Fee			
New	research charge			

		Fee	

	\$0.10	
	\$0.10	

	Actual cost	
	Actual cost	
	Actual cost	
	Actual cost	

	Actual cost	
	Actual cost	
	Actual cost	
	Actual cost	
	Actual cost	
	\$1.00	
	\$0.15	

	3%	
	\$15.00	

WATER AND SEWER 1



Water -- Sewer		
#	Description	
3.00	Water and Sewer Tap Fees	
3.00.a	Water Tap Fees (No street cut)	
	3/4"	
	1"	
	2"	
	Over 2"	
	Water & Sewer Street Cut Fees	
	Street Cut Fee:	
	Street Cut Fee:	
New	Street Cut Fee: concrete	
	Street Bore Fee:	
3.00.c	Sewer Tap Fees	
	4" or 6" Sewer Tap	
New	Over 6"	
3.00.d	Culverts	
	12" X 20' steel	
	12" X 30' steel	
	15" X 20' steel	
	18" x 20' steel (includes safety ends per state specs)	
New	If Bands are needed	

	Fee	

	\$1,150.00	
	\$1,270.00	
	\$1,640.00	
	Actual Cost	

	\$1,000.00	
	\$6.80	
	actual cost	
	actual cost	

	\$1,400.00	
	actual cost	

	\$1,000.00	
	\$1,150.00	
	\$1,200.00	
	\$2,100.00	
	\$56.00	

WATER AND SEWER 2



Water -- Sewer	
#	Description
4.00	Meter Charges (Meter set only)
	¾" meter
	1" meter
	1 ½" meter
	2" meter
	Over 2"
5.00	Meter Boxes
	Single (plastic)
	Double (plastic)
New	If iron lid needed
6.00	Miscellaneous Water and Sewer Charges
	Fire hydrant installation
7.00	Temporary Water Service
	Temporary Water Service

	Fee
	\$390.00
	\$540.00
	\$870.00
	\$1,060.00
	Actual Costs
	\$100.00
	\$190.00
	\$92.00
	actual cost, 2,500 min deposit
	\$100.00

WATER AND SEWER 3



Water -- Sewer	
#	Description
8.00	Utility Security Deposits
8.00.a	Security deposit - Residential
	Security deposit - Commercial
	Transfer of deposit to new address
8.00.b	Security deposit - Fire Hydrant service
	Monthly base rate - Fire Hydrant service
11.00	Delinquent penalty
	Delinquent penalty
12.00	Service Reconnection Fee
12.00.a	Request for utility service reconnection
13.00	Service Charge for Insufficient Funds Check and Credit Card Payment not honored
	NSF
14.00	Meter Reread
	Meter Reread
New	Mapping the Meter after First Mapping
15.00	Meter Testing Deposit
15.00.a	24-h Meter Reread Test Deposit

	Fee	
	\$150.00	
	\$200.00	
	\$15.00	
	\$2,500.00	
	\$150.00	
	10%	
	\$75.00	
	\$35.00	
	\$15.00	
	\$50.00	
	\$100.00	

ANIMAL CONTROL



Animal Control		
#	Description	
16.00	Animal Impoundment	
16.00.a	The owner of any dog or cat impounded shall be allowed to redeem such dog or cat upon payment of the following fees to the City:	
16.00.a.1	Capture of the animal by an animal control officer	
16.00.a.2	Boarding a dog or cat	
16.00.a.3	Boarding any other animal	
16.00.a.4	Medical treatment and medication expended by the ACO for the animal, including required vaccinations	
16.00.a.5	Advertising the animal	
16.00.b.1	Pickup and disposal of a dead animal	
16.00.b.2	Animal which is voluntarily surrendered to the shelter by its owner	
16.00.b.3	Quarantine of an animal	
New	Quarantine of an animal - Test in Austin	
16.00.c.1	Adoption Fee -- dog	
16.00.c.2	Adoption Fee -- cat	
16.00.d.1	Dangerous Dog Annual Registration Fee	
16.00.e	Pet Registration Fee (annual):	
16.00.e.1	first pet in household	
16.00.e.2	pet thereafter (same household)	
16.00.e.3	first pet in household	
16.00.e.4	pet thereafter (same household)	

