

NOTICE OF PUBLIC MEETING

BE IT KNOWN that the **City Council** of the **City of Alvin** will meet in **Regular Session** on **Thursday, February 5, 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. Presentation by Tom Stansel, Chief Operations Officer of the Alvin Museum Association on the Karpeles Museum.

5. APPROVAL OF MINUTES

- A. Approve minutes of the January 22, 2015 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. PUBLIC HEARING - NONE

9. CONSENT AGENDA: CONSIDERATION AND POSSIBLE ACTION:

All items listed under the Consent Agenda are considered to be routine, and require little or no deliberation by City Council. These items will be enacted/approved by one motion unless a Council member requests separate action on an item, in which event the item will be removed from the Consent Agenda and considered by separate action. Approval of the Consent Agenda enacts the items of legislation and authorizes implementation of other items.

- A. Consider approval of Alternate Judge Michael Merkel to attend state required educational training in Houston, Texas from March 15-17, 2015.

- B. Consider street closure request for the Alvin Sunrise Rotary 2015 Music Festival and BBQ Cookoff being held at Briscoe Park: Briscoe Drive (directly after the second parking lot entrance/exit of the YMCA) beginning 12:00 p.m. Thursday, March 26, 2015 and ending Sunday March 29, 2015 12:00 p.m.

10. MATTERS REMOVED FROM CONSENT AGENDA

11. OTHER BUSINESS:

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

- A. Consider the Agreement with Brazoria County for funding through the Brazoria County Community Development Block Grant (CDBG) Program in the amount of \$273,000.00 for park improvements; and authorize the Mayor to sign.
- B. Hear concerns from Mr. Chris Hartman regarding the parking of 18 wheelers on the property located at 1900 Rosharon Road.
- C. Discuss concerns regarding code violations within the city.
- D. Presentation by city staff relating to the pending request for issuance of a temporary certificate of occupancy for the Karpeles Manuscript Library Museum at 800 W. Sidnor St.
- E. Consider the appropriation of \$20,000.00 from the Hotel Occupancy Tax Fund to the Karpeles Museum for the purpose of promoting tourism; contingent upon completion of the museum building located at 800 W. Sidnor Street based on the City's issuance of a Certificate of Occupancy.
- F. Consider request from Progressive Waste to change the weekly pickup day from Wednesday to Monday for the area bounded by West House Street to the north, Davis Bend Road to the west, Callaway Drive to the east and Owen Street / Hicklin Street to the south, including the cul-de-sacs off Owen Street.
- G. Consider authorizing the City Attorney to draft an Addendum to the Contract with Progressive stating the change in terms of the contract for a citywide collection of unbundled items with Progressive's bulk truck for services above and beyond the current weekly collection.
- H. Consider a variance request submitted by Lonnie Cole requesting Council to temporarily allow two (2) residences on a single lot and waive the prohibition of two (2) single family dwellings on a single lot, parcel or tract pursuant to Sec 21-8 Offenses (A) in order to allow Mr. Cole to construct a new home on the same lot as his existing home (920 CR CR 737A; AKA Newton Drive).
- I. Consider Ordinance 15-D; establishing a " No Parking" zone along the east side of Hood Street beginning at a point 454 feet north of the north edge of South Street and extending northward a distance of 477 feet along Hood Street as depicted in Exhibit "A" attached hereto; authorizing installation of appropriate signage; providing for a penalty and publication of this ordinance; and setting forth other provisions related thereto; first reading.
- J. Consider Ordinance 15-E; establishing a "No Parking" zone along the streets comprising the entrance to the Forest Heights Subdivision as depicted in Exhibit "A" attached hereto; authorizing installation of appropriate signage; providing for a penalty and publication of this ordinance; and setting forth other provisions related thereto; first reading.

- K. Consider Resolution 15-R-05 supporting the proposed countywide joint elections and the implementation and use of voting centers within Brazoria County.
- L. Consider Resolution 15-R-06 establishing the procedure for the May 9, 2015 General Election in Alvin Texas and providing for related matters thereto.
- M. Accept the resignation of Marilyn Thomas from the Senior Citizens Board; and consider the appointment of a new member to the Senior Citizens Board.
- N. Update and discussion regarding the parking space orientation along the 100-200 blocks of Sealy Street.

12. REPORTS FROM CITY MANAGER

- A. Review preliminary list of items for the Council meeting of February 19, 2015.
- B. Items of Community Interest.

13. 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.

14. ADJOURNMENT

I hereby certify that this Public Notice was placed on the Official Bulletin Board at City Hall on THURSDAY, JANUARY 29, 2015 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.

Karpeles Manuscript Museum Alvin

Tom Stansel

COO

Alvin Museum Society

alvinms@att.net

281 331-4469



Disclaimer

- The Alvin Museum Society has no affiliation with the Karpeles Manuscript Museum
- We are not empowered to speak for the Karpeles
- This presentation is based on the information available to us

Karpeles Manuscript Museums Background

- Founded in 1983 by Dr. David Karpeles
 - Dr. Karpeles is a California philanthropist
- 501,c,3 Nonprofit
- Largest private collection of manuscripts in the world
 - Over one million items worth over one billion dollars
- Quote from Dr. Karpeles
 - *“Our children have no sense of purpose and few goals. They make no commitments for fear that they will make mistakes and fail. They see our mistakes but are blind to our accomplishments ... It is to cure this lack and thereby fulfill my own desire to renew the sense of purpose for our children and ourselves that the Karpeles Manuscript Library has been created.”*
- Open the only Texas branch of the Karpeles Museums
 - Closest museum is Shreveport, La.
- Alvin Director - Steve Jones
- Website: <http://www.karpeles.org>

Karpeles Background cont.

- Offers programs to all school levels, colleges, and churches in areas where his museums are located
 - Cultural Literacy Program
 - “The message points out that the daily difficulties, misdirections and errors that we make are no different than those made by everyone, including the most famous names in history. “
 - School Outreach Program
 - “a particular topic may be chosen by the teacher(s). The Library will prepare an exhibit on that topic, which can be viewed at the Museum or taken directly into the school library.”
 - Mini-Museums in schools and colleges
 - Educational exhibits of manuscript reproductions of various topics, whether historical, literary, political, musical, or scientific on a on-going (changed every 2 months), permanent basis.
 - Museums
 - 14 Across the United States
 - Exhibits rotate every 4 months
- All programs and museum admissions are **Free**

Karpeles Background cont.

- Tries to select architecturally significant buildings to house his museums to save the structures
- Collection includes items such as
 - Original Bill of Rights with authors' notes in the margins
 - Cover letter for the Declaration of Independence
 - Certification signed by Charles Lindbergh upon his arrival in France
 - Letters from King Phillip II to the commander of the Spanish Armada
 - Original instructions to Sir Francis Drake to defend against the Armada
 - Original drafts of the screenplay of the movie The Wizard of OZ
 - Handwritten draft of Beethoven's Emperor Concerto

Methodist Church Bldg. History

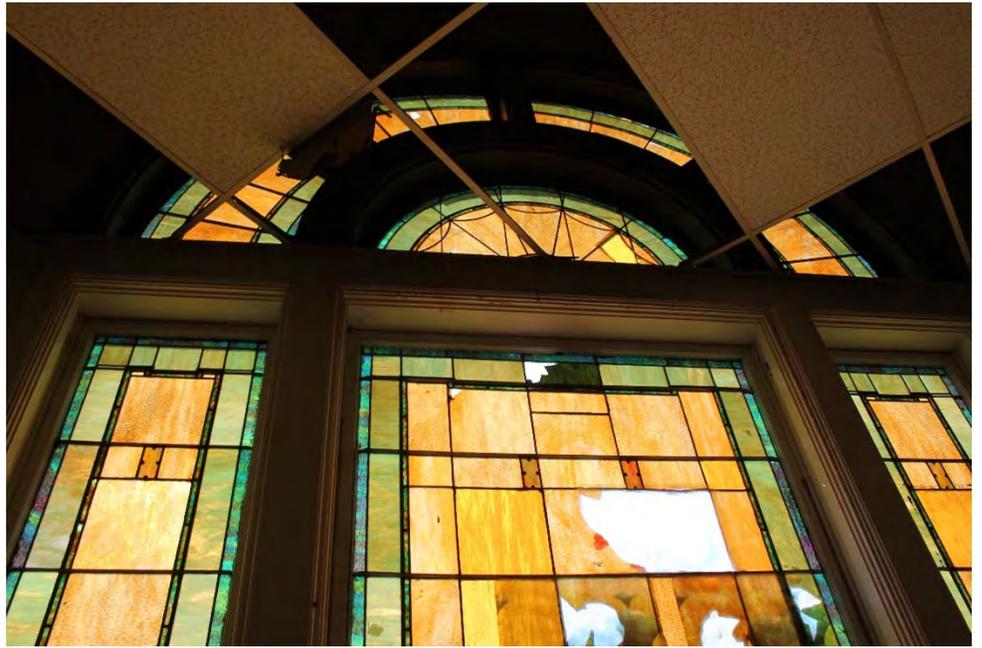
- Dr. David Karpeles purchased the old First Methodist Church building about 3 ½ Years ago
 - Church was built in 1925
 - Members purchased 36,000 bricks at \$1.00 each to finance the building
 - It is (in our opinion) the most architecturally interesting building still standing in Alvin

