

City of Alvin, Texas

Paul Horn, Mayor

Adam Arendell, Mayor Pro-tem, District B
Brad Richards, At Large Position 1
Terry Droege, At Large Position 2
Scott Reed, District A



Keith Thompson, District C
Roger E. Stuksa, District D
Gabe Adame, District E

ALVIN CITY COUNCIL AGENDA

THURSDAY, DECEMBER 3, 2015

7:00 P.M.

(Council Chambers)

Alvin City Hall, 216 West Sealy, Alvin, Texas 77511

Persons with disabilities who plan to attend this meeting that will require special services please contact the City Clerk's Office at 281-388-4255 or droberts@cityofalvin.com 48 hours prior to the meeting time. City Hall is wheel chair accessible and a sloped curb entry is available at the east and west entrances to City Hall.

NOTICE is hereby given of a Regular Meeting of the City Council of the City of Alvin, Texas, to be held on **Thursday, December 3, 2015** at 7:00 p.m. in the Council Chambers at: City Hall, 216 W. Sealy, Alvin, Texas.

REGULAR MEETING AGENDA

1. **CALL TO ORDER**
2. **INVOCATION AND PLEDGE OF ALLEGIANCE**
3. **PUBLIC COMMENT**
4. **CONSENT AGENDA: CONSIDERATION AND POSSIBLE ACTION:** An item(s) may be removed from the Consent Agenda for full discussion by the request of a member of Council. Item(s) removed will automatically become the first item up for discussion under Other Business.
 - A. Approve minutes of the November 19, 2015 City Council workshop meeting.
 - B. Approve minutes of the November 19, 2015 City Council regular meeting.
5. **OTHER BUSINESS:**

Council may approve, discuss, refer, or postpone items under Other Business.

 - A. Consider variance request for the property owners at 404 Lulac Street to waive the building setback requirement of Chapter 21, Section 37(a) of the Code of Ordinances.
 - B. Consider final plat for Chicken Express, being a 0.627 acre tract (located at 2510 Bypass 35 South formerly Whataburger) of land out of the H.T.& B.R.R Company Survey No. 13, abstract 225, being a portion of that tract of land conveyed to East Bay Partners, LTD. in volume 98, page 18625, Deed Records, Brazoria County, Texas.

- C. Consider final plat for Kendall Lakes Section 4, being a subdivision of 17.501 acres (located near Highway 35 North) of land located in H.T. & B.R.R Company Survey, Section 40, abstract 482, City of Alvin, Brazoria County, Texas.
- D. Consider Ordinance 15-BB; amending Chapter 21, Subdivisions and Property Development, by adding a new section 21-42.1; allowing for a fee in lieu of sidewalk installation to the Code of Ordinances, City of Alvin, Texas; and setting forth other provisions related thereto.

6. REPORTS FROM CITY MANAGER

- A. Review preliminary list of items for next Council meeting.
- B. Items of Community Interest.

7. REPORTS FROM COUNCIL MEMBERS

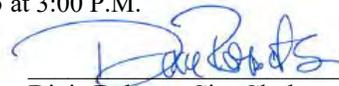
Pursuant to S.B. No. 1182, City Council Members may make a report or an announcement about items of community interest during a meeting of the governing body. No action will be taken or discussed.

- A. Announcements and requests from Council members.

8. ADJOURNMENT

I hereby certify that a copy of this notice was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City’s website: www.alvin-tx.gov, in compliance with Chapter 551, Texas Government Code on MONDAY, NOVEMBER 30, 2015 at 3:00 P.M.




Dixie Roberts, City Clerk

Removal Date: _____

**** All meetings of the City Council are open to the public, except when there is a necessity to meet in Executive Session (closed to the public) under the provisions of Chapter 551, Texas Government Code. The Council reserves the right to convene into executive session on any of the above posted agenda items that qualify for an executive session by publicly announcing the applicable section of the Open Meetings Act, including but not limited to sections 551.071 (litigation and certain consultation with the attorney), 551.072 (acquisition of interest in real property), 551.073 (contract for gift to city), 551.074 (certain personnel deliberations), or 551.087 (qualifying economic development negotiations).**

Minutes of the Alvin Library Board--August 6, 2015 at 6pm

The Alvin Library Board met for its regularly scheduled quarterly meeting at 6:00 pm on Thursday, August 6, 2015. Members present included: Debra McDonald and Shandar Hobbs. Also present: Judy Zavala, Martha Rolingson and Danna K. Wilson, Librarian.

The minutes of the May meeting were read and approved.

Danna reported the library will hold a Staff development day in Oct and the Library League will be donating \$300 for food and other items not covered in budget. Door counts in May were 1573 people, an increase from 2014. Administration is trying to get all branches a digital display screen, so the Library League may be able to purchase something else. Summer reading statics included:

- 315 kids registered, 199 completed one of three levels
- 42 teens registered, 30 completed program
- 960 students participated in the other programs/activities held

Brazoria County reported \$2,000 for book sales, a total for \$6000 this year. The Commissioners Luncheon went well. Planning for the Author dinner, in pursuit of the Little Couple and will be held the first of April.

Library league annual meeting will occur October 20th. They recently finished the July discount book sale and made \$492.

The Open Meeting Act was read and accepted. The next regular meeting of the Alvin Library Board will be held Thursday, November 5, 2015 at 6pm in the Alvin Library conference room.

Submitted by:

Shandar Hobbs

Secretary, Alvin Library Board

MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
CITY COUNCIL WORKSHOP
THURSDAY NOVEMBER 19, 2015
6:15 P.M.

CALL TO ORDER

BE IT REMEMBERED that, on the above date, the City Council of the City of Alvin, Texas, met in Workshop Session at 6:15 P.M. in the Downstairs Conference Room at City Hall, with the following members present: Mayor Paul A. Horn, Mayor Pro-tem Adam Arendell, Councilmembers: Gabe Adame, Brad Richards, Scott Reed, Roger Stuksa, and Keith Thompson.

Staff members present: Sereniah Breland, City Manager; Junru Roland, Assistant City Manager/CFO; Dixie Roberts, City Clerk; Larry Buehler, Economic Development Director; Robert Lee, Police Chief; Michelle Segovia; City Engineer.

WORKSHOP ITEM

Discuss State Highway 6 Access Management.

Michelle Segovia, City Engineer presented information to City Council regarding the access management plans from the Texas Department of Transportation (TxDOT) for the installation of medians along State Highway 6 (SH6). Ms. Segovia reviewed several comments and areas of concern recently addressed in a letter sent to TxDOT:

- Increase the length of the left turn lane from State Highway 6 east bound to Texas Business 35 north bound.
- Provide left turn access for east bound traffic on State Highway 6 at the Dilling Street intersection
- Provide a full median cut at the Heritage South Development located along the north side of State Highway 6.
- Provide left turn access for east bound traffic on Highway 6 to the shopping center.
- Provide a full median cut accommodate future development at the southeast corner of the State Highway 35 by-pass and State Highway 6 intersection.

ADJOURNMENT

Mayor Horn adjourned the meeting at 6:45 p.m.

PASSED and APPROVED this _____ day of _____, 2015.

Paul A. Horn, Mayor

ATTEST: _____
Dixie Roberts, City Clerk

MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
REGULAR CITY COUNCIL MEETING
THURSDAY NOVEMBER 19, 2015
7:00 P.M.

CALL TO ORDER

BE IT REMEMBERED that, on the above date, the City Council of the City of Alvin, Texas, met in regular session at 7:00 P.M. in the Council Chambers at City Hall, with the following members present: Mayor Paul A. Horn, Mayor Pro-tem Adam Arendell, Councilmembers: Gabe Adame, Terry Droege, Brad Richards, Scott Reed, Roger Stuksa, and Keith Thompson.

Staff members present: Sereniah Breland, City Manager; Bobbi Kacz, City Attorney; Junru Roland, Assistant City Manager/CFO; Dixie Roberts, City Clerk; Robert Lee, Police Chief; Michelle Segovia; City Engineer, Brian Smith, Public Services Director; Dan Kelinske, Parks & Recreation Director.

INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Horn gave the invocation.

Council member Richards led the Pledge of Allegiance to the American Flag.

Council member Reed led the Pledge to the Texas Flag.

SPECIAL PRESENTATIONS

Mayor to present a proclamation to Alfred Froberg; declaring November 20, 2015 as Strawberry Day.

Mayor Horn presented a proclamation to Alfred Froberg for his recent induction into the Brazoria County Junior Achievement Business hall of fame and declared November 20, 2015 as Strawberry day in Alvin.

Mayor to present Governor Proclamation to the Alvin Police Department.

Mayor Horn presented the Governor's Proclamation to Police Chief Lee in support of Police Officers.

Street Department/Code Enforcement annual update; Brian Smith.

Brian Smith, Public Service Director, gave an update on Street Department projects. Kacey Roman provided a status report on the Code Enforcement Department.

APPROVAL OF MINUTES

Approve minutes of the November 5, 2015 City Council workshop meeting.

Council member Stuksa moved to approve the minutes of the November 5, 2015 City Council workshop meeting. Seconded by Council member Droege; motion carried on a vote of 7 Ayes.

Approve minutes of the November 5, 2015 City Council regular meeting.

Council member Adame moved to approve the minutes of the November 5, 2015 regular City Council meeting. Seconded by Council member Droege; motion carried on a vote of 7 Ayes.

PETITIONS OR REQUESTS FROM THE PUBLIC

There were no petitions or requests from the public.

REPORTS FROM CITIZENS BOARDS, COMMISSIONS, AND COMMITTEES

No reports were given.

PUBLIC HEARINGS

There were no public hearings.

CONSENT AGENDA: CONSIDERATION AND POSSIBLE ACTION**Consider Ordinance 15-W; repealing the sales tax exemption on telecommunication services and applying the City's local sales tax to telecommunication services in accordance with Section 321.210 of the Texas Tax Code; second reading.**

City Council approved first reading of this ordinance on 11/5/15. On 08/26/2015, City Council approved the engagement of Vybranz LLC to audit the City's tax related costs and expense areas for reduction, recovery, or revenue generation. Vybranz LLC has apprised staff of a provision that went into effect on October 1, 1987 -- under Section 321.210 of the Texas Tax Code. State law exempts telecommunication services from local sales taxes, but allows the governing bodies of local taxing jurisdictions to override the exemption by voting to impose sales tax on these services. According to Section 321.210 of the Texas Tax Code, the governing body of a municipality may repeal the application of the sales tax exemption for telecommunication services sold within the municipality.

Consider Ordinance 15-Z; amending Chapter 2 Administration, Article IIA of the Code of Ordinances, City Manager authority; second reading.

City Council approved first reading of this ordinance on 11/5/15. The proposed changes simplify and clarify the City Manager's authority granted by Council; including the following:

- *Clarifies that the City Manager has authority to make purchases as established by the purchasing manual adopted by Council.*
- *Delegates authority to the City Manager to grant temporary street closures for the purposes of festivals, parades, etc.*

Consider Ordinance 15-T; repealing Ordinance 12-L, whereby the City Council adopted the City of Alvin Travel Policy; second reading.

City Council approved first reading of this ordinance on 11/5/15. We are proposing to adopt the new travel policy via resolution because a resolution is used when the governing body is establishing a position or policy of a city and an ordinance usually regulates persons or property and is generally of a more permanent nature (i.e., law). The prior travel policy was adopted by ordinance, thus it requires an ordinance to repeal the existing ordinance.

The major proposed Travel Policy changes include:

- *Granting Department Heads the authorization to approve travel and travel-related expenditures for their employees.*
- *City Manager authorization for travel/training expenditures for Municipal Judges.*
- *Mayoral approval for travel/training for members of council, commissions, boards, committees, City Manager, and City Attorney.*
- *City Manager approval for out-of-state travel.*
- *Increasing the minimum destination miles for overnight lodging for City related business (from 25 miles from City Hall to 50 miles from City Hall).*

Consider Ordinance 15-Y; amending the City's Purchasing Policy and Procedures Manual for the purpose of clarifying certain sections, updating provisions to comply with changes in the state law; and adopting the City of Alvin Purchasing Policy and Procedures Manual; second reading.

City Council approved first reading of this ordinance on 11/5/15. Article VII, Section 11 of the City Charter requires a review of the City's purchasing policy to determine consistency with federal and/or state law. Staff has reviewed the City's current purchasing policy, and is recommending amendments to the current policy to clean up the flow, aesthetics, and grammar throughout the document; and to put the City in line with current local government practices, as well as changes in state law.

Council member Droege moved to approve the consent agenda as presented. Seconded by Council member Arendell; motion carried on a vote of 7 Ayes.

OTHER BUSINESS:

Discuss agreement with Enterprise Fleet Management Vehicle Leasing Program for the lease of non-emergency city operated vehicles.

Staff is proposing entering into an agreement with Enterprise for the lease of non-emergency City operated vehicles. The agreement includes the lease of vehicles and reducing the replacement time frame, maintenance provided by local business, and greater return at the end of lease compared to current auction sells. Through the agreement, Enterprise has shown savings to the City in all aspects of the agreement and an updated fleet.