	Fee	

	\$25.00	
	\$10.00	
	\$20.00	
	actual cost	
	actual cost	
	\$25.00	
	\$25.00	
	\$150.00	
	\$300.00	
	\$50.00	
	\$25.00	
	\$400.00	

	\$12.00	
	\$10.00	
	\$8.00	
	\$4.00	

Section Permit Fees (Signs, Building, Miscellaneous, Etc.)			
Schedule #	Description	Fee	Fee Notes
18.00	Sign Permit		
	Wall signs, temporary signs and Promotional Displays	\$75 ea.	
	Pole, ground and all other permanent signs not classified as wall signs	\$100.00 ea.	
	Multiple Sign Package (includes all signs)	\$500.00	
21.00	Building Permits		
	One- and Two- Family Dwelling to include Townhomes: new and additions		
	Permit Fee (includes typical inspections)	\$0.73/sf	
	Plan Review	\$100	
	One- and Two- Family Dwelling to include Townhomes: alterations, remodels, and repairs		
	Permit Fee (includes typical inspections)	\$0.73/sf	
	Plan Review	\$100	
	Patio cover, carport, deck, porch, etc. (that exceed 200 square feet and are 30 inches above grade at any point), and one-story accessory structures (that exceed 200 square feet)		
	Permit Fee (includes typical inspections)	\$0.30/sf	
	Plan Review	\$100	
	Foundation repair, window replacement, wind and solar energy		
	Permit Fee (includes typical inspections)	\$200	
	Plan Review	None	
	Notes: 1. Permit fees calculated by the square foot shall include the entire square footage of the structure under roof. 2. MEP fees included in permit fee. 3. Plan review fee per building is required at time of application submittal and is non-refundable.		
	New Commercial Structures (Shell Buildings) and Additions		
	Permit Fee (includes typical inspections)	\$0.75/sf	
	Plan Review	\$200	
	All interior finishes, alterations, remodels, repairs, renovations, of non-residential structures, etc.		
	Permit Fee (includes typical inspections)	\$0.55/sf	
	Plan Review	\$200	

	Multi-family Building: new and additions		
	Permit Fee (includes typical inspections)	\$0.65/sf	
	Plan Review	\$200	
	Multi-family Building: alterations, remodels, and repairs		
	Permit Fee	\$0.55/sf	
	Plan Review	\$200	
	Notes: 1. The value to be used in computing this fee shall be the total value of all construction work for which the permit is issued as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning and any other permanent equipment. 2. MEP fees included in permit fee. 3. Plan review fee per building is required at time of application submittal and is non-refundable.		
22.00	Misc. Building Permit		
	Moving of Buildings in/out of City	\$300	
	Construction trailer/Sales Trailer, includes MEP	\$200	
	Pre-manufactured Structure/Industrialized Building, includes MEP	\$300	
	In-ground swimming pool, includes MEP	\$300	
	Pre-fabricated above ground swimming pools, spas, and portable hot tubs, includes MEP	\$100	
	Standalone Fence	\$50	
	Standalone Screening Walls and retaining walls	\$100/lot	
	Standalone Drive approach	\$180	
	Demolition	\$100	
	Certificate of Occupancy	\$75	
	Roof Replacement	\$75	
	Miscellaneous permit fees (not listed elsewhere)	\$75	
23.00	Electrical Permit	\$100	
24.00	Plumbing Permit	\$100	
25.00	Irrigation Permit	\$100	
26.00	Propane Gas Permit	\$95	
27.00	Mechanical Permit	\$100	
28.00	Oil and Gas Permit	At cost to City	Requires Petroleum Engineer

29.00	Miscellaneous Fees		
	Garage Sale	\$5	
	Inspection outside of normal business hours (in addition)	\$50 per hour	Minimum charge of two hours
	Inspections for which no fee is specifically indicated	\$75 per hour	Minimum charge of one hour
	Re-inspection (atypical)	\$100 each	
	Additional plan review required by changes, additions or revisions to scope of work submitted or approved plans	\$100 per hour	Minimum charge of one hour
	Work commencing before permit issuance	100% of original permit fee in addition to regular permit fee	
	Code Administration / Lien Processing	\$200	