Condition of Church When Purchased

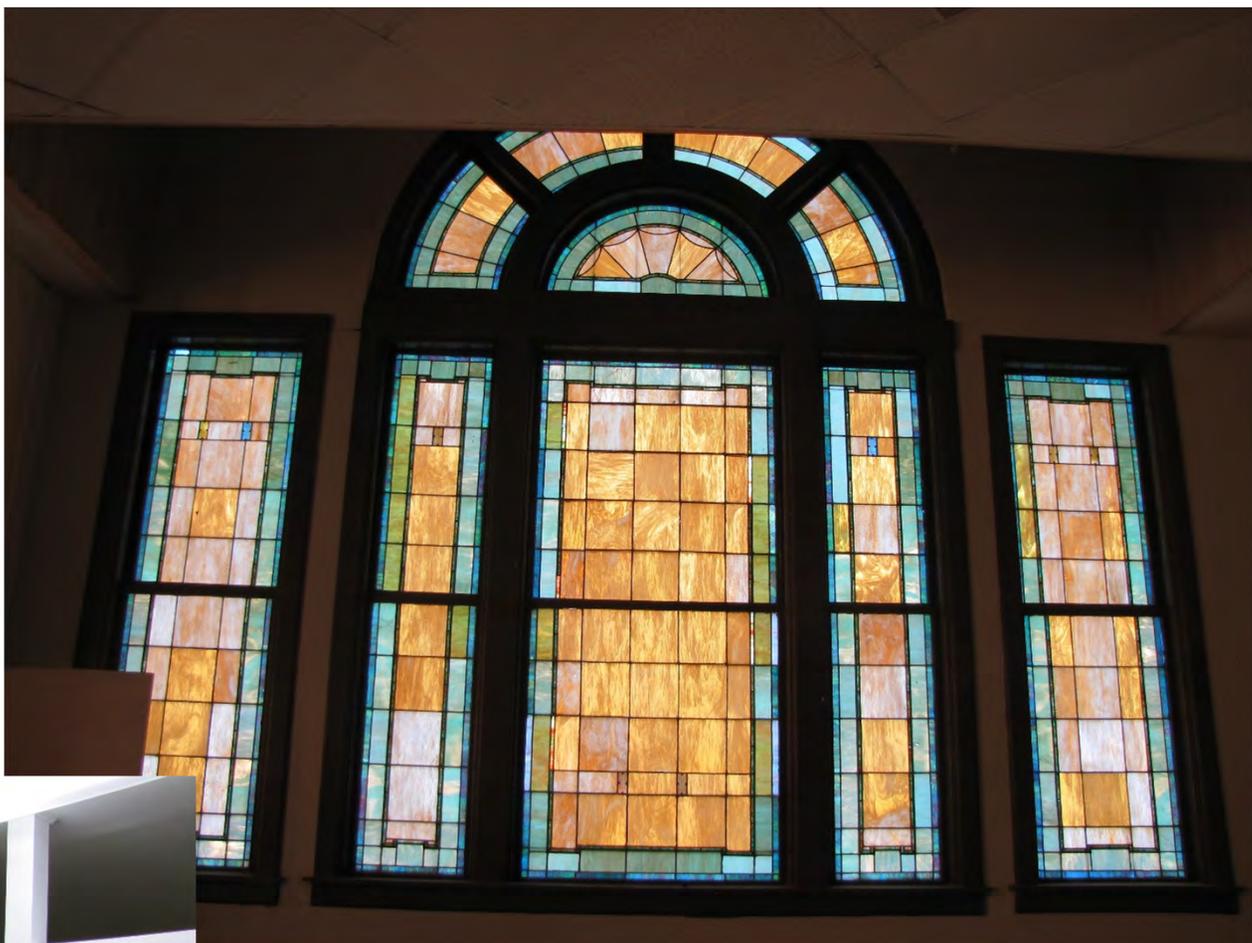
- The building was full of rubbish
 - 17 roll off containers were filled to empty the building
- Roof was leaking
- Stained glass windows had many panes broken out
- Rot in stained glass arch
- Mold in basement
- Rotten sections of floor
- Although the building was still structurally sound, it was in a downward spiral on its way to demolition

Repair Summary

- Replaced roof
- Repaired stained glass windows and frames
- Made bathrooms handicap accessible
- Repaired floors and walls on main floor
- Corrected ceiling to show full windows
- Mold elimination and inspection in basement
- Drywall, refinished floors, painted, stained etc.









Who Benefits From the Karpeles?

- Citizens of Alvin
- Alvin Museum Society
- Merchants of Alvin
- Children of Alvin, AISD, ACC
- Churches
- Tourism
 - Will draw visitors from South Texas and Louisiana
 - Many will visit 3 times a year when the exhibits rotate

Summary

- Karpeles offers many programs that would greatly benefit the Alvin area – FREE
- Karpeles has worked on the old Methodist Church building for over 3 years
- Karpeles has (at Least temporally) saved the building
- To bring this project to completion, Karpeles has requested
 - To be given a list of safety items to resolve in order to temporarily open
 - While continuing other required repair work
- In the meantime Karpeles has put the building up for sale

Summary

- **We, however, are requesting help for the Karpeles Museum to keep it in Alvin**
 - The Karpeles is **unique** and deserves our support
 - They are a 501,c,3 charity
 - They saved the Methodist Church building
 - All their services are free to the community
 - The benefits will last for years (not just one weekend)
 - We are requesting \$20,000 from the Hotel/Motel Tax Fund to help defray some of the expenses still required to open the museum and **to show that Alvin wants this museum in Alvin**

A Request from the Alvin Community

- **Dr. Karpeles is a California philanthropist who has spent many years collecting significant documents and currently has a collection of over 1 million original manuscripts (the largest private collection in the world). He has opened over a dozen manuscript museums around the United States where his huge collection is displayed. His museums do not charge an admission fee and he has also instituted a program of taking copies of the manuscripts to local schools as a free educational tool. Alvin has been incredibly fortunate to have Dr. Karpeles select Alvin (the only site in Texas) as a site for one of his museums. He has purchased the old Methodist Church on Johnson Street and has been restoring this historic building for over 3 years but due to rising costs and building code issues, he is considering relocating elsewhere.**
- ***We request the Mayor and City Council make every effort to ensure this museum locates in our city including making available funds from the Hotel-Motel Tax Fund.***

Bill Hasse
Clarece Hasse
Jay Hawkins
Doyle Swindell
Richard Klapper
Larry Nelson
Pat Klopp
Trent Klopp
Joyce Kubeczka
Ricky Kubeczka
Bob Adams
Ruby Adams
Bill Agrella
Cathy Agrella
Barbara Biggers
Bill Blunk
Lynne Blunk
Ann Brotherton
Mary Bruce
Brittany Brumbelow
Jeff Brumbelow

Joe Schneider
Judy Scott
Alice Segers
Mike Segers
Nan Self
Darren Shelton
Clyde Shepherd
Joy Shepherd
Alice Sloan
Paul Sloan
Beth Nelson
Adam Flores
Rose Mary Fordinal
Susan Fox
Martha Franzen
Terrell Franzen
K. D. Freeman
Willie May Freeman
Kathy Gilstrap
Pam Goergen
Charlie Goodson

Marsha Crainer
Ron Mercer
Rick Powledge
Pamela Powledge
Tom Stansel
Carl Ellis
Wayne Bell
Brenda Brown
Morgan Brumbelow
Paulette Brumbelow
Barbara Brzezinski
Richard Brzezinski
Bill Crider
Elke Crow
Bill DeWitt
Georgia DeWitt
Virginia Eernisse
Vicky Elliott
JoDell Stansel
Vicki Arendell-Ennis
Bettye Epperson

Nancy Goodson
Rachel Grimmett
Lupe Gutierrez
Wineva Hankamer
Claudia Hayslip
John Hayslip
Betty Hodges
Amanda Hoffpauir
Aubrey Horner
Lois Horner
Mary Huber
Nancy Nelson
Sylvia Nelson
Matt Ober
Roy Pearson
Pam Powledge
Rick Powledge
Jeanette Rau
Martha Rolingson
Noel Hankamer
Michael Anne Bryant

Eileen Jasper
John Jasper
Nancy Jermain
Pam Leitner
Barbara Lenamon
Joyce Lewis
Nancey Lobb
Donna Loftin
Milton Loftin
Katheryn Mattes
Tom Mattes
Fred Thomas
Christi A. Turner
Nelva Urick
Nelva Urick
Jean Vance
Wade Vance
Floyd Vanderford
Sandra Vanderford
Mona Travis
Linda Carter

Charles McCauley
Peggy McCauley
Robert McCauley
Gloria Mercer
Carolyn Evans
Emmit Miller
JoAnn Miller
John W. Evans
Don Nelson
Jimmy Nelson
Linda Klapper
Donna Walleck
Val Walleck
Margie West
Janie Whitaker
June Wyatt
Judy Zavalla
Roy Waldrep
Judy Stracener
Marcia Bunch
Tiffany Wennerstrom

John Wennerstrom

Mike Bass

Cheryl Knape

Sheila Olson

Bobbie Case

Pete Vincent

Don Childs

Debbi Fontenot

Debbie Orrenamaa

Shirley Brothers

Ann Brotherton

Scot Bryant

Megan Prejean

MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
REGULAR CITY COUNCIL MEETING
THURSDAY JANUARY 22, 2015
7:00 P.M.

CALL TO ORDER

BE IT REMEMBERED that, on the above date, the City Council of the City of Alvin, Texas, met in Regular Session at 7:00 P.M. in the Council Chambers at City Hall, with the following members present: Mayor Paul A. Horn, and Council members: Gabe Adame, Adam Arendell, Brad Richards, Roger Stuksa and Keith Thompson. Also present: Junru Roland, Interim City Manager; Bobbi Kacz, City Attorney; and Grace Cruzen, Deputy City Clerk. Absent was Councilmember Scott Reed.

INVOCATION

Reverend Charles Smith of First Christian Church gave the Invocation.

PLEDGE OF ALLEGIANCE

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

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

SPECIAL PRESENTATIONS

There were no special presentations.

APPROVAL OF MINUTES

Approve minutes of the January 8, 2015 Regular City Council meeting.

Councilmember Stuksa moved to approve the regular City Council meeting minutes of January 8, 2015. Seconded by Councilmember Thompson; the motion to approve carried on a vote of 6 Ayes.

PETITIONS OR REQUESTS FROM THE PUBLIC

There were no petitions or requests from the public.

REPORTS FROM CITIZENS BOARDS, COMMISSIONS, AND COMMITTEES

No reports were given.

PUBLIC HEARING

There was no public hearing.

CONSENT AGENDA

Consider Ordinance 15-A (abandoning ROW between 2 parcels that front Dickinson Road) 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; second reading.

Consider Ordinance 15-C (budget amendment to fund architectural predesign services of City Hall renovations) 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; second reading.

Consider closure of City streets for the 2015 Alvin Rotary Club Frontier Day Parade & Car Show on Saturday, April 25, 2015 for the following streets and times:

Parade - 9:00 a.m.; beginning and ending at the Alvin High School Football Stadium (AHS); Street Closure request along parade route: South on College Dr., E. on Stadium Dr., N. on Johnson St., E. on Adoue, N. on Gordon, W. on Sealy, S. on Johnson, W. on Adoue, South on Second St. ending at AHS stadium parking lot.

Car Show - 7:00 a.m. – 4:00 p.m.; National Oak Park; Street Closure Request: Depot Centre Blvd @ E. Sealy St, Depot Centre Blvd @ E. Sidnor St., E. Sidnor St. @ Depot Centre Blvd, E. Sidnor St. @ Magnolia St., Entrance to National Oak Park parking lot @ E. Sidnor St.

Consider approval of out of state travel for Amy Mallett (Utility Billing Supervisor) from May 3 – 6, 2015 to Atlanta, Georgia, to attend the Tyler Tech (Incode) Conference for software training related to Utility Billing.

Item C was removed by Councilmember Arendell. Councilmember Droege moved to approve the remaining items on the Consent Agenda. Seconded by Councilmember Adame; motion to approve carried on a vote of 6 Ayes.

MATTERS REMOVED FROM CONSENT AGENDA

Consider Ordinance 14-JJ (amendment to allow upright grave markers) 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; second reading.

Councilmember Arendell asked if the ordinance contained the changes on the measurements. The City Attorney responded that the changes were incorporated into the second reading of Ordinance 14-JJ. Councilmember Arendell moved to approve 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; second reading. Seconded by Councilmember Thompson; the motion to approve carried on a vote of 6 Ayes.