Ms. Breland introduced representatives from Enterprise who led the discussion regarding the leasing program.

Consider Professional Services Agreement with Morris, a Huitt-Zollars Inc. company, in an amount not to exceed \$28,000 for the downtown planning task force; and authorize City Manager to sign.

The intent of the project is to develop a vision for the revitalization of Downtown Alvin. Morris will facilitate the Downtown Planning Task Force and city staff to provide urban planning services for downtown revitalization. The estimated schedule for the services is approximately 4 months. The estimated fee for services is \$24,500 plus estimated travel costs of \$300. So far, the following individuals have been recommended to serve on the citizen task force: Chad Dudley, Chad Gormly, Chris Hartman, Fernando Valdes, Henry Dillmann, Johanna McWilliams, John Barron, Johnn Wennerstrom, Steve Adams, Tom Stansel, KAB Representative, Debbie Nance, Missy Jordan, Chris Ochoa, Paul Stanton and Joe Schneider.

Council member Reed moved to approve professional services agreement with Morris, a Huitt-Zollars Inc. company, in an amount not to exceed \$28,000 for the downtown planning task force; and authorize City Manager to sign. Seconded by Council member Arendell; motion carried on a vote of 7 Ayes.

Reconsider variance request from Palm Harbor Villages, Inc. to the outdoor storage requirement of Chapter 35, Section 34(4) of the Code of Ordinances, for a manufactured home sales lot to be located at 1875 N. State Highway 35 Bypass (1.67 acres formerly used as a manufactured home sales lot by Kevin Murphy).

This request went before City Council on November 5, 2015 and was denied. November 9, 2015, Mr. Mittelstadt submitted a letter stating their proposal for the wrought iron fence as an alternative to the ordinance's screening requirement along the Bypass 35 corridor.

The Engineering Department received the original variance request letter on October 9, 2015 from Mr. Tom Mittelstadt Regional Vice President for Palm Harbor Villages, Inc. Mr. Mittelstadt is proposing to place a manufactured home sales lot on 1.67 acres of land located at 1875 N. State Highway 35 Bypass where Mr. Murphy had a similar business several years ago. In order to make this project feasible Mr. Mittelstadt has requested a variance to Chapter 35, Section 34(4) of the Corridor Land Use Ordinance that requires outdoor storage of inventory to be screened from view of the corridor. The 10-12 manufactured homes that would be displayed for sale on the property would be considered inventory under the ordinance.

On October 20, 2015, the City Planning Commission considered the variance request from Palm Harbor Villages, Inc. and recommended approval of the variance by a 4 to 3 vote after receiving a brief presentation by Palm Harbor's Regional Vice President. The Commission Members that voted against the variance were opposed to the placement of this type of business on one of the City's main corridors.

Council member Arendell moved to approve the variance request from Palm Harbor Villages, Inc. to the outdoor storage requirement of Chapter 35, Section 34(4) of the Code of Ordinances, for a manufactured home sales lot to be located at 1875 N. State Highway 35 Bypass (1.67 acres

formerly used as a manufactured home sales lot by Kevin Murphy). Seconded by Council member Reed; motion failed on a vote of 5 Noes; with Council member's Arendell and Reed voting Aye.

Consider Ordinance 15-Q; amending Chapter 2 Administration, of the Code of Ordinances, Council Meeting provisions; as amended; second reading.

City Council approved first reading of this ordinance as amended on 11/5/15. Council asked that the wording limiting citizen comments to items listed on the agenda be removed. The ordinance was approved on first reading as amended with this change. The items being submitted for change within the administrative ordinance were discussed with city council during the council retreat held September 19, 2015. Listed below are the major amendments being submitted within Chapter 2, Article II Administration:

Article II, City Council, Section 2-21. Meetings of city council – significant amendments:

- Revising the sentences regarding alternate meeting dates to clarify that council may approve alternate dates for regular meetings due to holidays and other conflicting dates.

Article II, City Council, Section 2-23. Order of business at meetings – significant amendments:

- Making the order of business items listed on the city council agenda nonexclusive, thus allowing staff the flexibility of not including on the agenda headings of categories not being discussed; such as 'public hearings' and 'presentations and proclamations', if there are none. This change will also allow minutes to be placed on the consent agenda for approval.
- Changing the day that city council will receive the agenda and council packets to seventy-two (72) hours prior to the scheduled meeting. State statute says that agendas for public meetings must be posted seventy-two (72) hours in advance of the meeting. Current practice is to post agenda's and send out the agenda packet to members of city council one week in advance. This change will align the city's process with the Texas Open Meetings Act and will provide more time to process information for the agenda packet. City Council will receive a "draft" agenda the week before the Thursday meeting.

Article II, City Council, Section 2-24. Rules of procedure – significant amendments:

- Council asked that the wording limiting citizen comments to items listed on the agenda be removed. The ordinance was approved on first reading as amended with this change. The wording has been removed from the ordinance as requested. A new public comment card has been created. Those wishing to speak before city council will fill out the comment card and turn into the city clerk before the start of the meeting. The speaker will receive three (3) minutes instead of five (5) minutes to make their comments. The city clerk will maintain the time and notify the speaker when time is up. The presiding officer will have discretion as to how many public comments will be allowed.
- Changing the requirement for two (2) readings of ordinances. This change will allow for faster enactment of legislation. This change does not require the second reading. City Council may always place an item on the agenda for a second reading.

Council member Stuksa moved to approve Ordinance 15-Q; amending Chapter 2 Administration, of the Code of Ordinances, Council Meeting provisions; as amended; second reading. Seconded by Council member Thompson; motion carried on a vote of 7 Ayes.

Consider Ordinance 15-X; amending the City of Alvin 2014-15 Fiscal Year-End budget by increasing (decreasing) certain expenditures and increasing (decreasing) certain revenues to the individual budget accounts in all funds set forth in the attached Exhibit A.

Each fiscal year-end, the City amends the budget to appropriate expenditures which occurred during the year. Reason being, under certain circumstances, staff has more definite cost information at year-end. FY15 has ended and staff needs to make budget adjustments as a way to put the final FY15 budget in line with actual (approved and/or authorized) expenditures for financial reporting purposes. These adjustments include increases and/or decreases in budget appropriations related to actual expenditures and revenues. Per the City's auditor's recommendation, the City should do a batch budget amendment at fiscal year-end to capture expenditures and/or revenues from the year that require a budget amendment.

Council member Droege moved to approve Ordinance 15-X; amending the City of Alvin 2014-15 Fiscal Year-End budget by increasing (decreasing) certain expenditures and increasing (decreasing) certain revenues to the individual budget accounts in all funds set forth in the attached Exhibit A. Seconded by Council member Richards; motion carried on a vote of 7 Ayes.

Consider Resolution 15-R-21; authorizing the creation of the Gulf Coast Regional 9-1-1 Emergency Communication District under the administration of the Houston-Galveston Area Council (HGAC) for the counties of: Brazoria, Chambers, Colorado, Liberty, Matagorda, Walker, Waller, and Wharton.

The City of Alvin's 9-1-1 system is funded from the monthly \$0.50 9-1-1 service fee identified by telephone accounts. This fee is collected by the phone carrier and then paid directly to the Texas Comptroller of Public Accounts, which collects 7% of the revenue as "administrative fees." Further fees or divertments are made or taken as the funds work their way through appropriations and ultimately to HGAC, which oversees their use. According to HGAC, only 40%-70% of 9-1-1 fees collected in our area are returned to our area. The creation of a Gulf Coast Regional 9-1-1 Emergency Communication District, administered by HGAC, would cause those collected fees to be paid directly to HGAC for use in the District in which they were collected; thereby eliminating the loss of 30%-60% of designated funds. The net result will be more funds available to upgrade/repair our local 9-1-1 system.

Council member Thompson moved to approve Resolution 15-R-21; authorizing the creation of the Gulf Coast Regional 9-1-1 Emergency Communication District under the administration of the Houston-Galveston Area Council (HGAC) for the counties of: Brazoria, Chambers, Colorado, Liberty, Matagorda, Walker, Waller, and Wharton. Seconded by Council member Droege; motion carried on a vote of 7 Ayes.

Consider Resolution 15-R-29; casting votes for the Board of Directors of the Brazoria County Appraisal District.

At the October 1, 2015 meeting, City Council nominated Tommy King as a candidate to serve on the Brazoria County Appraisal District (BCAD) Board of Directors. The board is composed of five members who serve two-year terms, all of which expire December 31, 2015.

Each governing body within Brazoria County is allotted a certain number of votes to cast toward the nominated candidates on the ballot. The City of Alvin has been allotted 75 votes. The governing body of the taxing unit may cast its vote for one candidate or distribute the votes among any number of the nominated candidates. Each voting unit must vote by written resolution and submit to the Chief Appraiser before December 15, 2015.

In 2013, the City of Alvin nominated and cast their votes for William Hasse. Mr. Hasse serves as a current member of the Board, but does not wish to continue his service. However, his name was placed on the ballot.

Ballot:

- 1. William (Bill) Hasse*
- 2. Tommy King*
- 3. Rubye Jo Knight*
- 4. Gail Robinson*
- 5. Glenn Salye*
- 6. Susan Spoor*
- 7. Bob Welch*

Council member Reed moved to approve Resolution 15-R-29; casting 75 votes for Tommy King for the Board of Directors of the Brazoria County Appraisal District. Seconded by Council member Richards; motion carried on a vote of 7 Ayes.

Consider Resolution 15-R-27; adopting the City of Alvin Purchasing Card Policy and Procedural Manual providing for an effective date, and setting forth other related matters.

Efficiencies in the City's purchasing process are gained through the use of purchase cards. The following are situations where the use of purchase cards will allow for better productivity and savings:

- Local vendors are paid on a timelier basis*
- May increase speed in obtaining materials*
- Fewer checks are written*
- Purchases can be directly traced to the cardholder*

This policy is intended to be consistent with the City's Purchasing Policy, and allows the City to maintain the controls necessary for such card program. In addition, this policy establishes regulations for the use of city purchase cards in order to maintain a clear accounting for purchases made with these cards. These guidelines will reduce the potential misuse of cards and provide employees with a flexible and convenient method to make purchases for the City of Alvin.

The Assistant City Manager/Chief Financial Officer in consultant with Department Heads and the City Controller will determine which personnel will be assigned cards and any restrictions that will pertain to the individuals' cards. Refer to Schedule A for a current list of employees who have been issued cards.

Council member Stuksa moved to approve Resolution 15-R-27; adopting the City of Alvin Purchasing Card Policy and Procedural Manual providing for an effective date, and setting forth other related matters. Seconded by Council member Thompson; motion carried on a vote of 7 Ayes.

Consider Resolution 15-R-28; adopting the City of Alvin Travel Policy, providing for an effective date, and setting forth other related matters.

The City's Travel Policy was adopted by Ordinance 12-L on March 15, 2012. We are proposing to adopt the new travel policy via resolution because a resolution is used when the governing body is establishing a position or policy of a city and an ordinance usually regulates persons or property and is generally of a more permanent nature (i.e., law).

The major proposed Travel Policy changes include:

- *Granting Department Heads the authorization to approve travel and travel-related expenditures for their employees.*
- *City Manager authorization for travel/training expenditures for Municipal Judges.*
- *Mayoral approval for travel/training for members of council, commissions, boards, committees, City Manager, and City Attorney.*
- *City Manager approval for out-of-state travel.*
- *Increasing the minimum destination miles for overnight lodging for City related business (from 25 miles from City Hall to 50 miles from City Hall).*

Council member Reed moved to approve Resolution 15-R-28; adopting the City of Alvin Travel Policy, providing for an effective date, and setting forth other related matters. Seconded by Council member Droege; motion carried on a vote of 7 Ayes.

REPORTS FROM CITY MANAGER

Review preliminary list of items for next Council meeting.

Ms. Breland reviewed the preliminary list for the December 3, 2015 City Council meeting.

Items of Community Interest.

Ms. Roberts reviewed items of community interest.

REPORTS FROM COUNCIL MEMBERS

Pursuant to S.B. No. 1182, City Council Members may make a report or an announcement about items of community interest during a meeting of the governing body. No action will be taken or discussed.

Announcements and requests from Council members.

Council member Reed wished everyone a happy and safe Thanksgiving.

Council member Arendell announced that the Alvin Volunteer Fire Department open house will be held on December 11 and 12, 2015 at the main fire station. He further requested that the corridor ordinance be turned into something else, and requested that staff review right away.

Council member Richards wished his wife a happy 49th anniversary.

Council member Droege announced the Home for the Holiday festivities will begin on December 4 at Wellborn Cinema at 6 p.m. with a visit from Santa and activities for the kids and the showing of

“Elf” and on December 5, 2015 from 10 a.m. to 6 p.m. there will be activities at National Oak Park ending with a light parade.

Council member Adame congratulated Council Member Richards and his wife on their anniversary. He announced that a public hearing will be held on December 1, 2015 at 6:00 p.m. at the Senior Center on the proposed Thoroughfare Plan.

Council member Stuksa also congratulated Council Member Richards and his wife on their 49th anniversary and he wished everyone a happy and safe Thanksgiving holiday.