Section Planning, Zoning, Platting, and Public Improvements

Schedule #	Description	Fee	Fee Notes
31. (a)	Public Improvement Development Inspection Performed by City's Third-Party Inspector	\$180.00	\$180 Flat City Fee + 3 rd Party Actual Costs
	Inspection Fee by In-house City Personnel -- Residential	\$330.00	\$330 per Residential Lot
	Inspection Fee by In-house City Personnel -- Commercial	\$400.00	\$400 per Commercial Acre
	Inspection Fee by In-house City Personnel -- Commercial	\$400.00	
	Re-Inspection Fee by City Personnel	\$120.00	\$120 per Hour
31 (b)	Engineering Review	\$600.00	\$600 Flat City Fee + Actual 3 rd Party Costs
31 (c)	Drive Approach -- Up to 12 ft (width)	\$180.00	\$180 Flat Fee- per Drive Approach (regardless of width)
	Drive Approach -- 12 ft 1 in-24 ft (width)	\$180.00	
	Drive Approach -- 24 ft 1 in and above (width)	\$180.00	
31 (d)	Standalone Sidewalks (per linear foot) (length – straight line)	\$0.51	
31 (e)	Standalone Curb and Gutter (per linear foot)	\$0.51	
31 (f)	Parking Lot (<=50 Spaces)	\$250.00	\$250 per Parking Space (<50 spaces) +Actual 3 rd party costs
31 (f)	Parking Lot (>50 Spaces)	\$250.00	\$250 per first 50 spaces + \$5/space thereafter + 3 rd party costs
31 (g)	Right-of-Way (No fee for franchise or their subs)	\$70.00	\$70 Flat Fee
	Grading Fill or Excavation		
32	50 cubic yards or less to 10,000 cubic yards	\$110.00	\$110 flat fee up to 1,000 CY

	1,001-10,000 cubic yards	\$250.00	\$250 for first 1,000 CY + \$0.10/additional CY
	10,001+ cubic yards	\$570.00	\$570 for first 10,000 CY + \$0.04/additional CY
	Flood Plain Development		
37	Permit Application Fee	\$320.00	Does not include City Engineer Review Fee
	Planning and Zoning		
38.00.a.1	The filing, processing, and review fee for straight rezoning of each single or contiguous piece of property is: (area of application)	\$590.00 + acreage fee	
38.00.a.2	The filing, processing, and review fee for straight rezoning of each single or contiguous piece of property is: (area of application)	\$590.00 + acreage fee	
38.00.c	The filing, processing, and review fee for Specific Use Permit Application of each single or contiguous piece of property is: (area of application)	\$590.00 + acreage fee	
38.00.a.3	Acreage fee per acre (applies to 38.00.a.1, 38.00.a.2, & 38.00.c)	\$40.00	
38.00.b	Request to the Zoning Board of Adjustment (ie variance, special exception, etc.)	\$200.00	
38.00.d.1	Vacation of Right-of-way, Street, Alley, or Easement	\$200.00	
38.00.d.2	Engineering Review Pass Through Fee	\$5,000 initial deposit into escrow & replenished when balance is less than \$500	Requires Escrow Agreement
38.00.d.3	ETJ Release Processing Fee	\$1,000.00	
	Plat Fees		
39 (a)	Preliminary Plats	\$70.00 per lot	+ completeness determination & plat review fee
39 (b)	Final Plats	\$70.00 per lot	+ completeness determination & plat review fee
39 (c)	Replats	\$60.00 per lot	+ completeness determination & plat review fee
	Minor Plat	\$50.00 per lot	+ completeness determination & plat review fee
	Amending Plat	\$40.00 per lot	+ completeness determination & plat review fee
39 (d)	Completeness determination fee for plat applications	\$100.00	
39 (e)	Plat Review Fee	\$250.00	\$250 per page
39 (f)	County Recording Fee	at Cost	Check to the Order of Johnson County Clerk