OTHER BUSINESS:

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

Mr. Junru Roland, Interim City Manager, presented the financial report for December 2014.

Councilmember Droege moved to acknowledge receipt of the December 2014 financial report. Seconded by Councilmember Thompson; motion to approve carried on a vote of 6 Ayes.

Receive and acknowledge the quarterly investment report.

Mr. Roland presented the quarterly investment report for the quarter ending December 2014.

Councilmember Adame moved to acknowledge receipt of the quarterly investment report for the quarter ending December 2014. Seconded by Councilmember Richards; motion carried on a vote of 6 Ayes.

Presentation and discussion from Code Compliance Division on the department's progress and goals.

Mayor Horn announced that he had been advised by the City Attorney that due to the way this item is written on the agenda only matters concerning code compliance could be discussed. He stated that legally the Johnson Street Museum and the carport on Bypass 35 could not be discussed as it is not listed on the agenda. Mayor Horn requested that an item be placed on the next agenda to discuss everything and anything dealing with codes: building, fire and code compliance or any other codes.

Brain Smith, Public Works Director, introduced Kacey Roman, Code Supervisor. Ms. Roman gave a presentation of the Code Compliance Department. She explained the different areas that code compliance is responsible for, and the officers in her department that oversee such. She gave statistical information on the number of violations, cases and actions taken in 2014. Ms. Roman explained the process involved when there is a code violation. Under accomplishments of the department, she explained the reinstatement of the dangerous building program, commencement of mowing properties and establishing a fix rate for mowing. Ms. Roman also informed the Council on the goals of the department: updating ordinances relevant to the department, computerization of records, apartment inspection program, and the implementation of a swimming pool inspection program.

Councilmember Adame inquired about the time frame for junked vehicles. He expressed concern on maintaining the city's corridors. He commended the efforts of Keep Alvin Beautiful for improving the entry ways of Alvin. He requested that the overpass at Bypass 35 and Hwy. 6 be improved. Councilmember Droege also requested that the main corridor be maintained. Mayor Horn requested that citizens be provided with a response whenever they file a complaint. He also requested that a review be done on old ordinances. Councilmember Thompson inquired about the terminology of "grandfathering" as it applies to code compliance ordinances.

Consider entering into a Chapter 380 Agreement with Tomasso's Italian Grill and Seafood Market; and authorize Mayor to sign.

Sal Achille of Tommaso's Italian Grill and Seafood Market is proposing several improvements to the existing facility at 507 North Gordon Street. He is requesting to construct a palapa over the patio area and add a dynamic reader board to the main pylon signage. For this consideration, he will be taking down the complete pylon signage next to the Mustang Bayou bridge as a beautification enhancement to the downtown area, and within one year, come into compliance on the building signage by removing two of the three existing signs on the face of the structure.

Larry Buehler briefed the Council on the Chapter 380 Agreement with Tomasso's Italian Grill and Seafood Market. Mr. Sal Achille explained to the Council his project and answered questions.

Following discussion, Councilmember Droege moved to enter into a Chapter 380 Agreement with Tomasso's Italian Grill and Seafood Market; and authorize Mayor to sign. Seconded by Councilmember Adame; motion to approve carried on a vote of 6 Ayes.

Consider Ordinance 15-F (budget amendment funding a \$5,000 increase to Keep Alvin Beautiful) 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 2014-15 by approving "Budget Amendment 3" to the original 2014-15 budget; providing for supplemental appropriation and/or transfer of certain funds as set forth in the attached Exhibit A for Keep Alvin Beautiful in the amount of \$5,000; and providing for other matters related thereto - first reading.

Each year, the city budgets funds to contribute to Keep Alvin Beautiful (KAB). For fiscal year 2014-15, the city adopted a \$15,000 budget to provide to KAB. Councilman Stuksa is requesting that the 2014-15 budget be amended to increase the City's contribution to KAB by \$5,000. As it has been the City's practice to budget contributions to KAB from the Sanitation Fund, if council approves this amendment, KAB will need to restrict the use of the City's \$5,000 contribution to activities related to solid waste collection and/or disposal services.

Mayor Horn explained that all budget amendments will be presented at one time during the year (mid-year budget adjustment) with the exception of an emergency budget amendment.

Following discussion, Councilmember Stuksa moved to process the budget amendment, funding a \$5,000 increase to Keep Alvin Beautiful, during the time the Chief Finance Officer makes his budget amendments at one time (mid-year budget amendment). Seconded by Councilmember Arendell; motion to approve carried on a vote of 6 Ayes.

Consider Ordinance 15-G (amendment to reduce the fee charged for a Temporary Food Establishments permit) amending Chapter 28, Comprehensive Fee Ordinance, of the Code of Ordinances, City of Alvin, Texas for the purpose of reducing the fee amount for permits for Temporary Food Establishments; providing an effective date; and setting forth other provisions related thereto.

Staff recommends the fee for temporary food establishments remain at \$50 due to the cost of inspections by city staff.

Following discussion, Councilmember Thompson moved to keep the temporary food establishment fee at \$50.00 due to the cost of inspections. Seconded by Councilmember Stuksa; motion carried on a vote of 6 Ayes.

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.

This agreement reflects the duties and obligations of the City and the C&R for the detention pond project. This agreement does not provide the entire scope of work or costs for this project as additional sources and contractors will need to be engaged to complete the project.

Bobbi Kacz, City Attorney stated that this MOU designates the City's duties and the C&R Districts duties regarding the excavation portion of this project. The City Attorney mentioned that the City is paying for the fuel to cover the cost of the excavator and/or if there is dozier used.

Brian Smith, Public Works Director, explained that the City will have a big part in the digging of the detention pond and that other projects within the city will more than likely have to be put on hold in order to accommodate this project. He will make sure there will be city staff and equipment available. He explained out of the three crews there will be one or two crews working on the detention pond. The Mayor asked that Mr. Smith provide estimated costs to be included in the mid-year budget adjustment. Mr. Roland reviewed the estimated cost for this project that was provided to him by the C&R District#3.

The City Attorney explained that there are three property owners that will accept the free dirt.

Following discussion, Councilmember Adame moved to approve the 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. Seconded by Councilmember Droege; motion to approve carried on a vote of 6 Ayes.

Consider Resolution 15-R-02 supporting the expedited construction of "Segment B" of SH 99 (Grand Parkway) in Brazoria County; and setting forth related matters thereto.

Rep. Ed Thompson sent a letter to TXDOT supporting the expedited construction of Segment B of the Grand Parkway citing that Alvin and surrounding areas of Brazoria County are expanding at a rapid rate and that expediting the construction of Segment B will allow for added safety and convenience needed for this fast-growing area. Rep. Thompson asked if the City would also state their support of the expedited construction to TXDOT and this resolution accomplishes the City's support.

Councilmember Arendell moved to approve Resolution 15-R-02, supporting the expedited construction of "Segment B" of SH 99 (Grand Parkway) in Brazoria County; and setting forth related matters thereto. Seconded by Councilmember Richards; motion to approve carried on a vote of 6 Ayes.

Consider Resolution 15-R-03 accepting an allocation of funds in the amount of \$26,269.00 from the Houston-Galveston Area Council for the purpose of upgrading software and hardware in the Alvin Police Department's 911 Dispatch Center.

HGAC, through the State allocated budget for 911 upgrades is providing \$26,269.00 worth of software and hardware upgrades for the Alvin Police Department 911 dispatch center. There is absolutely no cost to the City of Alvin for these upgrades or for their installation and testing.

Councilmember Droege moved to approve Resolution 15-R-03 accepting an allocation of funds in the amount of \$26,269.00 from the Houston-Galveston Area Council for the purpose of upgrading software and hardware in the Alvin Police Department's 911 Dispatch Center. Seconded by Councilmember Thompson; motion to approve carried on a vote of 6 Ayes.

Consider Resolution 15-R-04 acknowledging and accepting an easement granted to the City of Alvin by Tom Floyd, General Manager of Star State Land, LP for the TxDOT Bridge Replacement project on County Road 51.

TxDOT required the City to obtain easements from the property owner in order to accomplish the bridge replacement project on CR 51. This resolution formally acknowledges the City's acceptance of this easement being granted to the City by Tom Floyd, General Partner of Star State Land.

Councilmember Droege moved to approve Resolution 15-R-04 acknowledging and accepting an easement granted to the City of Alvin by Tom Floyd, General Manager of Star State Land, LP for the TxDOT Bridge Replacement project on County Road 51. Seconded by Councilmember Arendell; motion to approve carried on a vote of 6 Ayes.

Consider the Roofing Material and Services Proposal by Garland/DBS, Inc. to replace the flat roof portion and repair other damaged portions of the roof at the Senior Center in an amount not to exceed \$42,871.00; and authorize the Mayor to sign all relevant documents.

Mayor Horn announced that this item has been tabled.

Consider the proposal by Clear the Air for HVAC services to replace one HVAC unit and remove and re-install two HVAC units and a condensing unit during the roof repair project at the Senior Center in an amount not to exceed \$14,957; and authorize the Mayor to sign all relevant documents.

Mayor Horn announced that this item has been tabled.

Consider approving the purchase of 8 new vehicles including all necessary equipment from the vehicle replacement fund for a total cost not to exceed \$293,641.00. These vehicles were budgeted for and approved during the 2014-2015 budget process. The vehicles being purchased are 1- Ford Escape for Capital Improvements, 1- Ambulance for EMS, 1- F-350 Crew for Parks, 1- 12 passenger van for Parks, 1- Fusion for Police CID, 1- F-350 for Police Humane, 2 - F-250 Crew for Streets.

A total of 8 vehicles are being purchased to be used in various departments. The vehicles that are being replaced have met their life expectancy within the City of Alvin Vehicle Replacement Program and are in

need of replacement. All vehicles were budgeted for and approved during the 2014-2015 budget process. Required quotes have been obtained for these purchases.

Following discussion, Councilmember Arendell moved to approve the purchase of 8 new vehicles including all necessary equipment from the vehicle replacement fund for a total cost not to exceed \$293,641.00. These vehicles were budgeted for and approved during the 2014-2015 budget process. The vehicles being purchased are 1- Ford Escape for Capital Improvements, 1- Ambulance for EMS, 1- F-350 Crew for Parks, 1- 12 passenger van for Parks, 1- Fusion for Police CID, 1- F-350 for Police Humane, 2 - F-250 Crew for Streets. Seconded by Councilmember Richards; motion to approve carried on a vote of 6 Ayes.

Consider resale of trust property located at 4254 County Road 305B, described as Abstract 468, Mary V O'Donnell Tract 3D2, Tax Account 0468-0004-287, to Jose Garza, for the sum of \$14,710.00.

This property was subject to a Sheriff's Sale because of taxes owed against it. The Sheriff's deed was filed on April 7, 2012. Jose Garza is now offering to purchase the parcel for \$14,710.00. If this offer is approved, the amount received will be distributed to all taxing entities on a pro-rated share of what is owed. All affected governing bodies must approve this offer since it is for less than the total amount due.

