

NOTICE OF PUBLIC MEETING

BE IT KNOWN that the **City Council** of the **City of Alvin** will meet in **Regular Session** on **Thursday, January 8, 2015 at 7:00 P.M.** in the **Council Chambers** located on the 2nd floor of Alvin City Hall, 216 West Sealy Street, Alvin, Texas, with the following agenda:

1. CALL TO ORDER

2. INVOCATION

3. PLEDGE OF ALLEGIANCE

4. SPECIAL PRESENTATIONS

- A. Proclamation supporting community-oriented policing and the international law enforcement partnership welcoming the Chinese Cadets Internship through Sam Houston State University at the Alvin Police Department during the week of January 7- January 11, 2015.

5. APPROVAL OF MINUTES

- A. Approve minutes of the December 16, 2014 Special Executive Session City Council meeting.
- B. Approve minutes of the December 18, 2014 Regular City Council meeting.

6. PETITIONS OR REQUESTS FROM THE PUBLIC

Speakers may be limited to 2, 3 or 5 minutes according to Section 2-24 of the Code of Ordinances, City of Alvin, Texas. State law prohibits the Mayor and members of the City Council from commenting on any statement or engaging in dialogue without an appropriate agenda item being posted in accordance with the Texas Open Meetings Law. Comments should be directed to the entire council, not individual members. Engaging in verbal attacks or comments intended to insult, abuse, malign or slander any individual shall be cause for termination of time privileges and expulsion from Council Chambers.

7. REPORTS FROM CITIZENS BOARDS, COMMISSIONS, AND COMMITTEES

8. OTHER BUSINESS:

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

- A. Consider a request from the Alvin Rotary Club for a reduction of the \$50 permit fee for Temporary Food Establishments for food booths at the Alvin Rotary Frontier Days Festival, April 24-25, 2015.
- B. Daniel Garza to request that Council recognize the manufactured home located on his property at 3005 CR 153, Alvin, as a non-conforming structure subject to the same regulations of other manufactured homes located outside of manufactured home parks.
- C. Consider Ordinance 15-A closing, vacating and abandoning a 200 foot long portion of a 60 foot wide roadway (approximately 12,000 square feet) within

Section 15, HT & BRR Co. Survey, Abstract 227, Brazoria County, Texas, Tracts 1 and 2 located in the City of Alvin, Texas, according to Volume 1037, Pages 465 and 467, Deed Records of Brazoria County, Texas; such roadway is within undeveloped land fronting Dickinson Road formerly known as Cemetery Road; authorizing conveyance of the portion of the abandoned roadway by special warranty deed and authorizing the Mayor to sign all related documents; and providing for matters related thereto; first reading.

- D. Consider Ordinance 14-JJ amending Chapter 5½, Cemeteries, Section 3, of the Code of Ordinances; for the purpose of allowing the placement of upright grave markers/memorials/benches; and the implementation of foundation requirements for such within Oak Park Cemetery; providing an effective date; and setting forth other provisions related thereto; first reading.
- E. Consider Ordinance 15-C amending the City of Alvin, Ordinance 14-AA passed and approved September 11, 2014, same being an ordinance approving and adopting the City of Alvin's budget for fiscal year 2014-2015 by approving "Budget Amendment 2" to the original 2014-2015 budget; providing for supplemental appropriation and/or transfer of certain funds as set forth in the attached Exhibit A for the purpose of engaging an Architectural Firm to provide Predesign Architectural Services for the renovation of the Alvin City Hall Building in the amount of \$77,800; and providing for other matters related thereto; first reading.
- F. Consider a proposal for Professional Services by Huitt-Zollars, Inc. in an amount not to exceed \$77,800.00 for Predesign Architectural Services for the renovation of the Alvin City Hall Building; and authorize the Mayor to sign an agreement upon legal review.
- G. Consider approval of Resolution 15-R-01 accepting the Request and Petition to the City Council of the City of Alvin for Annexation of a 43.24, more or less, acre parcel of land located along East Highway 6 in Brazoria County, Texas; setting an annexation schedule that includes public hearings on Feb. 19 and Feb. 26; providing for open meetings and other related matters.
- H. Consider a Memorandum of Understanding with Brazoria County Conservation & Reclamation District #3 for the construction of a dry detention pond at Kost Road and South Street; and authorize the Mayor to sign related documents.
- I. Consider the 2015 Interlocal Agreement for Emergency Services with Brazoria County Emergency Services District #3 and authorize the Mayor to sign the agreement.
- J. Consider approval of payment of project close out costs, including change orders, in an amount not to exceed \$33,015.47 to Jamail & Smith Construction, L.P. for the Wastewater Treatment Plant office and facility remodel project.

- K. Consider authorization for the repair of a 33" sewer main by IPR South Central, through the Houston Galveston Area Council (HGAC) in an amount not to exceed \$61,500; and authorize Mayor to sign related documents.
- L. Update on the implementation of Quiet Zones in the City of Alvin.
- M. Discuss and consider date and time for City Manager interviews.

9. REPORTS FROM CITY MANAGER

- A. Review preliminary list of items for the Council meeting of January 22, 2015.
- B. Items of Community Interest.

10. 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.

11. ADJOURNMENT

I hereby certify that this Public Notice was placed on the Official Bulletin Board at City Hall on TUESDAY, DECEMBER 30, 2014 at 5:00 p.m.





 Dixie Roberts, City Clerk

I hereby certify that this Public Notice was removed from the Official Bulletin Board at City Hall on this the _____ day of _____, 2015, at _____ a. /p.m.

 Dixie Roberts, City Clerk

**** 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).**

If you plan to attend this meeting and you have a disability that requires special arrangements at the meeting, please contact the City Clerk at 281-388-4255 or droboterts@cityhall.cityofalvin.com. Requests for special services must be received 48 hours prior to the meeting time. Reasonable accommodations will be made to assist your needs. City Hall is wheel chair accessible and a sloped curb entry is available at the East and West Entrances to the City Hall.

NOTICE

NOTICE IS HEREBY GIVEN THAT THE FOLLOWING ITEM WAS ADDED TO THE AGENDA OF THE REGULAR CITY COUNCIL MEETING TO BE HELD ON THURSDAY, JANUARY 8, 2015 AT 7:00 P.M. IN THE COUNCIL CHAMBERS AT CITY HALL, 216 WEST SEALY STREET:

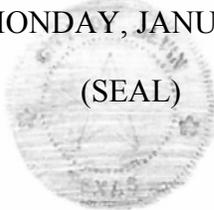
ITEM ADDED

10.1 CLOSED EXECUTIVE SESSION: The City Council will convene into a closed executive meeting in accordance with the Texas Government Code, pursuant to the authority contained in:

- A. **Section 551.074** of the Government Code: Deliberation on the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing.

1. City Manager Search.

I hereby certify that this Public Notice was placed on the Official Bulletin Board at City Hall on MONDAY, JANUARY 5, 2015 at 5:00 p.m.



(SEAL)



Dixie Roberts, City Clerk

I hereby certify that this Public Notice was removed from the Official Bulletin Board at City Hall on this the _____ day of _____ 2015, at _____ a. /p.m.

Dixie Roberts, City Clerk

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AGENDA COMMENTARY

Discussion Date: 01/08/2015

Approval Date:

Submitted By: Robert E. Lee

SUBJECT:

Proclamation supporting community-oriented policing and the international law enforcement partnership welcoming the Chinese Cadets Internship through Sam Houston State University at the Alvin Police Department during the week of January 7 - 11, 2015.

DISCUSSION:

This group of Chinese Police Cadets from the Zhejiang Police College represents the sixth year of the community-oriented policing internship and partnership during the week of January 7-11, 2015.

RECOMMENDATION:

Mayor to present the Proclamation to welcome the Chinese Cadets to the City of Alvin and the Alvin Police Department.

ATTACHMENTS:

- | | |
|-----------------|----|
| 1. Proclamation | 4. |
| 2. | 5. |
| 3. | 6. |

Submitted by:

Robert E Lee

Digitally signed by Robert E Lee
DN: cn=Robert E Lee, o=City of Alvin, ou=Police Department, email=rlee@cityofalvin.com, c=US
Date: 2014.12.22 09:41:22 -0600

Department Head

Funds Available:

Finance Director

Approved as to Form:

Bobbi J Kacz

Digitally signed by Bobbi J Kacz
DN: cn=Bobbi J Kacz, o=City of Alvin, ou=Legal Department, email=bkacz@cityofalvin.com, c=US
Date: 2014.12.29 16:33:47 -0600

City Attorney

Approved By:

Junru Roland

Digitally signed by Junru Roland
DN: cn=Junru Roland, email=jroland@cityofalvin.com, o=City of Alvin, ou=Finance Department, c=US
Date: 2014.12.30 15:35:29 -0600

City Manager



Office of the Mayor, City of Alvin, Texas

Proclamation

WHEREAS, the Zhejiang Police College in Hangzhou, Zhejiang Province, China, and Sam Houston State University's Criminal Justice Center have established the first international community-oriented policing internship in the United States for the Chinese police; and

WHEREAS, the Alvin Police Department was again selected to host and instruct cadets between January 7 through January 11, 2015 as part of this initiative; and

WHEREAS, this community-oriented program will not only educate the international cadets, but will also provide insight for our police officers on policing in China, broadening their perspectives, thereby improving local police services through greater understanding;

NOW, THEREFORE, I, Paul Horn, by virtue of the authority vested in me as Mayor of the City of Alvin, Texas, and on behalf of the City Council and members of this community do hereby welcome the cadets and faculty representative of the Zhejiang Police College to the City of Alvin.

WITNESS my hand and seal this
8th day of January, 2015.

Paul A. Horn, Mayor

MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
SPECIAL/EXECUTIVE SESSION
CITY COUNCIL MEETING
TUESDAY DECEMBER 16, 2014
6:30 P.M.

CALL TO ORDER

BE IT REMEMBERED that, on the above date, the City Council of the City of Alvin, Texas, met in *Special Executive Session* at 6:30 P.M. in the Council Chambers at City Hall, with the following members present: Mayor Paul A. Horn, Mayor Pro-Tem Terry Droege and Council members: Gabe Adame, Adam Arendell, Scott Reed, Brad Richards, Roger Stuksa, and Keith Thompson. Also present: Junru Roland, Interim City Manager; Bobbi Kacz, City Attorney; and Larry Buehler, Economic Development Director.

INVOCATION

Mayor Horn gave the invocation.

PLEDGE OF ALLEGIANCE

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

CLOSED EXECUTIVE SESSION: The City Council will convene into a closed executive meeting in accordance with the Texas Government Code, pursuant to the authority contained in:

Section 551.087 Deliberation regarding Economic Development Negotiations;

- (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or
- (2) to deliberate the offer of a financial or other incentive to a business prospect prescribed by Subdivision (1).

Mayor Horn convened the meeting to closed session at 6:35 p.m.

RECONVENE TO SPECIAL OPEN SESSION

Mayor Horn reconvened the meeting to special open session at 7:49 p.m.

Give direction to staff on next steps of the City of Alvin Municipal Sport Shooting Park and Youth Development Center project.

No action was taken.

ADJOURNMENT

Mayor Horn adjourned the meeting at 7:49 p.m.

PASSED and APPROVED this _____ day of _____, 2014.

Paul A. Horn, Mayor

ATTEST: _____
Dixie Roberts, City Clerk

MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
REGULAR CITY COUNCIL MEETING
THURSDAY DECEMBER 18, 2014
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 Terry Droege and Council members: Gabe Adame, Adam Arendell, Scott Reed, Brad Richards, Roger Stuksa and Keith Thompson. Also present: Junru Roland, Interim City Manager; Bobbi Kacz, City Attorney; and Dixie Roberts, City Clerk.

INVOCATION

Charles Smith gave the invocation.

PLEDGE OF ALLEGIANCE

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

Council member Reed led the Pledge of Allegiance to the Texas Flag.

SPECIAL PRESENTATIONS

There were no special presentations.

APPROVAL OF MINUTES

Approve minutes of the December 4, 2014 Regular City Council meeting.

Council member Adame moved to approve the regular City Council meeting minutes of December 4, 2014. Seconded by Council member Droege; motion to approve carried on a vote of 7Ayes.

PETITIONS OR REQUESTS FROM THE PUBLIC

Bill Dewitt petitioned council and asked that the dirt from the detention pond excavation be used to create a mountain at a local park for kids to enjoy.

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 14-Z, an ordinance amending Chapter 5 Buildings, of the Code of Ordinances, City of Alvin, Texas, for the purpose of adding parking space requirements for museums; providing a savings clause; providing an effective date, and setting forth other provisions related thereto; 2nd reading.

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

MATTERS REMOVED FROM CONSENT AGENDA

No items were removed from the consent agenda.

OTHER BUSINESS

Receive and acknowledge the monthly financial report for November, 2014.

Council member Thompson moved to receive and acknowledge the monthly financial report for November, 2014. Seconded by Council member Droege; motion to approve carried on a vote of 7 Ayes.

Receive and acknowledge the Keep Alvin Beautiful FY 2014-15 annual budget.

Keep Alvin Beautiful is required to submit an annual budget to City Council. This document lists money appropriated for various planned projects through the year. A member of the board will address City Council to review completed projects as well as forthcoming projects.

Nelva Urick representing Keep Alvin Beautiful presented City Council with the Keep Alvin Beautiful budget for FY14-15 along with the commission's goals and accomplishments.

Council member Arendell moved to receive and acknowledge the Keep Alvin Beautiful FY 2014-15 annual budget. Seconded by Council member Thompson; motion to approve carried on a vote of 7 Ayes.

Consider request for street closures for the 2015 Alvin Rotary Club Frontier Day parade and event for the following streets on the following dates and times:

- April 23rd 8:00 a.m. through April 26th 11:00 a.m.: N. Taylor St. at W. Willis St, N. Taylor St at W. Sealy St.
- April 24th 7:00 a.m. through April 26th 11:00 a.m.: N. Hood St at W. Willis St, N. Hood St. at W. Sealy St, N. Hardie St. W. Willis St, N. Hardie St. at W. Sealy St.
- April 25th 7:00 a.m. through April 25th 11:00 p.m.: W. Sealy St at S. Hill St., W. Sealy St. at S. Hood St., W. Sealy St. at S. Hardie St., W. Sealy St. at Gordon St.
- April 25th 6:00 p.m. through April 26th 12:00 a.m.: W. Willis St. at N. Taylor St., W. Willis St. at Gordon St.

Council member Reed moved to approve street closures for the 2015 Alvin Rotary Club Frontier Day parade and event. Seconded by Council member Stuksa; motion to approve carried on a vote of 7 Ayes.

Consider Resolution 14-R-37, approving a Donation Agreement with the Alvin Sunrise Rotary and authorize the Mayor to sign the Agreement; wherein the Alvin Sunrise Rotary will donate a total value of approximately \$51,000 to the City Parks Department; and Council authorizes exclusive rights to Briscoe Park by Alvin Sunrise Rotary for one week each year for seven years for the Alvin Music Festival & BBQ Cook-Off; and Council further authorizes naming the pavilion located at Briscoe Park as the "Alvin Sunrise Rotary Pavilion" for a period of twenty years.

Alvin Sunrise Rotary has submitted a request to make donations totaling \$51,000 of equipment and money over a 7 year period in exchange for naming rights to the pavilion at Briscoe Park for 20 years (until 2034). Rotary also requests that they be granted exclusive use of Briscoe Park for 1 week each year for 7 years for the Alvin Music Festival & BBQ Cook-off to include the set-up, event and cleanup of the premises. If approved, the name "Alvin Sunrise Rotary Pavilion" will be placed on the Pavilion with Rotary paying for the necessary sign branding. The City recently completed construction of the pavilion for approx. \$105,000

Councilmember Stuksa moved to reduce the agreement time to 10 years instead of the proposed 20 years. Motion failed for a lack of a second.

Council member Arendell moved to approve Resolution 14-R-37, approving a Donation Agreement with the Alvin Sunrise Rotary and authorize the Mayor to sign the Agreement; wherein the Alvin Sunrise Rotary will donate a total value of approximately \$51,000 to the City Parks Department; and Council authorizes exclusive rights to Briscoe Park by Alvin Sunrise Rotary for one week each year for seven years for the Alvin Music Festival & BBQ Cook-Off; and Council further authorizes naming the pavilion located at Briscoe Park as the "Alvin Sunrise Rotary Pavilion" for a period of twenty years. Seconded by Council member Richards motion to approve carried on a vote of 6 Ayes with Council member Stuksa voting No.

Consider a Memorandum of Understanding with Brazoria County Conservation & Reclamation District #3 for the construction of a dry detention pond at Kost Road and South Street and authorize the Mayor to sign.

This item was moved to the next meeting.

Consider a contract with Garland/DBS, Inc. for a total contract amount of \$57,941.00 to repair damages incurred to the Police Department roof from a fallen tree; with a total cost to the city not to exceed the insurance deductible amount of \$24,240.00; and authorize the Mayor to sign all relevant documents.

Garland/DBS, Inc. is a member of a cooperative purchasing network called U.S. Communities to repair approximately 11 damaged trusses and an entire section of damaged roof at the Police Department. This section of roof was hit when a large cypress tree fell. Truss repair requires stamped drawings from a certified windstorm engineer. Roof will be re-certified WPI-8 for windstorm.

Council member Stuksa moved to approve a contract with Garland/DBS, Inc. for a total contract amount of \$57,941.00 to repair damages incurred to the Police Department roof from a fallen tree; with a total cost to the city not to exceed the insurance deductible amount of \$24,240.00; and authorize the Mayor to sign all relevant documents. Seconded by Council member Thompson; motion to approve carried on a vote of 7 Ayes.

Consider award of bid to VSR Inc., in an amount not to exceed \$41,100 for the purchase and installation of new video equipment for the Council Chambers; to be funded from the Public Educational and Government (PEG) Fund; and authorize Interim City Manager to sign all relevant documents.

Consider award of bid to VSR Inc., in an amount not to exceed \$41,100 for the purchase and installation of new video equipment for the Council Chambers; to be funded from the Public Educational and G

Council member Reed moved to award of bid to VSR Inc., in an amount not to exceed \$41,100 for the purchase and installation of new video equipment for the Council Chambers; to be funded from the Public Educational and Government (PEG) Fund; and authorize Interim City Manager to sign all relevant documents. Seconded by Council member Richards; motion to approve carried on a vote of 7 Ayes.

Consider appointments to citizen Boards, Committees and Commissions.

Council member Reed moved to *reappoint* Darrell Daily, Robin Revak-Golden, and Martin Vela to serve a three-year term and also appoint Sussie Sutton to serve a three-year term on the Planning Commission. Seconded by Council member Richards; motion to approve carried on a vote of 7 Ayes.

Council member Thompson moved to appoint Bunky Jordan, Joan Young, Debra Palin and Jeannette Stuksa to serve a 2 year term on the Parks Board. Second by Council member Richards; with Council member Thompson voting Aye and all other members voting No; motion failed.

Council member Reed moved to re-appoint Terrie Beasley to serve a 2-year term on the Parks and Recreation Board. Seconded by Council member Adame, with Council member Thompson voting No, all other members present voting Aye; motion carried on a vote of 6 Ayes.

Council member Reed moved to re-appoint David Ives to serve a 2-year term on the Parks and Recreation Board. Seconded by Council member Arendell, with Council member Thompson voting No, all other members present voting Aye; motion carried on a vote of 6 Ayes.

Council member Reed moved to re-appoint Shala Rios to serve a 2-year term on the Parks and Recreation Board. Seconded by Council member Droege, with Council member Thompson voting No, all other members present voting Aye; motion carried on a vote of 6 Ayes.

Council member Reed moved to re-appoint Jeanette Stuksa to serve a 2-year term on the Parks and Recreation Board. Seconded by Council member Arendell; motion to approve carried on a vote of 7 Ayes.

Council member Droege moved to re-appoint Barbara Biggers to serve a 2-year term on the Seniors Citizens Commission. Seconded by Council member Adame; motion to approve carried on a vote of 7 Ayes.

Council member Reed moved to re-appoint Nell Shimek to serve a 2-year term on the Seniors Citizens Commission. Seconded by Council member Richards; motion to approve carried on a vote of 7 Ayes.

Council member Arendell moved to re-appoint Beverly Kimbrough to serve a 2-year term on the Seniors Citizens Commission. Seconded by Council member Richards; motion to approve carried on a vote of 7 Ayes.

Council member Stuksa moved to appoint Marilyn Thomas to serve a 2-year term on the Seniors Citizens Commission. Seconded by Council member Adame; motion to approve carried on a vote of 7 Ayes.

Council member Reed moved to re-appoint Nancy Hartney to serve a 3-year term on the Library Board. Seconded by Council member Richards; motion to approve carried on a vote of 7 Ayes.

Council member Adame moved to appoint Pam Lewis to serve a 3-year term on the Library Board. Seconded by Council member Reed; motion to approve carried on a vote of 7 Ayes.

Council member Reed moved to appoint Becky Clapsdalle to serve a 3-year term on the Library Board. Seconded by Council member Adame; motion to approve carried on a vote of 7 Ayes.

Council member Reed moved to re-appoint Santos Garza to serve a 2-year term on the Building Board of Adjustments and Appeals. Seconded by Council member Richards; motion to approve carried on a vote of 7 Ayes.

Council member Reed moved to re-appoint Jeanette Stuksa to serve a 2-year term on the Building Board of Adjustments and Appeals. Seconded by Council member Adame; motion to approve carried on a vote of 7 Ayes.

Council member Adame moved to appoint Sussie Sutton to serve a 2-year term on the Building Board of Adjustments and Appeals. Seconded by Council member Droege; motion to approve carried on a vote of 7 Ayes.

Consider Resolution 14-R-46 supporting an improved statutory procedure that provides for unitization of depleted Texas gulf coast oil fields.

A statutory unitization procedure to support full field tertiary re-development of older, depleted oilfields is necessary in order to utilize enhanced oil recovery via carbon dioxide injection (CO2 EOR). Brazoria County Commissioners Court passed a resolution of support on December 9, 2014. The City of Alvin has received direct benefit from CP2 EOR projects, creating jobs, capital investment, and overall improvement to our local economy.

Council member Reed moved to approve Resolution 14-R-46 supporting an improved statutory procedure that provides for unitization of depleted Texas gulf coast oil fields. Seconded by Council member Droege; motion to approve carried on a vote of 7 Ayes.

REPORTS FROM CITY MANAGER

Review preliminary list of items for the Council meeting of December 18, 2014.

Mr. Roland reviewed the preliminary list for the January 8, 2014 City Council meeting.

Announcements/Items of Community Interest

There were no announcements.

REPORTS FROM COUNCILMEMBERS

Pursuant to S.B. No. 1182, City Councilmembers 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 Councilmembers.

Council member Reed wished everyone a Merry Christmas and a Happy New Year.