ADJOURNMENT

Council member Adame moved to adjourn the meeting at 8:26 p.m. Seconded by Council member Droege; motion carried on a vote of 7 Ayes.

PASSED and APPROVED this _____ day of _____, 2015.

Paul A. Horn, Mayor

ATTEST: _____
Dixie Roberts, City Clerk



AGENDA COMMENTARY

Meeting Date: 12/3/2015

Department: Engineering

Contact: Michelle Segovia, City Engineer

Agenda Item: Consider a variance request for the property owners at 404 Lulac Street to waive the building setback requirement of Chapter 21, Section 37(a) of the Code of Ordinances.

Type of Item: Ordinance Resolution Contract/Agreement Public Hearing Discussion & Direction

Summary: On November 5, 2015 the Engineering Department received a variance request, from the property owners of 404 Lulac, for a waiver to the 25' front building setback required by section 21-37(a) of the City Code of Ordinances. The Homeowners are proposing to construct a 20' x 24' Porte Cochere along the front of their home located at 404 Lulac Street. The Porte Cochere, as proposed, will encroach 8 feet into the the front 25' building setback, however the nearest edge will still be 33' from the edge of the Lulac Street pavement. The Homeowners are wanting to construct this addition to provide protection for their vehicles, as well as, to provide protection from the weather when entering and exiting the front door of their residence since they do not have a garage.

The Planning Commission voted 6 to 1 to approve this variance request at their meeting on November 17, 2015. The Commissioner voting against the request did not state a reason for their no vote.

Funding Expected: Revenue ___ Expenditure ___ N/A ___ **Budgeted Item:** Yes ___ No ___ N/A ___

Account Number: _____ **Amount:** _____

Legal Review Required: N/A ___ Required x Date Completed: November 24, 2015

Supporting documents attached:

- Variance Request Letter
- Aerial Map of the Site
- Site and Structural Plans for the Porte Cochere
- Sec. 21-4

Recommendation: Move to approve the building setback variance as requested by the property owners at 404 Lulac Street.

If approving, state City Council's "Findings" of the probable effect of this variance upon traffic conditions and upon public health, safety, convenience and welfare in the vicinity pursuant to Sec. 21-4 of the City Code.

Reviewed by Department Head, if applicable

Reviewed by City Attorney, if applicable

Reviewed by Chief Financial Officer, if applicable

Reviewed by City Manager

RECEIVED

NOV 05 2015

November 5, 2015

City of Alvin
1100 West Hwy. 6
Alvin, Texas 77511

Thomas & Gayle Gust
404 Lulac St.
Alvin, Texas 77511

Council of the city of Alvin,

Ref: Variance request for Addition of residential Porte Cochere
404 Lulac
Alvin Texas

Respectfully,

We are seeking for a variance to build a covered driveway addition onto our house. The addition requires us to encroach into the easement as listed in city code 21-37 by 8'. (Please see attached drawings.)

The outer support structures (3) would be 33' from the edge of the Lulac street surface. This leaves a 33' right of way for expansion of existing utilities, drainage, sewer system, or street widening. It creates no adverse drainage, line of sight, or easement issues, or constrictions.

We currently have no garage, or covered carport, and our property layout does not allow us to erect an attached, or stand alone enclosed garage structure.

We are requesting a variance to erect an attached covered driveway addition to protect our automobile's, as well as allow us to exit our vehicle(s) in adverse weather conditions, safely without fear of falling while running to the front door without it looking like a carport..

We would be adding to our existing residence a integrated Porte Cochere (covered driveway) 20'X 24' open on 3 sides supported by 3ea. Columns.

This structure will be fully within our property lines, but will fall 8' inside of the current easement code 21-37 "25' from property line.

The new addition would tie into and match the existing structure architecturally, structurally, and aesthetically. It will be fully windstorm and engineered stamped and approved, meeting all city codes. It would add additional value to our house as a covered driveway as well as safety and security for our vehicles, visitors, and us personally. Your consideration and approval would be appreciated.

As we are getting up in age it is getting more difficult to drive up and have to run to the front door without getting soaking wet, or falling. Your consideration and approval would be appreciated.

Regards,

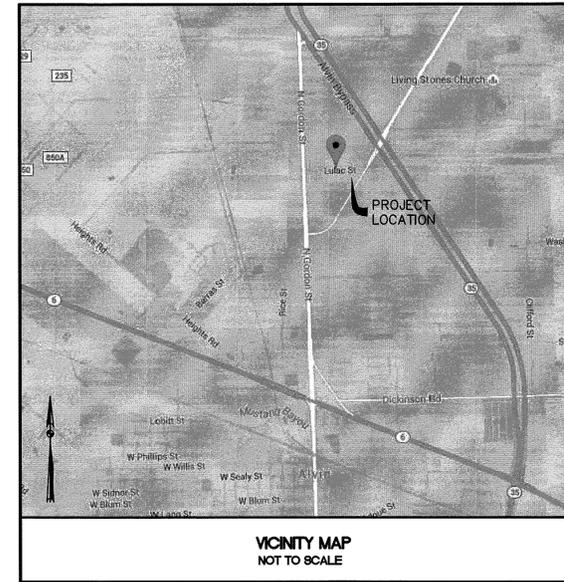


404 Lulac
Alvin, Texas 77511



404 Lulac St Bldg Setback Variance

Rev Date: 11/12/2015
Engineering Dept/GIS



DUE EAST 76.73'

F.M. 528

NOTE:
NO HABITABLE SQ. FT. IS BEING ADDED TO THE EXISTING RESIDENCE.

SITE DATA:
 LOT SIZE: 23,958 S.F. (.55 Acres)
 S.F. OF EXISTING RESIDENCE: 2,650 S.F. (footprint)
 S.F. OF NEW COV. AREA: 480 S.F.

LEGAL DESCRIPTION:
 SURVEY PLAT SHOWING 0.55 ACRES OF LAND BEING ALL OF LOTS 25, 26, 27, PART OF LOT 28, AND ALL OR LOT 29, OF AN UNRECORDED SUBDIVISION KNOWN AS HAYES SUBDIVISION, A SUBDIVISION OUT OF LOTS 1 & 4, BLOCK 1, AND A PART OF LOT 1, BLOCK 8, OF THE WILLEFORD AND ARNIM SUBDIVISION OF THE HOOPER & WADE SURVEY, SECT. 22, ABSTRACT 491, BRAZORIA CO., TX.
 This is not a Survey and "Valle Design & Planning, LLC" assumes no responsibility for it's accuracy. This Plot Plan was prepared from a Survey performed by Steve D. Adams; Dated: 10/05/2000.

PLOT PLAN
 SCALE: 1" = 10'-0"
 RE: SHEET A-1

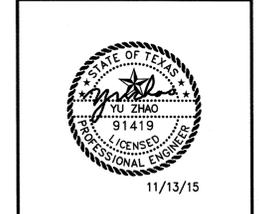


DO NOT SCALE DRAWINGS. USE FIGURE DIMENSIONS ONLY.
 THE GENERAL CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND/OR INCONSISTENCIES ON THESE PLANS/DOCUMENTS.
 THESE PLANS & DOCUMENTS SHALL NOT BE REPRODUCED BY ANY PERSON(S) OR FIRM W/O THE WRITTEN CONSENT OF Valle Design & Planning, LLC
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#	REVISION	DATE:

Covered Drive Addition to "Gust Residence"
 404 Lillac St. Alvin, Texas 77511
Valle Design & Planning, LLC
 20631 Colonial Parkway #7303 Katy, Texas 77449
 P: 832.382.2599
 E: glenn_valle@yahoo.com

CONSULTING ENGINEER:
Yu Zhao, P.E.
 Holistic Engineering Consultants, LLC
 1114 Sienna Hill Dr. Houston, TX 77077
 Texas Registration No. #91419
 Firm Registration No. #16558



Proj. No.: #1528
 Date: 11-13-15 / Permit
 Drawn By: G.V.
 Checked By: Y.Z.

A-0

'Simpson' Strong-Tie Chart

Model No.	Ga.	Fasteners		DF/SP Allowable Loads			SPF/NF Allowable Loads			Code Reference		
		To Rafter/Truss	To Plates	Uplift (160)	Lateral (133/160)	Lateral (133/160)	Uplift (160)	Lateral (133/160)	Lateral (133/160)			
H2.5	18	5-Bd	5-Bd	415	150	150	415	365	130	130	365	I17, L22, F16
H2.5A	18	5-Bd	5-Bd	600	110	110	415	365	130	130	365	I17, L22, F16
H2.5T	18	5-Bd	5-Bd	545	135	145	415	365	130	130	365	I17, L22, F16

DESIGN CRITERIA:

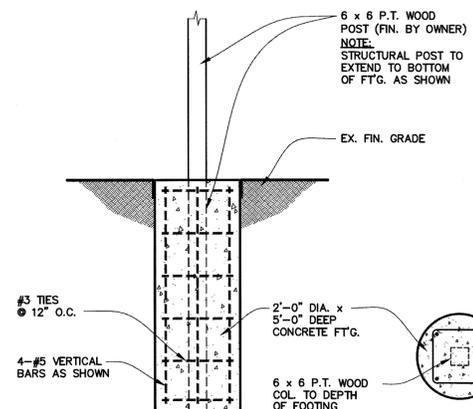
PER: 2012 INTERNATIONAL RESIDENTIAL CODE
 WIND LOAD: 120 mph, EXPOSURE B, Iw = 1.0
 TDI AREA: INLAND II

FRAMING NOTES:

- THE FOLLOWING SPECIFICATIONS ARE AN OUTLINE OF MIN. MATERIAL REQUIREMENTS AND THEIR APPLICATION. MANUFACTURER SPECIFICATION AND CODE REQUIREMENTS, WHEN IN EXCESS OF MINIMUM SPECIFICATION, SHALL CONTROL.
- ALL WOOD COMING IN CONTACT WITH CONCRETE SHALL BE PRESSURE TREATED.
- ALL FASTENING MEMBERS SHALL BE BY 'SIMPSON' OR APPROVED EQ. (SEE DWGS.)
- ALL LUMBER SHALL BE S.Y.P., #2 GRADE (U.N.O.).
- ALL FASTENERS TO BE HOT-DIPPED, ZINC COATED GALV. STEEL.
- PLYWD. CLIPS SHALL BE INSTALLED AT ROOF DECKING TO RESULT IN AN 1/8" GAP BETWEEN ALL PANEL EDGES. PROVIDE (1) CLIP PER SPAN. CLIPS SHALL 'SIMPSON' "PSCL", OR APPROVED EQ., MATCH CORRESPONDING PLYWD. THICKNESS.

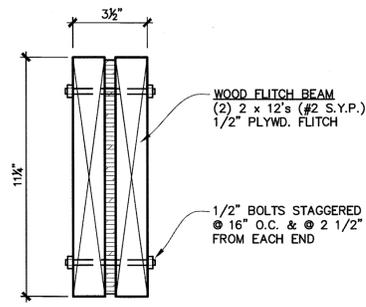
General Notes:

- G.C. TO VERIFY EXISTING DIMENSIONS & CONDITIONS PRIOR TO CONSTRUCTION.
- G.C. TO KEEP CONSTRUCTION AREA FREE FROM DEBRIS AT ALL TIMES.
- G.C. TO VERIFY ALL FINAL MATERIAL SELECTIONS, & FINISHES w/ OWNER.
- G.C. TO NOTIFY THE DESIGN PROFESSIONAL IF THERE ARE ANY DISCREPANCIES OR INCONSISTENCIES ON THE PLANS AND CONTACT BEFORE PROCEEDING. G.C. SHALL BE RESPONSIBLE TO REVIEW THESE PLANS AND BRING ANY INCONSISTENCIES OR DISCREPANCIES TO THE ATTENTION OF THE DESIGN PROFESSIONAL DURING THE BIDDING, PERMITTING, & PRE-CON. PHASE.
- G.C. TO SHORE & BRACE EXISTING FRAMING AS REQ'D. DURING DEMOLITION.
- G.C. SHALL VISIT THE SITE OF THE PROPOSED CONSTRUCTION AND THOROUGHLY FAMILIARIZE HIMSELF w/ ALL EXISTING CONDITIONS.
- THE G.C. IS EXPECTED TO EXERCISE CARE, & PERFORM ALL WORK WITH ACCEPTED TRADE AND INDUSTRY PRACTICES, AND SHALL PERFORM WORK IN ACCORDANCE WITH ALL CODES & ORDINANCES AS ADOPTED BY THE LOCAL AUTHORITY HAVING JURISDICTION.

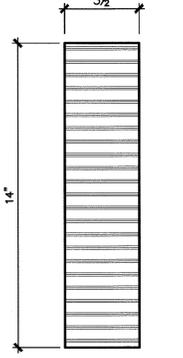


NOTE:
 A SOILS REPORT IS NOT AVAILABLE. FOUNDATION/FOOTING HAS BEEN DESIGNED PER THE 2012 I.R.C., OR LATEST ISSUE, SECT. R401.4.1 AND TABLE R401.4.1 (PRESUMPTIVE LOAD-BEARING VALUES OF FOUNDATION MATERIALS).