Councilmember Thompson moved to approve the resale of trust property located at 4254 County Road 305B, described as Abstract 468, Mary V O'Donnell Tract 3D2, Tax Account 0468-0004-287, to Jose Garza, for the sum of \$14,710.00. Seconded by Councilmember Richards; motion to approve carried on a vote of 6 Aye.

REPORTS FROM CITY MANAGER

Review preliminary list of items for the Council meeting of February 5, 2015.

Mr. Roland reviewed the preliminary list of items for the Council meeting of February 5, 2015.

Items of Community Interest.

Mr. Roland gave a status report on the TxDot bridge replacement projects.

REPORTS FROM COUNCIL MEMBERS

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

Announcements and requests from Council members.

Councilmember Thompson commended the Police Department for its efforts in the missing person in his district.

Councilmember Stuksa inquired when the mid-year budget adjustment will occur. Mr. Roland, Interim City Manager responded that it will occur at the end of February beginning of March.

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 551.087** - of the Government Code: (1) Deliberations 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) deliberations regarding the offer of a financial or other incentive to a business prospect described by Subdivision (1).

Mayor Horn adjourned the meeting into close session at 8:10 p.m.

RECONVENE TO OPEN SESSION

Mayor Horn reconvened the meeting to open session at 8:47 p.m.

ADJOURNMENT

Councilmember Arendell moved to adjourn the meeting. Seconded by Councilmember Droege; the motion to adjourn carried on a vote of 6 Ayes. The meeting adjourned at 8:47 p.m.

PASSED and Approved this _____ day of _____, 2015.

Paul A. Horn, Mayor

ATTEST: _____
Dixie Roberts, City Clerk

CITY OF ALVIN

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. Only the person whose name appears on this form may speak before the Council. Citizens are encouraged to select a spokesperson if more than one (1) citizen wishes to address the Council on the same subject matter.

TO: MAYOR AND CITY COUNCIL MEMBERS
FROM: NAME: Phyllis York and Kifferie Corley
ADDRESS: 211 W. Sealy St. Alvin, TX
HOME TELEPHONE: (281) 585-7641
WORK TELEPHONE: SAME
TITLE: Program Director of Prevention Services and Clinical Prevention Specialist
ORGANIZATION: Gulf Coast Center-Compass Point

SUBJECT MATTER FOR DISCUSSION BEFORE CITY COUNCIL AND/OR CITY COUNCIL COMMITTEES:

Smoking Cessation program at no cost
to employees or the community.

ACTION, IF ANY, REQUESTED FROM CITY COUNCIL AND/OR CITY COUNCIL COMMITTEES:

NA

DATE OF APPEARANCE: Jan 22, 2015 Feb 5, 2014

TIME SUBMITTED: Jan. 20 (via email)

I have read and agree to follow the procedures set forth by the City Council in the Code of Ordinances for appearances under Petitions and Requests from the Public.

Signature Kifferie Corley Date 1/16/15



AGENDA COMMENTARY

Discussion Date:

Approval Date: 02/05/2015

Submitted By: Sonya Cates

SUBJECT:

Consider approval of Alternate Judge Michael Merkel to attend state required educational training in Houston, Texas from March 15-17, 2015.

DISCUSSION:

Municipal Court judges are required to complete continuing education credits to adequately perform their responsibilities within the court. The State of Texas has organized a training program so that judges can be informed of the latest laws and practices.

RECOMMENDATION:

Move to approve Associate Judge Michael Merkel to attend the Judge Training Conference in Houston, Texas March 15-17, 2015.

ATTACHMENTS:

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

Submitted by:

**Junru
Roland**
Department Head

Digitally signed by Junru Roland
DN: cn=Junru Roland,
email=jroland@cityofalvin.com,
o=City of Alvin, ou=Finance
Department, c=US
Date: 2015.01.26 17:51:18
+06'00'

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: 2015.01.29 15:13:48 -06'00'

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=jkacz@cityofalvin.com, c=US
Date: 2015.01.29 10:56:48 -06'00'

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: 2015.01.29 15:14:07 -06'00'

TEXAS MUNICIPAL COURTS EDUCATION CENTER
FY15 REGISTRATION FORM:

Judges & Clerks Seminar, Court Administrators, Bailiffs & Warrant Officers, Level III Assessment Clinic, and Traffic Safety Conferences
 Conference Date: March 15-17, 2015 Conference Site: Houston

Check one:

Non-Attorney Judge (\$50)
 Attorney Judge not-seeking CLE credit (\$50)
 Attorney Judge seeking CLE credit (\$150)
 Regional Clerks (\$50)

Traffic Safety Conference - Judges & Clerks (\$50)
 Level III Assessment clinic (\$100)
 Court Administrators Seminar (\$100)
 Bailiff/Warrant Officer (\$100)

By choosing TMCEC as your MCLE provider, attorney-judges help TMCA pay for expenses not covered by the Court of Criminal Appeals grant. Your voluntary support is appreciated. The CLE fee will be deposited into the grantee's private fund account to cover expenses unallowable under grant guidelines, such as staff compensation, membership services, and building fund.

Name (please print legibly): Last Name: Merkel First Name: Michael MI: Dwane
 Names you prefer to be called (if different): Mike Female/Male: MALE
 Position held: Alternate Date appointed/hired/elected: _____ Are you also a mayor?: No
 Emergency contact (Please include name and contact number): Gola Chappell 281-331-7817

HOUSING INFORMATION - Note: \$50 a night single room fee

TMCEC will make all hotel reservations from the information you provide on this form. TMCEC will pay for a double occupancy room at all regional judges and clerks seminars. To share with a specific seminar participant, you must indicate that person's name on this form.
 I request a private room (\$50 per night x 2 # of nights x \$50 = \$100). TMCEC can only guarantee a private room, type of room (queen, king, or 2 double beds*) is dependent on hotels availability. Special Request: _____
 I request a room shared with a seminar participant. Room will have 2 double beds. TMCEC will assign roommate or you may request roommate by entering seminar participant's name here: _____
 I do not need a room at the seminar.

Hotel Arrival Date (this must be filled out in order to reserve a room): 3/15/15

*If you bring a companion with you to stay in the hotel, the hotel reserves the right to charge an additional fee.

Municipal Court of: City of ARLIN Email Address: SCATES@CITYOFARLIN.COM
 Court Mailing Address: 210 West Sealy St City: Arvin Zip: 77511
 Office Telephone #: _____ Court #: 281-388-4250 Fax: 281-331-6646
 Primary City Served: _____ Other Cities Served: _____

I plan to attend the following sessions in their entirety:

- Day 1: Pre-Conference, 1 p.m. - 5 p.m. (4 hours)
(In Tyler, Addison and South Padre Attorney judges seminars, the pre-conference will be a post-conference and will be on Day 3, 1 p.m.-5 p.m.)
 Day 2: Seminar, 8 a.m. - 5 p.m. (8 hours)
 Day 3: Seminar, 8 a.m. - Noon (4 hours)

*For judges only: I understand that if I do not attend Day 3 in its entirety, then I am not allowed a hotel room at grant expense on the evening of Day 2. All judges are allowed a hotel at grant expense on the evening of Day 1.

*Bailiffs/Warrant Officers: Municipal judge's signature required to attend Bailiffs/Warrant Officers' program.

Judge's Signature: _____ Date: _____
 DOB: _____ TCOLE PID # _____

I have read and accepted the cancellation policy, which is outlined in full on page 10-11 of the Academic Catalog and under the Registration section of the website, www.tmcec.com. Full payment is due with the registration form. Registration shall be confirmed only upon receipt of the registration form (with all applicable information completed) and full payment of fees.

Participant Signature (may only be signed by participant)

Date

PAYMENT INFORMATION:

Registration/CLE Fee: \$ 50. + Housing Fee: \$ 100. = Amount Enclosed: \$ 150.

- Check Enclosed (Make checks payable to TMCEC.)
 Credit Card

Credit Card Payment:

Credit card type: \$ _____ Amount to Charge: _____ Credit Card Number _____ Expiration Date _____
 MasterCard

Visa Name as it appears on card (print clearly): _____
 Authorized signature: _____

Please return completed form with payment to TMCEC at 2210 Hancock Drive, Austin, TX 78756, or fax to 512.435.6118.

*Not able to schedule
 him for February session*



AGENDA COMMENTARY

Discussion Date: 02/05/2015

Approval Date: 02/05/2015

Submitted By: Dan Kelinske

SUBJECT:

Consider street closure request for the Alvin Sunrise Rotary 2015 Music Festival and BBQ Cookoff being held at Briscoe Park: Briscoe Drive (directly after the second parking lot entrance/exit of the YMCA) beginning 12:00 p.m. Thursday, March 26, 2015 and ending Sunday March 29, 2015 12:00 p.m.

DISCUSSION:

Street closure requested: Briscoe Drive (directly after the second parking lot entrance/exit of the YMCA) beginning 12:00PM Thursday, 3/26 and ending 12:00PM Sunday 3/29.

RECOMMENDATION:

Move to approve street closure as requested from March 26th to March 29th for the Alvin Sunrise Rotary 2015 Music Festival and BBQ Cookoff at Briscoe Park.

ATTACHMENTS:

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

Submitted by:

Daniel Kelinske

Digitally signed by Daniel Kelinske
DN: cn=Daniel Kelinske, o=City of Alvin, ou=Parks and Recreation, email=dikelinske@cityofalvin.com, c=US
Date: 2015.01.06 15:18:34 -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: 2015.01.29 10:59:38 -0600