Council member Arendell wished everyone a Merry Christmas and a Happy New Year.

Council member Richards wished everyone a Merry Christmas and a Happy New Year.

Council member Droege wished everyone a Merry Christmas and a Happy New Year.

Council member Adame wished everyone a Merry Christmas and a Happy New Year.

Council member Stuksa wished everyone a safe holiday season. He also asked council to consider an increase in funding to the Keep Alvin Beautiful Commission to help in the revitalization of the ugly corner.

CLOSED EXECUTIVE SESSION: The City Council will convene into a closed executive meeting in accordance with the Texas Government Code, pursuant to the authority contained in:

- A. **Section 551.074** of the Government Code: Deliberation on the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint or

charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing.

1. City Manager Search.
2. Discuss the evaluation of the City Attorney.

Mayor Horn adjourned to closed session at 8:05 p.m.

RECONVENE TO OPEN SESSION

Mayor Horn reconvened to open session at 9:21 p.m.

ADJOURNMENT

Council member Droege moved to adjourn the meeting at 9:21 p.m. Seconded by Council member Adame; motion to adjourn carried on a vote of 7 Ayes.

PASSED and APPROVED this _____ day of _____, 2014.

Paul A. Horn, Mayor

ATTEST: _____
Dixie Roberts, City Clerk



AGENDA COMMENTARY

Discussion Date: 01/08/2015

Approval Date:

Submitted By: Dixie Roberts

SUBJECT:

Consider a request from the Alvin Rotary Club for a reduction of the \$50 permit fee for temporary food establishments for food booths at the Alvin Rotary Frontier Days Festival, April 24-25, 2015.

DISCUSSION:

Mr. Stanton with the Alvin Rotary Club is requesting that the \$50 health permit fee be reduced to \$10 per entry. See his letter of request.

Fees charged by other local entities for temporary health license:

Pearland - \$20.00

Lake Jackson - \$50.00

Brazoria County - \$40.00

Freeport - \$15.00

RECOMMENDATION:

Move to approve or deny the request for the reduction of the Temporary Food Establishment permit fee for the 2015 Frontier Days Festival event.

ATTACHMENTS:

1. Letter of Request
- 2.
- 3.

- 4.
- 5.
- 6.

Submitted by:

Dixie
Roberts

Digitally signed by Dixie Roberts
DN: cn=Dixie Roberts, o=City of
Alvin, ou=City Clerk,
email=droberts@cityofalvin.com,
c=US
Date: 2014.12.30 15:14:35
-06'00'

Department Head

Funds Available:

Finance Director

Approved as to Form:

Bobbi J
Kacz

Digitally signed by Bobbi J Kacz
DN: cn=Bobbi J Kacz, o=City of
Alvin, ou=Legal Department,
email=bkacz@cityofalvin.com, c=US
Date: 2014.12.29 17:29:19 -06'00'

City Attorney

Approved By:

Junru
Roland

Digitally signed by Junru Roland
DN: cn=Junru Roland,
email=jroland@cityofalvin.com,
o=City of Alvin, ou=Finance
Department, c=US
Date: 2014.12.30 15:43:25 -06'00'

City Manager

THE ALVIN ROTARY CLUB

ALVIN, TEXAS

December 22, 2004

TO The ALVIN CITY COUNCIL:

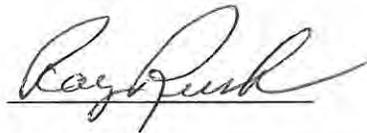
The annual Alvin Rotary Frontier Days' Festival , which is scheduled for April 24th and 25th, 2015, is fast approaching and this year's event is shaping up to be one of our biggest events ever. Plans are to have a fenced in area around City Hall, which will provide space for live bands, and up to 300 vendor booths. Of these, we expect many of them to be food vendors.

On behalf on the Alvin Rotary Club we are recommending that the Health Permit Fee be lowered to around \$10 from the \$50 currently in place. Many of the prospective food vendors we are soliciting have been attending the Freeport Festival and the Pearland International Festival for the past several years where the permit is only \$5 to \$10. We feel that for just a two day event the \$50 health permit fee would be a detriment to our club in bringing the food vendors to this Alvin event. Your consideration to this request is appreciated.



Neal Stantion

Frontier Day Marshall



Ray Rusk

President of Alvin Rotary Club



AGENDA COMMENTARY

Discussion Date: 01/08/2014

Approval Date: 01/08/2014

Submitted By: Dixie Roberts

SUBJECT:

Daniel Garza to request that Council recognize his manufactured home located on his property at 3005 CR 153, Alvin, as a non-conforming structure subject to the same regulations of other manufactured homes located outside of manufactured home parks.

DISCUSSION:

Background: In 2014 Mr. Garza purchased this piece of property; planning to put a mobile home on said land. The tax records at that time showed that this property was in the county and was not within the City of Alvin's city limits. Several months down the road, staff informed the land owner that he was in violation of the mobile home ordinance by placing a mobile home in the city limits outside a mobile home park. Mr. Garza showed proof that this land was not on the City of Alvin's tax roll. The City Clerk contacted the Brazoria County tax office and found that this piece of property was not listed on the City of Alvin's tax roll although this land area was annexed back in 1984. Apparently the record of such was missed for this individual piece of property. The county records have been amended to reflect this change from this point forward.

RECOMMENDATION:

Move to (approve "based on City and/or County error") or (deny) Mr. Garza's request for a finding of a non-conforming structure regarding the placement of his manufactured home within the city limits outside of a mobile home park.

ATTACHMENTS:

1. Letter from Mr. Garza
2. Map
3. Ord 84-BB
4. Annexation Map
5. CAD Record
- 6.

Submitted by:

Dixie Roberts
Digitally signed by Dixie Roberts
DN: cn=Dixie Roberts, o=City of Alvin, ou=City Clerk,
email=droberts@cityofalvin.com,
c=US
Date: 2014.12.29 08:02:58 -06'00'

Department Head

Funds Available:

Finance Director

Approved as to Form:

Bobbi J Kacz
Digitally signed by Bobbi J Kacz
DN: cn=Bobbi J Kacz, o=City of Alvin, ou=Legal Department,
email=bkacz@cityofalvin.com, c=US
Date: 2014.12.29 17:56:29 -06'00'

City Attorney

Approved By:

Junru Roland
Digitally signed by Junru Roland
DN: cn=Junru Roland,
email=jroland@cityofalvin.com,
o=City of Alvin, ou=Finance
Department, c=US
Date: 2014.12.30 15:00:16 -06'00'

City Manager

DANIEL GARZA
3005 CR 153
ALVIN, TEXAS 77511
(832)561-8632
DANGAR1246@GMAIL.COM

December 16, 2014

Sent Via Email

City of Alvin

Re: 3005 CR 153, Alvin, Texas 77511

Dear City of Alvin:

My name is Daniel Garza. My family has been residents of Alvin for quite some time now. This is a request for a hearing on a county property I purchased on January 16, 2014. My family and I have made a large investment of our time and family finances for this to be our home. I have been improving the property to make it look better and be best suited for our new family home.

I started contacting the county in January of this year. I started with the Brazoria County Works Department and they confirmed that I was in the county and that they would then send a crew to make certain driveway repairs to the property. A short time later, I contacted the Tax Assessor for the county and was told, and also sent an email, that this property was in the county, not the city. They explained that I was in the county and, further proving that I was in the county, was that there have never been assessed any city taxes against my property.

I then proceeded to try and get a light pole set and move temporary housing onto my county property while I remodeled the entire property. Since the City of Alvin provides utilities, such as water and sewer, I sent my plumber to see what it would take to hook up the lines and obtain a permit. However, the city refused to issue a permit since they said I had illegally moved a temporary housing structure onto the property. I then contacted Roy Sosa and he told me that he was not sure if I was in the city or not, but would have to do more research. He then contacted me back and said I was in the city, even though everyone, including the county, told me I was only in the county. I then asked him if the city would please work with me on this matter.

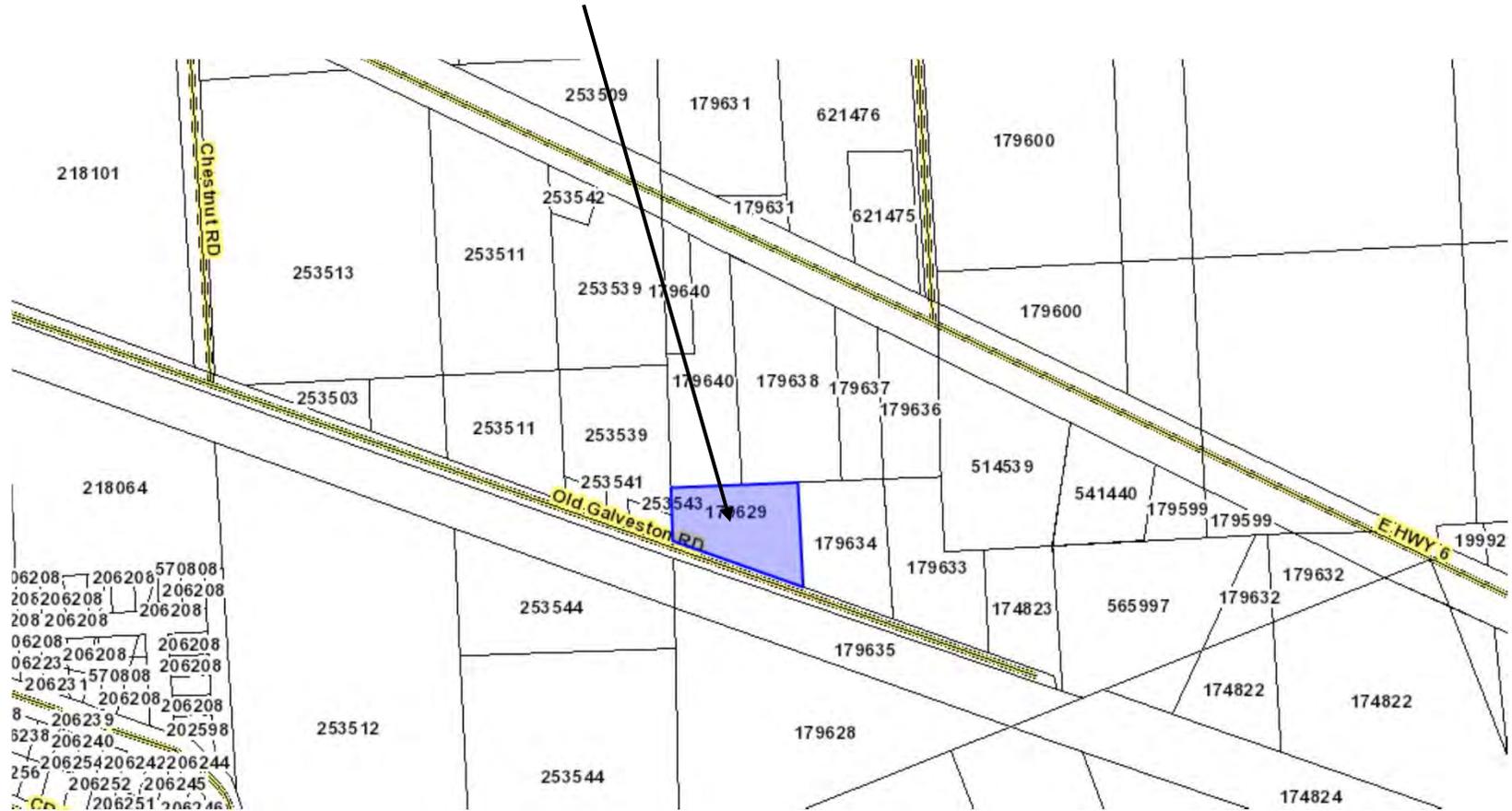
We have been going around and around for months now. I cannot get a straight answer from anyone with any authority to firmly place me in the county only or in the city. I also went to the city works department with a witness and was told that my property was definitely in the county, not in the city. Two weeks ago, I was robbed and when I called emergency services, they sent the county sheriff, not Alvin Police.

Until this is resolved, my family cannot move in. we have worked really hard and have spent our life's savings to try and improve this property and make it our family's home. Please help us.

Thank you,

Daniel Garza

3005 CR 153/Old Galveston Road



ORDINANCE NO. 84-BB

AN ORDINANCE OF THE CITY OF ALVIN, TEXAS
PROVIDING FOR THE EXTENSION OF THE BOUNDARIES
OF THE CITY OF ALVIN, TEXAS AND THE ANNEXATION
OF CERTAIN ADJACENT TERRITORY.

WHEREAS, it would be convenient and desirable for certain territory now lying within Alvin's extraterritorial jurisdiction and subject to annexation by the City to be included within the City Limits of Alvin, Texas, and subject to the Ordinances and jurisdiction of the City in all respects; and

WHEREAS, two public hearings have been held in accordance with State law on the question of annexation of the hereinafter described territory, and hearings having been given by publication in accordance with law; the City Council affirmatively finding herein that all requirements of time, notice, hearings, and publications having been legally and properly performed;

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

That the following described land and territory lying adjacent to and adjoining the City of Alvin, Texas, is hereby added and annexed to the City of Alvin. Said territory hereinafter described shall hereafter be included within the boundaries and City Limits of the City of Alvin, Texas. The present boundaries and City Limits of the City of Alvin, Texas, at the various points contiguous to the area hereinafter described, are hereby altered and amended so as to include the following described area within the Corporate Limits of the City of Alvin, Texas:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED
HEREIN BY REFERENCE FOR ALL APPROPRIATE PURPOSES

A service plan has been prepared for said tract being annexed and is marked "EXHIBIT "B"" and is incorporated herein by reference for all appropriate purposes.

The above-described additional territory and area so annexed shall hereafter in all respects be a part of the City of Alvin, Texas. The land annexed herein shall bear its pro rata part of the taxes levied by the City of Alvin, Texas, and the inhabitants thereof shall be entitled to all the rights and privileges of the citizens of Alvin and shall be bound by the ordinances, resolutions and regulations of the City of Alvin, Texas.

PASSED on first reading on December 18, 1984.

PASSED on second reading on December 19, 1984.

PASSED on third and final reading on the 20th day of December, 1984.

CITY OF ALVIN, TEXAS

BY: Ted C. Hermann
TED C. HERMANN, Mayor

ATTEST:

Wynette Stoner
WYNETTE STONER, City Secretary

Area 2

275 Acres

City of Alvin

THE STATE OF TEXAS:

COUNTY OF BRAZORIA:

FIELDNOTE DESCRIPTION of 275 acres of land, more or less, out of and a part of the B.B.B. & C.R.R. Survey, Abstract No. 159, the H.T. & B.R.R. Survey, Abstract No. 227, the I. & G.N.R.R. Survey, Abstract No. 400 and the I. & G.N.R.R. Survey, Abstract No. 619. Said 275 acre tract is more particularly described by metes and bounds as follows:

BEGINNING at the Northwest corner of Lot 14 of the Holmsville Subdivision, as recorded in Volume 35, Page 107 of the Deed Records of Brazoria County, Texas. Said point also being on the existing Alvin City Limits, as recorded in Volume 1424, Page 692 of the Deed Records of Brazoria County, Texas;

THENCE, East, leaving the existing Alvin City Limits with the common line between Lots 11 and 14 and Lots 12 and 13, for a distance of 1,073.6 feet to a point on the West right-of-way line of County Road No. 142;

THENCE, South, with said West right-of-way line, for a distance of 503.6 feet to a point at the intersection with the extended North line of Lot 4 of the Stevens Subdivision, as recorded in Volume 28, Page 34 of the Deed Records of Brazoria County, Texas;

THENCE, East, passing the Easterly right-of-way line of County Road No. 142 and with the common line between Lots 4 and 5 and Lots 13 and 12 of said Stevens Subdivision, for a distance of 1,186.1 feet to a point at the Northeast corner of said Lot 13. Said point also being on the West line of the I. & G.N.R.R. Survey, Abstract No. 619, subdivision of said Survey recorded in Volume 41, Page 98 of the Deed Records of Brazoria County, Texas;

THENCE, South, with the common line between the aforementioned Lot 13 and Lot 61 of said I. & G.N.R.R. Survey subdivision, also being the West line of said Survey, for a distance of 569.1 feet to a point for the Northwest corner of said Lot 62;

THENCE, East, leaving said survey line and with the common line between Lots 62 and 61, for a distance of 688.5 feet to a point for the Northeast corner of Lot 62;

THENCE, South, with the common line between Lots 56 and 62, for a distance of 145.1 feet to a point for the Northwest corner of Lot 55;

THENCE, East, with the common line between Lots 55 and 56, for a distance of 660 feet to a point for the Northeast corner of Lot 55;

THENCE, South, with the common line between Lots 55 and 51 and Lots 54 and 52, passing the right-of-way of State Highway No. 6, for a distance of 1,320 feet to a point for the Southeast corner of Lot 54;

Area 2

THENCE, West, with the common line between Lots 54 and 53, for a distance of 660 feet to a point for the Southwest corner of Lot 54;

THENCE, North, with the common line between Lots 54 and 53, for a distance of 191.6 feet to a point for the Southeast corner of Lot 63;

THENCE, West, with the common line between Lots 63 and 53, for a distance of 350.9 feet to a point for the Northeast corner of Lot 64;

THENCE, South, with the common line between Lots 64 and 53, for a distance of 276 feet to a point at the intersection with the Northerly right-of-way line of County Road No. 153;

THENCE, North $67^{\circ} 12'$ West, with said right-of-way line, for a distance of 366.2 feet to a point at the intersection with West line of the aforementioned I. & G.N.R.R. Survey, A-619, same being the West line of Lot 64 and the East line of Lot 15 of the aforementioned Stevens Subdivision;

THENCE, South, with said common lot line and survey line, passing the right-of-way of said County Road No. 153, passing the right-of-way of G.C. & S.F. Railroad, passing the Northeast corner of Lot 16, Steven Subdivision, for a distance of 763 feet to a point for the Southeast corner of Lot 16 of said Stevens Subdivision and the Southwest corner of Lot 64 of the subdivision of the I. & G.N.R.R. Survey, A-619. Said point being the Southeast corner of the I. & G.N.R.R. Survey, A-400, the Southwest corner of the I. & G.N.R.R. Survey, A-619 and on the Northerly line of the M. V. O'Donnell Survey, A-481;

THENCE, South $72^{\circ} 00'$ West, with said common survey line and being the Southerly lot line of Lot 16 and Lot 1 of said Stevens Subdivision, for a distance of 1,205.2 feet to a point in the East right-of-way line of House Street;

THENCE, North, with said East right-of-way line, for a distance of 628.5 feet to an angle point in said right-of-way line;

THENCE, North $67^{\circ} 12'$ West, with the Northeasterly right-of-way line of said House Street, for a distance of 43.4 feet to a point at the intersection with the West line of Lot 1 of the aforementioned Stevens Subdivision;

THENCE, North, with said lot line, passing the right-of-way of G.C. & S.F. Railroad, passing the Southerly right-of-way line of County Road No. 153, for a distance of 988.5 feet to a point at the intersection with the Northerly right-of-way line of said County Road No. 153;

THENCE, North $67^{\circ} 12'$, West, leaving said lot line with said right-of-way line, for a distance of 1,747 feet to a point at the intersection with the West line of Lot 18 of the aforementioned Holmsville Subdivision;

THENCE, South, leaving said right-of-way line, passing the Southerly right-of-way line of County Road No. 153, passing the right-of-way of the G.C. & S.F. Railroad, passing the right-of-way House Street, with the East line of Lot 24, for a distance of 1,158 feet to a point for the Southeast corner of said Lot 24;

Area 2

THENCE, West, with the South line of said Lot 24, for a distance of 536.8 feet to a point for the Southeast corner of Lot 24 and being on the common subdivision line between said Holmesville Subdivision and the Fox Subdivision, as recorded in Volume 2, Page 88 of the Deed Records of Brazoria County, Texas;

THENCE, South $00^{\circ} 31'$ East, with said common subdivision line, same being the East line of the B.B.B. & C.R.R. Survey, Abstract No. 159, for a distance of 2,268 feet to a point at the intersection with the Northerly right-of-way line of South Street;

THENCE, South $89^{\circ} 01'$ West, with said right-of-way line, for a distance of 1,559 feet to a point at the intersection with the Easterly right-of-way line of State Highway 35, said point being on the existing Alvin City Limits, as recorded in Volume 1424, Page 692, Deed Records of Brazoria County, Texas;

THENCE, the following courses with the Easterly right-of-way line of State Highway 35 and the existing Alvin City Limits:

North $76^{\circ} 42'$ West, 40.77 feet to a point;

THENCE, North $01^{\circ} 48'$ East, 77.71 feet to a point;

THENCE, North $24^{\circ} 53' 45''$ East, 2,464.38 feet to a point;

THENCE, North $89^{\circ} 16' 40''$ East, 25.84 feet to a point in a curve to the left;

THENCE, along said curve to the left having a radius of 5,904.58 feet, a central angle of $5^{\circ} 13' 22''$, for an arc distance of 538.2 feet to a point;

THENCE, North $38^{\circ} 27' 15''$ East, 312.42 feet to a point;

THENCE, North $23^{\circ} 01' 31''$ East, 245.84 feet to a point;

THENCE, North $01^{\circ} 16' 45''$ East, 116.22 feet to a point;

THENCE, North $66^{\circ} 59' 45''$ West, 131.11 feet to a point;

THENCE, North $12^{\circ} 24' 15''$ East, for a distance of 1,586 feet to a point at the intersection with the Northerly right-of-way line of State Highway No. 6;

THENCE, leaving the Easterly right-of-way line of State Highway No. 35 and continuing along the existing Alvin City Limits with the Northerly right-of-way line of State Highway No. 6 the following courses:

South $41^{\circ} 36'$ East, 91.74 feet to a point;

THENCE, South $55^{\circ} 12'$ East, 204.14 feet to a point;

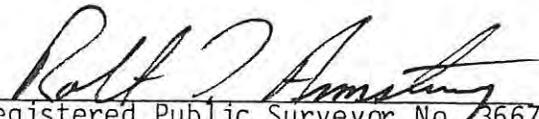
THENCE, South $61^{\circ} 12'$ East, 126.66 feet to a point;

THENCE, South $89^{\circ} 43'$ West, 41.14 feet to a point;

THENCE, South 61° 12' East, 665 feet to a point, said point being the intersection of the North right-of-way line of said Highway No. 6 with the West line of Lot 14 of the aforementioned Holmsville Subdivision;

THENCE, North, leaving the Northerly right-of-way line of State Highway No. 6 with the West line of said Lot 14 and continuing with the existing Alvin City Limits, a distance of 312 feet to the POINT OF BEGINNING; CONTAINING within these metes and bounds 275 acres of land, more or less.

I, Robert T. Armstrong, do hereby certify that the boundaries described herein were compiled from information taken from the Deed Records of Brazoria County, Texas in conjunction with information furnished by the City of Alvin, Texas and represents an office survey prepared under my supervision and direction.