FIRE 1



Fire				
#	Description			
40.00	Public Fireworks Display			
	Permit Fee			
41.00	Burn Permit			
	Burn Permit			
44.00	Fire Services			
44.00.a	Fire Inspection Fees:			
44.00.a.1	Less than 5,000 sq ft			
44.00.a.2	5,000-10,000 sq ft			
44.00.a.3	10,001-25,000 sq ft			
44.00.a.4	25,001-50,000 sq ft			
44.00.a.5	50,001-75,000 sq ft			
44.00.a.6	75,001-100,000 sq ft			
44.00.a.7	greater than 100,000 sq ft			
44.00.a.8	Multiple Story Charge			
	Construction Permits			
Change	Automatic Fire-extinguishing Systems, 1 to 20 heads			
Change	Automatic Fire-extinguishing Systems, 21 to 250 heads			
Change	Automatic Fire-extinguishing Systems, 251 to 500 heads			
Change	Automatic Fire-extinguishing Systems >500+ \$.50/head additional			
Change	Automatic Fire-extinguishing Systems (Commercial Cooking)			

		Fee		

	\$100.00	
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	\$100.00	
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	\$50.00	
	\$70.00	
	\$115.00	
	\$170.00	
	\$270.00	
	\$300.00	
	\$300 + \$60 per 50k sq ft	
	\$20.00	

	\$100.00	
	\$180.00	
	\$275.00	
	\$275 + \$0.35 per head	
	\$150.00	

FIRE 2



Fire	
#	Description
	Construction Permits
New	Battery systems
New	Capacitor storage systems
New	Compressed gases
New	Cryogenic fluids
New	Emergency responder radio coverage systems
New	Fire alarm/detection systems and related equipment 1 to 10 devices
New	Fire alarm/detection systems and related equipment 11 to 25 devices
New	Fire alarm/detection systems and related equipment 26 to 150 devices
New	Fire alarm/detection systems and related equipment 151 to 500 devices
New	Fire alarm/detection systems and related equipment >500 + \$.50/device additional
New	Fire pumps and related equipment
New	Flammable and combustible liquids - Storage/Dispensing
New	Fuel cell power systems
New	Gas detection systems
New	Gates and barricades across fire apparatus access roads
New	Hazardous materials
New	High piled combustible storage
New	Industrial ovens.
New	LP-gas -Storage

	Fee	
	\$150.00	
	\$150.00	
	\$100.00	
	\$100.00	
	\$150.00	
	\$100.00	
	\$150.00	
	\$210.00	
	\$275.00	
	\$275 + \$0.35 per device	
	\$100.00	
	\$100.00	
	\$100.00	
	\$100.00	
	\$100.00	
	\$150.00	
	\$130.00	
	\$100.00	
	\$100.00	

FIRE 3



Fire	
#	Description
	Construction Permits
New	Motor vehicle repair room and booths
New	Plants extraction systems
New	Private fire hydrants
New	Smoke control or smoke exhaust systems
New	Solar voltaic power systems
New	Special event structures
New	Spraying or dipping - Building/Booths
New	Standpipe systems
	Temporary membrane structures and tents
	Operational Permits
New	Aerosol products
New	Amusement buildings
New	Aviation Facilities
New	Carnivals and Fairs
New	Cellulose nitrate film
New	Combustible dust producing operations
New	Combustible fibers
New	Compressed gasses
New	Covered and open mall buildings
New	Cryogenic fluids
New	Cutting and welding
New	Dry cleaning
New	Exhibits and trade shows

	Fee	
	\$100.00	
	\$150.00	
	\$150.00	
	\$100.00	
	\$150.00	
	\$100.00	
	\$150.00	
	\$150.00	
	\$100.00	
	\$100.00	
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	\$100.00	
	\$100.00	
	\$100.00	
	\$100.00	
	\$100.00	
	\$100.00	
	\$100.00	
	\$100.00	

FIRE 4



Fire				
#	Description			
	Operational Permits			
New	Explosives. (Non-Fireworks)			
New	Flammable and combustible liquids			
New	Floor finishing			
New	Fruit and crop ripening			
New	Fumigation and insecticidal fogging			
New	Hazardous materials			
New	HPM facilities			
New	High-piled storage facilities			
New	Industrial Ovens			
New	Lumber yards and woodworking plants			
New	Liquid or gas fuel-fired vehicles or equipment in Assembly buildings			
New	LP Gas			
New	Magnesium			
New	Miscellaneous combustible storage			
New	Mobile food preparation vehicles			
New	Motor fuel dispensing facilities			
New	Open flames, candles, and torches			
New	Organic coating			
New	Outdoor assembly event			
New	Places of Assembly			
New	Plant extraction systems			
New	Pyrotechnic special effects material			
New	Pyroxylin plastics			