City Attorney

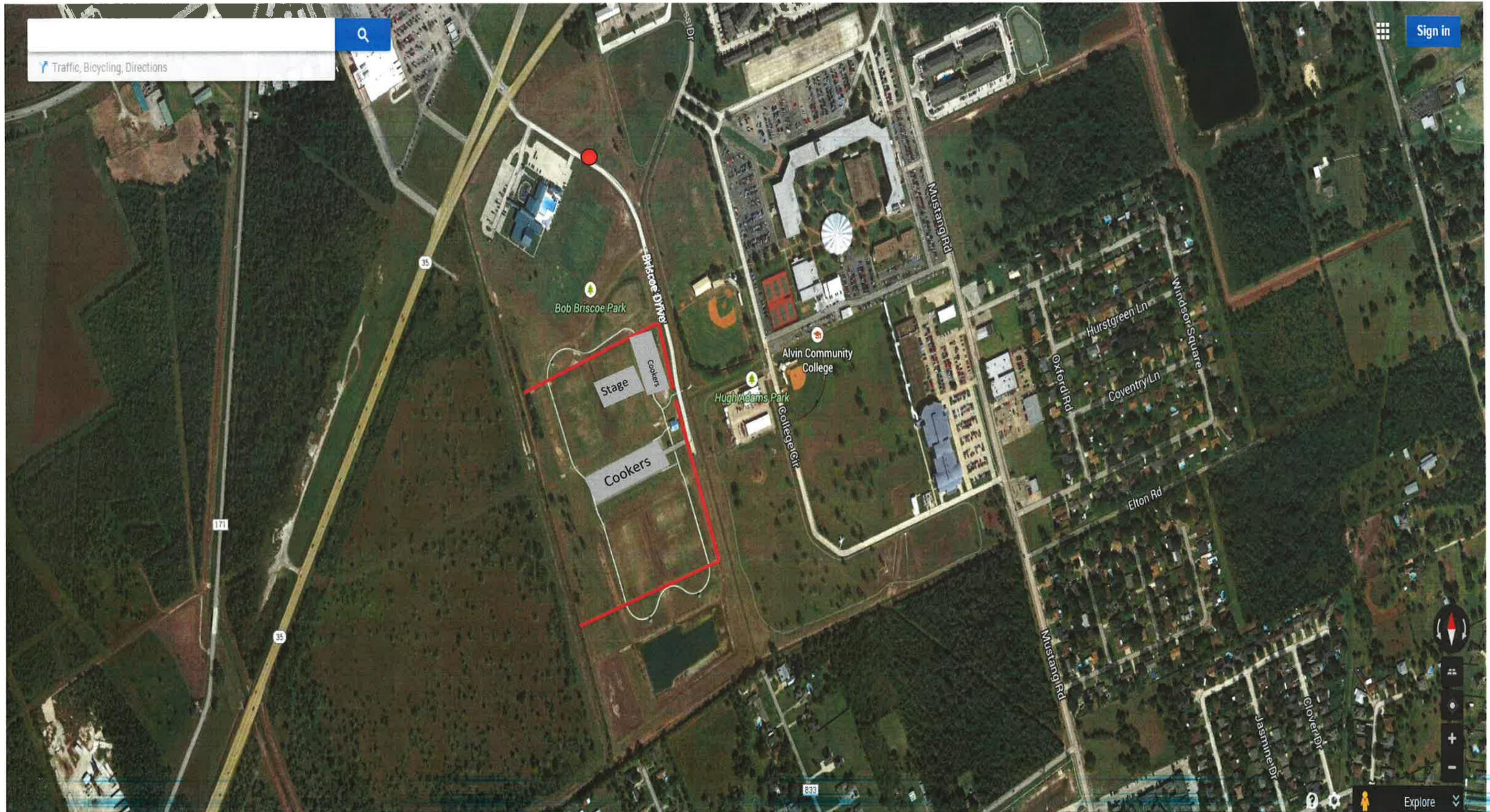
Approved By:

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: 2015.01.29 15:12:32 -0600

City Manager

2015 Alvin Sunrise Rotary Music Festival





AGENDA COMMENTARY

Discussion Date: 02/05/2015

Approval Date: 02/05/2015

Submitted By: Dan Kelinske

SUBJECT:

Consider the Agreement with Brazoria County for funding through the Brazoria County Community Development Block Grant (CDBG) Program in the amount of \$273,000.00 for park improvements; and authorize the Mayor to sign.

DISCUSSION:

City of Alvin will receive CDBG funds totaling \$235,000, in addition Commissioner Stacey Adams allocated an additional \$26,000 and Judge Joe King allocated \$12,000 making the total CDBG contribution \$273,000. 100% of the funds will be directed to Park Improvements in the following parks:

Ruben Adame - \$41,000 - new picnic tables, playground equipment, bball court.

National Oak Park - \$155,000 - design/build freestanding restroom

Prairie Dog Park - \$15,000 - new playground equipment

Talmadge Park - \$20,000 - new picnic tables & picnic pavilion

Sealy Park - \$6,000 - new drinking fountain w/ doggie bowl attachment

Pearson Park - \$36,000 - new drinking fountain & playground equipment

*\$4,548.19 has already been spent on grant administration costs

RECOMMENDATION:

Move to approve the Agreement with Brazoria County for \$273,000.00 of CDBG funds for park improvements; and authorize the Mayor to sign.

ATTACHMENTS:

- | | |
|-----------------------|----|
| 1. Agreement | 4. |
| 2. Map of Alvin parks | 5. |
| 3. | 6. |

Submitted by:

Daniel
Kelinske

Digitally signed by Daniel Kelinske
DN: cn=Daniel Kelinske, o=City of
Alvin, ou=Parks and Recreation,
email=dkelinske@cityofalvin.com,
c=US
Date: 2014.12.29 11:01:41 -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: 2015.01.29 11:13:12 -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: 2015.01.29 14:37:17 -0600

City Manager

**AGREEMENT BETWEEN
BRAZORIA COUNTY
AND
THE CITY OF ALVIN**

THIS AGREEMENT, entered in this 1st day of October, 2014 by and between Brazoria County (herein called the "Grantee") and the City of Alvin (herein called the "Subrecipient").

WHEREAS, the Grantee has applied for and received funds from the United States Government under Title I of the Housing and Community Development Act of 1974, Public Law 93-383; Entitlement Grant CFDA 14.218, Grant Number B-14-UC-48-0005; and

WHEREAS, the Grantee wishes to engage the Subrecipient to assist the Grantee in utilizing such funds;

NOW, THEREFORE, it is agreed between the parties hereto that;

I. ACTIVITIES

The Subrecipient will be responsible for administering a public infrastructure program in a manner satisfactory to the Grantee and consistent with any standards required as a condition of providing these funds. Such program will include the following activities approved under the 2014 Community Development Block Grant (CDBG) Program Consolidated Action Plan:

Alvin Parks Improvements – The City will upgrade 6 parks in various locations to promote viable neighborhoods. The neighborhood parks are located in areas deemed at 51% low/mod by the new ACS Census.

II. NATIONAL OBJECTIVES

The Subrecipient certifies that the activities carried out with funds provided under this agreement will meet the CDBG National Program that will benefit at least fifty-one percent (51%) low/moderate income persons.

III. TIME OF PERFORMANCE

Services of the Subrecipient shall start on the 1st day of October, 2013 and end on the 30th day of September, 2015. The milestones for the proposed project shall be as follows:

Complete environmental review	3 months
Complete engineering proposals and award contract	1 months
Complete engineering design and contract documents	2 months
Advertise bids and award construction contract	1 month
Conduct preconstruction conference and issue Notice to Proceed	1 month
Complete construction	4 months
Total:	<u>12 months</u>

The Grantee will monitor the performance of the Subrecipient against the performance standards and construction milestones as required herein. Substandard performance as determined by the

Grantee will constitute non-compliance with this agreement. If action to correct such substandard performance is not taken by the Subrecipient within a reasonable period of time after being notified by the Grantee, contract suspension, or termination procedures will be initiated.

IV. GRANT AMOUNT

It is expressly understood that the maximum total amount to be paid by Grantee under this Agreement shall be Two Hundred Seventy-Three Thousand Dollars and No Cents (\$273,000.00). Furthermore, it is expressly understood by Subrecipient that Grantee's obligation under this Agreement is conditioned upon receipt of such funds from the U. S. Department of Housing and Urban Development.

Accordingly, notwithstanding anything herein to the contrary, the maximum liability of the Grantee under this Agreement shall be Two Hundred Seventy-Three Thousand Dollars and No Cents (\$273,000.00) or the amount received from HUD, whichever is less.

In addition, if the Grantee requires a detailed budget breakdown, the Subrecipient shall provide such supplementary budget information in a timely fashion in the form and content prescribed by the Grantee. Any amendments to this budget must be approved in writing by the Grantee and the Subrecipient.

V. PAYMENT

Drawdowns for the payment of eligible expenses shall be submitted to the Grantee in accordance with the procedures as established by the Brazoria County Auditor's Office. Payments may be contingent upon certification of the Subrecipient's financial management system in accordance with the standards specified in Subpart C of OMB Circular A-110.

VI. NOTICES

Communication and details concerning this contract shall be directed to the following contract representatives:

<u>Grantee</u>	<u>Subrecipient</u>
E. J. "Joe" King, County Judge	Dan Kalinski
Brazoria County	City of Alvin
Brazoria County Courthouse	1100 W. Hwy 6
111 E. Locust, Suite 102A	Alvin, Texas 77511
Angleton, Texas 77515	

VII. SPECIAL CONDITIONS

A. Water and/or Sewer Facilities Planning or Construction

Notwithstanding any other provisions of this Agreement, no funds provided under this Agreement may be obligated or expended for the planning or construction of water or sewer facilities until the Subrecipient's receipt of written notification from the Grantee that the U. S. Department of

Housing and Urban Development has issued a release of funds on completion of the review procedures required under Executive Order 12372, Intergovernmental Review of Federal Programs, and the U. S. Department of Housing and Urban Development's implementing regulations at 24 CFR Part 52.

B. New or Revised Water and/or Sewer Facilities Planning or Construction

As required under Executive Order 12372 and 24 CFR Part 52, the subrecipient shall receive written notification from the Grantee that the U. S. Department of Housing and Urban Development has issued a release of funds before obligating or expending any funds provided under this Agreement for any new or revised activity for the planning or construction of water or sewer facilities not previously reviewed under Executive Order 12372 and implementing regulations.

VIII. GENERAL CONDITIONS

A. General Compliance

The Subrecipient agrees to comply with the requirements of Title 24 of the Code of Federal Regulations, Part 570 (the regulations concerning Community Development Block Grants). The Subrecipient also agrees to comply with all other applicable Federal, state and local laws, regulations, and policies governing the funds provided under this contract. The Subrecipient further agrees to utilize funds available under this agreement to supplement rather than supplant funds otherwise available utilize funds available.

B. Independent Contractor

Nothing contained in this agreement is intended to, or shall be construed in any manner, as creating or establishing the relationship of employer/employee between the parties. The Subrecipient shall at all times remain and "independent contractor" with respect to the services to be performed under this agreement. The Grantee shall be exempt from payment of all Unemployment Compensation, FICA, retirement, life and/or medical insurance and Workers' Compensation Insurance as the Subrecipient is an independent Subrecipient.

C. Hold Harmless

The Subrecipient shall hold harmless, defend and indemnify the Grantee from any and all claims, actions, suits, charges and judgments whatsoever that arise out of the Subrecipient's performance or nonperformance of the services or subject matter called for in this agreement.

D. Workers' Compensation Insurance

The Subrecipient shall provide Workers' Compensation Insurance coverage for all of its employees involved in the performance of this contract as may be required by state law.

E. Insurance & Bonding

The Subrecipient shall carry sufficient insurance coverage to protect contract assets from loss due to theft, fraud and/or undue physical damage, and as a minimum shall purchase a blanket fidelity

bond covering all employees in an amount equal to Two Hundred Seventy-Three Thousand Dollars and no cents (\$273,000.00). The Subrecipient shall comply with Brazoria County's local insurance requirements and the bonding requirements as set forth in Subpart C of OMB Circular A-110, Procurement Standards.