Registered Public Surveyor No. 3667

10-5-84
Date

2704-10-001-100



City of Alvin, Texas

SERVICE PLAN FOR
A TRACT OF LAND LOCATED IN THE VICINITY OF
EAST HIGHWAY 6 (AREA 2)

IN BRAZORIA COUNTY, TEXAS

I. INTRODUCTION

This Service Plan ("Plan") is made by the City of Alvin, Texas ("City") pursuant to Section 10 of the Municipal Annexation Act, art. 970A, TEX.REV.CIV.STAT.ANN. (Vernon's Supp. 1982) (the "Act"). This Plan relates to the annexation by the City of a tract of land ("Tract") located in the vicinity of

East Highway 6 (Area 2)

in Brazoria County, Texas. The Tract is described by metes and bounds in "Exhibit B" which is attached to this Plan and to the annexation ordinance of which this Plan is a part.

II. TERM; EFFECTIVE DATE

This Plan shall be in effect for a term of ten years commencing on the effective date of the annexation of the Tract. Renewal of this Plan shall be at the option of the City. Such option may be exercised by the adoption of an ordinance by the City Council which refers to this Plan and specifically renews this Plan for a stated period of time.

III. SERVICE PROGRAMS

A. In General. This Plan includes two service programs: the Early Action Program (IV), and a Capital Improvement Program (V), described below.

B. Scope and Quality of Services. Services under this Plan shall equal or exceed the number of services and the level of services in existence in the Tract prior to annexation. However, it is not the intent of this Plan to require that a uniform level of services be provided to all areas of the City (including the Tract) where differing characteristics of topography, land utilization and population density are considered as a sufficient basis for providing differing service levels.

C. Definitions.

1. As used in this Plan, providing services includes having services provided by any method or means by which the City extends municipal services to any other area of the City. This may include causing or allowing private utilities, governmental entities and other public service organizations to provide such services, in whole or in part.
2. As used in this Plan, the phrase "standard policies and procedures" means those policies and procedures of the City applicable to a particular service which are in effect either at the time that the service is requested or at the time that the service is made available or provided. The policies and procedures may require that a specific type of request be made, such as an application or a petition. They may require that fees or charges be paid, and they may include eligibility requirements and similar provisions.

IV. EARLY ACTION PROGRAM

A. Statutory Services. The statutory services will be provided within the Tract within sixty days after the effective date of this Plan, except as otherwise indicated. The statutory services are as follows:

1. Police Protection. Police protection, personnel and equipment from the Alvin Police Department shall be provided to the area of annexation immediately. Police enforcement and protection services shall be provided through regular beat activities and immediately at the requests of residents in the affected tract.
2. Fire Protection. The City of Alvin Fire Department will provide fire protection in the tract, In case of a structural fire, the department can respond with up to three Class "A" pump trucks,

an equipment truck, and a 1000 gal. tank truck. Equipment will be dispatched as appropriate to the type of fire. The services of the City of Alvin fire marshall shall be provided to the area immediately upon annexation of the Tract.

3. Sanitation (Refuse Collection and Disposal). The City of Alvin has the capabilities in equipment and manpower to furnish twice weekly residential refuse collection service to the areas proposed to be annexed. For commercial establishment, the City of Alvin has the equipment and manpower to furnish new businesses with up to six (6) pickups per week. The collection of heavy trash and limbs from individual properties will be made in accordance with Standard Sanitation Department scheduling. The City of Alvin Type I Sanitary Landfill will be available for use by all residents of the Tract being considered for annexation in accordance with Section 11 of the City of Alvin Code of Ordinance. The collection of refuse from individual properties and businesses shall be made in accordance with sanitation department scheduling. Non-residential service and future residential service will be governed by standard policies and procedures.
4. Utilities (Water Distribution, Wastewater Collection). Those water and wastewater facilities included in the Capital Improvement Program, below, will be maintained by an appropriate division of the Utility Department. Should any extensions of such facilities be made within the tract, normal maintenance services will be provided.
5. Maintenance of Roads and Streets. The City of Alvin Street Department will provide maintenance of roads and streets over which the City will have jurisdiction. The general City maintenance program consists of pot hole repairs, street upgrading with chip sealing,

drainage work consisting of ditch and pipe cleaning, sign maintenance including traffic control and street names, and street sweeping. Streets or highways which are under the jurisdiction and control of the Texas Department of Highways and Public Transportation will remain their maintenance responsibility and any unannexed portion of county roads will remain the maintenance responsibility of the appropriate county commission precinct.

6. Parks and Recreation. There are no existing plans for the development of park land in the proposed tracts at the time of annexation. Park land could, however, be proposed for the tract during the development of a comprehensive Community Development guide. Park facilities and services shall be provided to the tract by all existing City parks and through the Recreation Department's Summer, Fall, and Winter/Spring Programs. Should any such facility be constructed by the City within the tract, the Department of Parks and Recreation will provide maintenance services.
7. Building Inspection-Code Enforcement Services. The Building Inspection Department provides the following services: electrical inspections, plumbing inspections, mechanical inspections, building inspections, health inspections, consultation with project developers, and plan review for proposed structures. In general, the City of Alvin Inspection Department is responsible for Municipal Code enforcement, which will be immediately available upon annexation.
8. Animal Control. The Animal Control Services of the City of Alvin can be extended to the proposed annexed Tract. The services would include the initiation of regular patrol of the Tract by Animal Control personnel and equipment and the immediate response to animal nuisance problems from individual residents of the

annexed Tract. The residents of proposed areas will be entitled to utilize the services of the City of Alvin dog pound.

B. Additional Services. Certain services, in addition to the statutory services, will be provided within the Tract to the same extent they are provided to similar territories elsewhere in the City. These are as follows:

1. Library services from existing facilities and future facilities outside the Tract in accordance with standard policies and procedures.
2. Emergency Rescue and Ambulance Services in accordance with standard policies and procedures provided by Alvin Area EMS.
3. Other City services, to the extent applicable to persons or properties within the Tract, in accordance with standard policies and procedures.

V. CAPITAL IMPROVEMENT PROGRAM

The City will initiate the construction or acquisition of capital improvements necessary for providing municipal services for the Tract. Those improvements which are necessary are indicated below, and any necessary construction or acquisition shall begin within two and one-half years of the effective date of this Plan, except as otherwise indicated.

1. Police Protection. Police protection for the Tract can be provided by using existing capital improvements. Additional capital improvements are not necessary at this time to provide police protection to the Tract. However, the Tract will be included with other territory in connection with planning for new, revised, or expanded facilities.
2. Fire Protection. Fire protection for the Tract can be provided by using existing capital improvements. Existing fire stations are located at 302 W. House Street and 110 Medic Lane. Additional capital

improvements are not necessary at this time to provide fire protection to the Tract. However, the Tract will be included with other territory in connection with planning for new, revised, or expanded fire-fighting facilities.

3. Sanitation (Refuse Collection and Disposal). No capital improvements are necessary at this time to provide solid waste collection services within the Tract as described in the Early Action Program. However, the Tract will be included with other territory in connection with planning for new, revised, or expanded solid waste facilities.

4. Utilities (Water Distribution, Wastewater Collection). It is the policy of the City of Alvin to provide all extensions of water and wastewater facilities in accordance with all applicable sections of Chapters 21 and 25 and other pertinent sections of the Code of Ordinances of the City of Alvin, Texas, and any future amendments, the Facility Plan with Amendments, Article 1110c, Vernon's Civil Statutes, and any future amendments. The Tract proposed for annexation will be provided with water and sewer services in accordance with these articles when requested by individual owners, residents or developers. The provision of utility services (water and sewer) into the Tract proposed for annexation will be based on population density, land utilization, topographical characteristics, and demand, i.e., requests by individuals, residents or developers. The City of Alvin anticipates no major problem that would delay water service into these areas when requested by individual owners, residents or developers. Sewer service would not be available for the Tract until completion of both the east side and west side trunk mains. Therefore, the use of approved private treatment facilities (septic tanks, package type treatment plants, etc.) will be allowed during the interim.

5. Maintenance of Roads and Streets. Additional roads, streets, or related facilities are not necessary at this time to serve the Tract. Future extensions of roads or streets and future installation of related facilities such as traffic control devices or street lights will be governed by standard policies and procedures. The Tract will be included with other territory in connection with planning for new, revised, widened or enlarged roads, streets or related facilities. All streets dedicated after annexation will be constructed to urban street design standards, including paving, curb and gutter, and sidewalks.
 6. Parks and Recreation. These services can be provided by using existing capital improvements. Additional capital improvements are not necessary at this time to provide such services to the Tract. However, the Tract will be included with other territory in connection with planning for new, revised, or expanded parks, playgrounds and swimming pools.
 7. Building Inspection-Code Enforcement Services. In general, these services can be provided to the Tract by using existing capital improvements. The Tract will be included with other territory in connection with planning for new, revised, or expanded services.
 8. Animal Control. Animal Control Services to the Tract can be provided using the existing capital improvements. The Tract will be included with other territory in connection with planning for new, revised, or expanded facilities or services.
- B. Additional Services. In general, other City functions and services, and the additional services described above, can be provided for the Tract by using existing capital improvements. Additional capital improvements

are not necessary to provide them. However, the Tract will be included with other territory in connection with planning for new, revised, or expanded facilities, functions and services, including the additional services described above.

VI. AMENDMENT; GOVERNING LAW

This Plan may not be amended or repealed except as provided by the Act or other controlling law. Neither changes in the methods or means of implementing any part of the service programs nor changes in the responsibilities of the various departments of the City shall constitute amendments to this Plan, and the City reserves the right to make such changes. This Plan is subject to, and shall be interpreted in accordance with, the Act, the Constitution and laws of the federal government of the United States of America and the State of Texas, and the orders, rules and regulations of governmental bodies and officers having jurisdiction.

VII. FORCE MAJEURE

Should a force majeure interrupt the services described herein, the City shall resume services under this Plan within a reasonable time after the cessation of the force majeure. "Force majeure", for the purposes of this Plan, shall include, but not be limited to, acts of God, acts of the public enemy, war, blockades, insurrection, riots, epidemics, landslides, lightning, earthquakes, fires, storms, floods, washouts, droughts, tornadoes, hurricanes, arrests and restraints of government, explosions, collisions and any other inability of the City, whether similar to those enumerated or otherwise, which is not within control of the City.

VIII. ENTIRE PLAN

This document contains the entire and integrated service Plan related to the Tract and supercedes all other negotiations, representations, plans, and agreements, whether written or oral.

Brazoria CAD

Property Search Results > 179629 GARZA DANIEL ADOLFO for Year 2014

Property

Account

Property ID: 179629 Legal Description: A0619 I & G N R R, TRACT 64A, ACRES 2.000
 Geographic ID: 0619-0032-001 Agent Code:
 Type: Real
 Property Use Code:
 Property Use Description:

Location

Address: 3005 COUNTY ROAD 153 Mapsc0:
 Neighborhood: SAL-NORTHEAST Map ID:
 Neighborhood CD: SAL.NE

Owner

Name: GARZA DANIEL ADOLFO Owner ID: 1099127
 Mailing Address: PO BOX 727 % Ownership: 100.000000000000%
 ALVIN, TX 77512-0727 Exemptions:

Values

| | | | |
|---------------------------------------|---|----------|-----------------------|
| (+) Improvement Homesite Value: | + | \$12,650 | |
| (+) Improvement Non-Homesite Value: | + | \$0 | |
| (+) Land Homesite Value: | + | \$10,000 | |
| (+) Land Non-Homesite Value: | + | \$0 | Ag / Timber Use Value |
| (+) Agricultural Market Valuation: | + | \$0 | \$0 |
| (+) Timber Market Valuation: | + | \$0 | \$0 |
| <hr/> | | | |
| (=) Market Value: | = | \$22,650 | |
| (-) Ag or Timber Use Value Reduction: | - | \$0 | |
| <hr/> | | | |
| (=) Appraised Value: | = | \$22,650 | |
| (-) HS Cap: | - | \$0 | |
| <hr/> | | | |
| (=) Assessed Value: | = | \$22,650 | |

Taxing Jurisdiction

Owner: GARZA DANIEL ADOLFO
 % Ownership: 100.000000000000%
 Total Value: \$22,650

| Entity | Description | Tax Rate | Appraised Value | Taxable Value | Estimated Tax |
|-----------------------------|--|----------|-----------------|---------------|---------------|
| CAD | BRAZORIA COUNTY APPRAISAL DISTRICT | 0.000000 | \$22,650 | \$22,650 | \$0.00 |
| DR3 | BRAZORIA COUNTY CONSERVATION & RECLAMATION DISTRICT #3 (ALVIN) | 0.150000 | \$22,650 | \$22,650 | \$33.98 |
| EM3 | BRAZORIA COUNTY EMERGENCY DISTRICT #3 | 0.098322 | \$22,650 | \$22,650 | \$22.27 |
| GBC | BRAZORIA COUNTY | 0.432020 | \$22,650 | \$22,650 | \$97.85 |
| JAL | ALVIN COMMUNITY COLLEGE | 0.199756 | \$22,650 | \$22,650 | \$45.25 |
| RDB | ROAD & BRIDGE FUND | 0.060000 | \$22,650 | \$22,650 | \$13.59 |
| SAL | ALVIN INDEPENDENT SCHOOL DISTRICT | 1.417000 | \$22,650 | \$22,650 | \$320.95 |
| Total Tax Rate: | | 2.357098 | | | |
| Taxes w/Current Exemptions: | | | | | \$533.89 |
| Taxes w/o Exemptions: | | | | | \$533.88 |

Improvement / Building

Improvement #1: Residential State Code: A1 Living Area: 1368.0 sqft Value: \$12,560

| Type | Description | Class CD | Exterior Wall | Year Built | SQFT |
|------|-------------|----------|---------------|------------|--------|
| MA | MAIN AREA | 2+ | R5 | 1954 | 1368.0 |

Improvement #2: Misc Imp State Code: A1 Living Area: sqft Value: \$90



AGENDA COMMENTARY

Discussion Date: 01/08/2015

Approval Date: 01/08/2015

Submitted By: Bobbi J. Kacz

SUBJECT:

Consider Ordinance 15-A closing, vacating and abandoning a 200 foot long portion of a 60 foot wide roadway (approximately 12,000 square feet) within Section 15, HT & BRR Co. Survey, Abstract 227, Brazoria County, Texas, Tracts 1 and 2 located in the City of Alvin, Texas, according to Volume 1037, Pages 465 and 467, Deed Records of Brazoria County, Texas; such roadway is within undeveloped land fronting Dickinson Road formerly known as Cemetery Road; authorizing conveyance of the portion of the abandoned roadway by special warranty deed and authorizing the Mayor to sign all related documents; and providing for matters related thereto; first reading.

DISCUSSION:

State law authorizes cities to sell and convey rights-of-way to abutting property owners in proportion to their ownership at an appraised fair market value. The portion of the public roadway that is being requested to be abandoned runs in-between the abutting 2 lots owned by the Hinojosas and has an appraised value of \$4,200.

The portion of the roadway to be abandoned has never been developed by the City and the City does not now nor in the future plan to maintain any water or wastewater distribution or transmission facilities within the referenced roadway per the City's Public Works Director.

The Hinojosas want to build their home in the center of their 2 lots which is currently where the roadway is located dividing their 2 lots.

RECOMMENDATION:

Move to approve Ord.15-A abandoning the portion of the roadway and authorizing conveyance of that portion to the Hinojosas and authorizing the Mayor to sign all related documents.

ATTACHMENTS:

- | | |
|-------------------------|----|
| 1. Ord. 15-A w exhibits | 4. |
| 2. Aerial view | 5. |
| 3. | 6. |

Submitted by:

**Bobbi J
Kacz**

Digitally signed by Bobbi J Kacz
DN: cn=Bobbi J Kacz, o=City of
Alvin, ou=Legal Department,
email=bkacz@cityofalvin.com,
c=US
Date: 2014.12.30 11:48:38
-06'00'

Department Head

Funds Available:

Finance Director

Approved as to Form:

**Bobbi J
Kacz**

Digitally signed by Bobbi J Kacz
DN: cn=Bobbi J Kacz, o=City of
Alvin, ou=Legal Department,
email=bkacz@cityofalvin.com, c=US
Date: 2013.02.07 09:21:45 -06'00'

City Attorney

Approved By:

**Junru
Roland**

Digitally signed by Junru Roland
DN: cn=Junru Roland,
email=jroland@cityofalvin.com,
o=City of Alvin, ou=Finance
Department, c=US
Date: 2014.12.30 15:11:11 -06'00'

City Manager



Map Legend

 ROW Abandonment

Proposed ROW Abandonment

Hinajosa ROW Abandonment

ORDINANCE NO. 15-A

AN ORDINANCE OF THE CITY OF ALVIN, TEXAS, CLOSING, VACATING AND ABANDONING A 200 FOOT LONG PORTION OF A 60 FOOT WIDE ROADWAY (APPROXIMATELY 12,000 SQUARE FEET) WITHIN SECTION 15, H.T. & B.R.R. CO. SURVEY, ABSTRACT 227, BRAZORIA COUNTY, TEXAS, TRACTS 1 AND 2 LOCATED IN THE CITY OF ALVIN, TEXAS, ACCORDING TO VOLUME 1037, PAGES 465 AND 467, DEED RECORDS OF BRAZORIA COUNTY, TEXAS; SUCH ROADWAY IS WITHIN UNDEVELOPED LAND FRONTING DICKINSON ROAD FORMERLY KNOWN AS CEMETERY ROAD; AUTHORIZING CONVEYANCE OF THE PORTION OF THE ABANDONED ROADWAY BY SPECIAL WARRANTY DEED AND AUTHORIZING THE MAYOR TO SIGN ALL RELATED DOCUMENTS; AND PROVIDING FOR MATTERS RELATED THERETO.

WHEREAS, Chapt. 272, *Tex. Loc. Gov't Code*, authorizes political subdivisions to sell and convey rights-of-way to abutting owners in proportion to abutting ownership at an appraised fair market value; and

WHEREAS, the portion of the roadway easement being requested to be abandoned is in the northern part of the City of Alvin, lying north of State Highway 6 and on the west side of Bypass 35. It is physically situated on the south side of Dickinson Road formerly known as Cemetery Road; and

WHEREAS, Oscar Hinojosa and wife, Elizabeth Diane Hinojosa own Tracts 1 and 2, Section 15, HT&BRR Co. Survey, Abstract 227, according to Volume 1037, Pages 465 and 467, recorded in the Deed Records of Brazoria County, Texas; and

WHEREAS, the 200 foot long and 60 foot wide right-of-way, as shown and more particularly described in Exhibit "A", contains approximately 12,000 square feet of area within undeveloped property; and as such is surplus and not necessary for use by the City, the general public, or the landowner adjacent thereto as an alley or street; and

WHEREAS, according to the plat and site survey, the portion of the roadway easement to be abandoned is abutted by Oscar Hinojosa and wife Elizabeth Diane Hinojosa's property on both the east and west sides, such roadway easement being in-between tracts 1 and 2; and

WHEREAS, the City has established the fair market value of the above described alley as being \$4,200.00;

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

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are incorporated into this Ordinance as findings of fact by the City Council of Alvin, Texas.

Section 2. Right-of-Way. A 200 foot long by 60 foot wide roadway easement, being approximately 12,000 square feet of area, located in Alvin, Brazoria County, Texas, being more particularly shown and described in Exhibit "A" attached hereto and incorporated herein for all purposes (the "Property"), is hereby permanently closed, vacated, and abandoned by the City and the general public.

Section 3. Consideration and Authorization to Execute Special Warranty Deed. The Mayor and the City Clerk shall be and are hereby authorized, empowered, instructed and directed to execute a special warranty deed, in a form substantially similar to that set forth in Exhibit "B", conveying the rights and interests of the City in the Property to the abutting property owner, Oscar Hinojosa and wife, Elizabeth Diane Hinojosa, in proportion to their ownership of the abutting property; thereby authorizing the City to convey such interest to such property owner; and provided that the total purchase price to be paid to the City for such property shall be \$4,200.00 for the portion of the roadway easement. Upon the payment of the purchase price and the execution of the deed, such deed shall be and shall become a valid and binding act and deed of the City of Alvin, Texas.

Section 4. Severability. Should any section or part of this ordinance be held unconstitutional, illegal or invalid or the application to any person or circumstance 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 5. Effective Date. This ordinance shall take effect immediately from and after its passage.

Section 6. Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance is 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 reading this _____ day of _____, 2015.

PASSED AND APPROVED on second and final reading this ____ day of _____, 2015.

ATTEST:

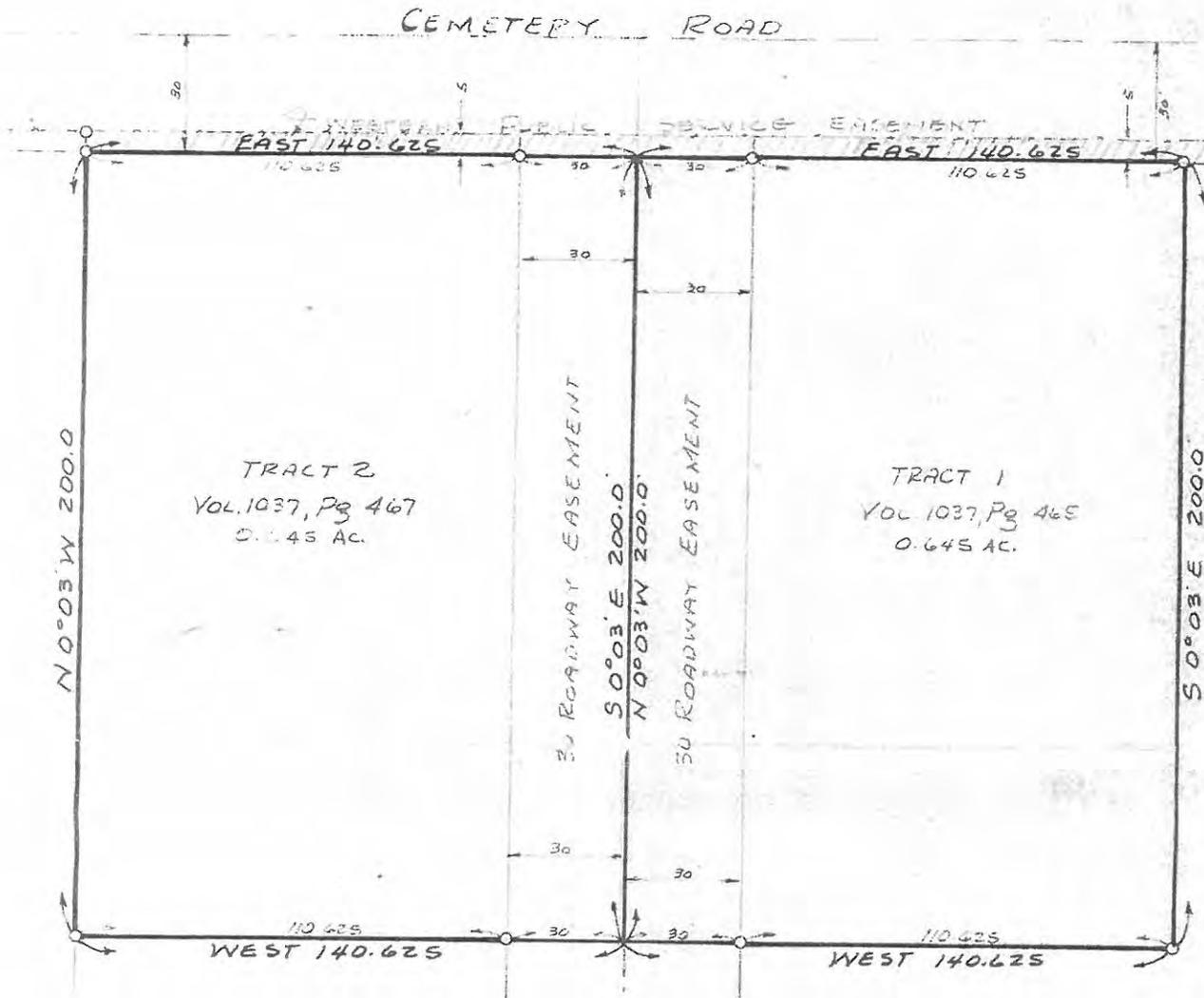
CITY OF ALVIN, TEXAS:

By: _____
Dixie Roberts, City Clerk

By: _____
Paul A. Horn, Mayor

Exhibit "A"

(Site Survey & Description of the Property)



EA McCauley Tr.
RECORDED IN
VOL. 705 Pg. 619

N 9610

FOUND 1" IRON PIPE
AT THE SOUTH EAST
CORNER OF THE J.S.
BARNFIELD TRACT

PLAT SHOWING

TWO (2) 0.645 ACRE TRACTS OF LAND
SITUATED IN SECTION 15, H. T. & B.
R. R. CO. SURVEY, ABSTRACT 227,
BRAZORIA COUNTY, TEXAS.