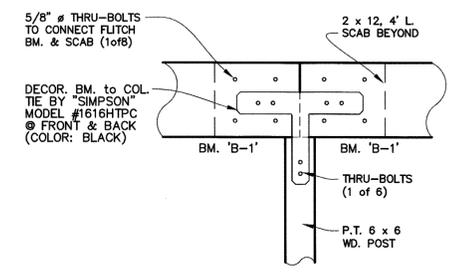
A FOUNDATION DETAILS
 SCALE: 1/2" = 1'-0"



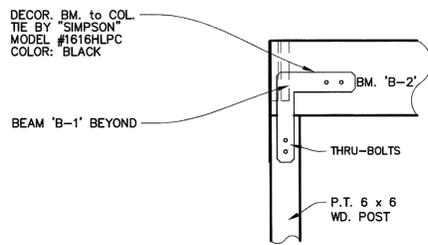
B BM. DETAIL 'B-1'
 SCALE: 3" = 1'-0"



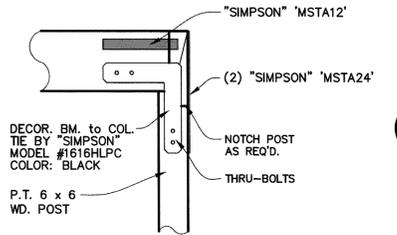
B1 BM. DETAIL 'B-2'
 SCALE: 3" = 1'-0"



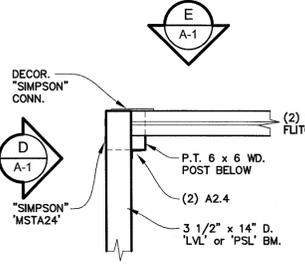
C ELEV. DETAIL
 SCALE: 3/4" = 1'-0"



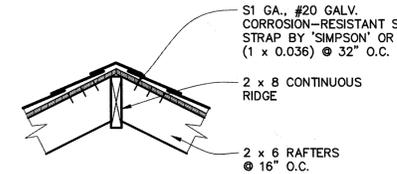
D FRM'G. ELEV.
 SCALE: 3/4" = 1'-0"



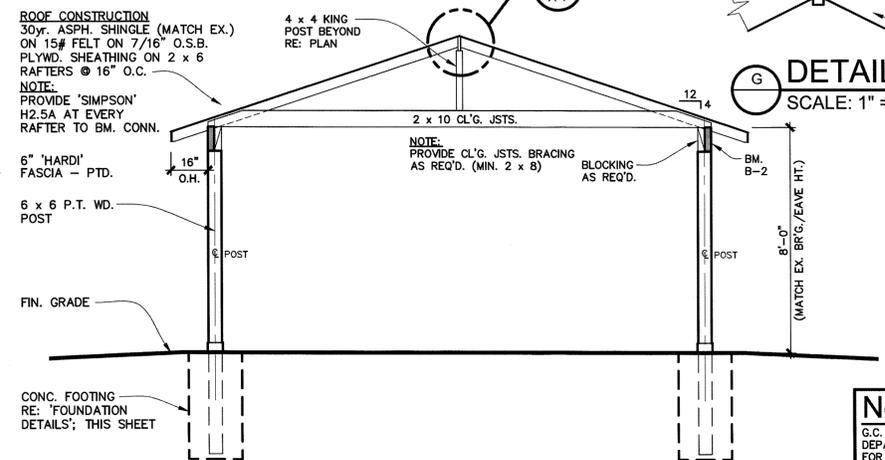
E FRM'G. ELEV.
 SCALE: 3/4" = 1'-0"



F PLAN DETAIL
 SCALE: 1" = 1'-0"



G DETAIL
 SCALE: 1" = 1'-0"



ELEVATION/SECTION
 SCALE: 1/4" = 1'-0"

Note:
 G.C. SHALL SUBMIT FOR APPROVAL ALL TEXAS DEPARTMENT OF INSURANCE EVALUATION REPORTS FOR ALL COMPONENTS AND CLADDING PRIOR TO INSTALLATION. COMPONENTS AND CLADDING INCLUDE, BUT ARE NOT LIMITED TO: WINDOWS, MAIN DOORS, GARAGE DOORS, SIDING, ROOFING MATERIAL, AND SKYLIGHTS IF APPLICABLE. ENGINEER OR RECORD IS NOT RESPONSIBLE FOR IMPROPER INSTALLATION OR FOR INSTALLATION OF ANY UN-APPROVED PRODUCTS.

COMPOSITE STRUCTURAL PLAN
 SCALE: 1/4" = 1'-0"

Beams & Headers

- AT BEAMS MADE UP OF A NUMBER OF 2x JOISTS, EACH JOIST WILL BEAR ON WALL STUD (I.E. NUMBER OF WALL STUDS SHALL MATCH NUMBER OF JOISTS BEARING ON THESE STUDS). THE CENTERLINE OF THE BEAM SHALL BE THE CENTERLINE OF THE SUPPORTING WALL STUDS.
- ALL BEAMS MADE UP OF A NUMBER 2x JOIST SHALL BE FASTENED AS FOLLOWS:
 FOR MAX. HORIZ. SPACING OF BOLTS -
 - (2) 2 x 12's 6d NAILS @ 12" T. & B., STAGGER EA. FACE
 - (3) 2 x 12's 20d NAILS @ 12" T. & B., STAGGER EA. FACE
 - (4) 2 x 12's OR MORE 3/8" DIA. BOLTS @ 12" T. & B., STAGGER w/ STUD WASHERS (BOLTS SHALL BE 5/8" & LOCATED 2" MIN. FROM BEAM EDGES AND SHALL BE STAGGERED @ T. & B. ROWS, PROVIDE STANDARD WASHERS @ EA. FACE).
- MIN. BEARING OF ANY BEAM OR HEADER AT A STUD WALL IS 3".

Nailing Schedule

JOINT DESCRIPTION	# of COMMON NAILS	# of BOX NAILS	NAIL SPACING
ROOF FRAMING			
RAFTER TO TOP PLATE (TOE-NAILED) RE: WFO TABLES	3-80	3-100	PER RAFTER
CL'G. JSTS. TO TOP PLATE (TOE-NAILED) RE: WFO TABLES	3-80	3-100	PER JOISTS
CL'G. JSTS. TO PARALLEL RAFTER (FACE-NAILED) RE: WFO TABLES	6-160	6-400	EACH LAP
CL'G. JSTS. LAPS OVER PARTITION (FACE-NAILED) RE: WFO TABLES	6-160	6-400	EACH LAP
COLLAR TIE TO RAFTER (FACE-NAILED) RE: WFO TABLES	4-80	4-100	PER TIE
BLOCKING TO RAFTER (TOE-NAILED)	2-80	2-100	EACH END
RIM BOARD TO RAFTER (END-NAILED)	2-160	3-160	EACH END

Roof Sheathing

STRUCTURAL PANELS			
INTERIOR ZONE	8D	100	6" EDGE/12" FIELD
EXTERIOR ZONE	8D	100	4" EDGE/6" FIELD
DIAGONAL BOARD SHEATHING			
1 x 6 or 1 x 8	2-60	2-100	PER SUPPORT
1 x 10 or WDR	3-60	3-100	PER SUPPORT

Inland II

	EXPOSURE B, 120 mph, 3 SEC. GUSTS				
MEAN ROOF HEIGHT	15'	20'	25'	30'	35'
HEIGHT & EXPOSURE ADJUSTMENT COEFF.	1.21	1.29	1.35	1.40	1.45

Misc. Steel Specifications:

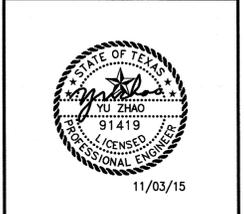
- ALL S.S. BOLTS SHALL COMPLY WITH A.S.T.M. F-593, ALLOY GROUP 1 OR 2. ALL BOLT FITTINGS SHALL INCLUDE RUBBER WASHERS FOR WATER-TIGHT SEALS AT JOINTS. ALL NUTS SHALL COMPLY WITH A.S.T.M. F-594, ALLOY GROUP 1 OR 2.
- ALL STEEL SHALL BE DETAILED, FABRICATED, AND ERRECTED IN ACCORDANCE WITH A.I.S.C. SPECIFICATIONS.
- ALL WELDS ARE PERFORMED USING E70 ELECTRODES, OR GAS-METAL ARC WELDING USING ER 70S3 WIRE. ALL FILLET WELDS ARE A MIN. 3/16" (U.N.O.). ALL STEEL SHALL BE WELDED SHUT AT TERMINATIONS TO PREVENT INTERNAL LEAKAGE.
- ALL STEEL PLATES ARE RUST/CORROSION TREATED BY ZINC ELECTROPLATING. STEEL TUBING AND PLATES ARE FINISHED WITH A MIN. 2.5-3.5 MIL THICK UV-INHIBITED WEATHER RESISTANT POWDER COAT.
- CONCRETE SHALL REACH MIN. (2,500) PSI IN 28 DAYS.
- ALL CONCRETE WORK SHALL BE IN ACCORDANCE WITH THE LATEST STANDARDS SET FORTH IN THE ACI 318-08.
- ALL CAST-IN-PLACE ANCHORS, IF APPLICABLE, ARE A-36 STEEL.
- ALL CONNECTION SHALL BE MADE WITH HIGH-STRENGTH BOLTED CONNECTIONS USING A.S.T.M. A-325, S.A.E. J249, GRADE 8.

DO NOT SCALE DIMENSIONS. USE FIGURE DIMENSIONS ONLY.
 THE GENERAL CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS PRIOR TO CONSTRUCTION. IF THERE ARE ANY DISCREPANCIES OR INCONSISTENCIES ON THESE PLANS/DOCUMENTS, THESE PLANS & DOCUMENTS SHALL NOT BE REPRODUCED BY ANY PERSON(S) OR FIRM W/O THE WRITTEN CONSENT OF Valle Design & Planning, LLC
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REVISION	DATE:
#	

Covered Drive Addition to "Gust Residence"
 404 Liliac St. Alvin, Texas 77511
 Valle Design & Planning, LLC
 P: 832.392.2599
 E: givanni_valle@yahoo.com
 20631 Colonial Parkway #7303 Katy, Texas 77449

CONSULTING ENGINEER:
Yu Zhao, P.E.
 Holistic Engineering Consultants, LLC
 1114 Sienna Hill Dr. Houston, TX 77077
 Texas Registration No. #91419
 Firm Registration No. #16558



Proj. No.: #1528
 Date: 11-03-15 / Permit
 Drawn By: G.V.
 Checked By: Y.Z.

A-1

Sec. 21-4. - Variances.

Upon written request, city council may authorize a variance from this chapter. An applicant for a variance shall pay a non-refundable fee, in an amount provided for in the fee schedule in chapter 28.

In granting a variance, the council shall prescribe those conditions it deems necessary or desirable to the public interest. In making the findings hereinabove required, the council shall take into account the nature of the proposed use of the land involved, the existing use of the land in the vicinity, the number of persons who will reside or work in the proposed subdivision, and the probable effect of such variance upon traffic conditions and upon public health, safety, convenience and welfare in the vicinity.

Any variance request shall first be reviewed by the planning commission, with a recommendation to city council.

(Ord. No. 02-AA, § 1, 6-20-02; Ord. No. 06-WW, § 3, 12-21-06; Ord. No. 12-UU, § 2, 11-1-12)



AGENDA COMMENTARY

Meeting Date: 12/3/2015

Department: Engineering

Contact: Michelle Segovia, City Engineer

Agenda Item: Consider final plat for Chicken Express, being a 0.627 acre tract (located at 2510 Bypass 35 South formerly Whataburger) of land out of the H.T. & B. RR Company Survey No. 13, abstract 225, being a portion of that tract of land conveyed to East Bay Partners, LTD. in volume 98, page 18625, Deed Records, Brazoria County, Texas.

Type of Item: Ordinance Resolution Contract/Agreement Public Hearing Discussion & Direction

Summary: On October 31, 2015 the Engineering Department received the Final Plat of Chicken Express for review. The property is located at 2510 Bypass 35 South and is being platted in order for the owner of the property to sell the building (former Whataburger site) to Chicken Express, a north Texas based fast food chain.

The City Planning Commission unanimously approved the plat at their meeting on November 17, 2015.

Funding Expected: Revenue ___ Expenditure ___ N/A **Budgeted Item:** Yes ___ No ___ N/A

Account Number: _____ **Amount:** _____

Legal Review Required: N/A ___ Required **Date Completed:** November 24, 2015

Supporting documents attached:

- Final Plat of Chicken Express.

Recommendation: Move to approve final plat for Chicken Express, being a 0.627 acre tract (located at 2510 Bypass 35 South formerly Whataburger) of land out of the H.T. & B. RR Company Survey No. 13, abstract 225, being a portion of that tract of land conveyed to East Bay Partners, LTD. in volume 98, page 18625, Deed Records, Brazoria County, Texas.