		Fee		
		\$100.00		
		\$100.00		
		\$100.00		
		\$100.00		
		\$100.00		
		\$100.00		
		\$100.00		
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		\$100.00		
		\$100.00		
		\$100.00		



FIRE 5



Fire				
#	Description			
	Operational Permits			
New	Refrigeration equipment			
New	Repair garages and motor fuel dispensing facilities			
New	Rooftop heliports			
New	Spraying or dipping			
New	Storage of scrap tires and tire byproducts			
New	Temporary membrane structures and tents			
New	Tire rebuilding plants			
New	Waste handling			
New	Wood Products			
New	Multi-Family Dwellings (4 or more units)			
New	Public Schools, K thru 12			
New	All other schools.... See inspection rate			
New	Licensed Day Care Centers			
New	Foster Homes			
New	Licensed Hospital, Nursing Homes, and other 24-hr facilities			

		Fee		
		\$100.00		
		\$100.00		
		\$100.00		
		\$100.00		
		\$100.00		
		\$100.00		
		\$100.00		
		\$100.00		
		\$100.00		
		\$65.00		
		\$50.00		
		NA		
		\$100.00		
		\$50.00		
		\$50.00		

LIBRARY 1



Library	
#	Description
45.00	Library Services
45.00.a	Non-Resident Library Card
45.00.a.1	City employee, library volunteer, AISD student or teacher
45.00.a.3	Individual , membership fee (per year)
45.00.a.4	Family, membership fee (per year)
45.00.b	Library or Computer Card Replacement
45.00.b.1	1st replacement
45.00.b.2	2nd and subsequent replacements
45.00.c	Fines for Overdue Material
45.00.c.1	All materials
45.00.d	Lost or Completely Damaged Materials
45.00.e	Other Damaged Materials
45.00.e.1	Book pocket
45.00.e.2	Date card
45.00.e.3	Protective book cover
45.00.e.4	Protective plastic DVD/CD case
45.00.g	Computer Printing

	Fee
	\$0.00
	\$10.00
	\$15.00
	\$1.50
	\$1.50
	\$0.25
	actual cost
	\$1.25
	\$1.25
	\$4.50
	\$2.75
	\$0.10

LIBRARY 2



Library	
#	Description
	Color computer prints (flyers,brochures,etc.)
	8-1/2 X 11
	8-1/2 X 14
45.00.h	Photocopies
45.00.h.1	8-1/2 X 11
45.00.h.2	8-1/2 X 14
45.00.h.3	10 X 17
45.00.j	Fascimile Policy (Incoming or Outgoing pages)
45.00.j.1	First Page
45.00.j.2	Addl. pages (each)
45.00.k	Facility Rental
45.00.k.1	Non-profit organizations
45.00.k.2	Conference room
45.00.k.3	Conference room
45.00.k.4	Cleaning Deposit

	Fee
	\$0.25
	\$0.35
	\$0.10
	\$0.15
	\$0.20
	\$1.00
	\$0.15
	\$0.00
	\$15.00
	\$80.00
	\$25.00

OTHER FEES



Police	
#	Description
42.00	Impoundment Fees-Abandoned Motor Vehicles and Other Property
42.00.a	Vehicles and vehicle parts
42.00.b	Large items requiring outdoor storage
42.00.c	Large items requiring indoor storage
42.00.d	All other items
48.00	Towing Fees
	All charges will be billed per Johnson County Interlocal Agreement Police/EMS Dispatching Services.
49.00	Alarm Permits
49.00.1	Alarm Permit -- Commercial
49.00.1	Alarm Permit -- Residential
49.00.2	False Alarm Response Fee (within a calendar year)
50.00	Careflite Optional Enrollment Membership Program
	Membership cost

Parks	
#	Description
43.00	Parkway Park Pavilion Rental Fees
43.00.a	City Residents
43.00.b	Non-Residents
	Refundable Deposit

	Fee

	\$10.00
	\$10.00
	\$15.00
	\$5.00

	third party cost
--	------------------

	\$100.00
	\$0.00
	\$50.00

	\$1.00
--	--------

	Fee

	\$10.00
	\$15.00
	\$30.00