TRACT NO. 1 AS SHOWN ABOVE IS RE-
CORDED IN VOLUME 1037, PAGE 465
OF THE DEED RECORDS OF BRAZORIA
COUNTY, TEXAS.

TRACT NO. 2 AS SHOWN ABOVE IS RE-
CORDED IN VOLUME 1037, PAGE 467
OF THE DEED RECORDS OF BRAZORIA
COUNTY, TEXAS.

I, James E. Raines, a Registered Professional Civil Engineer of the State of Texas, do hereby certify that this plat is a record of a survey made by me on the ground on June 24th, 1972 and is true and correct to the best of my knowledge and belief.

SIGNED: James E. Raines
James E. Raines, P. E. License # 10931
Alvin, Texas



Property Description

“ A 60 foot wide easement extending North and South across this tract at a distance of 110.62 feet from the West line of this property and 110.62 feet from the East line of this property reserved in Deed from Rickey James Barajas and Betty Jean Barajas Fox to Oscar Hinojosa and wife, Elizabeth Diane Hinojosa on May 5, 1997, recorded in Volume 1037, pages 465 and 467, Deed Records of Brazoria County, Texas.

Containing approximately 12,000 square feet, being part of a 200 foot long by 60 foot wide roadway easement, located in Tracts 1 and 2, Section 15, HT&BRR Co. Survey, Abstract 227, according to Volume 1037, Pages 465 and 467, recorded in the Deed Records of Brazoria County, Texas.”

Exhibit "B"

SPECIAL WARRANTY DEED

THE STATE OF TEXAS §

KNOW ALL PERSONS BY THESE PRESENTS:

COUNTY OF BRAZORIA §

That the **City of Alvin, Texas**, a Texas municipal corporation, hereinafter called "**GRANTOR**," for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), together with other good and valuable consideration, to **GRANTOR** cash in hand paid by **Oscar Hinojosa and wife, Elizabeth Diane Hinojosa**, hereinafter called "**GRANTEE**", the receipt of which is hereby acknowledged, has **GRANTED, SOLD and CONVEYED**, and by these presents does **GRANT, SELL and CONVEY** unto the said **GRANTEE**, all that certain lot, tract or parcel of land known and described as follows:

PROPERTY: Containing approximately 12,000 square feet, being part of a 200 foot long by 60 foot wide roadway easement, located in Tracts 1 and 2, Section 15, HT&BRR Co. Survey, Abstract 227, according to Volume 1037, Pages 465 and 467, recorded in the Deed Records of Brazoria County, Texas.

This conveyance is expressly made subject to the easements reserved in this instrument, and the restrictions, covenants and easements, if any, apparent on the ground, in use or existing of record in the office of the County Clerk of Brazoria County, Texas, to which reference is here made for all purposes.

TO HAVE AND TO HOLD the above described premises, together with all and singular, the rights and appurtenances thereto in anywise belonging, unto the said **GRANTEE**, the heirs, executors, successors and assigns forever, and **GRANTOR** does hereby bind its successors and assigns to **WARRANT AND FOREVER DEFEND**, all and singular, the said premises unto the said **GRANTEE**, the heirs, executors, successors and assigns, against every person whomsoever lawfully claiming or to claim the same by, through or under the City of Alvin, Texas, but not otherwise.

EXECUTED at Alvin, Brazoria County, Texas, this the ___ day of _____ 2015.

Attest:

City of Alvin, Texas

Dixie Roberts, City Clerk

Paul A. Horn, Mayor

THE STATE OF TEXAS §

COUNTY OF BRAZORIA §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Paul A. Horn, Mayor, of the City of Alvin, Texas, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the _____ day of 2015.

Notary Public-State of Texas

AFTER RECORDING PLEASE RETURN TO:

City of Alvin
City Clerk
216 W. Sealy
Alvin, Texas 77511



AGENDA COMMENTARY

Discussion Date: 01/08/2015

Approval Date: 01/08/2015

Submitted By: Dixie Roberts

SUBJECT:

Consider Ordinance 14-JJ amending Chapter 5 ½, Cemeteries, Section 3, of the Code of Ordinances; for the purpose of allowing upright grave markers/memorials and benches and the implementation of foundation requirements for such markers/memorials/benches within Oak Park Cemetery; providing an effective date and setting forth other provisions related thereto; 1st reading.

DISCUSSION:

This change in policy will solve many issues had within tract 5 of the Oak Park Cemetery. There are currently 2 upright markers that were approved and installed in years prior. This has caused contention amongst other family's who also have loved ones buried within this section because they have not been allowed to also install the upright markers. The prohibition of upright markers within this section was put into place for maintenance reasons. I have received nothing but positive feedback in relation to this change.

Most of the benches currently in place are made of concrete and are in disrepair and need to be removed. I am proposing that from this point forward, only granite or marble benches be allowed. They must be set upon an engineered concrete foundation (as specified within the ordinance). The ordinance before you is only addressing the allowance of upright memorials within tract 5 and notating that benches are allowed, provided they meet the specifications required within the ordinance. The benches currently in place will be evaluated and removed if they are in disrepair. At some point in the future we will re-evaluate the "rules and regulations" of the cemetery.

RECOMMENDATION:

Motion to approve Ordinance 14-JJ on 1st reading.

ATTACHMENTS:

1. Ordinance 14-JJ
2. Pictures of Oak Park Cemetery
3. Letters of support for Cemetery Ord. Change
- 4.
- 5.
- 6.

Submitted by:

Dixie
Roberts

Digitally signed by Dixie Roberts
DN: cn=Dixie Roberts, o=City of
Alvin, ou=City Clerk,
email=droberts@cityofalvin.com,
c=US
Date: 2014.12.18 08:30:25
-06'00'

Department Head

Funds Available:

Finance Director

Approved as to Form:

Bobbi J
Kacz

Digitally signed by Bobbi J Kacz
DN: cn=Bobbi J Kacz, o=City of
Alvin, ou=Legal Department,
email=bkacz@cityofalvin.com, c=US
Date: 2014.12.29 20:05:41 -06'00'

City Attorney

Approved By:

Junru
Roland

Digitally signed by Junru Roland
DN: cn=Junru Roland,
email=jroland@cityofalvin.com,
o=City of Alvin, ou=Finance
Department, c=US
Date: 2014.12.30 15:08:52 -06'00'

City Manager

ORDINANCE 14-JJ

AN ORDINANCE OF THE CITY OF ALVIN, TEXAS AMENDING CHAPTER 5 ½, CEMETERIES, SECTION 3, OF THE CODE OF ORDINANCES; FOR THE PURPOSE OF ALLOWING THE PLACEMENT OF UPRIGHT GRAVE MARKERS/MEMORIALS/BENCHES; AND THE IMPLEMENTATION OF FOUNDATION REQUIREMENTS FOR SUCH WITHIN OAK PARK CEMETERY; PROVIDING AN EFFECTIVE DATE AND SETTING FORTH OTHER PROVISIONS RELATED THERETO.

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

Section 1. That Chapter 5 ½, Cemeteries, of the Code of Ordinances, City of Alvin, Texas is hereby amended with the language as follows:

Sec. 5 ½ - 3. Requirements regarding columbaria niches and lots /spaces.

(a) *Price schedule.* With the exception of grave spaces designated for infants, each grave (measuring approximately 4.5 feet by 10 feet) in the Oak Park Cemetery shall be sold for fee(s) set forth in chapter 28 of this Code. Grave spaces specifically designated for infants (measuring approximately 4.5 feet by 5 feet) shall be sold for the fee(s) set forth in chapter 28 of this Code. Burial lots (measuring approximately 18 feet by 10 feet) shall be sold for the fee(s) as set forth in chapter 28 of this Code. Such sales prices include purchase of the grave space/lot itself, the cost of processing gravesite application, the cost of marking the gravesite, and the costs of recording and flagging the gravesite at time of actual interment. Fees for columbaria niches shall be those set forth in chapter 28 of this Code.

.....

~~(d) Requirements for grave markers. Grave markers shall be composed of either granite, marble or bronze and shall be set on a concrete foundation which must be at least the size of the base of the marker, at least six (6) inches thick and which shall have sufficient pier holes as determined by the city engineer. Grave markers in the area of Oak Park Cemetery designated as section 4, tract 5 shall be restricted to flat markers. No grave markers shall be set until the city engineer has determined that the grave marker complies with the city's requirements.~~

(d) Placement of Memorials/Markers

- (1) A permit must be approved by the city engineer or appointee before placement of memorial/marker. *See Section (h) Permit Required.*
- (2) Flat and upright grave memorials/markers will be allowed in all sections of Oak Park Cemetery.



Flat Memorial/Marker



Upright Memorial/Marker and Base

- (3) Flat grave markers/memorials shall be composed of (pure) granite, marble, bronze; or combination thereof.

- (4) All grave markers/memorials must be installed on a concrete foundation. *See Section (e) Foundation Requirements.*
- (5) Upright grave markers/memorials within Section 5 shall not exceed the following dimensions: forty-four (42) inches in width (left to right); and thirty-six (36) inches in height (top to bottom) including the base.



- (6) Upright memorials shall be placed at the top, or head of grave space.
- (7) One upright memorial **or** flat memorial **and** one foot marker will be permitted per single grave space.
- (8) A bench may be used as an upright memorial/marker.
- (9) It is not permitted to have both an upright memorial/marker and a bench on grave space.
- (10) A companion memorial may be placed upon two grave spaces and may not exceed the following dimensions: ninety-eight (96) inches in width (left to right); and thirty-six (36) inches in height (top to bottom), including the base.
- (11) Upright memorials must be permanently adhered atop a base made of (pure) marble or granite and must be no less than its length (left to right) plus six inches and its width (front to back) plus six inches, unless said upright is at least 10 inches in width. If an upright memorial is 10 inches in width (front to back) or larger, a base is not required.
- (12) All markers are to be constructed in such a manner as to permit the mowing, trimming and other care of the lawn and foliage in the cemetery.

(e) Foundation Requirements

- (1) A permit must be approved by the City Engineer or appointee before the foundation is poured. *See Section (h) Permit Required.*
- (2) Foundation size and construction will be no less than the length and width of the marker/memorial or base of such, and a minimum of 4 inches thick.
- (3) Foundation should be formed with 1x6 or 2x6 lumber with an inside dimension of that form at least the size of the marker or monuments base, and no larger than 1" longer or 1" wider than said base.
- (4) Within the foundation, there will be one concrete pier for every two feet of length of the foundation, (i.e. a 1'-3" foundation has one pier, 3'-1"-5" foundation will have two piers, etc.). Each pier will be 6"- 8" in diameter, a minimum of 24" deep from the bottom of the foundation and with straight or bellbottom sides; Piers may be shallower only if they rest completely atop the concrete burial vault.
- (5) All foundations will contain steel reinforcing rods or mesh and piers will be connected to the foundation with at least one reinforcing rod, but not more than three.
- (6) Foundation must be square and level before and after concrete pour.

- (7) Foundation concrete must cure a minimum of 24 hours before setting the monument.
- (8) The installer must remove all forms and excess concrete before memorial installation and all gaps and voids between the existing ground and new foundation filled after memorial installation is completed.

(f) *Placement of Benches*

- (1) The permanent placement of benches shall be allowed upon approval of permit. *See Section (h) Permit Required.*
- (2) Bench dimensions and placement upon said gravesite must be approved by City Clerk. Benches used as an upright memorial must be placed at the top or head of the grave.
- (3) The City reserves the right to refuse permission to place benches if it determines that a bench or its placement does not conform to cemetery requirements or in a position that will impede maintenance equipment. The City accepts no responsibility for the benches should they be damaged, broken or stolen.
- (4) Benches must be made of (pure) marble or granite and erected upon a concrete engineered foundation.
- (5) Only one bench per gravesite is allowed.
- (6) Benches may be no wider (from left to right) than the grave space they mark, less 12 inches and no taller (top to bottom) than 36 inches.
- (7) Benches currently in the cemetery will be evaluated and removed if determined to be dilapidated, a menace to the safety of persons within the cemetery, or interfere with landscaping maintenance.

(e)(g) *Foot ~~and corner m~~Markers.* Foot markers shall not exceed twelve (12) inches in width and twenty-four (24) inches in length. It must be placed at the lower end or foot of grave space and be flush with the ground. ~~Corner markers shall not exceed eight inches by eight inches (8" x 8") and must be set flush with the ground level.~~ Corner markers shall not be allowed.

(h) *Permit required.* Prior to any foundation, grave marker/memorial or bench being set in the Oak Park Cemetery, a permit must be obtained from the city engineer by the organization or individual placing the marker. Permit applications may be obtained from the city clerk's office. Each permit application shall be accompanied by the drawings and dimensions for each foundation, grave marker/memorial or bench. A permit shall not be issued until all applicable fees have been paid and a certification made as to the conformity of ~~the grave marker with~~ all requirements of the city. Foundations, ~~G~~grave markers/memorials or benches set in a manner contrary to the city's requirements may be removed by the city at the sole expense of the space/lot owner and shall not be reset until the space/lot owner complies with the city's requirements.

(i) *Transfer of spaces/lots.* Grave spaces/lots that have been purchased from the city may be transferred to another person only upon filing an affidavit of transfer with the city clerk's office and payment of a transfer fee per space/lot as set forth in chapter 28 of this Code. Grave spaces/lots that have been purchased from the city may be sold and transferred to the city upon the city's payment of the original purchase price less the transfer fee per space as set forth in chapter 28 of this Code.

(j) *Penalty for violation.* Any person who violates a provision of this section shall be guilty of a misdemeanor and shall be subject to a fine in accordance with section 1-5 of this Code of Ordinances.

Section 2. Severability. Should any section or part of this Ordinance be held unconstitutional, illegal, 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.

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

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

ATTEST:

CITY OF ALVIN, TEXAS:

By: _____
Dixie Roberts, City Clerk

By: _____
Paul A. Horn, Mayor



Tract 5 pictured –Does not currently allow for the installation of upright monuments. It does however allow for the installation of benches.



Tract 4 pictured – Currently allows for upright monuments, etc.

December 16, 2014

Dixie Roberts
Alvin City Clerk

Dear Ms. Roberts:

This letter is in response to the article in the Alvin Advertiser regarding upright grave markers at Oak Park Cemetery.

My wife recently passed away and I would much prefer to have an upright headstone placed at her grave. It's important to me that visitors be able to see the name on the headstone without having to walk through the property.

I really hope the city council will vote to change the ordinance so that everyone will be able to choose the grave marker that they prefer.

Thank you, 

December 16, 2014

Dixie Roberts
Alvin City Clerk

Dear Ms. Roberts,

We are writing in response to the possible amendment to the ordinance regarding upright grave markers at Oak Park Cemetery.

We purchased two burial plots at Oak Park several years ago and would be very pleased to have the option of an upright grave marker. They look nice and make it easier to locate a particular grave.

In regards to the issue of mowing and/or edging, we feel that the city should provide that service to the cemetery. Not only does it seem disrespectful to mow over the tops of the flat markers but there is a great possibility of damaging them.

In general, we feel like most people would prefer to have a choice when it comes to choosing something as personal as a grave marker. Thank you for considering this amendment.

Sincerely,

Bobby Jackson
Dorothy Jackson



AGENDA COMMENTARY

Discussion Date: 01/08/2015

Approval Date: 01/08/2015

Submitted By: Michelle Segovia

SUBJECT:

Consider Ordinance 15-C amending the City of Alvin, Ordinance 14-AA passed and approved September 11, 2014, same being an ordinance approving and adopting the City of Alvin's budget for fiscal year 2014-2015 by approving "Budget Amendment 2" to the original 2014-2015 budget; providing for supplemental appropriation and/or transfer of certain funds as set forth in the attached Exhibit A for the purpose of engaging an Architectural Firm to provide Predesign Architectural Services for the renovation of the Alvin City Hall Building in the amount of \$77,800; and providing for other matters related thereto - first reading.

DISCUSSION:

RECOMMENDATION:

Move to approve Ordinance 15-C on first reading.

ATTACHMENTS:

- | | |
|-----------------------|----|
| 1. Ordinance 15-C | 4. |
| 2. Exhibit A-accounts | 5. |
| 3. | 6. |

Submitted by:
Michelle Segovia
Department Head

Digitally signed by Michelle Segovia
DN: cn=Michelle Segovia, o=City of Alvin,
ou=Engineering,
email=mssegovia@cityofalvin.com, c=US
Date: 2014.12.18 15:55:45 -0600

Funds Available:
Junru Roland
Finance Director

Digitally signed by Junru Roland
DN: cn=Junru Roland,
email=jroland@cityofalvin.com, o=City
of Alvin, ou=Finance Department,
c=US
Date: 2014.12.30 15:34:38 -0600

Approved as to Form:
Bobbi J Kacz
City Attorney

Digitally signed by Bobbi J Kacz
DN: cn=Bobbi J Kacz, o=City of
Alvin, ou=Legal Department,
email=bkacz@cityofalvin.com, c=US
Date: 2014.12.29 20:30:55 -0600

Approved By:
Junru Roland
City Manager

Digitally signed by Junru Roland
DN: cn=Junru Roland,
email=jroland@cityofalvin.com,
o=City of Alvin, ou=Finance
Department, c=US
Date: 2014.12.30 15:34:49 -0600

ORDINANCE NO. 15-C

AN ORDINANCE AMENDING CITY OF ALVIN, ORDINANCE NO. 14-AA, PASSED AND APPROVED SEPTEMBER 11, 2014, SAME BEING AN ORDINANCE APPROVING AND ADOPTING THE CITY OF ALVIN'S BUDGET FOR FISCAL YEAR 2014-2015 BY APPROVING "BUDGET AMENDMENT 2" TO THE ORIGINAL 2014-15 FY BUDGET; PROVIDING FOR SUPPLEMENTAL APPROPRIATION AND/OR TRANSFER OF CERTAIN FUNDS AS SET FORTH IN THE ATTACHED EXHIBIT "A" FOR THE PURPOSE OF ENGAGING AN ARCHITECTURAL FIRM TO PROVIDE PREDESIGN ARCHITECTURAL SERVICES FOR THE RENOVATION OF THE ALVIN CITY HALL BUILDING IN THE AMOUNT OF SEVENTY-SEVEN THOUSAND EIGHT HUNDRED DOLLARS (\$77,800); PROVIDING FOR SEVERABILITY; AND PROVIDING OTHER MATTERS RELATED THERETO.

WHEREAS, there is a need for additional expenditures to be budgeted within the General Fund for expenditures in which the extent of which could not be contemplated at the time of adopting the 2014-15 fiscal year budget; and

WHEREAS, revenues, as shown on Exhibit "A" attached hereto, are available from the sources indicated on said Exhibit for the making of said expenditures:

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

Section 1. That the City of Alvin 2014-2015 Fiscal Year Budget and Ordinance 14-AA adopting said budget are hereby amended by making those certain changes to the 2014-15 fiscal year budget which are set forth on Exhibit "A", attached hereto and made a part hereof as though fully set forth and for all purposes considered to be a portion of this ordinance.

Section 2. Open Meetings Act. 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 reading on the _____ day of _____, 2015.

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

ATTEST:

CITY OF ALVIN, TEXAS:

By: _____
Dixie Roberts, City Clerk

By: _____
Paul A. Horn, Mayor



AGENDA COMMENTARY

Discussion Date: 01/08/2015

Approval Date: 01/08/2015

Submitted By: Michelle H. Segovia

SUBJECT:

Consider a proposal for Professional Services by Huitt-Zollars, Inc. in an amount not to exceed \$77,800.00 for Predesign Architectural Services for the renovation of the Alvin City Hall Building; and authorize the Mayor to sign an agreement upon legal review.

DISCUSSION:

Due to several incidents involving security concerns that have occurred over the past few months Council directed staff, during the budget workshops, to investigate ways to better secure the City Hall Building. Staff solicited qualifications from Architectural firms to perform the Architectural Services that would be required to thoroughly assess the building and recommend/design the changes that will be needed in order to limit access to certain portions of the building. City staff, through the selection process, have selected the firm Huitt-Zollars, Inc. based on their qualifications and similar project experience. The current services agreement being considered will provide Predesign Architectural Services to assess the building to determine the best use for the various areas of the building, as well as, any areas that may need to be brought up to current codes. Once this is done then a project scope can be determined. The total cost for these services is \$77,800 and will be funded from account 111-9001-00-4100.

RECOMMENDATION:

Move to approve the proposal submitted by Huitt-Zollars, Inc. and authorize the Mayor to sign an agreement upon legal review.