Reviewed by Department Head, if applicable

Reviewed by City Attorney, if applicable

Reviewed by Chief Financial Officer, if applicable

Reviewed by City Manager

BEING THAT CERTAIN 0.627 ACRES (27,331.9± SQ. FT.) TRACT OF LAND OUT OF THE H. T. & B. RR COMPANY SURVEY No. 13, ABSTRACT 225, BEING A PORTION OF THAT TRACT OF LAND CONVEYED TO EAST BAY PARTNERS LTD. IN V. 98, P. 18625, REAL RECORDS, BRAZORIA COUNTY, TEXAS & BEING FURTHER DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A SET 1/2" IRON ROD CAPPED "CARTER WFORD" AT THE END OF A CURVE TO THE RIGHT WITH A RADIUS OF 3819.72 FEET AND A CHORD OF S 55°58'15" W 133.35 FEET, IN THE NORTH CALLED RIGHT OF WAY OF SOUTH LOOP HIGHWAY 35, AT A COMMON CORNER OF THAT CERTAIN EAST BAY PARTNERS LTD. TRACT AS DESCRIBED IN V. 98, P. 18625, REAL RECORDS, BRAZORIA COUNTY, TEXAS, FOR THE SOUTHWEST AND BEGINNING CORNER OF THIS TRACT. WHENCE THE INTERSECTION OF THE WEST LINE OF TRACT 39 AND NORTH RIGHT OF WAY LINE OF SOUTH LOOP HIGHWAY 35 IS CALCULATED TO BEAR S 62°28'00" W 53.58 FEET, S 61°37'00" W 65.00 FEET & S 60°25'00" W 74.65 FEET.

THENCE ALONG SAID EAST BAY PARTNERS LTD TRACT THE FOLLOWING COURSES AND DISTANCES:
 N 21°09'45" W 224.69 FEET TO A SET 1/2" IRON ROD CAPPED "CARTER WFORD", FOR THE NORTHWEST CORNER OF THIS TRACT.
 N 68°50'15" E 130.00 FEET TO A SET 1/2" IRON ROD CAPPED "CARTER WFORD", FOR THE NORTHEAST CORNER OF THIS TRACT.
 S 21°09'45" E 195.00 FEET TO A SET 1/2" IRON ROD CAPPED "CARTER WFORD", IN THE NORTH CALLED RIGHT OF WAY OF SAID SOUTH LOOP HIGHWAY 35, AT THE BEGINNING OF SAID CURVE TO THE RIGHT, FOR THE SOUTHEAST CORNER OF THIS TRACT.

THENCE SOUTHWESTERLY ALONG SAID CURVE TO THE RIGHT AN ARC DISTANCE OF 133.36 FEET, TO THE POINT OF BEGINNING.

NOTES:

1) PROPERTY IS NOT LOCATED WITHIN A FLOOD ZONE OR FLOOD HAZARD ZONE ACCORDING TO THE FLOOD INSURANCE RATE MAP (FIRM) PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), MAP NO. 48039C0165H, DATED JUNE 5, 1989.

2) ALL CORNERS ARE SET 1/2" IRON RODS, CAPPED - "CARTER-WFORD", UNLESS OTHERWISE NOTED.

3) SPECIAL NOTICE: SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF CITY ORDINANCE AND STATE LAW, AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.

4) UNDERGROUND UTILITIES WERE NOT LOCATED DURING THIS SURVEY. CALL TEXAS 811 AND/OR UTILITY PROVIDERS BEFORE EXCAVATION OR CONSTRUCTION.

5) NO ABSTRACT OF TITLE OR TITLE COMMITMENT WAS PROVIDED TO THIS SURVEYOR. RECORD RESEARCH DONE BY THIS SURVEYOR WAS MADE ONLY FOR THE PURPOSE OF DETERMINING THE BOUNDARY OF THIS PROPERTY AND OF THE ADJOINING PARCELS. RECORD DOCUMENTS OTHER THAN THOSE SHOWN ON THIS SURVEY MAY EXIST AND ENCUMBER THIS PROPERTY.

6) BEFORE CONSTRUCTION PLEASE CONSULT ALL APPLICABLE GOVERNING ENTITIES REGARDING RULES & REGULATIONS, THAT MAY AFFECT CONSTRUCTION ON THIS PROPERTY. (I.E. ARCHITECTURAL CONTROL COMMITTEE, MUNICIPAL DEPARTMENTS, HOME OWNERS ASSOC., ETC.)

7) THIS TRACT IS CURRENTLY NOT UNDER ZONING REGULATIONS.

8) SIDEWALKS SHALL BE CONSTRUCTED AS PART OF THE ISSUANCE OF A BUILDING PERMIT FOR EACH TRACT.

9) NO BUILDING PERMITS WILL BE ISSUED UNTIL ALL STORM DRAINAGE IMPROVEMENTS, WHICH MAY INCLUDE DETENTION, HAVE BEEN CONSTRUCTED.

SURVEYORS CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

THAT I, KYLE RUCKER, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON AS "SET" WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION ORDINANCE OF THE CITY OF ALVIN.

Kyle Rucker

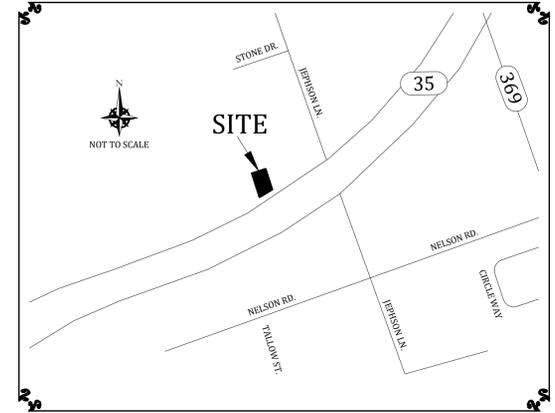
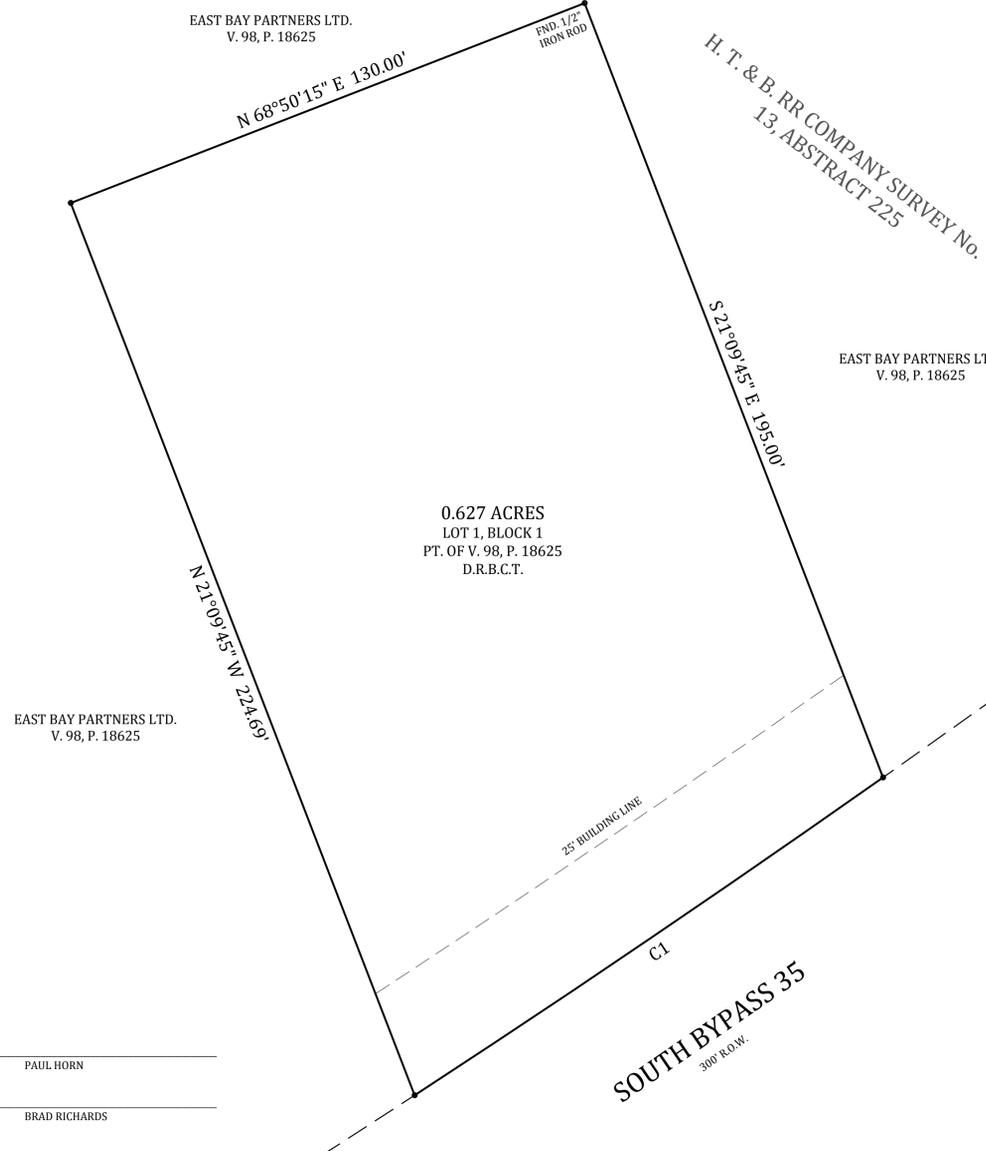
KYLE RUCKER, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6444.
 CARTER SURVEYING AND MAPPING, 110A PALO PINTO ST. WEATHERFORD, TX 76086
 OCTOBER 2015 - JN151045FINALPLAT



SURVEYOR:
 KYLE RUCKER, R.P.L.S.
 CARTER SURVEYING & MAPPING, INC.
 110 A PALO PINTO
 WEATHERFORD, TEXAS, 76086
 817-594-0400

OWNER/DEVELOPER:
 EAST BAY PROPERTIES
 DAVID LEBOW
 2450 FONDREN ROAD
 SUITE 309
 HOUSTON, TX 77024

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	3819.72'	133.36'	133.35'	S 55°58'15" W	2°00'01"



STATE OF TEXAS
 COUNTY OF _____

I, DAVID LEBOW, REPRESENTATIVE OF EAST BAY PARTNERS, LTD., OWNER OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAME IS SUBSCRIBED THERETO AND IN PERSON OR THROUGH A DULY AUTHORIZED AGENT DEDICATED TO THE PUBLIC FOREVER, ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION HEREIN EXPRESSED. THE OWNER DOES HEREBY WAVE ALL CLAIMS FOR DAMAGES OCCASIONED BY THE ESTABLISHMENT OF GRADES AS APPROVED FOR THE STREETS AND DRAINAGE EASEMENTS DEDICATED OR OCCASIONED BY US THE ALTERATION ON THE SURFACE, OR ANY PORTION OF THE STREETS OR DRAINAGE EASEMENTS TO CONFORM TO SUCH GRADES, AND DO HEREBY BIND MYSELF, MY HEIRS, SUCCESSORS AND ASSIGNS, TO WARRANT AND DEFEND THE TITLE TO THE LAND SO DEDICATED.

WITNESS OUR HAND IN _____ (CITY) _____ COUNTY, TEXAS, THIS ____ DAY OF _____, 2015.

DAVID LEBOW

STATE OF TEXAS
 COUNTY OF _____

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ____ DAY OF _____, 2015

NOTARY PUBLIC IN AND FOR _____ COUNTY, TEXAS.

STATE OF TEXAS
 COUNTY OF BRAZORIA

I, _____ COUNTY CLERK OF BRAZORIA COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WITH ITS AUTHENTICATION WAS FILED FOR REGISTRATION IN MY OFFICE ON _____, 2015, AT _____ O'CLOCK ____ M, IN DOCUMENT NUMBER _____.

WITNESS MY HAND AND SEAL OF OFFICE, AT ANGLETON, BRAZORIA COUNTY, TEXAS, THE DAY AND DATE LAST WRITTEN ABOVE.

DEPUTY _____ COUNTY CLERK OF BRAZORIA COUNTY, TEXAS.

**FINAL PLAT OF
 CHICKEN EXPRESS ADDITION
 LOT 1, BLOCK 1**

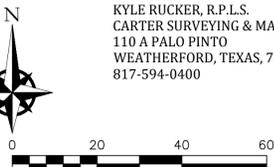
0.627 ACRES (27,331.9± SQ. FT.) TRACT OF LAND OUT OF THE H. T. & B. RR COMPANY SURVEY No. 13, ABSTRACT 225, BEING A PORTION OF THAT TRACT OF LAND CONVEYED TO EAST BAY PARTNERS LTD. IN V. 98, P. 18625

AN ADDITION TO THE CITY OF ALVIN,
 BRAZORIA COUNTY, TEXAS
 NOVEMBER 10, 2015



110 A PALO PINTO STREET - WEATHERFORD, TEXAS 76086
 (P) 817-594-0400 - (F) 817-594-0403

SUBDIVISION APPROVED	
MAYOR	PAUL HORN
COUNCILMEMBER	BRAD RICHARDS
COUNCILMEMBER	TERRY DROEGE
COUNCILMEMBER	SCOTT REED
COUNCILMEMBER	ADAM ARENDELL
COUNCILMEMBER	KEITH THOMPSON
COUNCILMEMBER	ROGER STUKSA
COUNCILMEMBER	GABE ADAME
CITY ENGINEER	MICHELLE H. SEGOVIA, P.E. CFM
CITY CLERK	DIXIE ROBERTS, TRMC





AGENDA COMMENTARY

Meeting Date: 12/3/2015

Department: Engineering

Contact: Michelle Segovia, City Engineer

Agenda Item: Consider final plat for Kendall Lakes Section 4, being a subdivision of 17.501 acres (located near Highway 35 North) of land located in H.T. & B.R.R Company Survey, Section 40, abstract 482, City of Alvin, Brazoria County, Texas.