F. Grantor Recognition

The Subrecipient shall insure recognition of the role of the grantor agency in providing services through this contract. All activities, facilities, and items utilized pursuant to this contract shall be prominently labeled as to funding source. In addition, the Subrecipient will include a reference to the support provided herein all publications made possible with funds made available under this contract.

G. Amendments

The Grantee or Subrecipient may amend this agreement at any time provided that such amendments make specific reference to this agreement, and are executed in writing, signed by a duly authorized representative of both organizations, and approved by the Grantee's governing body. Such amendments shall not invalidate this agreement, nor relieve or release the Grantee or Subrecipient from its obligations under this agreement.

The Grantee may, in its discretion, amend this agreement to conform with Federal, state or local governmental guidelines, policies and available funding amounts, or for other reasons. If such amendments result in a change in the funding, the scope of services, or schedule of the activities to be undertaken as part of this agreement such modifications will be incorporated only by written amendment signed by both Grantee and Subrecipient.

H. Suspension or Termination

Either party may terminate this contract at any time by giving written notice to the other party of such termination and specifying the effective date thereof at least 30 days before the effective date of such termination. Partial termination's of the Scope of Service in Paragraph I (A) above may only be undertaken with the prior approval of the Grantee. In the event of any termination for convenience, all finished or unfinished documents, data studies, surveys, maps, models, photographs, reports or other materials prepared by the Subrecipient under this agreement shall, at the option of the Grantee, become the property of the Grantee, and the Subrecipient shall be entitled to receive just and equitable compensation for any satisfactory work completed on such documents or materials prior to the termination.

The Grantee may also suspend or terminate this agreement, in whole or in part, if the Subrecipient materially fails to comply with any term of this agreement, or with any of the rules, regulations or provisions referred to herein; and the Grantee may declare the Subrecipient ineligible for any further participation in the Grantee's contracts, in addition to other remedies as provided by law. In the event there is probable cause to believe the Subrecipient is in noncompliance with any applicable rules or regulations, the Grantee may withhold said contract funds until such time as the Subrecipient is found to be in compliance by the Grantee, or is otherwise adjudicated to be in compliance.

IX. ADMINISTRATIVE REQUIREMENTS

A. Financial Management

1. Accounting Standards

The Subrecipient agrees to comply with Subpart C of OMB Circular A-110 and agrees to adhere to the accounting principles and procedures required therein, utilize adequate internal controls, and maintain necessary source documentation for all costs incurred.

2. Cost Principles

If the Subrecipient is a governmental or quasi-governmental agency, the applicable sections of 24 CFR Part 85, "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments," and OMB Circular A-87, "Cost Principles for State, local and Indian Tribal Governments" would apply.

If the Subrecipient is a non-profit organization or educational institution chartered under the laws of the State of Texas, the Subrecipient shall administer its program in conformance with OMB Circulars A-122, "Cost Principles for Non-Profit Organizations," or A-21, "Cost Principles for Educational Institutions," as applicable. These principles shall be applied for all costs incurred whether charged on a direct or indirect basis.

B. Documentation and Record-Keeping

1. Records to be Maintained

The Subrecipient shall maintain all records required by the Federal regulations specified in Subpart J of 24 CFR Part 570.506 that are pertinent to the activities to be funded under this agreement. Such records shall include but not be limited to:

- a. Records providing a full description of each activity undertaken;
- b. Records demonstrating that each activity undertaken meets one of the National Objectives of the CDBG program;
- c. Records determining the eligibility of activities or services;
- d. Records required to document the acquisition, improvement, use or disposition of real property acquired or improved with CDBG assistance;
- e. Records documenting compliance with the fair housing and equal opportunity components of the CDBG program;
- f. Financial records as required by 24 CFR Part 570.502, and OMB Circular A-110; and
- g. Other records necessary to document compliance with Subpart K of 24 CFR 570.

2. Retention

The Subrecipient shall retain all records pertinent to expenditures incurred under this contract for a period of five (5) years after the termination of all activities funded under this agreement. Records for non-expendable property acquired with funds under this contract shall be retained for five (5) years after final disposition of such property. Records for any displaced person must be kept for five (5) years after he or she has received final payment. Notwithstanding the above, if there is litigation claims, audits, negotiations or other actions that involve any of the

records cited and that have started before the expiration of the five-year period, then such records must be retained until completion of the actions and resolution of all issues, or the expiration of the five-year period, whichever occurs later.

3. Beneficiary Data

The Subrecipient shall maintain beneficiary data demonstrating that the activities carried out with the funds provided under this agreement meets one or more of the CDBG Program's National Objectives as defined in Subpart C of 24 CFR Part 570.208. Such information shall be made available to Grantee monitors or their designees for review upon request.

4. Property Records

The Subrecipient shall maintain real property inventory records which clearly identify properties purchased, improved, or sold. Properties retained shall continue to meet eligibility criteria and shall conform with the "changes in use" restrictions specified in Subpart J of 24 CFR Part 570.503(b)(8), as applicable.

5. Close-outs

The Subrecipient's obligation to the Grantee shall not end until all close-out requirements are completed. Activities during this close-out period shall include, but are not limited to: making final payments, disposing of program assets (including the return of all unused materials, equipment, unspent cash advances, program income balances, and accounts receivable to the Grantee), and determining the custodianship of records.

6. Audits & Inspections

All Subrecipient records with respect to any matters covered by this agreement shall be made available to the Grantee, grantor agency, their designees or the Federal Government, at any time during normal business hours, as often as the Grantee or grantor agency deems necessary, to audit, examine, and make transcripts or copies of all relevant data. Any deficiencies noted in audit reports must be fully cleared by the Subrecipient within thirty (30) days after receipt by the Subrecipient. Failure of the Subrecipient to comply with the above audit requirements will constitute a violation of this contract and may result in the withholding of future payments. The Subrecipient hereby agrees to have an annual agency audit if required by Federal law or regulation to be conducted in accordance with current Grantee policy concerning Subrecipient audits and, as applicable, OMB Circular A-133, "Audits of State, Local Governments and Non-Profit Organizations" for governmental entities.

C. Additional Requirements

1. Program Income

The Subrecipient shall report "monthly" all program income as defined at Subpart J of 24 CFR 570.500(a) generated by activities carried out with CDBG funds made available under this contract to the Grantee. The use of program income by the Subrecipient shall comply with the requirements set forth at 24 CFR 570.504. By way of further limitations, the Subrecipient may use such income during the contract period for activities permitted under this contract and shall

reduce requests for additional funds by the amount of any such program income balance on hand. All unused program income shall be returned to the Grantee at the end of the contract period. Any interest earned on cash advances from the U.S. Treasury is not program income and shall be remitted promptly to the Grantee. Any program income received after the expiration of this Agreement shall be paid to the Grantee as required by 24 CFR 570.503(b)(8).

2. Indirect Costs

If indirect costs are charged, the Subrecipient will develop an indirect cost allocation plan for determining the appropriate Subrecipient's share of administrative costs and shall submit such plan to the Grantee for approval, in a form specified by the Grantee.

3. Payment Procedures

The Grantee will pay to the Subrecipient funds available under this contract based upon information submitted by the Subrecipient and consistent with any approved budget and Grantee policy concerning payments. With the exception of certain advances, payments will be made for eligible expenses actually incurred by the Subrecipient, and not to exceed actual cash requirements. Payments will be adjusted by the Grantee in accordance with advance fund and program income balances available in this contract for costs incurred by the Grantee on behalf of the Subrecipient. All invoices being submitted for reimbursements and/or payments must be received in the office of the Brazoria County Community Development Department within 30 days following the end of the Agreement period.

4. Travel

The Subrecipient shall obtain written approval from the Grantee for any travel outside the Brazoria County area (which includes Harris, Fort Bend, Galveston, and Matagorda counties) paid with funds provided under this contract.

5. Progress Reports

The Subrecipient shall submit regular progress reports to the Grantee in the form, content, and frequency as required by the Grantee.

D. Procurement of Materials, Property or Services

1. Compliance

The Subrecipient shall comply with current Grantee policy concerning the purchase of equipment and shall maintain inventory records of all non-expendable personal property as defined by such policy as may be procured with funds provided herein. All program assets (unexpended program income, property, equipment, etc.) shall revert to the Grantee upon termination of this contract.

2. Procurement and Property Management Standards

The Subrecipient shall procure all materials, property, or services in accordance with the requirements of Subpart C of OMB Circular A-110, Procurement Standards, and shall

subsequently follow Subpart C of OMB Circular A-110, Property Management Standards, as modified by 24 CFR 570.502(b)(3)(vi), covering utilization and disposal of property.

3. Use and Reversion of Assets:

The Subrecipient shall use all CDBG assisted property acquired under this Agreement in accordance with Subpart J of 24 CFR 570.505 for a period of five (5) years following the date of the expiration of the Agreement between Brazoria County and the Subrecipient respective to the CDBG Program or the anticipated life of the property, depending on the property at the discretion of the CD Department. Unless specified otherwise within this Agreement, at the conclusion, cancellation, assignment or termination of this Agreement, the disposition of assets under this Agreement shall be in compliance with 24 CFR 570.503, 24 CFR 570.504, and 24 CFR 570.505, as applicable, which include but are not limited to the following:

- a. Personal property and equipment acquired under this Agreement shall revert to Brazoria County or disposition in compliance with 24 CFR 570.503, unless Subrecipient continues to carry out the same Program for which said property and equipment was acquired.
- b. Where there is a residual inventory of unused supplies in excess of \$5,000.00 in total aggregate fair market value in which the Subrecipient has vested title through acquisitions under this Agreement, and where there is no need for said supplies for any other federally sponsored programs or projects, the Subrecipient shall compensate Brazoria County for its share in compliance with 24 CFR 570.502.
- c. The Subrecipient shall transfer to the Brazoria County any funds on hand and any accounts receivable attributable to the use of funds under this Agreement at the time of expiration, cancellation, or termination.
- d. Real property under the Subrecipient's control that was acquired or improved in whole or in part with funds under this Contract in excess of \$25,000.00, unless otherwise specified in Scope of Services, shall be (a) used to meet one of the national objectives pursuant to Subpart C of 24 CFR 570.208 until five (5) years after the expiration of the Agreement between Brazoria County and the Subrecipient, respective to the approved CDBG Program, or (b) disposed of in a manner which results in Brazoria County being reimbursed in the amount of the current fair market value of the property less any portion of the value attributable to expenditures of non-CDBG funds for acquisition of, or improvement to, the property. Such payment to Brazoria County shall constitute CDBG Program Income and shall be subject to the provisions of 24 CFR 570.489(e).
- e. If so specified in this Agreement, the Subrecipient may retain CDBG assisted real and personal property acquired under Brazoria County's CDBG Program after the expiration of the five-year period covered by 24 CFR 570.503 and 24 CFR 570.505.