ATTACHMENTS:

- | | |
|-----------------------------------|----|
| 1. Professional Services Proposal | 4. |
| 2. Summary of Fees | 5. |
| 3. | 6. |

Submitted by:
Michelle Segovia
Digitally signed by Michelle Segovia
DN: cn=Michelle Segovia, o=City of Alvin,
ou=Engineering,
email=msegovia@cityofalvin.com, c=US
Date: 2014.12.18 15:26:07 -0600
Department Head

Funds Available:
Junru Roland
Digitally signed by Junru Roland
DN: cn=Junru Roland,
email=jroland@cityofalvin.com, o=City
of Alvin, ou=Finance Department,
c=US
Date: 2014.12.30 15:36:35 -0600
Finance Director

Approved as to Form:
Bobbi J Kacz
Digitally signed by Bobbi J Kacz
DN: cn=Bobbi J Kacz, o=City of
Alvin, ou=Legal Department,
email=bkacz@cityofalvin.com, c=US
Date: 2014.12.29 20:39:07 -0600
City Attorney

Approved By:
Junru Roland
Digitally signed by Junru Roland
DN: cn=Junru Roland,
email=jroland@cityofalvin.com,
o=City of Alvin, ou=Finance
Department, c=US
Date: 2014.12.30 15:36:53 -0600
City Manager

EXHIBIT "A"

| Account Number | Account Description | Amount | Reason |
|-----------------------|----------------------------|---------------|--------------------|
| 111 9001 00 4100 | Building & Property | \$ 77,800 | City Hall Security |
| 111-300000 | Fund Balance | \$ 77,800 | City Hall Security |



AGENDA COMMENTARY

Discussion Date: 01/08/2015

Approval Date: 01/08/2015

Submitted By: Michelle H. Segovia

SUBJECT:

Consider a proposal for Professional Services by Huitt-Zollars, Inc. in an amount not to exceed \$77,800.00 for Predesign Architectural Services for the renovation of the Alvin City Hall Building; and authorize the Mayor to sign an agreement upon legal review.

DISCUSSION:

Due to several incidents involving security concerns that have occurred over the past few months Council directed staff, during the budget workshops, to investigate ways to better secure the City Hall Building. Staff solicited qualifications from Architectural firms to perform the Architectural Services that would be required to thoroughly assess the building and recommend/design the changes that will be needed in order to limit access to certain portions of the building. City staff, through the selection process, have selected the firm Huitt-Zollars, Inc. based on their qualifications and similar project experience. The current services agreement being considered will provide Predesign Architectural Services to assess the building to determine the best use for the various areas of the building, as well as, any areas that may need to be brought up to current codes. Once this is done then a project scope can be determined. The total cost for these services is \$77,800 and will be funded from account 111-9001-00-4100.

RECOMMENDATION:

Move to approve the proposal submitted by Huitt-Zollars, Inc. and authorize the Mayor to sign an agreement upon legal review.

ATTACHMENTS:

- | | |
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| 1. Professional Services Proposal | 4. |
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| 3. | 6. |

Submitted by:
Michelle Segovia
Digitally signed by Michelle Segovia
DN: cn=Michelle Segovia, o=City of Alvin,
ou=Engineering,
email=msegovia@cityofalvin.com, c=US
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Date: 2014.12.30 15:36:35 -0600
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email=jroland@cityofalvin.com,
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Department, c=US
Date: 2014.12.30 15:36:53 -0600
City Manager

December 9, 2014

Michelle H. Segovia, P.E., CFM
City Engineer
City of Alvin
1100 West Highway 6
Alvin, Texas 77511

Reference: Facilities Condition Assessment & Architectural / Security Programming Services– Alvin City Hall Building

Dear Ms. Segovia:

Huitt-Zollars, Inc. (Huitt-Zollars) appreciates the opportunity to provide this proposal for professional architectural and engineering services to the City of Alvin (City) for the Facilities Condition Assessment and Architectural Space/Security Systems Programming for the potential renovation of the Alvin City Hall Building (approximately 15,737 GSF) on West Sealy Street in Alvin, Texas (Project). Our proposal is based upon the scope of services, compensation, schedule and terms and conditions in the City's standard engineering agreement.

The City has experienced several security incidents at the City Hall Building that will require interior renovation of the facility to adequately address. Any required security enhancements will facilitate a review of the current Building Life Safety and Accessibility (TAS/ADA) Code requirements, in addition to a review of operational and space efficiencies within the City departments and services operating at the City Hall Building. Any issues identified in the existing facility will need to be addressed as part of a future renovation project with the intent of providing a secure and code compliant City Hall Building that maximizes space utilization and improved operational efficiencies.

SCOPE OF SERVICES:

1.0 Basic Services:

1.1 Facility Condition Assessment Phase (FCA)

Evaluate the existing City Hall building systems and provide recommendations on maintenance and or replacement of deficient systems for either continued operations in the existing building or enhanced operations in a renovated facility.

- A. Accompanied by City O&M personnel, Huitt-Zollars shall visit the City Hall to conduct an on-site visual inspection of the facility:
 - 1) Verify information provided in As-Built documentation
 - 2) Identify existing deficiencies
 - 3) Identify occupancy and parking capacity

- B. Upon completion of the facility inspection, Huitt-Zollars shall:
 - 1) Compile data from As-Builts, O&M and site inspections into applicable data base tables.
 - 2) Compile list of preventive maintenance activities per calendar year for MEP assets.
 - 3) Compile deficiencies and determine the appropriate corrective action and estimate costs to implement the corrective action for each deficiency.
 - 4) Prioritize deficiencies using defined categories and priorities for repair.

- C. The Facility Condition Assessment Report shall include:
 - 1) Executive Summary of the City Hall building condition
 - 2) Action Plan for the City Hall building identifying:
 - i. Facility overview with occupancy and parking capacities
 - ii. Deficiency Reports
 - iii. Cost Model, Life Cycle Analysis and Facility Condition Index for the facility
 - iv. Recommendations for annual maintenance for MEP systems

1.2 Programming Phase

Evaluate and determine the best course of action for maximizing space utilization and improving operational efficiencies. Also included during this phase is a Risk and Vulnerability Assessment (Security) Report to analyze various aspects of the facility and develop guidelines to address security concerns as part of a potential renovation of the City Hall Building.

- A. Conduct a site visit and confirm the existing facilities conditions and uses.
- B. Prepare a programming questionnaire and review responses to questionnaire by selected City staff.
 - 1) City Departments to be included in the City Hall Programming are; City Manager (Including Mayor's Office) City Clerk , Legal, Economic Development, Water Utilities, Human Resources, Finance, Information Technology, and Municipal Courts.
- C. Conduct a programming charrette with selected City staff to review questionnaire responses and to obtain additional information and decisions that will impact the design. The purpose of the charrette is to:
 - 1) Obtain input on the overall design concepts for the Project
 - 2) Document the City's project goals and objectives
 - 3) Identify best land use and maximize useable space
 - 4) Review the projected needs of the City
 - 5) Identify and evaluate opportunities to improve operational efficiency
 - 6) Review requirements for offices, meeting/conference rooms, storage, and other City Hall functions
 - 7) Review administrative activities and requirements
 - 8) Review public access
 - 9) Review existing operational philosophy and policies, procedures, and techniques
 - 10) Review contracted activities and requirements
 - 11) Review communications and IT requirements
 - 12) Review facility maintenance requirements that may affect material selection, plumbing, electrical, heating, ventilation, and air conditioning
 - 13) Review site and building security requirements
 - 14) Review relationships and required adjacencies between functional areas
 - 15) Review current and projected staffing plans
 - 16) Identify functional areas to be located at the existing facilities
 - 17) Identify space requirements for administrative operations functions in the project including:
 - a. Requirements for offices, staff and crew areas along with quantity size, and type of spaces
 - b. Requirements for storage (documents - permanent and temporary, supplies, equipment, etc.)
 - 18) Identify parking requirements for City vehicles, employees, visitors, and delivery vehicles
 - 19) Discuss departmental and staffing adjacency diagrams

2.0 Additional Services:

Because the effort required for some items of work varies considerably from project to project, and because some items of work are sometimes provided separately by the City, these items of work are not included in the basic services fees and are charged separately. Additional Services, mutually agreed upon and authorized separately by the City in writing, shall be completed on a lump sum or an hourly basis in accordance with the attached Hourly Rate Sheet. Such additional services may include:

- A. Preparing measured drawings of existing buildings
- B. Providing a full-time Project Representative during construction to provide further consultation and advice to the City

- C. Making revisions in drawings, specifications or other documents when such revisions are inconsistent with written approvals or instructions previously given, are required by enactment or revision of codes, laws or regulations subsequent to the preparation of such documents or are due to other causes not solely within the control of Huitt-Zollars
- D. Providing services made necessary by the default of the Construction Contractor, or by major defects of deficiencies in the Work of the Construction Contractor, or by failure of performance of Construction Contractor under the Contract for Construction
- E. Fees associated with Agency Reviews, Plats, Recordation, Tax Certificates, Title Commitments, Private Utility Information, Permitting and/or Inspections.
- F. Provide detailed estimates of probable construction cost.
- G. Any other service not otherwise included in the Basic Services

3.0 Excluded Services:

Huitt-Zollars, Inc. shall not be required to furnish any legal or accounting advice or service. Test pits, material and equipment operating tests and other special consulting services including, but not limited to, asbestos, hazardous and toxic materials management are not included in our proposal. A commercial materials testing laboratory will be engaged by the City during construction for materials testing services and will invoice the City directly for its services.

4.0 City Provided Services:

City shall provide Huitt-Zollars with the following:

- A. Access to the Project
- B. Available Drawings and Reports

COMPENSATION:

1.0 Basic Services

Our estimated fee for the Basic Services is as follows:

| | | |
|-------------------------------------|--------------|------------|
| Facility Condition Assessment Phase | \$ 15,550.00 | (lump sum) |
| Programming Phase | \$ 62,250.00 | (lump sum) |
| Total Basic Services Fee | \$ 77,800.00 | (lump sum) |

2.0 Total Estimated Budget

Our total estimated budget for this project is Seventy Seven Thousand Eight Hundred Dollars (\$ 77,800.00).

3.0 Additional Services

Additional Services, mutually agreed upon and authorized separately by the City in writing, shall be completed on a lump sum basis or an hourly not-to-exceed basis per the attached Hourly Rate Sheet.

4.0 Invoicing

Invoices will be submitted monthly. Lump sum tasks shall be invoiced based upon percentage of work completed. Hourly tasks shall be invoiced based on number of hours worked per the attached Hourly Rate Sheet.

Michelle H. Segovia, P.E., CFM
City of Alvin
FCA & Architectural / Security Programming – Alvin City Hall Building
December 9, 2014
Page 4 of 4

HUITT-ZOLLARS

SCHEDULE:

Our estimated schedule (working days) for the Basic Services is as follows:

| | |
|-------------------------------|-------------------|
| Facility Condition Assessment | 10 days (2 weeks) |
| City Review of FCA Report | 10 days (2 weeks) |
| Programming | 30 days (6 weeks) |
| City Review of Programming | 10 days (2 weeks) |

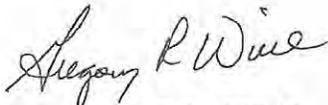
AUTHORIZATION:

Should this proposal meet with your approval and acceptance, please return a City Agreement for our signature. We will schedule the above services as soon as we receive your written authorization. If you have any questions, please call.

Sincerely,
HUITT-ZOLLARS, INC.



Chris Manthei, AIA, RAS
Vice President



Gregory R. Wine, P.E., LEED AP
Senior Vice President

Attachments: Rate Schedule

The Texas Board of Architectural Examiners has jurisdiction over complaints regarding the professional practices of persons registered as architects in Texas. TBAE is located in the Hobby Building, 333 Guadalupe, Suite 2-305, Austin, TX 78701. Telephone number: 512-305-9000.

HUITT-ZOLLARS

HOUSTON WEST

2014 HOURLY RATE SHEET

Professional

| | |
|-------------------------------------|-----------|
| Principal-In-Charge. | \$ 225.00 |
| Sr. Project Manager. | \$ 180.00 |
| Project Manager. | \$ 170.00 |
| QA/QC Manager. | \$ 180.00 |
| Sr. Civil Engineer. | \$ 175.00 |
| Sr. Structural Engineer. | \$ 175.00 |
| Sr. Mechanical Engineer. | \$ 175.00 |
| Sr. Electrical Engineer. | \$ 175.00 |
| Civil Engineer. | \$ 170.00 |
| Structural Engineer. | \$ 165.00 |
| Mechanical Engineer. | \$ 165.00 |
| Electrical Engineer. | \$ 165.00 |
| Plumbing Engineer. | \$ 165.00 |
| Engineer Intern. | \$ 115.00 |
| Sr. Architect. | \$ 175.00 |
| Architect. | \$ 145.00 |
| Architect Intern. | \$ 115.00 |
| Sr. Landscape Architect. | \$ 140.00 |
| Landscape Architect. | \$ 90.00 |
| Landscape Architect Intern. | \$ 80.00 |
| Sr. Planner. | \$ 185.00 |
| Planner. | \$ 150.00 |
| Planner Intern. | \$ 110.00 |
| Sr. Interior Designer. | \$ 110.00 |
| Interior Designer. | \$ 95.00 |
| Sr. Designer. | \$ 125.00 |
| Designer. | \$ 115.00 |
| Sr. CADD Technician. | \$ 125.00 |
| CADD Technician. | \$ 90.00 |

Survey

| | |
|-------------------------------|-----------|
| Survey Manager. | \$ 155.00 |
| Sr. Project Surveyor. | \$ 130.00 |
| Project Surveyor. | \$ 120.00 |
| Surveyor Intern. | \$ 115.00 |
| Survey Technician. | \$ 90.00 |

Survey Crews

| | |
|-----------------------------------|-----------|
| 1-Person Survey Crew. | \$ 80.00 |
| 2-Person Survey Crew. | \$ 135.00 |
| 3-Person Survey Crew. | \$ 185.00 |
| 1-Person Survey Crew-GPS. | \$ 130.00 |
| 2-Person Survey Crew-GPS. | \$ 190.00 |
| 3-Person Survey Crew-GPS. | \$ 240.00 |

Construction

| | |
|---|-----------|
| Construction Manager. | \$ 175.00 |
| Resident Engineer. | \$ 160.00 |
| Sr. Project Representative | \$ 120.00 |
| Resident Project Representative | \$ 95.00 |

Administrative

| | |
|------------------------------|----------|
| Sr. Project Support. | \$ 85.00 |
| Project Support. | \$ 70.00 |

Reimbursable Expenses

| | |
|---------------------------|--------------------------------|
| Outside Services. | Cost + 10% |
| Consultants. | Cost + 10% |
| Mileage. | Standard Business Mileage Rate |

Rates effective until January 31, 2015.



AGENDA COMMENTARY

Discussion Date: 01/08/2015

Approval Date: 01/08/2015

Submitted By: Bobbi J. Kacz

SUBJECT:

Consider approval of Resolution 15-R-01 accepting the Request and Petition to the City Council of the City of Alvin for Annexation of a 43.24, more or less, acre parcel of land located along East Highway 6 in Brazoria County, Texas; setting an annexation schedule that includes public hearings on Feb. 19 and Feb. 26; providing for open meetings and other related matters.

DISCUSSION:

Keith Mosing of Mosing Land & Cattle Co. of Texas is petitioning the City to annex 43.24 acres of his property on East Highway 6 that is contiguous with his property already within the City limits where Frank's Casing Alvin is already located. Mr. Mosing has expanded his business onto his adjoining property and desires the new structure also be inside limits of Alvin.

RECOMMENDATION:

Move to approve Resolution 15-R-01 accepting the petition for annexation submitted by Keith Mosing and approving an annexation schedule to include public hearings on Feb. 19 and Feb. 26.

ATTACHMENTS:

- | | |
|-------------------------------|----|
| 1. Res. 15-R-01 with Exhibits | 4. |
| 2. Annexation Schedule | 5. |
| 3. | 6. |

Submitted by:

**Bobbi J
Kacz**

Digitally signed by Bobbi J Kacz
DN: cn=Bobbi J Kacz, o=City of
Alvin, ou=Legal Department,
email=bkacz@cityofalvin.com,
c=US
Date: 2014.12.29 20:45:59
-06'00'

Department Head

Funds Available:

Finance Director

Approved as to Form:

**Bobbi J
Kacz**

Digitally signed by Bobbi J Kacz
DN: cn=Bobbi J Kacz, o=City of
Alvin, ou=Legal Department,
email=bkacz@cityofalvin.com, c=US
Date: 2014.12.29 20:46:13 -06'00'

City Attorney

Approved By:

**Junru
Roland**

Digitally signed by Junru Roland
DN: cn=Junru Roland,
email=jroland@cityofalvin.com,
o=City of Alvin, ou=Finance
Department, c=US
Date: 2014.12.30 15:39:01 -06'00'

City Manager

RESOLUTION NO. 15-R-01

A RESOLUTION OF THE CITY OF ALVIN, TEXAS, ACCEPTING THE PETITION FOR ANNEXATION OF A 43.24, MORE OR LESS, ACRE PARCEL OF LAND LOCATED ALONG EAST HIGHWAY 6 IN BRAZORIA COUNTY, TEXAS; SETTING AN ANNEXATION SCHEDULE; PROVIDING FOR OPEN MEETINGS AND OTHER RELATED MATTERS.

WHEREAS, the owner, (the “Petitioner”) of a 43.24 acre tract of land located within Brazoria County, Texas, shown and more particularly described in **Exhibit “A”**, attached hereto and incorporated for all purposes, has petitioned the City of Alvin, Texas, (herein the “City”), a home-rule City, for annexation of said property into the City limits. The “Petition”, is attached hereto as **Exhibit “B”** and incorporated for all purposes;

WHEREAS, the subject property is contiguous and adjacent to the corporate limits of the City and the owners have made application for annexation;

WHEREAS, after review and consideration of such petition for annexation, the City Council finds that the property is exempt from the City’s annexation plan pursuant to § 43.052 (h)(2) of the *Local Government Code*; and,

WHEREAS, the petitioner has agreed and consented to the annexation of the subject property by the City and further agreed to be bound by all acts, ordinances, and all other legal action now in force and effect within the corporate limits of the City and all those which may be hereafter adopted;

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

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Proceedings. The petition for annexation of all portions of the following property not previously annexed into the City and the draft services plan attached to the petition, submitted by Petitioner, are hereby accepted:

All that certain tract or parcel of land being 43.24 acres, more or less, located in the I. & G. N. R. R. Co. Survey, Section 26, Abstract 619 in Brazoria County, Texas, and being more particularly shown and described in the Exhibit “A” attached hereto and incorporated herein for all purposes.

Two public hearings are set for the dates of February 19, 2015, and February 26, 2015. Notice of such hearings shall be posted and the hearings shall be open to the public to accept public comment on the annexation request.

Section 3. Severability. Should any section or part of this Resolution be held unconstitutional, illegal, or invalid, or the application to any person or circumstance 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 Resolution are declared to be severable.

Section 4. Open Meetings. It is hereby officially found and determined that the meeting at which this Resolution is 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 this the ____ day of _____, 2015.

ATTEST:

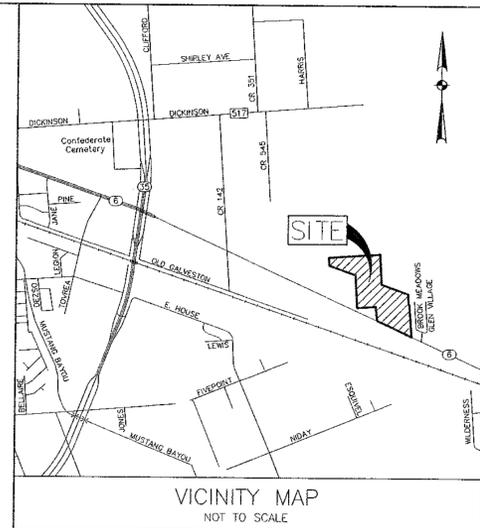
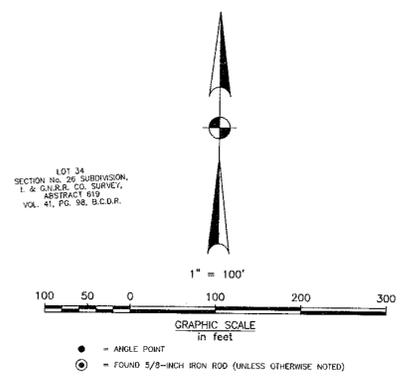
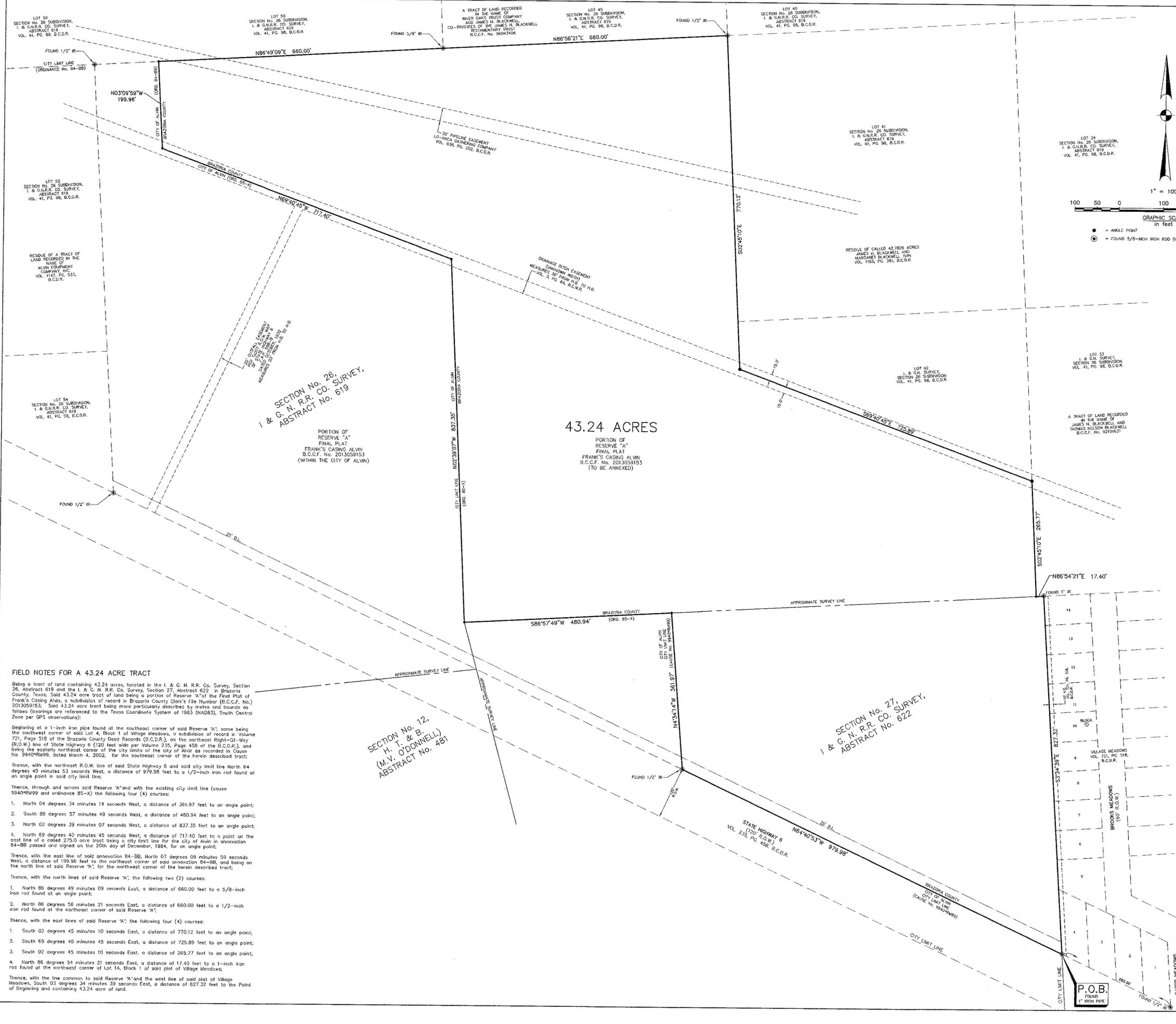
THE CITY OF ALVIN, TEXAS