Type of Item: Ordinance Resolution Contract/Agreement Public Hearing Discussion & Direction

Summary: On October 19, 2015 the Engineering Department received the Final Plat of Kendall Lakes Section 4 for review. This section consists of 72 single-family residential lots, 4 blocks, and 1 reserve and is located within the City of Alvin (near Highway 35 North). The Kendall Lakes Subdivision currently consists of five previously platted sections totaling 231 residential lots of which 166 have homes on them.

The City Planning Commission unanimously approved the plat at their meeting on November 17, 2015. Commission Member Hartman asked if the green space requirement had been met for this section, which it has.

Funding Expected: Revenue ___ Expenditure ___ N/A ___ **Budgeted Item:** Yes ___ No ___ N/A ___

Account Number: _____ **Amount:** _____

Legal Review Required: N/A ___ Required Date Completed: November 24, 2015

Supporting documents attached:

- Final Plat Kendall Lakes Section 4.

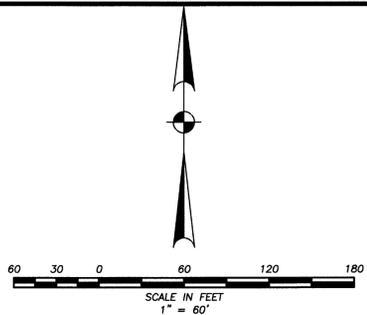
Recommendation: Move to approve plat for Kendall Lakes Section 4, being a subdivision of 17.501 acres (located near Highway 35 North) of land located in H.T. & B. RR Company Survey, Section 40, abstract 482, City of Alvin, Brazoria County, Texas.

Reviewed by Department Head, if applicable

Reviewed by City Attorney, if applicable

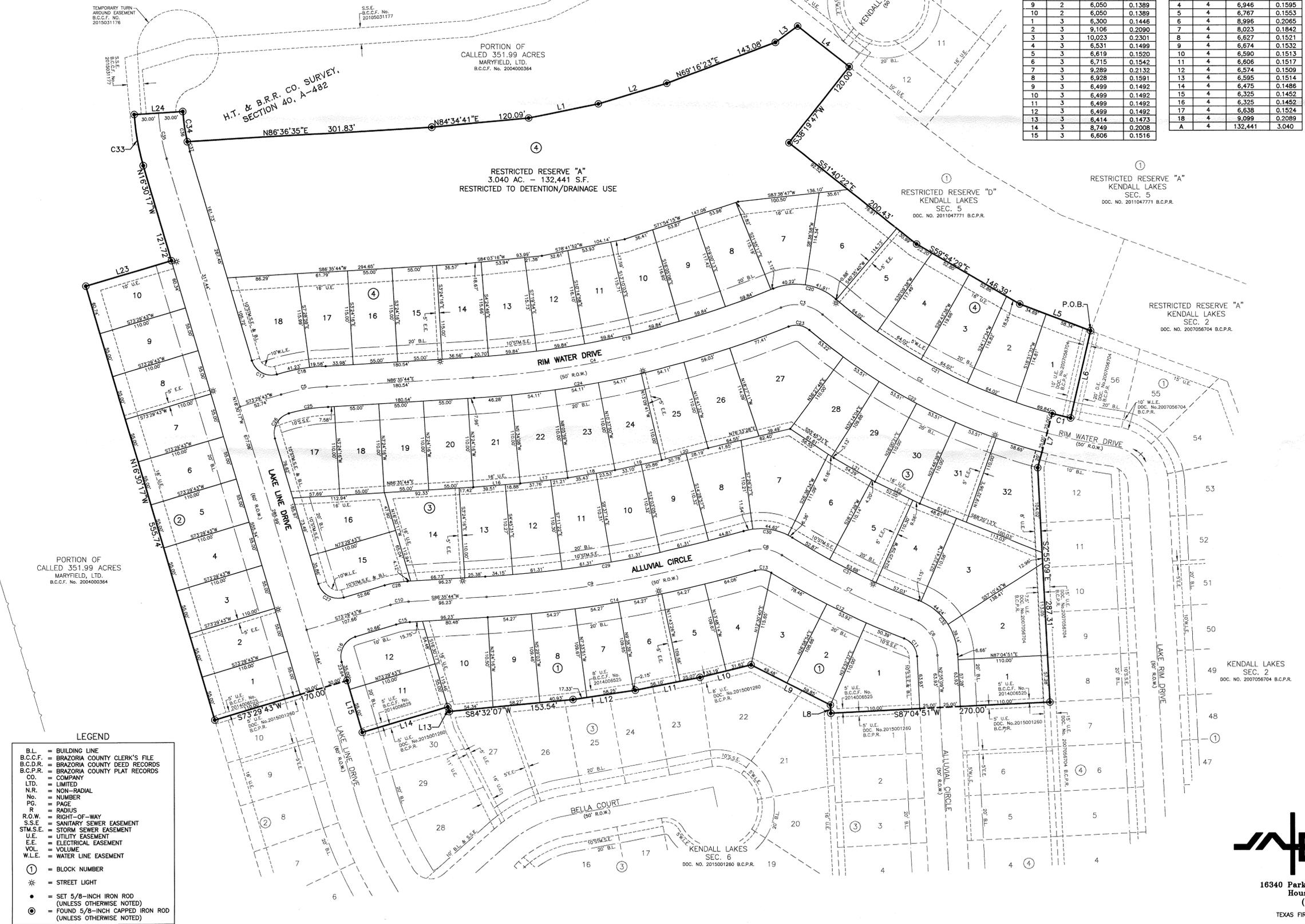
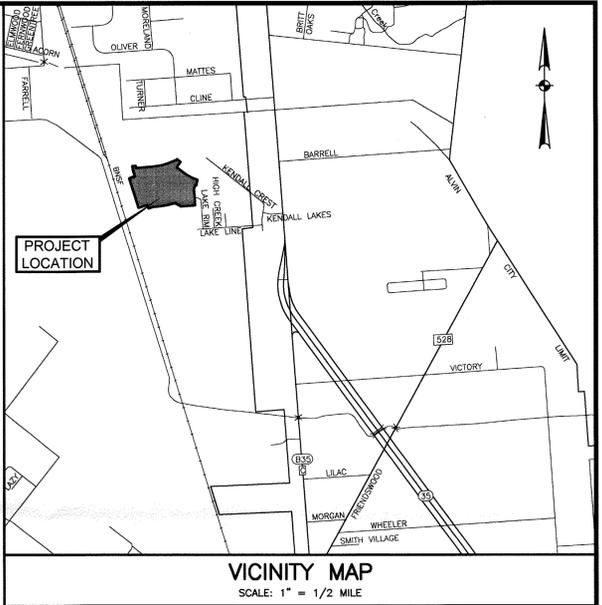
Reviewed by Chief Financial Officer, if applicable

Reviewed by City Manager



LOT	BLOCK	SQ. FT.	ACRE
1	1	8,557	0.1967
2	1	8,203	0.1924
3	1	6,992	0.1605
4	1	6,449	0.1480
5	1	6,176	0.1418
6	1	6,188	0.1416
7	1	6,168	0.1416
8	1	6,172	0.1417
9	1	6,178	0.1418
10	1	7,528	0.1728
11	1	6,050	0.1389
12	1	6,398	0.1469
1	2	6,050	0.1389
2	2	6,050	0.1389
3	2	6,050	0.1389
4	2	6,050	0.1389
5	2	6,050	0.1389
6	2	6,050	0.1389
7	2	6,050	0.1389
8	2	6,050	0.1389
9	2	6,050	0.1389
10	2	6,050	0.1389
1	3	6,300	0.1446
2	3	9,106	0.2090
3	3	10,023	0.2301
4	3	6,531	0.1499
5	3	6,619	0.1520
6	3	6,715	0.1542
7	3	9,289	0.2132
8	3	8,928	0.1591
9	3	6,499	0.1492
10	3	6,499	0.1492
11	3	6,499	0.1492
12	3	6,499	0.1492
13	3	6,414	0.1473
14	3	8,749	0.2008
15	3	6,606	0.1516

LOT	BLOCK	SQ. FT.	ACRE
16	3	6,676	0.1533
17	3	7,319	0.1680
18	3	6,050	0.1389
19	3	6,050	0.1389
20	3	6,050	0.1389
21	3	6,183	0.1419
22	3	6,207	0.1425
23	3	6,207	0.1425
24	3	6,207	0.1425
25	3	6,207	0.1425
26	3	6,900	0.1584
27	3	11,391	0.2615
28	3	6,305	0.1447
29	3	6,312	0.1448
30	3	6,309	0.1448
31	3	6,309	0.1448
32	3	8,605	0.1975
1	4	7,233	0.1661
2	4	6,746	0.1549
3	4	6,929	0.1591
4	4	6,946	0.1595
5	4	6,767	0.1553
6	4	8,996	0.2065
7	4	8,023	0.1842
8	4	6,627	0.1521
9	4	6,674	0.1532
10	4	6,590	0.1513
11	4	6,806	0.1517
12	4	6,574	0.1509
13	4	6,595	0.1514
14	4	6,475	0.1486
15	4	6,325	0.1452
16	4	6,325	0.1452
17	4	6,638	0.1524
18	4	9,099	0.2089
A	4	132,441	3.040



- NOTES:**
- ONE-FOOT RESERVE DEDICATED TO THE PUBLIC IN FEE AS A BUFFER SEPARATION BETWEEN THE SIDE OR END OF STREETS WHERE SUCH STREETS ABUT ADJACENT PROPERTY, THE CONDITION OF THIS DEDICATION BEING THAT WHEN THE ADJACENT PROPERTY IS SUBDIVIDED OR RE-SUBDIVIDED IN A RECORDED SUBDIVISION PLAT, THE ONE-FOOT RESERVE SHALL THEREUPON BECOME VESTED IN THE PUBLIC FOR STREET RIGHT-OF-WAY PURPOSES AND THE FEE TITLE THERETO SHALL REVERT TO AND REVEST IN THE DEDICATOR, HIS HEIRS, ASSIGNS OR SUCCESSORS.
 - ALL EASEMENTS SHOWN ON LOT LINES ARE CENTERED UNLESS OTHERWISE NOTED.
 - ANY DISTANCE SHOWN ALONG A CURVE OR RADIUS IS THE ARC LENGTH UNLESS OTHERWISE NOTED.
 - ALL SIDE LOT LINES ARE EITHER PERPENDICULAR OR RADIAL TO STREET FRONTAGE UNLESS OTHERWISE NOTED.
 - ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP NUMBERS 48039C0135 I AND 48039C0175 I, REVISED DATE: SEPTEMBER 22, 1999, THE SURVEYED PROPERTY LIES WITHIN ZONE "A0", FLOOD DEPTHS OF 1 TO 3 FEET (USUALLY SHEET FLOW ON SLOPING TERRAIN); AVERAGE DEPTHS DETERMINED. FOR AREAS OF ALLUVIAL FAN FLOODING; VELOCITIES ALSO DETERMINED.
 - THE COORDINATES AND BEARINGS SHOWN HEREON ARE TEXAS SOUTH CENTRAL ZONE NO. 4204 STATE PLANE GRID COORDINATES (NAD83) AND MAY BE BROUGHT TO SURFACE BY APPLYING THE FOLLOWING COMBINED SCALE FACTOR 0.9998653191.
 - SIDEWALKS MUST BE CONSTRUCTED AS PART OF THE ISSUANCE OF BUILDING PERMIT FOR EACH TRACT.
 - NO BUILDING PERMITS WILL BE ISSUED UNTIL ALL THE STORM DRAINAGE IMPROVEMENTS, WHICH MAY INCLUDE DETENTION, HAVE BEEN CONSTRUCTED.
 - A.D.A. HANDICAP RAMPS SHALL BE INCLUDED IN THE PAVING CONTRACT AND ARE THE RESPONSIBILITY OF THE DEVELOPERS.

FINAL PLAT KENDALL LAKES SEC 4 A PLANNED UNIT DEVELOPMENT

A SUBDIVISION OF 17.501 ACRES OF LAND
LOCATED IN H.T.&B.R.R. COMPANY SURVEY,
SECTION 40, A-482
BRAZORIA COUNTY, TEXAS

72 LOTS 4 BLOCKS 1 RESERVE
DATE: OCTOBER 19, 2015 SCALE: 1" = 60'

OWNER:
JNC DEVELOPMENT INC.,
A TEXAS CORPORATION
12399 MONTWOOD DRIVE
EL PASO, TEXAS 79928
(915) 855-1005

ENGINEER:
 r.g.miller
engineers

SURVEYOR:
 MILLER
SURVEY GROUP

16340 Park Ten Place - Suite 350
Houston, Texas 77084
(713) 461-9800
TEXAS FIRM REGISTRATION NO. F-487
JACK P. MILLER, P.E.