X. RELOCATION, REAL PROPERTY ACQUISITION AND ONE-FOR-ONE HOUSING REPLACEMENT

The Subrecipient agrees to comply with 1) the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA), and implementing regulations at 49 CFR Part 24 and 24 CFR 570.606; 2) the requirements of 24 CFR 570.606(c) governing the Residential Anti-

displacement and Relocation Assistance Plan under section 104(d) of the Housing and Community Development Act of 1974; and 3) the requirements in 570.606(d) governing optional relocation policies. [At the discretion of the Grantee, the Grantee may preempt the optional policies.] The Subrecipient shall provide relocation assistance to persons (families, individuals, businesses, nonprofit organizations, and farms) that are displaced as a direct result of acquisition, rehabilitation, demolition, or conversion for a CDBG-assisted project. The Subrecipient also agrees to comply with applicable Grantee ordinances, resolutions, and policies concerning the displacement of persons from their residences.

XI. PERSONNEL & PARTICIPANT CONDITIONS

A. Civil Rights

1. Compliance

The Subrecipient agrees to comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) as amended; Title VIII of the Civil Rights Act of 1968 as amended; the Fair Housing Act (P. L. 90-284) Section 504 of the Rehabilitation Act of 1973; the Americans with Disabilities Act of 1990; the Age Discrimination Act of 1975; Executive Order 11063 as amended by EO 12259; and with Executive Order 11246 as amended by Executive Orders 11375, 11478, 12086, and 12107.

2. Nondiscrimination

The Subrecipient will not discriminate against any employee or applicant for employment because of race, color, creed, religion, ancestry, national origin, sex, disability or other handicap, age, marital/familial status, or status with regard to public assistance. The Subrecipient will take affirmative action to insure that all employment practices are free from such discrimination. Such employment practices include but are not limited to the following: hiring, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff, termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. The Subrecipient agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting agency setting forth the provisions of this nondiscrimination clause.

3. Land Covenants

In regard to the sale, lease, or other transfer of land acquired, cleared or improved with assistance provided under this contract, the Subrecipient shall cause or require a covenant running with the land to be inserted in the deed or transfer, prohibiting discrimination as herein defined, in the sale, lease or rental, or in the use or occupancy of such land, or in any improvements erected or to be erected thereon, providing that the Grantee and the United States are beneficiaries of and entitled to enforce such covenants. The Subrecipient, in undertaking its obligation to carry out the program assisted hereunder, agrees to take such measures as are necessary to enforce such covenant, and will not itself so discriminate.

4. Section 504

The Subrecipient agrees to comply with any Federal regulations issued pursuant to compliance with Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), which prohibits

discrimination against the handicapped in any Federally assisted program. The Grantee shall provide the Subrecipient with any guidelines necessary for compliance with that portion of the regulations in force during the term of this contract.

B. Affirmative Action

1. Approved Plan

The Subrecipient agrees that it shall be committed to carry out pursuant to the Grantee's specifications an Affirmative Action Program in keeping with the principles as provided in Executive Order 11246 of September 24, 1965. The Grantee shall provide affirmative action guidelines to the Subrecipient to assist in the formulation of such program. The Subrecipient shall submit a plan for an Affirmative Action Program for approval prior to the disbursement of any funds to the Subrecipient.

2. W/MBE

The Subrecipient will use its best efforts to afford minority- and women-owned business enterprises the maximum practicable opportunity to participate in the performance of this contract. As used in this contract, the term "minority and female business enterprise" means a business at least fifty-one (51) percent owned and controlled by minority group members or women. For the purpose of this definition, "minority group members" are Afro-Americans, Spanish-speaking, Spanish surnamed or Spanish-heritage American, Asian-Americans, and American Indians. The Subrecipient may rely on written representations by businesses regarding their status as minority and female business enterprises in lieu of an independent investigation.

3. Access to Records

The Subrecipient shall furnish and cause each of its own subrecipients or subcontractors to furnish all information and reports required hereunder and will permit access to its books, records, and accounts by the Grantee, HUD, or its agent, or other authorized Federal officials for purposes of investigation to ascertain compliance with the rules, regulations, and provision stated herein.

4. Notifications

The Subrecipient will send to each labor union or representative of workers with which it has a collective bargaining agreement or other contract or understanding, a notice,, to be provided by the agency contracting officer, advising the labor union or worker's representative of the Subrecipient's commitments hereunder, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

5. EEO/AA Statement

The Subrecipient will, in all solicitations or advertisements for employees placed by or on behalf of the Subrecipient, state that it is an Equal Opportunity or Affirmative Action employer.

6. Subcontract Provisions

The Subrecipient will include the provisions of Paragraphs X (A), Civil Rights, and (B), Affirmative Action hereof, in every subcontract or purchase order, specifically or by reference, so that such provisions will be binding upon each of its own subrecipients or subcontractors.

C. Employment Restrictions

1. Prohibited Activity

The Subrecipient is prohibited from using funds provided herein or personnel employed in the administration of the program for: political activities; sectarian or religious activities; lobbying, political patronage, and nepotism activities.

2. Labor Standards

The Subrecipient agrees to comply with the requirements of the Secretary of Labor in accordance with the Davis-Bacon Act as amended, the provisions of Contract Work Hours and Safety Standards Act, the Copeland "Anti-Kickback" Act (40 U.S.C 276a-5; 40 USC 327 and 40 USC 276c) and all other applicable Federal, State and local laws and regulations pertaining to labor standards insofar as those acts apply to the performance of this contract. The Subrecipient shall maintain documentation which demonstrates compliance with hour and wage requirements of this part. Such documentation shall be made available to the Grantee for review upon request.

The Subrecipient agrees that, except with respect to the rehabilitation or construction of residential property containing less than eight (8) units, all contractors engaged under contracts in excess of \$2,000.00 for construction, renovation or repair work financed in whole or in part with assistance provided under this contract, shall comply with Federal requirements adopted by the Grantee pertaining to such contract and with the applicable requirements of the regulations of the Department of Labor, under 29 CFR Parts 1, 3, 5 and 7 governing the payment of wages and ratio of apprentices and trainees to journey-workers; provided, that if wage rates higher than those required under the regulations are imposed by State or local law, nothing hereunder is intended to relieve the Subrecipient of its obligation, if any, to require payment of the higher wage. The Subrecipient shall cause or require to be inserted in full, in all such contracts subject to such regulations, provisions meeting the requirements of this paragraph.

3. Section 3

a. Compliance

Compliance with the provisions of Section 3, the regulations set forth in 24 CFR 135, and all applicable rules and orders issued hereunder prior to the execution of this Agreement, shall be a condition of the Federal financial assistance provided under this Agreement and binding upon the Grantee, the Subrecipient and any of the Subrecipient's subrecipients and subcontractors. Failure to fulfill these requirements shall subject the Grantee, the Subrecipient and any of the Subrecipient's subrecipient and subcontractors, their successors and assigns, to those sanctions specified by the agreement through which Federal

training and employment shall be given to Indians, and (ii) preference in the award of contracts and subcontracts shall be given to Indian organizations and Indian-owned Economic Enterprises. Parties to this contract that are subject to the provisions of section 3 and section 7(b) agree to comply with section 3 to the maximum extent feasible, but not in derogation of compliance with section 7(b).

The Subrecipient further agrees to ensure that opportunities for training and employment arising in connection with a housing rehabilitation (including reduction and abatement of lead-based paint hazards), housing construction, or other public construction project are given to low- and very low-income persons residing within the metropolitan area in which the CDBG-funded project is located; where feasible, priority should be given to low- and very low-income persons within the service area of the project or the neighborhood in which the project is located, and to low- and very low-income participants in other HUD programs; and award contracts for work undertaken in connection with a housing rehabilitation (including reduction and abatement of lead-based paint hazards), housing construction, or other public funded project is located; where feasible, priority should be given to business concerns which provide economic opportunities to low- and very low-income residents within the service area or the neighborhood in which the project is located, and to low- and very low-income participants in other HUD programs.

The Subrecipient certifies and agrees that no contractual or other legal incapacity exists which would prevent compliance with these requirements.

B. Notifications

The Subrecipient agrees to send to each labor organization or representative of workers with which it has a collective bargaining agreement or other contract or understanding, if any, a notice advising said labor organization or worker's representative of its commitments under this Section 3 clause and shall post copies of the notice in conspicuous places available to employees and applicants for employment or training.

C. Subcontracts

The Subrecipient will include this Section 3 clause in every subcontract and will take appropriate action pursuant to the subcontract upon a finding that the subcontractor is in violation of regulations issued by the grantor agency. The Subrecipient will not subcontract with any entity where it has notice or knowledge that the latter has been found in violation of regulations under 24 CFR 135 and will not let any subcontract unless the entity has first provided it with a preliminary statement of ability to comply with the requirements of these regulations.

D. Conduct

1. Assignability

The Subrecipient shall not assign or transfer any interest in this contract without the prior written consent of the Grantee thereto; provided, however, that claims for money due or to become due to the Subrecipient from the Grantee under this contract may be assigned to a bank, trust company, or other financial institution without such approval. Notice of any such assignment or transfer shall be furnished promptly to the Grantee.

2. Subcontracts

a. Approvals

The Subrecipient shall not enter into any subcontract with any agency or individual in the performance of this contract without the written consent of the Grantee prior to the execution of such agreement. The Subrecipient will not enter into any contract with contractors and /or sub-contractors who have been debarred or prohibited from federal contracts.

b. Monitoring

The Subrecipient will monitor all subcontracted services on a regular basis to assure contract compliance. Results of monitoring efforts shall be summarized in written reports and supported with documented evidence of follow-up actions taken to correct areas of noncompliance.

c. Content

The Subrecipient shall cause all of the provisions of this contract in its entirety to be included in and made a part of any subcontract executed in the performance of this agreement.

d. Selection Process

The Subrecipient shall undertake to insure that all subcontractors let in the performance of this agreement shall be awarded on a fair and open competition basis. Executed copies of all subcontracts shall be forwarded to the Grantee along with documentation concerning the selection process.

3. Hatch Act

The Subrecipient agrees that no funds provided, nor personnel employed under this contract, shall be in any way or to any extent engaged in the conduct of political activities in violation of Chapter 15 of Title V, U.S. Code.

4. Conflict of Interest

The Subrecipient agrees to abide by the provisions of 24 CFR 570.611 with respect to conflicts of interest, and covenants that it presently has no financial interest and shall not acquire any financial interest, direct or indirect, which would conflict in any manner or degree with the performance of this agreement no person having such a financial interest shall be employed or retained by the Subrecipient hereunder. These conflict of interest provisions apply to any person who is an employee, agent, consultant, officer, or elected official or appointed official of the Grantee, or of any designated public agencies or subrecipients which are receiving funds under the CDBG Entitlement program.

5. Lobbying

The Subrecipient hereby certifies that:

a. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, and officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;

b. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;

c. It will require that the language of paragraph (d) below regarding the certification be included in the award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contract under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly; and

d. Lobbying Certification - Paragraph d

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

6. Copyright

If this contract results in any copyrightable material or inventions, the Grantee and/or grantor agency reserves the right to royalty-free, non-exclusive and irrevocable license to reproduce, publish or otherwise use and to authorize others to use, the work or materials for government purposes.