Dixie Roberts, City Clerk

Paul A. Horn, Mayor

Exhibit "A"

PROPERTY DESCRIPTIONS



43.24 ACRES

SECTION No. 26,
I & G. N. R. R. CO. SURVEY,
ABSTRACT No. 619

PORTION OF
RESERVE "A"
FINAL PLAT
FRANK'S CASINO ALVIN
B.C.C.F. No. 2013059153
(WITHIN THE CITY OF ALVIN)

PORTION OF
RESERVE "A"
FINAL PLAT
FRANK'S CASINO ALVIN
B.C.C.F. No. 2013059153
(TO BE ANNEXED)

FIELD NOTES FOR A 43.24 ACRE TRACT

Being a tract of land containing 43.24 acres, located in the I. & G. N. R. R. Co. Survey, Section 26, Abstract 619 and the I. & G. N. R. R. Co. Survey, Section 27, Abstract 622, in Brazoria County, Texas. Said 43.24 acre tract of land being a portion of Reserve "A" of the Final Plat of Frank's Casino Alvin, a subdivision of record in Brazoria County Clerk's File Number (B.C.C.F. No.) 2013059153. Said 43.24 acre tract being more particularly described by metes and bounds as follows (bearings are referenced to the Texas Coordinate System of 1983 (NAD83), South Central Zone per GPS observations):

- Beginning at a 1-inch iron pipe found at the southeast corner of said Reserve "A", same being the southwest corner of said Lot 4, Block 1 of Village Meadows, a subdivision of record in Volume 721, Page 518 of the Brazoria County Deed Records (B.C.D.R.), on the northeast Right-of-Way (R.O.W.) line of State Highway 6 (120 feet wide per Volume 235, Page 498 of the B.C.D.R.), and being the easterly northeast corner of the city limits of the city of Alvin as recorded in Cause No. 9940RM99, dated March 4, 2002, for the southeast corner of the herein described tract;
- Thence, with the northeast R.O.W. line of said State Highway 6 and said city limit line North 64 degrees 40 minutes 53 seconds West, a distance of 979.98 feet to a 1/2-inch iron rod found at an angle point in said city limit line;
- Thence, through and across said Reserve "A" and with the existing city limit line (cause 9840RM99 and ordinance 85-x) the following four (4) courses:
1. North 04 degrees 34 minutes 14 seconds West, a distance of 361.97 feet to an angle point;
 2. South 85 degrees 57 minutes 49 seconds West, a distance of 480.94 feet to an angle point;
 3. North 02 degrees 39 minutes 07 seconds West, a distance of 837.35 feet to an angle point;
 4. North 69 degrees 40 minutes 45 seconds West, a distance of 717.40 feet to a point on the east line of a coiled 275.0 acre tract being a city limit line for the city of Alvin in annexation 84-88 passed and signed on the 20th day of December, 1984, for an angle point;
- Thence, with the east line of said annexation 84-88, North 03 degrees 09 minutes 59 seconds West, a distance of 199.96 feet to the northeast corner of said annexation 84-88, and being on the north line of said Reserve "A", for the northeast corner of the herein described tract;
- Thence, with the north lines of said Reserve "A", the following two (2) courses:
1. North 86 degrees 49 minutes 09 seconds East, a distance of 660.00 feet to a 5/8-inch iron rod found at an angle point;
 2. North 86 degrees 56 minutes 21 seconds East, a distance of 660.00 feet to a 1/2-inch iron rod found at the northeast corner of said Reserve "A";
- Thence, with the east lines of said Reserve "A", the following four (4) courses:
1. South 02 degrees 45 minutes 10 seconds East, a distance of 770.12 feet to an angle point;
 2. South 69 degrees 40 minutes 45 seconds East, a distance of 725.89 feet to an angle point;
 3. South 02 degrees 45 minutes 10 seconds East, a distance of 265.77 feet to an angle point;
 4. North 86 degrees 54 minutes 21 seconds East, a distance of 17.40 feet to a 1-inch iron rod found at the northwest corner of Lot 14, Block 1 of said plot of Village Meadows;
- Thence, with the line common to said Reserve "A" and the west line of said plot of Village Meadows, South 03 degrees 34 minutes 39 seconds East, a distance of 827.32 feet to the Point of Beginning and containing 43.24 acre of land.

SECTION No. 12,
H. T. & B.
(M.V. O'DONNELL)
ABSTRACT No. 481

SECTION No. 27,
I & G. N. R. R. CO. SURVEY,
ABSTRACT No. 622

- NOTES:**
1. THIS DOCUMENT WAS PREPARED UNDER 221A0663.21, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.
 2. BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), SOUTH CENTRAL ZONE, PER GPS OBSERVATIONS.
 3. POB INDICATES POINT OF BEGINNING
B.C.C.F. No. INDICATES FORT BEND COUNTY CLERK'S FILE NUMBER
B.C.D.R. INDICATES FORT BEND COUNTY DEED RECORDS
B.C.P.R. INDICATES FORT BEND COUNTY PLAT RECORDS
B.C.M.U.D. INDICATES FORT BEND COUNTY MUNICIPAL UTILITIES DISTRICT
 4. A METES AND BOUNDS DESCRIPTION OF THE SUBJECT TRACTS HAS BEEN PREPARED BY MILLER SURVEY GROUP AND ACCOMPANIES THIS EXHIBIT.

DATED THIS THE 27TH DAY OF FEBRUARY, 2014

Brian E. Wilson
BRIAN E. WILSON
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION No. 5745



REVISED: 2/27/2014 - REVISED BOUNDARY

**CITY OF ALVIN
ANNEXATION EXHIBIT
43.24 ACRES**

LOCATED IN
SECTION No. 26, I & G.N.R.R. CO. SURVEY,
ABSTRACT No. 619
BRAZORIA COUNTY, TEXAS.

MILLER SURVEY GROUP
www.millersurvey.com
1760 WEST SAM HOUSTON PARKWAY NORTH • HOUSTON, TEXAS 77043
PHONE 713-413-1900 • FAX 713-413-1944
TEXAS FIRM REGISTRATION NO. 10047100

JOB NO.: 2463-ANNEX-REV1 SCALE: 1" = 100' DATE: 12/19/2013 FIELD BOOK: N/A
DWG. NO.: 2463-ANNEX-REV1.DWG DRAWN BY: BJN CHECKED BY: BEW M&B No.: 131446

County: Brazoria
Project: Frank's Casing Annexation
M.S.G. No.: 131446-R
Job Number: 2463-Annex

FIELD NOTES FOR A 43.24 ACRE TRACT

Being a tract of land containing 43.24 acres, located in the I. & G. N. R.R. Co. Survey, Section 26, Abstract 619 and the I. & G. N. R.R. Co. Survey, Section 27, Abstract 622 in Brazoria County, Texas; Said 43.24 acre tract of land being a portion of Reserve "A" of the Final Plat of Frank's Casing Alvin, a subdivision of record in Brazoria County Clerk's File Number (B.C.C.F. No.) 2013059153; Said 43.24 acre tract being more particularly described by metes and bounds as follows (bearings are referenced to the Texas Coordinate System of 1983 (NAD83), South Central Zone per GPS observations):

Beginning at a 1-inch iron pipe found at the southeast corner of said Reserve "A", same being the southwest corner of said Lot 4, Block 1 of Village Meadows, a subdivision of record in Volume 721, Page 518 of the Brazoria County Deed Records (B.C.D.R.), on the northeast Right-Of-Way (R.O.W.) line of State Highway 6 (120 feet wide per Volume 235, Page 458 of the B.C.D.R.), and being the easterly northeast corner of the city limits of the city of Alvin as recorded in Cause No. 9940*RM99, dated March 4, 2002, for the southeast corner of the herein described tract;

Thence, with the northeast R.O.W. line of said State Highway 6 and said city limit line North 64 degrees 40 minutes 53 seconds West, a distance of 979.98 feet to a 1/2-inch iron rod found at an angle point in said city limit line;

Thence, through and across said Reserve "A" and with the existing city limit line (cause 9940*RM99 and ordinance 85-X) the following four (4) courses:

1. North 04 degrees 34 minutes 14 seconds West, a distance of 361.97 feet to an angle point;
2. South 86 degrees 57 minutes 49 seconds West, a distance of 480.94 feet to an angle point;
3. North 02 degrees 39 minutes 07 seconds West, a distance of 837.35 feet to an angle point;

4. North 69 degrees 40 minutes 45 seconds West, a distance of 717.40 feet to a point on the east line of a called 275.0 acre tract being a city limit line for the city of Alvin in annexation 84-BB passed and signed on the 20th day of December, 1984, for an angle point;

Thence, with the east line of said annexation 84-BB, North 03 degrees 09 minutes 59 seconds West, a distance of 199.96 feet to the northeast corner of said annexation 84-BB, and being on the north line of said Reserve "A", for the northwest corner of the herein described tract;

Thence, with the north lines of said Reserve "A", the following two (2) courses:

1. North 86 degrees 49 minutes 09 seconds East, a distance of 660.00 feet to a 5/8-inch iron rod found at an angle point;
2. North 86 degrees 56 minutes 21 seconds East, a distance of 660.00 feet to a 1/2-inch iron rod found at the northeast corner of said Reserve "A";

Thence, with the east lines of said Reserve "A", the following four (4) courses:

1. South 02 degrees 45 minutes 10 seconds East, a distance of 770.12 feet to an angle point;
2. South 69 degrees 40 minutes 45 seconds East, a distance of 725.89 feet to an angle point;
3. South 02 degrees 45 minutes 10 seconds East, a distance of 265.77 feet to an angle point;
4. North 86 degrees 54 minutes 21 seconds East, a distance of 17.40 feet to a 1-inch iron rod found at the northwest corner of Lot 14, Block 1 of said plat of Village Meadows;

Thence, with the line common to said Reserve "A" and the west line of said plat of Village Meadows, South 03 degrees 34 minutes 39 seconds East, a distance of 827.32 feet to the **Point of Beginning** and containing 43.24 acre of land.

This document was prepared under 22 TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.



Brian E. Wilson, R.P.L.S.
Texas Registration No. 5745



MILLER SURVEY GROUP
Ph: (713) 413-1900
February 27, 2014
M&B No. 131446-R
Tx Reg. No. 10047100

EXHIBIT B

Petition for Annexation

FRANK'S INTERNATIONAL

10260 Westheimer, Suite 700

Houston, TX 77042

(281) 966-7300

(800) 827-6020



December 4, 2014

Via FedEx 7720 9039 6516

Michelle H. Segovia, P.E., CFM
City Engineer
City of Alvin
1100 W. Highway 6
Alvin, Texas 77511

RE: Revised Annexation Petition for Frank's Casing Alvin

Ms. Segovia,

Please see enclosed revised Annexation Petition for Frank's Casing Alvin.

Please do not hesitate to contact us should you have any questions or if any further information is needed.

Regards,

A handwritten signature in blue ink that reads "Sue Ellen Hill". The signature is written in a cursive style and is positioned above the printed name.

Sue Ellen Hill
Legal Assistant

STATE OF TEXAS

§
§
§

COUNTY OF BRAZORIA

**REQUEST & PETITION TO THE CITY COUNCIL OF THE CITY OF ALVIN
FOR ANNEXATION OF PROPERTY**

WHEREAS, the undersigned is the owner of a certain tract of property located within Brazoria County, Texas, such property more particularly described hereinafter by true and correct legal description (referred to herein as the “subject property”);

WHEREAS, the undersigned has sought the annexation of the subject property by the City of Alvin, Texas, (hereinafter sometimes referred to as “City”), in order to obtain the benefits of City services to the subject property by the City;

WHEREAS, the subject property is contiguous and adjacent to the corporate limits of the City;

WHEREAS, the City, pursuant to §43.021, *Tex. Loc. Gov’t. Code* and the request of the property owner, is authorized to annex the subject property; and,

WHEREAS, the undersigned agrees and consents to the annexation of the subject property by the City and further agrees to be bound by all acts, ordinances, and all other legal action now in force and effect within the corporate limits of the City and all those which may be hereafter adopted.

NOW THEREFORE, the undersigned by this Petition and Request:

SECTION ONE: Requests the City Council of the City to commence annexation proceedings and to annex into the corporate limits of the City of Alvin, Texas, of all portions of the subject property not previously annexed into the City and further described as follows,:

All that certain tract or parcel of land being 43.24 acres, more or less, located in the I. & G. N. R. R. Co. Survey, Section 26, Abstract 619 in Brazoria County, Texas, and being more particularly shown and described in the Exhibit “A” attached hereto and incorporated herein for all purposes.

SECTION TWO: Requests that after annexation the City provide such services as are legally permissible and provided by the City, including sanitation, water and general governmental services as set forth in the municipal services plan.

SECTION THREE: Acknowledges and represents having received, read and understood the attached “draft” Service Plan, attached hereto as Exhibit “B”, (proposed to be applicable to and adopted for the subject property) and that such “draft” Service Plan is wholly adequate and acceptable to the undersigned who hereby requests the City Council to proceed with the annexation and preparation of a final Municipal Service Plan and publish notice and hold the requisite public hearings thereon, in accordance with the applicable laws of the State of Texas.

SECTION FOUR: Acknowledges that the undersigned understands and agrees that all city services to the subject property will be provided by the City on the same terms and conditions as provided to other similarly situated areas of the City and as provided in the Municipal Service Plan.

SECTION FIVE: Agrees that a copy of this Request and Petition may be filed of record in the offices of the City of Alvin and in the real property records of Brazoria County, Texas, and shall be notice to and binding upon all persons or entities now or hereafter having any interest in the subject property.

FILED, this 2nd day of December 2014, with the City Clerk of the City of Alvin, Brazoria County, Texas.

Petitioner: Mosing Land & Cattle Co. of Texas, L.L.C.

By: *Keith Mosing*
Keith Mosing, Sole Manager

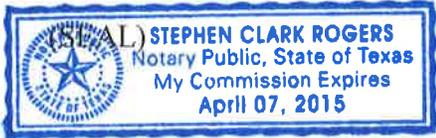
Mosing Ventures, LLC

By: *Keith Mosing*
Keith Mosing, President

STATE OF TEXAS §
 §
COUNTY OF BRAZORIA §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Keith Mosing, Sole Manager of Mosing Land & Cattle Company of Texas, L.L.C. and President of Mosing Ventures, LLC and Owner of the subject property and Petitioner herein, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged that they had authority to bind the entity and that they executed the same for the purposes therein expressed and in the capacity therein stated.

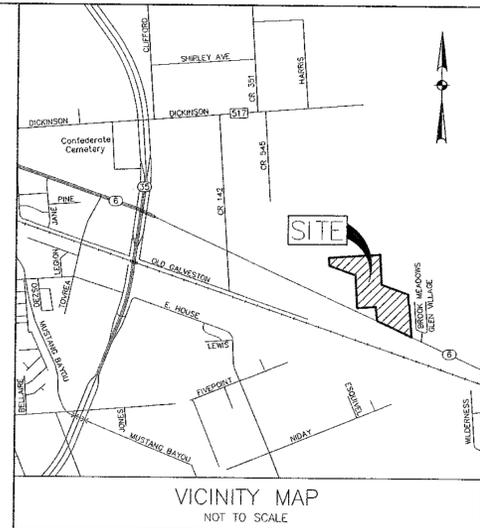
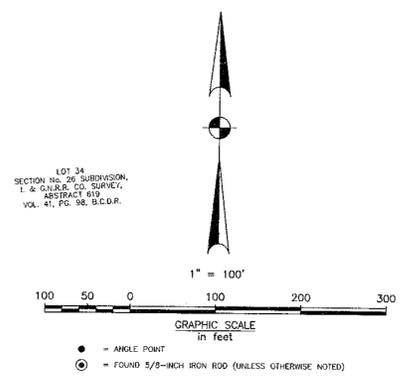
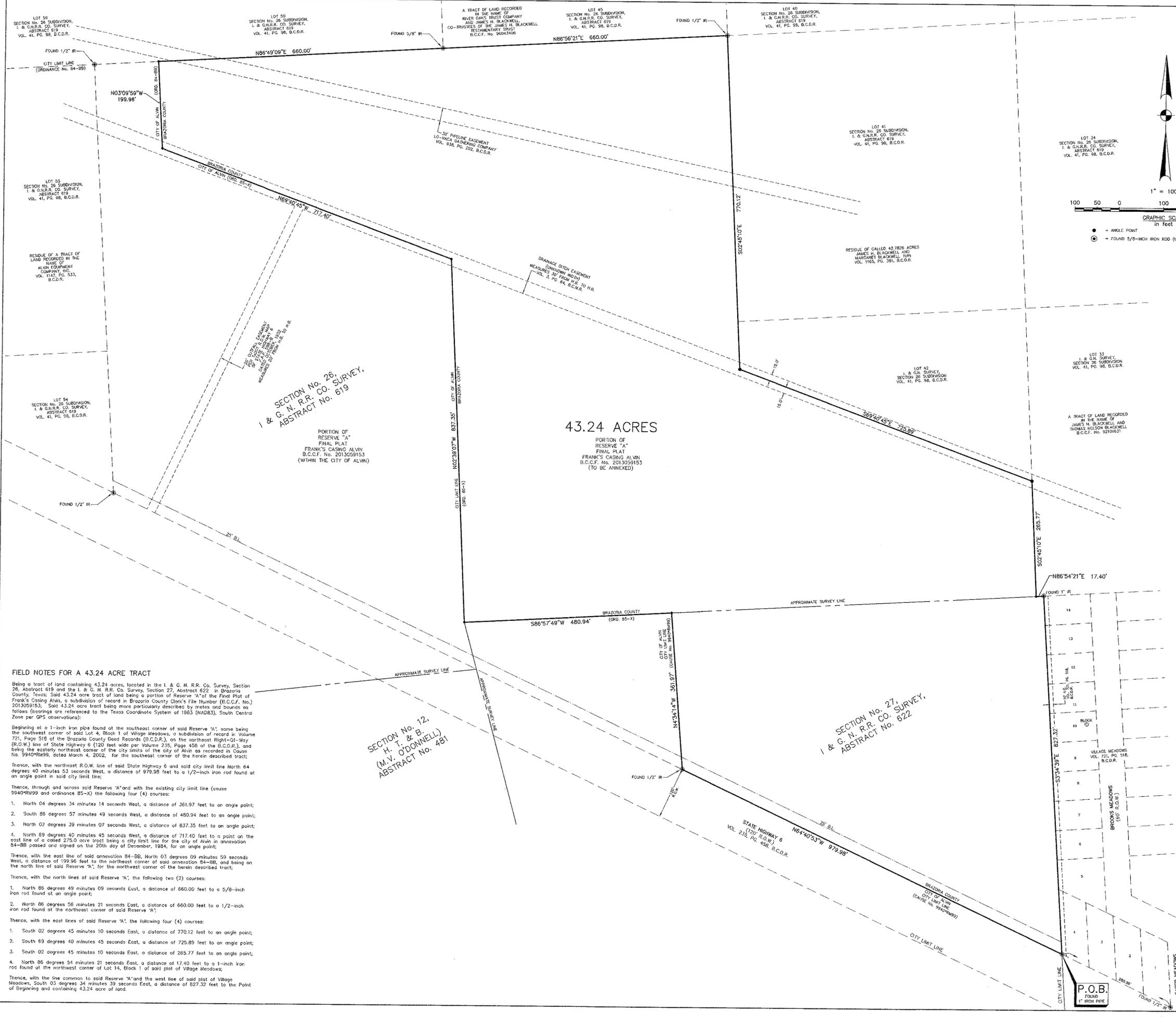
GIVEN UNDER MY HAND AND SEAL OF OFFICE on this 2nd day of December 2014.