1760 WEST SAM HOUSTON PARKWAY NORTH, HOUSTON TEXAS 77043
PHONE 713-413-1900 FAX 713-413-1944
TEXAS FIRM REGISTRATION NO. 10047100
BRIAN E. WILSON, R.P.L.S.

- LEGEND**
- B.L. = BUILDING LINE
 - B.C.C.F. = BRAZORIA COUNTY CLERK'S FILE
 - B.C.D.R. = BRAZORIA COUNTY DEED RECORDS
 - B.C.P.R. = BRAZORIA COUNTY PLAT RECORDS
 - CO. = COMPANY
 - LTD. = LIMITED
 - N.R. = NON-RADIAL
 - No. = NUMBER
 - PG. = PAGE
 - R. = RADIUS
 - R.O.W. = RIGHT-OF-WAY
 - S.S.E. = SANITARY SEWER EASEMENT
 - STM.S.E. = STORM SEWER EASEMENT
 - U.E. = UTILITY EASEMENT
 - E.E. = ELECTRICAL EASEMENT
 - VOL. = VOLUME
 - W.L.E. = WATER LINE EASEMENT
 - ① = BLOCK NUMBER
 - * = STREET LIGHT
 - = SET 5/8-INCH IRON ROD (UNLESS OTHERWISE NOTED)
 - ⊙ = FOUND 5/8-INCH CAPPED IRON ROD (UNLESS OTHERWISE NOTED)

L:\3824_BRAZORIA_MUD_36\KENDALL_LAKES\3517-04_PLAT\021015.DWG Oct. 19, 2015-10:40 AM TROY NIXON

STATE OF TEXAS

COUNTY OF BRAZORIA

WE, JNC DEVELOPMENT INC., A TEXAS CORPORATION ACTING BY AND THROUGH JAMES BOMBACH, AUTHORIZED REPRESENTATIVE AND C. DAVID BOMBACH, AUTHORIZED REPRESENTATIVE, OWNERS OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAME IS DESCRIBED HERETO AND IN PERSON OR THROUGH A DULY AUTHORIZED AGENT DEDICATED TO THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSES AND CONSIDERATION HEREIN EXPRESSED.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSES FOREVER UNOBSTRUCTED AERIAL EASEMENTS ONLY AS SHOWN HEREON. THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY AN ADDITIONAL ELEVEN FEET, SIX INCHES (11'6") FOR TEN FEET (10'0") PERIMETER GROUND EASEMENTS OR SEVEN FEET, SIX INCHES (7'6") FOR FOURTEEN FEET (14'0") PERIMETER GROUND EASEMENTS OR FIVE FEET, SIX INCHES (5'6") FOR SIXTEEN FEET (16'0") PERIMETER GROUND EASEMENTS, FROM A PLANE SIXTEEN FEET (16'0") ABOVE THE GROUND LEVEL UPWARD, LOCATED ADJACENT TO AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (U.E. AND A.E.) AS INDICATED AND DEPICTED HEREON, WHEREBY THE AERIAL EASEMENT TOTALS TWENTY ONE FEET, SIX INCHES (21'6") IN WIDTH.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSES FOREVER UNOBSTRUCTED AERIAL EASEMENTS ONLY AS SHOWN HEREON. THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY AN ADDITIONAL TEN FEET (10'0") FOR TEN FEET (10'0") BACK-TO-BACK GROUND EASEMENTS, OR EIGHT FEET (8'0") FOR FOURTEEN FEET (14'0") BACK-TO-BACK GROUND EASEMENTS OR SEVEN FEET (7'0") FOR SIXTEEN FEET (16'0") BACK TO BACK GROUND EASEMENTS, FROM A PLANE SIXTEEN FEET (16'0") ABOVE THE GROUND LEVEL UPWARD, LOCATED ADJACENT TO BOTH SIDES AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (U.E. AND A.E.) AS INDICATED AND DEPICTED HEREON, WHEREBY THE AERIAL EASEMENT TOTALS THIRTY FEET (30'0") IN WIDTH.

IN TESTIMONY WHEREOF, JNC DEVELOPMENT INC., A TEXAS CORPORATION, HAS CAUSED THESE PRESENTS TO BE SIGNED BY JAMES BOMBACH AND C. DAVID BOMBACH, THEREUNTO AUTHORIZED, THIS _____ DAY OF _____, 2015.

BY: JAMES BOMBACH AUTHORIZED REPRESENTATIVE

ATTEST: C. DAVID BOMBACH AUTHORIZED REPRESENTATIVE

STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JAMES BOMBACH AND C. DAVID BOMBACH OF JNC DEVELOPMENT INC., A TEXAS CORPORATION, KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND AS THE ACT AND DEED OF SAID CORPORATION.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ DAY OF _____, 2015.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS PRINT NAME

MY COMMISSION EXPIRES: _____

I, _____ OF TRUSTMARK NATIONAL BANK, OWNER AND HOLDER OF A LIEN AGAINST THE PROPERTY DESCRIBED IN THE PLAT KNOWN AS FINAL PLAT KENDALL LAKES SEC 4, SAID LIEN BEING EVIDENCED BY INSTRUMENT OF RECORD IN THE CLERK'S FILE NO. 2013057195, 2013057196 AND 2013057197 OF THE O.P.R.O.R.P. OF BRAZORIA COUNTY, TEXAS, DO HEREBY IN ALL THINGS SUBORDINATE OUR INTEREST IN SAID PROPERTY TO THE PURPOSES AND EFFECTS OF SAID PLAT AND THE DEDICATIONS AND RESTRICTIONS SHOWN HEREIN TO SAID SUBDIVISION PLAT AND I HEREBY CONFIRM THAT WE ARE THE PRESENT OWNER OF SAID LIEN AND HAVE NOT ASSIGNED THE SAME NOR ANY PART THEREOF.

TRUSTMARK NATIONAL BANK

BY: _____

STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED _____ KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN AND HEREIN STATED, AND AS THE ACT AND DEED OF SAID CORPORATION.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ DAY OF _____, 2015.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS PRINT NAME

MY COMMISSION EXPIRES: _____

I, CAROLYN J. QUINN, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THE ABOVE SUBDIVISION IS TRUE AND CORRECT; WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND; THAT ALL BOUNDARY CORNERS, ANGLE POINTS, POINTS OF CURVATURE AND OTHER POINTS OF REFERENCE HAVE BEEN MARKED WITH IRON RODS, SAID RODS HAVING AN OUTSIDE DIAMETER OF NOT LESS THAN FIVE EIGHTHS (5/8) INCH AND A LENGTH OF NOT LESS THAN THREE (3) FEET; AND THAT THE PLAT BOUNDARY CORNERS HAVE BEEN TIED TO THE NEAREST SURVEY CORNER AND TO THE TEXAS SOUTH CENTRAL ZONE NO. 4204 STATE PLANE COORDINATES (NAD83).

CAROLYN J. QUINN REGISTERED PROFESSIONAL LAND SURVEYOR TEXAS REGISTRATION NO. 6033



LINE TABLE with columns: LINE, BEARING, LENGTH. Contains 24 entries (L1-L24).

CURVE TABLE with columns: CURVE, RADIUS, DELTA, ARC LENGTH, CHORD BEARING, CHORD LENGTH. Contains 37 entries (C1-C37).

CITY OF ALVIN SUBDIVISION APPROVED

Signatures and names of City of Alvin officials: Mayor Paul Horn, Councilmembers Adam Arendell, Brad Richards, Keith Thompson, Terry Droege, Roger Stuksa, Scott Reed, Gabe Adame, Dixie Roberts, Michelle Segovia.

APPROVED FOR THE CITY OF ALVIN, TEXAS THIS _____ DAY OF _____, 2015.

FIELD NOTE DESCRIPTION:

BEING A TRACT OF LAND CONTAINING 17.501 ACRES (762,359 SQUARE FEET) OF LAND, LOCATED IN THE H. T. & B.R.R. CO. SURVEY, SECTION 40, ABSTRACT-482, IN BRAZORIA COUNTY, TEXAS; SAID 17.501 ACRE TRACT BEING A PORTION OF A CALLED 351.99 ACRE TRACT OF LAND RECORDED IN THE NAME OF MARYFIELD, LTD. IN BRAZORIA COUNTY CLERK'S FILE NUMBER (B.C.C.F. NO.) 200400364; SAID 17.501 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS (ALL BEARINGS ARE BASED ON KENDALL LAKES, SEC. 1, A SUBDIVISION OF RECORD IN B.C.C.F. NO. 2007056899 OF THE BRAZORIA COUNTY PLAT RECORDS):

BEGINNING AT A 5/8-INCH IRON ROD FOUND AT THE WESTERLY CORNER OF RESTRICTED RESERVE 'A' OF KENDALL LAKES, SEC. 2, A SUBDIVISION OF RECORD IN B.C.C.F. NO. 2007056704 AND THE SOUTHEASTERLY CORNER OF RESTRICTED RESERVE 'D' OF KENDALL LAKES, SEC. 5, A SUBDIVISION OF RECORD IN B.C.C.F. NO. 2011047771, AND THE NORTHWEST CORNER OF LOT 56, BLOCK 1 OF SAID KENDALL LAKES, SEC. 2

THENCE, WITH THE WEST LINE OF SAID LOT 56, SOUTH 12 DEGREES 55 MINUTES 50 SECONDS WEST, A DISTANCE OF 110.26 FEET TO A 5/8-INCH IRON ROD WITH MILLER SURVEY GROUP (M.S.G.) CAP SET FOR THE SOUTHWEST CORNER OF SAID LOT 56, ON THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF RIM WATER DRIVE (50 FEET WIDE PER B.C.C.F. NO. 2007056704) FOR THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT;

THENCE, WITH THE NORTH R.O.W. LINE OF SAID RIM WATER DRIVE, 23.36 FEET ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 675.00 FEET, A CENTRAL ANGLE OF 01 DEGREES 58 MINUTES 59 SECONDS, AND A CHORD THAT BEARS NORTH 76 DEGREES 04 MINUTES 40 SECONDS WEST, A DISTANCE OF 23.36 FEET TO A 5/8-INCH IRON ROD FOUND FOR THE NORTH END OF THE TERMINUS LINE OF SAID RIM WATER DRIVE;

THENCE, WITH THE WEST LINE OF SAID KENDALL LAKES, SEC. 2 THE FOLLOWING TWO (2) COURSES:

SOUTH 14 DEGREES 54 MINUTES 50 SECONDS WEST, A DISTANCE OF 70.00 FEET TO A 5/8-INCH IRON ROD WITH M.S.G. CAP SET FOR AN ANGLE POINT;

SOUTH 02 DEGREES 55 MINUTES 09 SECONDS EAST, A DISTANCE OF 287.31 FEET TO A 5/8-INCH IRON ROD WITH M.S.G. CAP SET FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, THROUGH AND ACROSS SAID 351.99 ACRE TRACT THE FOLLOWING NINETEEN (19) COURSES:

SOUTH 87 DEGREES 04 MINUTES 51 SECONDS WEST, A DISTANCE OF 270.00 FEET TO A 5/8-INCH IRON ROD WITH M.S.G. CAP SET FOR AN ANGLE POINT;

NORTH 02 DEGREES 55 MINUTES 09 SECONDS WEST, A DISTANCE OF 10.17 FEET TO A 5/8-INCH IRON ROD WITH M.S.G. CAP SET FOR AN ANGLE POINT;

NORTH 63 DEGREES 17 MINUTES 15 SECONDS WEST, A DISTANCE OF 109.33 FEET TO A 5/8-INCH IRON ROD WITH M.S.G. CAP SET FOR AN ANGLE POINT;

SOUTH 76 DEGREES 13 MINUTES 28 SECONDS WEST, A DISTANCE OF 64.81 FEET TO A 5/8-INCH IRON ROD WITH M.S.G. CAP SET FOR AN ANGLE POINT;

SOUTH 78 DEGREES 49 MINUTES 49 SECONDS WEST, A DISTANCE OF 81.17 FEET TO A 5/8-INCH IRON ROD WITH M.S.G. CAP SET FOR AN ANGLE POINT;

SOUTH 81 DEGREES 40 MINUTES 00 SECONDS WEST, A DISTANCE OF 77.73 FEET TO A 5/8-INCH IRON ROD WITH M.S.G. CAP SET FOR AN ANGLE POINT;

SOUTH 84 DEGREES 32 MINUTES 07 SECONDS WEST, A DISTANCE OF 153.54 FEET TO A 5/8-INCH IRON ROD WITH M.S.G. CAP SET FOR AN ANGLE POINT

NORTH 16 DEGREES 30 MINUTES 17 SECONDS WEST, A DISTANCE OF 5.98 FEET TO A 5/8-INCH IRON ROD WITH M.S.G. CAP SET FOR AN ANGLE POINT;