Stephen Clark Rogers
Notary Public - State of Texas

Exhibit “A”

DESCRIPTION OF THE SUBJECT PROPERTY



43.24 ACRES

SECTION No. 26,
I & G. N. R.R. CO. SURVEY,
ABSTRACT No. 619
PORTION OF
RESERVE "A"
FINAL PLAT
FRANK'S CASING ALVIN
B.C.C.F. No. 2013059153
(WITHIN THE CITY OF ALVIN)

FIELD NOTES FOR A 43.24 ACRE TRACT

Being a tract of land containing 43.24 acres, located in the I. & G. N. R.R. Co. Survey, Section 26, Abstract 619 and the I. & G. N. R.R. Co. Survey, Section 27, Abstract 622, in Brazoria County, Texas. Said 43.24 acre tract of land being a portion of Reserve "A" of the Final Plat of Frank's Casing Alvin, a subdivision of record in Brazoria County Clerk's File Number (B.C.C.F. No.) 2013059153. Said 43.24 acre tract being more particularly described by metes and bounds as follows (bearings are referenced to the Texas Coordinate System of 1983 (NAD83), South Central Zone per GPS observations):

- Beginning at a 1-inch iron pipe found at the southeast corner of said Reserve "A", same being the southwest corner of said Lot 4, Block 1 of Village Meadows, a subdivision of record in Volume 721, Page 518 of the Brazoria County Deed Records (B.C.D.R.), on the northeast Right-of-Way (R.O.W.) line of State Highway 6 (120 feet wide per Volume 235, Page 498 of the B.C.D.R.), and being the easterly northeast corner of the city limits of the city of Alvin as recorded in Cause No. 9940RM99, dated March 4, 2002, for the southeast corner of the herein described tract;
- Thence, with the northeast R.O.W. line of said State Highway 6 and said city limit line North 64 degrees 40 minutes 53 seconds West, a distance of 979.98 feet to a 1/2-inch iron rod found at an angle point in said city limit line;
- Thence, through and across said Reserve "A" and with the existing city limit line (cause 9840RM99 and ordinance 85-x) the following four (4) courses:
1. North 04 degrees 34 minutes 14 seconds West, a distance of 361.97 feet to an angle point;
 2. South 85 degrees 57 minutes 49 seconds West, a distance of 480.94 feet to an angle point;
 3. North 02 degrees 39 minutes 07 seconds West, a distance of 837.35 feet to an angle point;
 4. North 69 degrees 40 minutes 45 seconds West, a distance of 717.40 feet to a point on the east line of a coiled 275.0 acre tract being a city limit line for the city of Alvin in annexation 84-88 passed and signed on the 20th day of December, 1984, for an angle point;
- Thence, with the east line of said annexation 84-88, North 03 degrees 09 minutes 59 seconds West, a distance of 199.96 feet to the northeast corner of said annexation 84-88, and being on the north line of said Reserve "A", for the northeast corner of the herein described tract;
- Thence, with the north lines of said Reserve "A", the following two (2) courses:
1. North 86 degrees 49 minutes 09 seconds East, a distance of 660.00 feet to a 5/8-inch iron rod found at an angle point;
 2. North 86 degrees 56 minutes 21 seconds East, a distance of 660.00 feet to a 1/2-inch iron rod found at the northeast corner of said Reserve "A";
- Thence, with the east lines of said Reserve "A", the following four (4) courses:
1. South 02 degrees 45 minutes 10 seconds East, a distance of 770.12 feet to an angle point;
 2. South 69 degrees 40 minutes 45 seconds East, a distance of 725.89 feet to an angle point;
 3. South 02 degrees 45 minutes 10 seconds East, a distance of 265.77 feet to an angle point;
 4. North 86 degrees 54 minutes 21 seconds East, a distance of 17.40 feet to a 1-inch iron rod found at the northwest corner of Lot 14, Block 1 of said plot of Village Meadows;
- Thence, with the line common to said Reserve "A" and the west line of said plot of Village Meadows, South 03 degrees 34 minutes 39 seconds East, a distance of 627.32 feet to the Point of Beginning and containing 43.24 acre of land.

- NOTES:
1. THIS DOCUMENT WAS PREPARED UNDER 221A0663.21, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.
 2. BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), SOUTH CENTRAL ZONE, PER GPS OBSERVATIONS.
 3. POB INDICATES POINT OF BEGINNING
B.C.C.F. No. INDICATES FORT BEND COUNTY CLERK'S FILE NUMBER
B.C.D.R. INDICATES FORT BEND COUNTY DEED RECORDS
B.C.P.R. INDICATES FORT BEND COUNTY PLAT RECORDS
B.C.M.U.D. INDICATES FORT BEND COUNTY MUNICIPAL UTILITIES DISTRICT
 4. A METES AND BOUNDS DESCRIPTION OF THE SUBJECT TRACTS HAS BEEN PREPARED BY MILLER SURVEY GROUP AND ACCOMPANIES THIS EXHIBIT.

DATED THIS THE 27TH DAY OF FEBRUARY, 2014

Brian E. Wilson
BRIAN E. WILSON
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION No. 5745



REVISED: 2/27/2014 - REVISED BOUNDARY

**CITY OF ALVIN
ANNEXATION EXHIBIT
43.24 ACRES**

LOCATED IN
SECTION No. 26, I & G.N.R.R. CO. SURVEY,
ABSTRACT No. 619
BRAZORIA COUNTY, TEXAS.

MILLER SURVEY GROUP
www.millersurvey.com
1760 WEST SAM HOUSTON PARKWAY NORTH • HOUSTON, TEXAS 77043
PHONE 713-413-1900 • FAX 713-413-1944
TEXAS FIRM REGISTRATION NO. 10047100

| | | | |
|-------------------------------|------------------|------------------|-----------------|
| JOB NO.: 2463-ANNEX-REV1 | SCALE: 1" = 100' | DATE: 12/19/2013 | FIELD BOOK: N/A |
| DWG. NO.: 2463-ANNEX-REV1.DWG | DRAWN BY: BJN | CHECKED BY: BEW | MSB No.: 131446 |

County: Brazoria
Project: Frank's Casing Annexation
M.S.G. No.: 131446-R
Job Number: 2463-Annex

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Thence, with the northeast R.O.W. line of said State Highway 6 and said city limit line North 64 degrees 40 minutes 53 seconds West, a distance of 979.98 feet to a 1/2-inch iron rod found at an angle point in said city limit line;

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4. North 69 degrees 40 minutes 45 seconds West, a distance of 717.40 feet to a point on the east line of a called 275.0 acre tract being a city limit line for the city of Alvin in annexation 84-BB passed and signed on the 20th day of December, 1984, for an angle point;

Thence, with the east line of said annexation 84-BB, North 03 degrees 09 minutes 59 seconds West, a distance of 199.96 feet to the northeast corner of said annexation 84-BB, and being on the north line of said Reserve "A", for the northwest corner of the herein described tract;

Thence, with the north lines of said Reserve "A", the following two (2) courses:

1. North 86 degrees 49 minutes 09 seconds East, a distance of 660.00 feet to a 5/8-inch iron rod found at an angle point;
2. North 86 degrees 56 minutes 21 seconds East, a distance of 660.00 feet to a 1/2-inch iron rod found at the northeast corner of said Reserve "A";

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3. South 02 degrees 45 minutes 10 seconds East, a distance of 265.77 feet to an angle point;
4. North 86 degrees 54 minutes 21 seconds East, a distance of 17.40 feet to a 1-inch iron rod found at the northwest corner of Lot 14, Block 1 of said plat of Village Meadows;

Thence, with the line common to said Reserve "A" and the west line of said plat of Village Meadows, South 03 degrees 34 minutes 39 seconds East, a distance of 827.32 feet to the **Point of Beginning** and containing 43.24 acre of land.

This document was prepared under 22 TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.



Brian E. Wilson, R.P.L.S.
Texas Registration No. 5745



MILLER SURVEY GROUP
Ph: (713) 413-1900
February 27, 2014
M&B No. 131446-R
Tx Reg. No. 10047100

Exhibit “B”

MUNICIPAL SERVICES PLAN FOR PROPERTY TO BE ANNEXED INTO THE CITY OF ALVIN

WHEREAS, the City of Alvin, Texas (the “City”) intends to institute annexation proceedings for a tract of land described more fully hereinafter (referred to herein as the “subject property”);

WHEREAS, *Section 43.056, Loc. Gov't. Code*, requires a service plan be adopted with the annexation ordinance;

WHEREAS, the subject property is not included in the municipal annexation plan and is exempt from the requirements thereof;

WHEREAS, infrastructure provided for herein and that existing are sufficient to service the subject property on the same terms and conditions as other similarly situated properties currently within the City limits and no capital improvements are required to offer municipal services on the same terms and conditions as other similarly situated properties within the City; and

WHEREAS, it is found that all statutory requirements have been satisfied and the City is authorized by *Chapt. 43, Loc. Gov't. Code*, to annex the subject property into the City;

NOW, THEREFORE, the following services will be provided for the subject property on the effective date of annexation:

(1) **General Municipal Services.** Pursuant to the requests of the owner and this Plan, the following services shall be provided immediately from the effective date of the annexation:

A. Police protection as follows:

Routine patrols of areas, radio response to calls for police service and all other police services now being offered to the citizens of the City.

B. Fire protection and Emergency Medical Services as follows:

Fire protection by agreement between the City and the ESD present personnel and equipment of the ESD fire fighting force and the volunteer fire fighting force with the limitations of water available. Radio response for Emergency Medical Services with the present contract personnel and equipment of the ESD and the volunteer fire department.

C. Solid waste collection services as follows:

Solid waste collection and services as now being offered to the citizens of the City.

D. Animal control as follows:

Service by present personnel, equipment and facilities or by contract with a third party, as provided within the City.

E. Maintenance of parks and playgrounds within the City.

F. Inspection services in conjunction with building permits and routine City code enforcement services by present personnel, equipment and facilities.

G. Maintenance of other City facilities, buildings and service.

H. Land use regulation as follows:

On the effective date of annexation, the regulatory jurisdiction of the City shall be extended to include the annexed area, and all property therein shall be subject to the City's police power regulations as set forth in state law and duly adopted ordinances.

(2) **Scheduled Municipal Services.** Due to the size and vacancy of the subject property, the plans and schedule for the development of the subject property, the following municipal services will be provided on a schedule and at increasing levels of service as provided in this Plan:

A. Water service and maintenance of water facilities as follows:

(i) Inspection of water distribution lines as provided by statutes of the State of Texas.

(ii) In accordance with the applicable rules and regulations for the provision of water service, water service will be provided to the subjects property, or applicable portions thereof, by the utility holding a water certificate of convenience and necessity ("CCN") for the subject property, or portions thereof as applicable, or absent a water CCN, by the utility in whose jurisdiction the subject property, or portions thereof as applicable, are located, in accordance with all the ordinances, regulations, and policies of the City in effect from time to time for the extension of water service. If connected to the City's water utility system, the subject property's owner shall construct the internal water lines and pay the costs of line extension and construction of such facilities necessary to provide water service to the subject property as required in City ordinances. Upon acceptance of the water lines within the subject property and any off-site improvements, water service will be provided by the City utility department on the same terms, conditions and requirements as are applied to all similarly situated areas and customers of the City; subject to all the ordinances, regulations and policies of the City in effect from time to time. The system will be accepted and maintained by the City in accordance with its usual acceptance and maintenance policies. New water line extensions will be installed and extended upon request under the same costs and terms as with other similarly situated customers of the City. The ordinances of the City in effect at the time a request for service is submitted shall govern the costs and request for service. The continued use of a water well that is in use on the effective date of the

annexation and is in compliance with applicable rules and regulations shall be permitted and such use may continue until the subject property's owner requests and is able to connect to the City's water utility system.

B. Wastewater service and maintenance of wastewater service as follows:

(i) Inspection of sewer lines as provided by statutes of the State of Texas.

(ii) In accordance with the applicable rules and regulations for the provision of wastewater service, wastewater service will be provided to the subject property, or applicable portions thereof, by the utility holding a wastewater CCN for the subject property, or portions thereof as applicable, or absent a wastewater CCN, by the utility in whose jurisdiction the subject property, or portions thereof as applicable, are located, in accordance with all the ordinances, regulations, and policies of the City in effect from time to time for the extension of wastewater service. If connected to the City's wastewater utility system, the subject property's owner shall construct the internal wastewater lines and pay the costs of line extension and construction of facilities necessary to provide wastewater service to the subject property as required in City ordinances. Upon acceptance of the wastewater lines within the subject property and any off-site improvements, wastewater service will be provided by the City utility department on the same terms, conditions and requirements as are applied to all similarly situated areas and customers of the City, subject to all the ordinances, regulations and policies of the City in effect from time to time. The wastewater system will be accepted and maintained by the City in accordance with its usual policies. Requests for new wastewater line extensions will be installed and extended upon request under the same costs and terms as with other similarly situated customers of the City. The ordinances in effect at the time a request for service is submitted shall govern the costs and request for service. The continued use of a septic system that is in use on the effective date of the annexation and is in compliance with all applicable rules and regulations shall be permitted and such use may continue until the subject property owner requests and is able to connect to the City's wastewater utility system.

C. Maintenance of streets and rights-of-way as appropriate as follows:

(i) Provide maintenance services on existing public streets within the subject property and other streets that are hereafter constructed and finally accepted by the City. The maintenance of the streets and roads will be limited as follows:

(A) Emergency maintenance of streets, repair of hazardous potholes, measures necessary for traffic flow, etc.; and

(B) Routine maintenance as presently performed by the City.

(ii) The City will maintain existing public streets within the subject property, and following installation and acceptance of new roadways by the City as provided by city ordinance, including any required traffic signals, traffic signs, street markings, other

traffic control devices and street lighting, the City will maintain such newly constructed public streets, roadways and rights-of-way within the boundaries of the subject property, as follows:

- (A) As provided in C(i)(A)&(B) above;
- (B) Reconstruction and resurfacing of streets, installation of drainage facilities, construction of curbs, gutters and other such major improvements as the need therefore is determined by the governing body under City policies;
- (C) Installation and maintenance of traffic signals, traffic signs, street markings and other traffic control devices as the need therefore is established by appropriate study and traffic standards; and
- (D) Installation and maintenance of street lighting in accordance with established policies of the City;

(iii) The outer boundaries of the subject property abut existing roadways. The property owner agrees that no improvements are required on such roadways to service the property.

(3) **Capital Improvements.** Construction of the following capital improvements shall be initiated after the effective date of the annexation: None. Upon development of the subject property or redevelopment, the landowner will be responsible for the development costs the same as a developer in a similarly situated area under the ordinances in effect at the time of development or redevelopment. No additional capital improvements are necessary at this time to service the subject property the same as similarly situated properties.

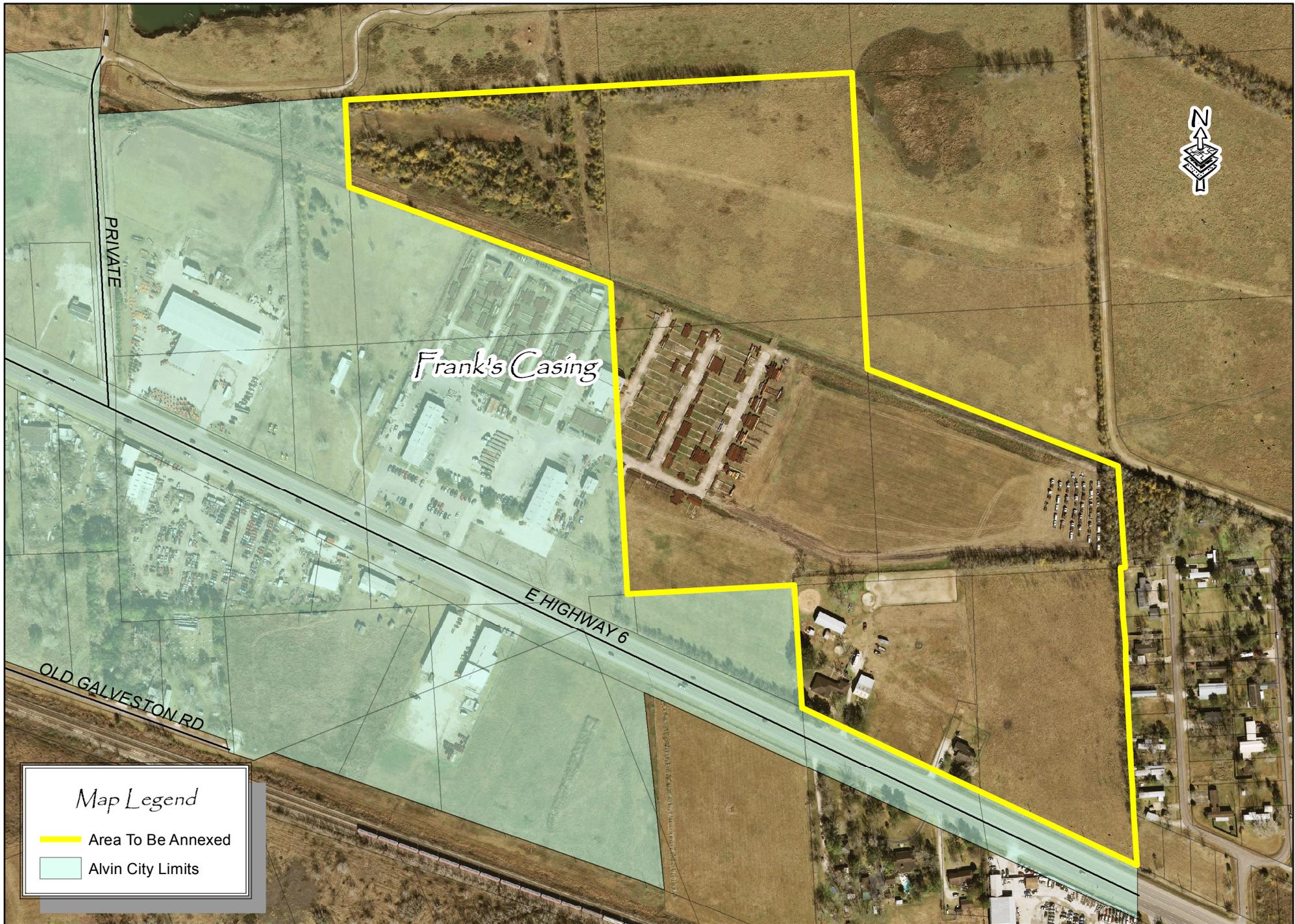
(4) **Term.** If not previously expired, this service plan expires at the end of ten (10) years.

(5) **Property Description.** The legal description of the subject property is as set forth in exhibits attached to the Annexation Ordinance to which this Service Plan is attached.

**SCHEDULE FOR VOLUNTARY ANNEXATION
FRANK'S CASING +/- 43.24 ACRES**

| DATE | ACTION/EVENT | LEGAL AUTHORITY |
|---|--|---|
| January 8, 2015 | COUNCIL BY WRITTEN RESOLUTION Directs notification to land owners; and sets two (2) Public Hearings February 19, 2015 and February 26, 2015 ; Council directs development of service plan for area to be annexed. | Loc. Gov't Code, §§ 43.063 & 43.065; Public Hearings: are on or after the 40th day but before 20th day before institution of proceedings. |
| By January 19, 2015 | NOTICE TO property owners & utility providers | Loc. Gov't Code § 43.062(a) |
| February 1st – 7th, 2015 Publish notice of First Public Hearing and send school district notice | NEWSPAPER NOTICES RE: FIRST AND SECOND PUBLIC HEARINGS ; (If applicable, certified Notice to Railroad). POST NOTICE OF HEARINGS ON CITY'S WEBSITE AND MAINTAIN UNTIL HEARINGS COMPLETE | Not less than 10 days nor more than 20 days before 1st and 2nd public hearings. Loc. Gov't Code, §43.063 (c). |
| February 8th – 14th, 2015 Publish notice of Second Public Hearings | SCHOOL DISTRICT NOTICE (notify each school district of possible impact w/in the period prescribed for publishing the notice of the First Public Hearing.) | Loc. Gov't Code § 43.905; send school district notice not less than 10 days nor more than 20 days before the First Public Hearing. |
| Ten days after the date the first notice of Public Hearing is published | LAST DAY FOR SUBMISSION OF WRITTEN PROTEST BY RESIDENTS (10 days after first newspaper notice) | Site hearing required if 10% of adult residents of tracts protest within 10 days after 1st newspaper notice. Loc. Gov't Code, § 43.063 (b) |
| February 19, 2015* | 1st PUBLIC HEARING AND PRESENT SERVICE PLAN (Not more than 40 days before the 1st reading of ordinance) <i>REGULAR MEETING</i> | Not less than 20 days nor more than 40 days before reading of ordinance. Loc. Gov't Code, §§ 43.063(a) & 43.065. |
| February 26, 2015* | 2nd PUBLIC HEARING AND PRESENT SERVICE PLAN (At least 20 days before 1st reading of ordinance.) <i>SPECIAL CALLED MEETING</i> | Not less than 20 days nor more than 40 days before reading of ordinance. Loc. Gov't Code, §§ 43.063(a) & 43.065. |
| Institution Date March 19, 2015* | FIRST READING OF ORDINANCE <i>REGULAR MEETING</i> | Date of institution of proceedings. Not less than 20 days from the second public hearing nor more than 40 days from the first public hearing. |
| April 2, 2015; Or at a special called meeting after the 1st First Reading | SECOND-FINAL READING OF ORDINANCE <i>REGULAR MEETING</i> | Not more than 90 days after 1 st reading of Ordinance § 43.064. |
| Within 30 days of Second Reading | CITY SENDS COPY OF MAP showing boundary changes to County Voter Registrar in a format that is compatible with mapping format used by registrar | Elec. Code §42.0615 |
| Within 60 days of Second Reading | CITY PROVIDES CERTIFIED COPY OF ORDINANCE AND MAPS TO: 1. County Clerk 2. County Appraisal District 3. County Tax Assessor Collector 4. 911 Addressing 5. Sheriff's Office 6. City Department Heads 7. State Comptroller 8. Franchise Holders | |

***Dates in BOLD are MANDATORY dates to follow this schedule. Please advise if deviation.**



Frank's Casing Annexation

Map Rev. Date 1/3/2015
City of Alvin, Texas
Engineering Dept GIS



AGENDA COMMENTARY

Discussion Date: 01/08/2014

Approval Date: 01/08/2014

Submitted By: Rex W. Klesel

SUBJECT:

Consider the 2015 Interlocal Agreement for Emergency Services with Brazoria County Emergency Services District #3 and authorize the Mayor to sign the agreement.

DISCUSSION:

The District paid the following amounts to the City:

2012 City received \$268,000 for Fire Services to District

2013 City received \$276,040

2014 City received \$313,040

2015 Agreement provides for payment to the City of \$318,040 for Fire services.

2012 City received \$215,000 for EMS services to District

2013 City received \$223,600

2014 City received \$232,544

2015 Agreement provides for payment to the City of \$278,772 for EMS services.

RECOMMENDATION:

Move to approve the 2015 Interlocal Agreement with ESD #3 and authorize the Mayor to sign the Agreement.

ATTACHMENTS:

- | | |
|------------------------------|----|
| 1. 2015 Interlocal Agreement | 4. |
| 2. Alvin Fire Map | 5. |
| 3. Alvin EMS Map | 6. |

Submitted by:

Rex W.
Klesel

Digitally signed by Rex W. Klesel
DN: cn = Rex W. Klesel, c = US,
o = City of Alvin, ou = Alvin Fire
Department
Date: 2010.07.26 15:45:52 -
05'00'

Department Head

Funds Available:

Finance Director

Approved as to Form:

Bobbi J
Kacz

Digitally signed by Bobbi J Kacz
DN: cn=Bobbi J Kacz, o=City of
Alvin, ou=Legal Department,
email=bkacz@cityofalvin.com, c=US
Date: 2014.12.29 21:36:10 -0600

City Attorney

Approved By:

Junru
Roland

Digitally signed by Junru Roland
DN: cn=Junru Roland,
email=jroland@cityofalvin.com,
o=City of Alvin, ou=Finance
Department, c=US
Date: 2014.12.30 15:07:49 -0600

City Manager

**INTERLOCAL AGREEMENT FOR
EMERGENCY SERVICES**

This **INTERLOCAL AGREEMENT FOR EMERGENCY SERVICES** (herein "Agreement") is entered into effective the 1st day of January, 2015, by and between **BRAZORIA COUNTY EMERGENCY SERVICES DISTRICT NO. 3** ("District"), a political subdivision of the State of Texas, organized and operating pursuant to the provisions of Section 48-e, Article III of the Texas Constitution and Chapter 775 of the Health and Safety Code and **THE CITY OF ALVIN, TEXAS** ("CITY OF ALVIN") for TEN AND NO/100 (\$10.00) DOLLARS, the mutual covenants and agreements herein contained, and other good and valuable consideration. Accordingly, **DISTRICT** and **CITY OF ALVIN** agree to the following:

I.

PARTIES

BRAZORIA COUNTY EMERGENCY SERVICES DISTRICT NO. 3 is a political subdivision of the State of Texas, organized and operating in portions of Brazoria County, Texas under Chapter 775 of the Texas Health & Safety Code. **THE CITY OF ALVIN, TEXAS** is a municipal body politic of the State of Texas. Both **DISTRICT** and **CITY OF ALVIN** propose to enter into an Agreement pursuant to the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code. The purpose of the Agreement is for **CITY OF ALVIN** to perform certain government functions and services for **DISTRICT**. Such government functions and services are limited to emergency medical services, emergency ambulance services, fire protection and suppression services to protect life and property from fire and conserve natural and human resources, and to provide rescue services (referred to herein as "emergency services") to persons and commercial interests located within the geographic boundaries of a portion of the **DISTRICT** (herein the "Service Area", as described and set forth in Exhibits "A1 - Fire" and "A2- EMS", attached hereto and incorporated by reference).

CITY OF ALVIN acknowledges and represents that it is familiar with the Service Area and agrees to provide the emergency services in accordance with this Agreement.

The parties, CITY OF ALVIN and DISTRICT, agree and acknowledge that CITY OF ALVIN shall in its sole discretion determine the manner in which to perform and deliver said emergency services, including the selection of the service provider. The parties, CITY OF ALVIN and DISTRICT, both agree and acknowledge that CITY OF ALVIN intends to select and assign the responsibility of providing such emergency services to the service area to Alvin Emergency Medical Services Department and Alvin Fire Department, departments of the CITY OF ALVIN.

II.

TERM; EARLY TERMINATION

The term of this Agreement will be for a period beginning January 1, 2015 and ending December 31, 2015. Either party may terminate this Agreement upon six months written notice to the other party, along with a copy of same to the Alvin Emergency Medical Services Department.

The term of this Agreement may be extended only upon the mutually signed agreement of both parties upon such terms and conditions as agreed to at that time.

III.

TERMS OF COMPENSATION

- (a) During the original term of this Agreement, the Compensation to be paid by DISTRICT to CITY OF ALVIN for the services to be provided by CITY OF ALVIN hereunder shall be as follows: DISTRICT to pay to CITY OF ALVIN an amount of **\$596,812.00** per annum. These payments shall be made in quarterly installments. The Parties agree that the distribution of the funds is to be **\$278,772.00** for emergency medical services and **\$318,040.00** for fire and rescue services.
- (b) In the event DISTRICT shall choose to terminate the Agreement during the term, the compensation paid to the date of termination shall be non refundable. In the event CITY OF ALVIN terminates this Agreement during the term, the compensation paid or due and payable shall be refundable to

DISTRICT based on a pro rata basis (to wit, the percentage of the term completed as of the termination date).

- (c) The CITY OF ALVIN has the sole discretion to determine how these funds are expended.

IV.

LIMITATIONS ON REPRESENTATIONS AND WARRANTIES

CITY OF ALVIN agrees to use its best efforts in carrying out its duties under this Agreement, and represents that the quality of the emergency services provided will be equal to or better than the services that had been provided in the Service Area as of January 1, 2013. Neither CITY OF ALVIN nor Alvin Emergency Medical Services Department (including its employees, volunteers or members) nor Alvin Fire Department (including its employees, volunteers or members) may waive or limit any grounds or basis of immunity or limitation of liability as a political subdivision or as a volunteer or emergency organization (as the case may be), including, but not limited to, V.T.C.A., Civil Practice & Remedies Code, Subchapter B. Tort Liability of Governmental Units, Section 101.001, et seq.

V.

DUTIES AND RESPONSIBILITIES OF THE CITY OF ALVIN AND THE DEPARTMENTS

- (a) CITY OF ALVIN agrees to provide the emergency services to the Service Area, as provided and subject to the limitations and provisions contained herein.

However, DISTRICT acknowledges that it recognizes that CITY OF ALVIN is a municipality with similar statutory obligations to its own corporate area and that the Alvin Emergency Medical Services Department and Alvin Fire Department similarly provide similar emergency services to CITY OF ALVIN. DISTRICT further acknowledges that it recognizes that the providing of necessary emergency services to DISTRICT shall not be exclusive, but shall be rendered in the context of the CITY OF ALVIN's and Alvin Emergency Medical Services Department's and Alvin Fire Department's emergency

response protocols, including CITY OF ALVIN's use and reliance from time to time on mutual aid agreements that it has or will have with other emergency services providers.

(b) CITY OF ALVIN shall provide the necessary manpower and equipment for the providing of the emergency services to the service area in accordance with this Agreement, and shall enter into and maintain reciprocal mutual aid agreements with surrounding EMS departments and fire departments when necessary or advisable.

(c) The Mayor of the CITY OF ALVIN or his/her designee shall be the liaison with DISTRICT.

(d) Notwithstanding anything in this Agreement which may be construed to the contrary, this interlocal agreement shall not operate as a merger, consolidation or annexation of one political subdivision by another.

(e) It is not the intention of the parties hereto to create a partnership or association. The duties and liabilities of CITY OF ALVIN and DISTRICT are intended to be separate and not joint or collective. Nothing contained in this Agreement and in any agreement made pursuant hereto shall ever be construed to create a partnership or association or impose a partnership duty, obligation or liability with respect to any one or more of the parties hereto.

(f) CITY OF ALVIN shall name DISTRICT as an additional insured on its liability insurance policies during the original and any extended term of this Agreement.

(g) CITY OF ALVIN, by and through its Emergency Medical Services Director and Fire Chief, shall furnish DISTRICT at or prior to the monthly meeting following the end of each fiscal quarter, a copy of the monthly reports listing the total number of runs made by Alvin Emergency Medical Services Department and Alvin Fire Department within the Service Areas for the prior quarter. Failure to provide the required quarterly reports will result in the District withholding quarterly payments until the reports are received.

(h) CITY OF ALVIN will provide to the DISTRICT an audit, or portion of the City's audit, showing the funding and expenditures for EMS and fire services funded by the DISTRICT for the prior fiscal year. The audit will be provided to the DISTRICT no later than 60 days after it is completed and accepted by the CITY.

VI.

DISPATCH COOPERATION

DISTRICT and CITY OF ALVIN both agree to cooperate in presenting any letters or Resolutions to the 911 Network and the CITY OF ALVIN's local dispatchers.

VII.

AUTOMATIC AMENDMENT

This Agreement shall be automatically amended to conform to any laws or city ordinances that are applicable to CITY OF ALVIN or DISTRICT. Should any of the provisions of this Agreement be in such conflict, the contrary provision of this Agreement shall be amended to conform to said law or ordinance.

VIII.

AMENDMENT BY MUTUAL AGREEMENT

This Agreement may be amended only by the mutually signed and written agreement of the parties.

IX.

ASSIGNABILITY

This Agreement shall not be assigned by either party regarding delivery of necessary emergency services by CITY OF ALVIN.

X.

MISCELLANEOUS

If any term or provision of this Agreement shall be held invalid or unenforceable, then the remainder of the Agreement, other than the invalid unenforceable part, shall not be affected thereby and each other term and provision of this Agreement shall be valid and be enforced to the fullest extent permitted by law.

This Agreement embodies the whole agreement of the parties and supersedes all previous communications, representations or agreements between the parties with respect to the matters contained herein.

XI.
NOTICES

All notices hereunder shall be in writing and delivered or sent Certified Mail, Return Receipt Requested to the parties at their addresses below. Notices sent to the District shall be copied to the District's counsel, Coveler & Katz, P.C. at 820 Gessner, Suite 1710, Houston, Texas 77024.

XII.
VENUE AND CONTROLLING LAW

The validity, interpretation, and performance of this Contract shall be governed by the laws of the State of Texas. This Contract is fully performable and enforceable in Brazoria County, Texas wherein venue hereunder shall lie.

CITY OF ALVIN, TEXAS

By: _____
Print Name: _____
Title: _____

Address for Notice:

Date: _____
Acknowledged:

ALVIN EMERGENCY MEDICAL SERVICES DEPARTMENT

By: _____
Print Name: _____
Title: _____

Address for Notice:

BRAZORIA COUNTY EMERGENCY SERVICES DISTRICT NO. 3

By: _____
Print Name: _____
Title: _____

Address for Notice:
P.O. Box 1253
Manvel, TX 77578
Date: _____
Acknowledged:

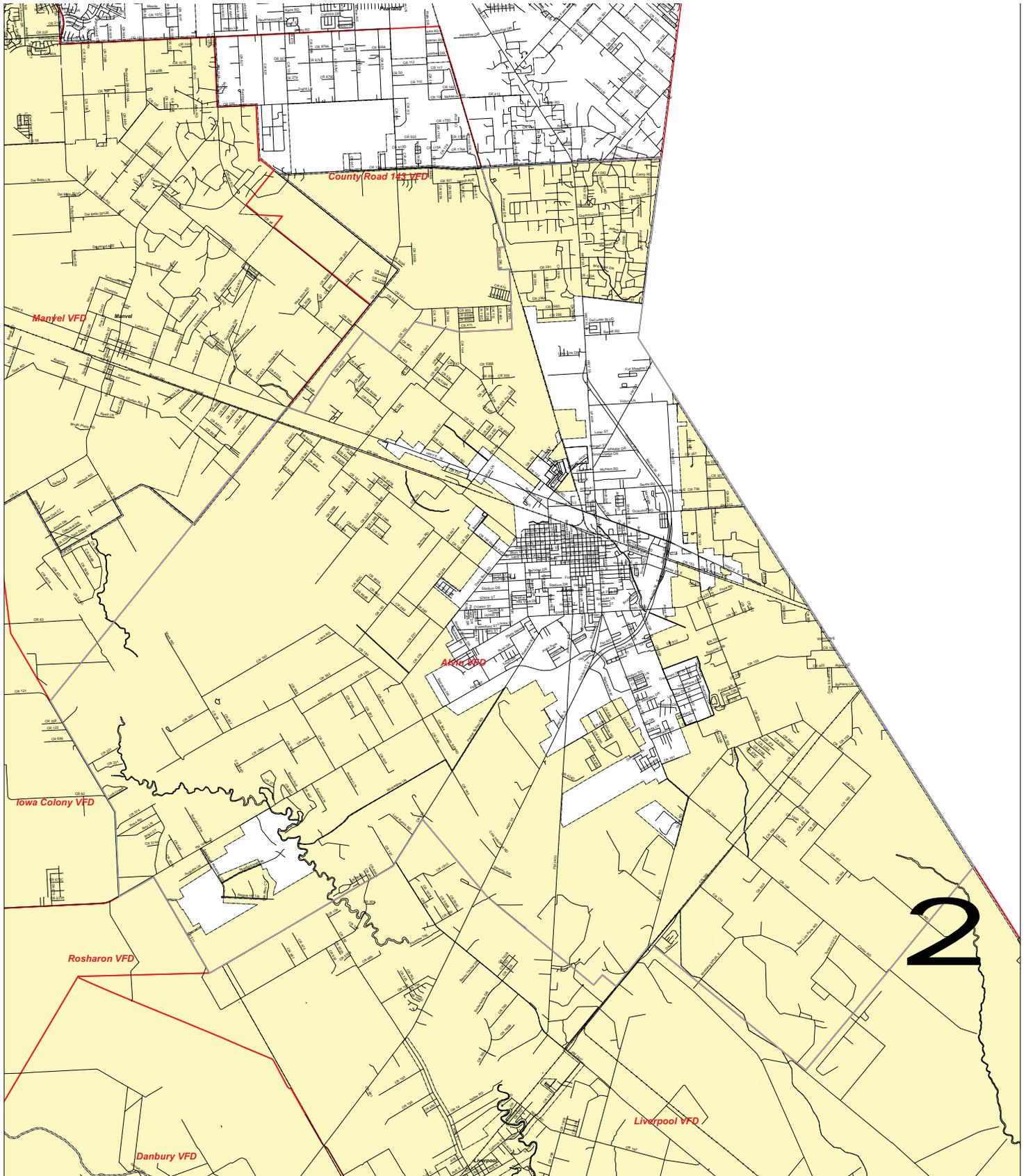
ALVIN FIRE DEPARTMENT

By: _____
Print Name: _____
Title: _____

Address for Notice:

EXHIBIT "A-1 Fire"

EXHIBIT "A-2 EMS"





AGENDA COMMENTARY

Discussion Date: 01/08/2015

Approval Date: 01/08/2015

Submitted By: Brian Smith

SUBJECT:

Consider approval of payment of project close out costs, including change orders, in an amount not to exceed \$33,015.47 to Jamail & Smith Construction, L.P. for the Wastewater Treatment Plant office and facility remodel project.

DISCUSSION:

On January 9, 2014, council approved the rehabilitation of the Wastewater Treatment Facility and the repainting of the Elevated Storage Tank on Verhalen Road using remaining bond proceeds from the 2005, 2006, and 2008 bonds. These projects are complete. Staff is requesting council's approval of payment of project close-out costs, including change orders, not to exceed \$33,015.47, to close out these projects.

RECOMMENDATION:

Move to approve payment of project close-out costs, including change orders, in an amount not to exceed \$33,015.47 to Jamail & Smith Construction, L.P. for the Wastewater Treatment Plant office and facility remodel project.

ATTACHMENTS:

- | | |
|---|----|
| 1. Contractor's application for payment | 4. |
| 2. | 5. |
| 3. | 6. |

Submitted by:

Brian
Smith

Digitally signed by Brian Smith
DN: cn=Brian Smith, o=City of Alvin, ou=PSF, c=US
Date: 2014.11.25 07:56:20 -06'00'

Department Head

Funds Available:

Junru
Roland

Digitally signed by Junru Roland
DN: cn=Junru Roland,
email=jroland@cityofalvin.com, o=City of Alvin, ou=Finance Department,
c=US
Date: 2014.12.23 15:38:48 -06'00'

Finance Director

Approved as to Form:

Bobbi J
Kacz

Digitally signed by Bobbi J Kacz
DN: cn=Bobbi J Kacz, o=City of Alvin, ou=Legal Department,
email=bkacz@cityofalvin.com, c=US
Date: 2014.12.29 21:48:22 -06'00'

City Attorney

Approved By:

Junru
Roland

Digitally signed by Junru Roland
DN: cn=Junru Roland,
email=jroland@cityofalvin.com,
o=City of Alvin, ou=Finance Department, c=US
Date: 2014.12.30 15:57:29 -06'00'

City Manager

JAMAIL & SMITH CONSTRUCTION, LP

16511 Hedgecroft, Suite 208
Houston, TX 77060
Ph: (713) 842-1565

Letter of Transmittal

To: Brian Smith
City of Alvin-Public Services
3625 Briscoe Dr
Alvin, TX
Ph: 281-388-4315 Fax: 281-388-4340

Transmittal #: 10

Date: 11/10/2014

Job: 04-14-0010 Alvin PS-Waste Water Facility

Subject: Close outs and invoice

WE ARE SENDING YOU

| | | | |
|--|---|---|----------------------------------|
| <input checked="" type="checkbox"/> Attached | <input type="checkbox"/> Under separate cover via None the following items: | | |
| <input type="checkbox"/> Shop drawings | <input type="checkbox"/> Prints | <input type="checkbox"/> Plans | <input type="checkbox"/> Samples |
| <input type="checkbox"/> Copy of letter | <input type="checkbox"/> Change order | <input type="checkbox"/> Specifications | <input type="checkbox"/> Other |

| Document Type | Copies | Date | No. | Description |
|---------------|--------|----------|------------|--|
| CLOSE OUTS | 2 | 11/10/14 | 04-14-0010 | Alvin PS-Waste Water Facility Close outs |
| Invoice | 3 | 11/10/14 | 04-14-0010 | Alvin PS-Waste Water Facility Retainage Invoice 118525 |

THESE ARE TRANSMITTED as checked below:

- | | | |
|---|---|---|
| <input type="checkbox"/> For approval | <input type="checkbox"/> Approved as submitted | <input type="checkbox"/> Resubmit ___ copies for approval |
| <input type="checkbox"/> For your use | <input type="checkbox"/> Approved as noted | <input type="checkbox"/> Submit ___ copies for distribution |
| <input type="checkbox"/> As requested | <input type="checkbox"/> Returned for corrections | <input type="checkbox"/> Return ___ corrected prints |
| <input type="checkbox"/> For review and comment | <input type="checkbox"/> Other | |
| <input type="checkbox"/> FOR BIDS DUE | <input type="checkbox"/> PRINTS RETURNED AFTER LOAN TO US | |

Remarks:

Copy To:

From: Monica Montemayor (Jamail & Smith Constructic

Signature: _____

TO OWNER: City of Alvin-Public Services
 3625 Briscoe Dr
 Alvin, TX
 PROJECT: Alvin-Waste Water Off & Facili
 4238 CR 160 Stuart Rd
 Alvin, Tx

FROM CONTRACTOR: Jamail & Smith Construction
 16875 Diana Lane
 Houston, TX 77058
 VIA ARCHITECT:

CONTRACT FOR:

APPLICATION NO: 06
 DRAW NO: Draw0006
 INVOICE NO: 118525
 PERIOD TO: 11/30/14
 CONTRACT DATE: 2/10/2014
 PO/WO/JL # 2014000996
 FUND #

Distribution to:
 OWNER
 ARCHITECT
 CONTRACTOR

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract.
 Continuation Sheet, AIA Document G703, is attached.

| | |
|--|---------------|
| 1. ORIGINAL CONTRACT SUM | \$ 614,870.06 |
| 2. Net change by Change Orders | \$ 45,438.92 |
| 3. CONTRACT SUM TO DATE (Line 1 ± 2) | \$ 660,308.98 |
| 4. TOTAL COMPLETED & STORED TO DATE (Column G on G703) | \$ 660,308.98 |

5. RETAINAGE:
 a. _____ % of Completed Work \$ _____
 (Column D + E on G703)

b. _____ % of Stored Material \$ _____
 (Column F on G703)

| | |
|--|---------------|
| Total Retainage (Lines 5a + 5b or Total in Column I of G703) | \$ 0.00 |
| 6. TOTAL EARNED LESS RETAINAGE (Line 4 Less Line 5 Total) | \$ 660,308.98 |

7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 form prior Certificate) \$ 627,293.51

8. CURRENT PAYMENT DUE \$ 33,015.47

9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6) \$ 0.00

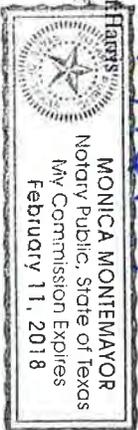
| CHANGE ORDER SUMMARY | ADDITIONS | DEDUCTIONS |
|--|-----------|------------|
| Total changes approved in previous months by Owner | 45,438.92 | |
| Total approved this Month | | |
| TOTALS | 45,438.92 | |
| NET CHANGES by Change Order | 45,438.92 | |

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates of Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: Jamail & Smith Construction

By:  Date: 11/10/14

State of: Texas County of: Harris
 Subscribed and sworn to before me this _____ day of _____
 Notary Public: 
 My Commission expires: 2.11.18



ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED\$ _____

(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)
 ARCHITECT:

By: _____ Date: _____
 This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights the Owner or Contractor under this Contract.



AGENDA COMMENTARY

Discussion Date: 01/08/2015

Approval Date: 01/08/2015

Submitted By: Brian Smith

SUBJECT:

Consider authorization for the repair of a 33" sewer main by IPR South Central, through the Houston Galveston Area Council (HGAC) in an amount not to exceed \$61,500; and authorize Mayor to sign related documents.

DISCUSSION:

Recently City crews made repairs to a 33' Sewer Main located in Summerset Subdivision. A permanent repair is needed to prevent future breaks on this segment of line due to it being the main trunk line from the city to the treatment plant. City staff contacted IPR and received a HGAC quote to perform this work.

Funding for this sewer main repair will be paid out of remaining bond proceeds allocated for water & sewer system improvements.

RECOMMENDATION:

Move to authorize the repair of a 33" sewer main by IPR South Central, through the HGAC in an amount not to exceed \$61,500; and authorize Mayor to sign.

ATTACHMENTS:

- | | |
|---------------|----|
| 1. HGAC Quote | 4. |
| 2. | 5. |
| 3. | 6. |

Submitted by:

**Brian
Smith**

Digitally signed by Brian Smith
DN: cn=Brian Smith, o=City of Alvin, ou=PSF, c=US
Date: 2014.11.25 07:56:20 -06'00'

Department Head

Funds Available:

**Junru
Roland**

Digitally signed by Junru Roland
DN: cn=Junru Roland, email=jroland@cityofalvin.com, o=City of Alvin, ou=Finance Department, c=US
Date: 2014.12.30 15:55:51 -06'00'

Finance Director

Approved as to Form:

**Bobbi J
Kacz**

Digitally signed by Bobbi J Kacz
DN: cn=Bobbi J Kacz, o=City of Alvin, ou=Legal Department, email=bkacz@cityofalvin.com, c=US
Date: 2014.12.29 21:58:29 -06'00'

City Attorney

Approved By:

**Junru
Roland**

Digitally signed by Junru Roland
DN: cn=Junru Roland, email=jroland@cityofalvin.com, o=City of Alvin, ou=Finance Department, c=US
Date: 2014.12.30 15:56:28 -06'00'

City Manager



AGENDA COMMENTARY

Discussion Date: 01/08/2015

Approval Date:

Submitted By: Michelle H. Segovia

SUBJECT:

Staff to provide Council with an update on the Quiet Zone Project.

DISCUSSION:

City Staff along with representatives from HDR, to update the Council on the Quiet Zone Project.

RECOMMENDATION:

No action to be taken.

ATTACHMENTS:

- | | |
|----|----|
| 1. | 4. |
| 2. | 5. |
| 3. | 6. |

Submitted by:
Michelle Segovia
Digitally signed by Michelle Segovia
DN: cn=Michelle Segovia, o=City of Alvin,
ou=Engineering,
email=msegovia@cityofalvin.com, c=US
Date: 2014.12.18 14:50:20 -0600
Department Head

Funds Available:
Bobbi J Kacz
Finance Director

Approved as to Form:
Bobbi J Kacz
Digitally signed by Bobbi J Kacz
DN: cn=Bobbi J Kacz, o=City of
Alvin, ou=Legal Department,
email=bkacz@cityofalvin.com, c=US
Date: 2014.12.29 20:40:57 -0600
City Attorney

Approved By:
Junru Roland
Digitally signed by Junru Roland
DN: cn=Junru Roland,
email=jroland@cityofalvin.com,
o=City of Alvin, ou=Finance
Department, c=US
Date: 2014.12.30 15:37:30 -0600
City Manager