SOUTH 73 DEGREES 29 MINUTES 43 SECONDS WEST, A DISTANCE OF 110.00 FEET TO A 5/8-INCH IRON ROD WITH M.S.G. CAP SET FOR AN ANGLE POINT;

NORTH 16 DEGREES 30 MINUTES 17 SECONDS WEST, A DISTANCE OF 66.36 FEET TO A 5/8-INCH IRON ROD WITH M.S.G. CAP SET FOR AN ANGLE POINT;

SOUTH 73 DEGREES 29 MINUTES 43 SECONDS WEST, A DISTANCE OF 170.00 FEET TO A 5/8-INCH IRON ROD WITH M.S.G. CAP SET FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

NORTH 16 DEGREES 30 MINUTES 17 SECONDS WEST, A DISTANCE OF 555.74 FEET TO A 5/8-INCH IRON ROD WITH M.S.G. CAP SET FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

NORTH 73 DEGREES 42 MINUTES 15 SECONDS EAST, A DISTANCE OF 110.00 FEET TO A 5/8-INCH IRON ROD WITH M.S.G. CAP SET FOR AN ANGLE POINT;

NORTH 16 DEGREES 30 MINUTES 17 SECONDS WEST, A DISTANCE OF 121.72 FEET TO A 5/8-INCH IRON ROD WITH M.S.G. CAP SET FOR THE BEGINNING OF A CURVE TO THE RIGHT;

64.09 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 280.00 FEET, A CENTRAL ANGLE OF 13 DEGREES 06 MINUTES 52 SECONDS, AND A CHORD THAT BEARS NORTH 09 DEGREES 56 MINUTES 51 SECONDS WEST, A DISTANCE OF 63.95 FEET TO A 5/8-INCH IRON ROD WITH M.S.G. CAP SET FOR THE NORTHERLY NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

NORTH 88 DEGREES 36 MINUTES 35 SECONDS EAST, A DISTANCE OF 60.00 FEET TO A 5/8-INCH IRON ROD WITH M.S.G. CAP SET FOR THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT;

37.85 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 220.00 FEET, A CENTRAL ANGLE OF 09 DEGREES 48 MINUTES 22 SECONDS, AND A CHORD THAT BEARS SOUTH 08 DEGREES 17 MINUTES 36 SECONDS EAST, A DISTANCE OF 37.61 FEET TO A 5/8-INCH IRON ROD WITH M.S.G. CAP SET FOR AN ANGLE POINT;

NORTH 86 DEGREES 36 MINUTES 35 SECONDS EAST, A DISTANCE OF 301.83 FEET TO A 5/8-INCH IRON ROD WITH M.S.G. CAP SET FOR AN ANGLE POINT;

NORTH 84 DEGREES 34 MINUTES 41 SECONDS EAST, A DISTANCE OF 120.09 FEET TO A 5/8-INCH IRON ROD WITH M.S.G. CAP SET FOR AN ANGLE POINT;

NORTH 78 DEGREES 34 MINUTES 05 SECONDS EAST, A DISTANCE OF 87.64 FEET TO A 5/8-INCH IRON ROD WITH M.S.G. CAP SET FOR AN ANGLE POINT;

NORTH 73 DEGREES 15 MINUTES 03 SECONDS EAST, A DISTANCE OF 88.11 FEET TO A 5/8-INCH IRON ROD WITH M.S.G. CAP SET FOR AN ANGLE POINT;

NORTH 69 DEGREES 16 MINUTES 23 SECONDS EAST, A DISTANCE OF 143.08 FEET TO A 5/8-INCH IRON ROD WITH M.S.G. CAP SET FOR AN ANGLE POINT;

NORTH 53 DEGREES 47 MINUTES 05 SECONDS EAST, A DISTANCE OF 34.03 FEET TO A 5/8-INCH IRON ROD WITH M.S.G. CAP SET FOR AN ANGLE POINT;

SOUTH 51 DEGREES 40 MINUTES 22 SECONDS EAST, A DISTANCE OF 80.87 FEET TO A 5/8-INCH IRON ROD WITH M.S.G. CAP SET FOR THE WEST CORNER OF LOT 12, BLOCK 1 OF KENDALL LAKES SEC. 3, A SUBDIVISION OF RECORD IN B.C.C.F. NO. 2014053221 AND THE NORTH CORNER OF SAID RESTRICTED RESERVE 'D';

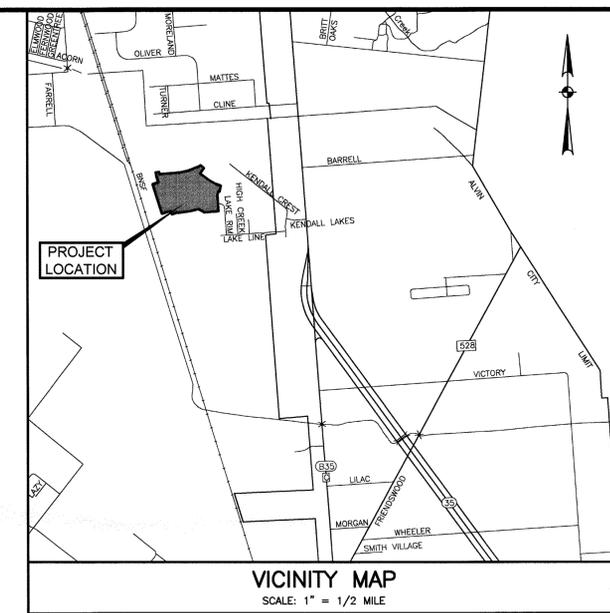
THENCE, WITH THE LINES OF SAID RESTRICTED RESERVE 'D' THE FOLLOWING FOUR (4) COURSES:

SOUTH 38 DEGREES 19 MINUTES 47 SECONDS WEST, A DISTANCE OF 120.00 FEET TO A 5/8-INCH IRON ROD FOUND FOR THE WESTERLY CORNER OF SAID RESTRICTED RESERVE 'D';

SOUTH 51 DEGREES 40 MINUTES 22 SECONDS EAST, A DISTANCE OF 200.43 FEET TO A 5/8-INCH IRON ROD WITH CAP FOUND FOR AN ANGLE POINT;

SOUTH 59 DEGREES 54 MINUTES 29 SECONDS EAST, A DISTANCE OF 146.39 FEET TO A 5/8-INCH IRON ROD WITH CAP FOUND FOR AN ANGLE POINT;

SOUTH 69 DEGREES 38 MINUTES 30 SECONDS EAST, A DISTANCE OF 93.03 FEET TO THE POINT OF BEGINNING AND CONTAINING 17.501 ACRES OF LAND.



VICINITY MAP SCALE: 1" = 1/2 MILE

FINAL PLAT KENDALL LAKES SEC 4 A PLANNED UNIT DEVELOPMENT

A SUBDIVISION OF 17.501 ACRES OF LAND LOCATED IN H.T.&B.R.R. COMPANY SURVEY, SECTION 40, A-482 BRAZORIA COUNTY, TEXAS

72 LOTS 4 BLOCKS 1 RESERVE DATE: OCTOBER 19, 2015 SCALE: 1" = 60'

OWNER: JNC DEVELOPMENT INC., A TEXAS CORPORATION 12399 MONTWOOD DRIVE EL PASO, TEXAS 79928 (915) 855-1005

ENGINEER: r.g.miller engineers 16340 Park Ten Place - Suite 350 Houston, Texas 77004 (713) 461-9600 SURVEYOR: MILLER SURVEY GROUP 1760 WEST SAM HOUSTON PARKWAY NORTH, HOUSTON TEXAS 77043 (713) 413-1900

L:\3824-BRAZORIA_MUD_36\KENDALL_LAKES\3517-04-SEC-4\CAD\PLAT\3517-04-PLAT-021015.DWG Oct. 19, 2015 10:41 AM TROY NIXON



AGENDA COMMENTARY

Meeting Date: 12/3/2015

Department: Engineering

Contact: Michelle Segovia, City Engineer

Agenda Item: Consider Ordinance 15-BB; amending Chapter 21, Subdivisions and Property Development, of the Code of Ordinances, City of Alvin, Texas, by adding a new section 21-42.1; allowing for a fee in lieu of sidewalk installation and setting forth other provisions related thereto.

Type of Item: Ordinance Resolution Contract/Agreement Public Hearing Discussion & Direction

Summary: Ordinance 15-BB amends Chapter 21 Subdivisions and Property Development of the City Code by adding Section 21-42.1; allowing for a fee in lieu of sidewalk installation for new infill developments with unique construction or site constraints. The addition of this section would give the City Engineer the authority to allow a Developer to pay a fee equivalent to the cost of building the required sidewalk for developments where construction of a sidewalk is not feasible or practical due to site constraints such as open ditch drainage systems, and large mature trees in the right-of-way in the locations where the sidewalk would be the most beneficial. The fee would be based on the City's most recent annual concrete maintenance contract bid pricing. The fees collected would be deposited in a Sidewalk Fund, as established by this ordinance, and could only be used to build, maintain, or replace sidewalks within the City.

The Planning Commission approved Ordinance 15-BB 6 votes to 1 at their meeting November 17, 2015. Commission Member Hartman stated that he voted against the ordinance because he felt like the ordinance was only being amended in order to accommodate recent sidewalk variance requests from the two developers wishing to construct homes on previous platted lots near Willis St. / Lee St. (behind Stanton's) and near Willis St. / Sixth St. From the discussion the consensus seemed to be that sidewalks are necessary, however in the case of in fill development construction of sidewalks can be difficult due to open ditches, trees, and the smaller lot sizes of previously platted lots. Commission Members that voiced their opinions during the discussion stated that they felt that allowing for the payment of a fee in lieu of sidewalk construction would be beneficial and would possibly help to reduce the number of variance requests concerning sidewalks.

Funding Expected: Revenue ___ Expenditure ___ N/A ___ Budgeted Item: Yes ___ No ___ N/A ___

Account Number: _____ Amount: _____

Legal Review Required: N/A ___ Required x Date Completed: November 24, 2015

Supporting documents attached:

- Ordinance 15-BB

Recommendation: Move to approve Ordinance 15-BB; amending Chapter 21, Subdivisions and Property Development, adding a new section 21-42.1; allowing for a fee in lieu of sidewalk installation.

Reviewed by Department Head, if applicable

Reviewed by City Attorney, if applicable

Reviewed by Chief Financial Officer, if applicable

Reviewed by City Manager

ORDINANCE NO. 15-BB

AN ORDINANCE OF THE CITY OF ALVIN, TEXAS AMENDING CHAPTER 21, SUBDIVISIONS AND PROPERTY DEVELOPMENT, BY ADDING A NEW SECTION 21-42.1; ALLOWING FOR A FEE IN LIEU OF SIDEWALK INSTALLATION TO CHAPTER 21 OF THE CODE OF ORDINANCES, CITY OF ALVIN, TEXAS; AND SETTING FORTH OTHER PROVISIONS RELATED THERETO.

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

Section 1. That Article III, Section 21 - 42; of the Code of Ordinances, City of Alvin, Texas, is hereby amended to read as follows:

**ARTICLE III.
MINIMUM REQUIREMENTS FOR SUBDIVISION AND/OR RESUBDIVISION**

...

“Sec. 21-42. Sidewalks, ADA ramps, driveways and driveway approaches.

Sidewalks, [Americans with Disabilities Act](#) (ADA) ramps, driveways and driveway approaches shall be required and shall be constructed in accordance with the City’s design criteria. ADA ramps shall be constructed at all street intersections and other locations deemed necessary for adequate accessibility. The construction of ADA ramps shall be included in the paving contract and are therefore the responsibility of the developer. If not constructed prior to issuance of a building permit, sidewalks, driveways, and driveway approaches must be constructed as part of the issuance of the building permit for each tract.”

Sec. 21-42.1.

(1) Fee payment in lieu of sidewalk installation. Where a sidewalk is required by the City of Alvin Subdivision Ordinance and the installation is not feasible due to construction or site constraints, the City Engineer may require the Developer/Property Owner to satisfy the sidewalk requirement by payment of a fee to the City’s Sidewalk Fund in lieu of installing the sidewalk. Said payment shall be at the current rate of construction per square foot or square yard of sidewalk, and such rate shall be based on the City’s most recent annual Concrete Maintenance Contract bid pricing. Once approved by the City Engineer payment of the fee shall be rendered at the time of building permit issuance.

(2) Sidewalk Fund. There is hereby established a special fund for the deposit of all sums paid in lieu of sidewalk installation under this section or any preceding ordinance, this

fund shall be known as the "Sidewalk Fund". Funds shall only be utilized to build, maintain, or replace sidewalks within the City.

Section 3. Severability. Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

Section 4. Effective Date. This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of *Chapt. 52, Tex. Loc. Gov't. Code* and the *City of Alvin Charter*.

Section 5. Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chapt. 551, Tex. Gov't. Code*.

PASSED AND APPROVED on first and final reading on the _____ day of _____, 2015.

ATTEST:

CITY OF ALVIN, TEXAS:

By: _____
Dixie Roberts, City Clerk

By: _____
Paul A. Horn, Mayor