7. Religious Organization

The Subrecipient agrees that funds provided under this contract will not be utilized for religious activities, to promote religious interest, or for the benefit of a religious organization in accordance with the Federal regulations specified in Subpart C of 24 CFR 570.200(j).

XII. ENVIRONMENTAL CONDITIONS

A. Air and Water

The Subrecipient agrees to comply with the following requirements insofar as they apply to the performance of this contract:

1. Clean Air Act, 42 U.S.C., 7401, et seq.
2. Federal Water Pollution Control Act, as amended, 33 U.S.C. 1314, et seq., as amended, 1318 relating to inspection, monitoring, entry, reports, and information, as well as other requirements specified in said Section 114 and Section 308, and all regulations and guidelines issued thereunder.
3. Environmental Protection Agency (EPA) regulations pursuant to 40 C.F.R., Part 50, as amended.

B. Flood Disaster Protection

In accordance with the requirements of the Flood Disaster Protection Act of 1973 (42 USC 4001), the Subrecipient shall assure that for activities located in an area identified by FEMA as having special flood hazards under the National Flood Insurance Program that flood insurance is obtained and maintained as a condition of financial assistance for acquisition or construction purposes (including rehabilitation).

C. Lead-Based Paint

The Subrecipient agrees that any construction or rehabilitation of residential structures with assistance provided under this contract shall be subject to HUD Lead-Based Paint Regulations at 24 CFR 570.608 and 24 CFR Part 35, Subparts A and B. Such regulations pertain to all HUD-assisted housing and require that all owners, prospective owners, treatment and precautions that should be taken when dealing with lead-based paint and explain the symptoms, treatment and precautions that should be taken when dealing with lead-based paint poisoning and the advisability and availability of blood lead level screening for children under seven. The notice should also point out that if lead-based paint is found on the property, abatement measures may be undertaken.

D. Historic Preservation

The Subrecipient agrees to comply with the Historic Preservation requirements set forth in the National Historic Preservation Act of 1966, as amended (16 U.S.C 470) and the procedures set forth in 36 CFR, Part 800, Advisory Council on Historic Preservation Procedures for Protection of Historic Properties, insofar as they apply to the performance of this contract.

In general, this requires concurrence from the State Historic Preservation Officer for all rehabilitation and demolition of historic properties that are fifty years old or older or that are included on a Federal, state, or local historic property list.

XIII. SEVERABILITY

If any provision of this agreement is held invalid, the remainder of the agreement shall not be affected thereby and all other parts of this agreement shall nevertheless be in full force and effect.

IN WITNESS WHEREOF, the Parties have executed this agreement as of the date first written above.

FOR SUBRECIPIENT:

FOR GRANTEE:

By: _____

By:  _____

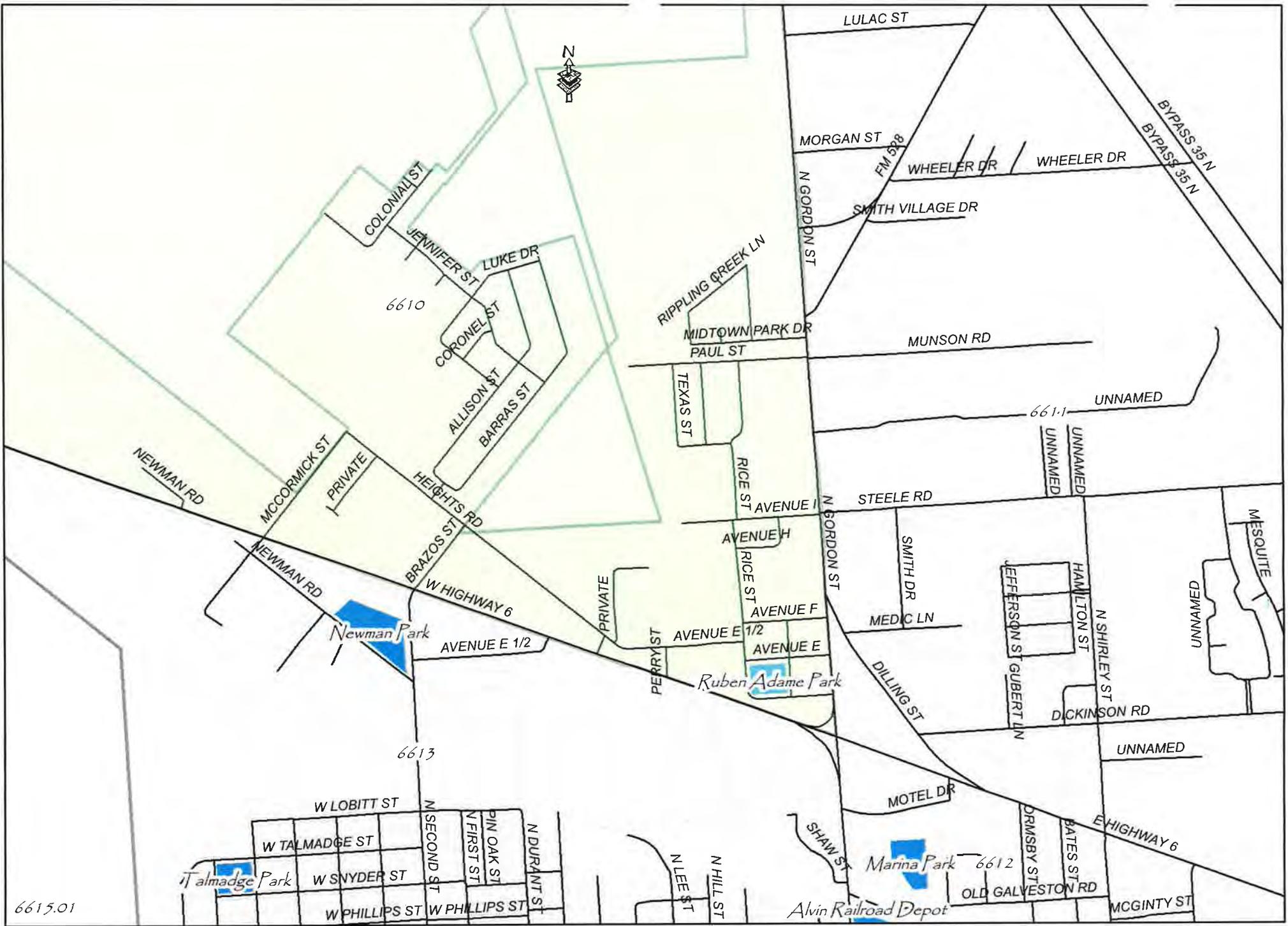
E. J. "Joe" King

Title: _____

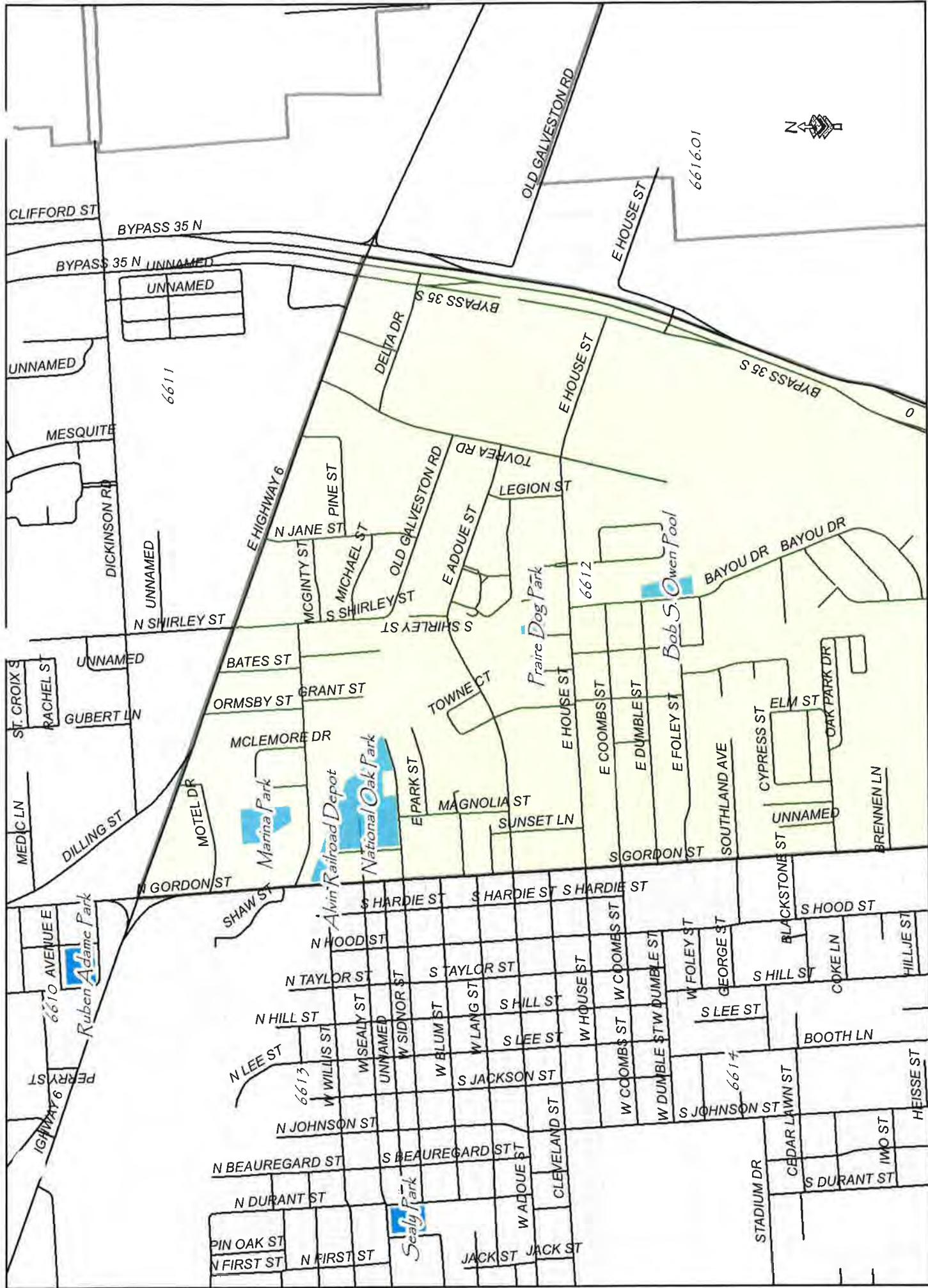
Title: County Judge _____

Date: _____

Date: _____



Census Tract 6610 - Ruben Adame Park



Census Tract 6612 - Marina Park, Alvin Railroad Depot, National Oak Park, Praise Dog Park, Bob S. Owen Pool



AGENDA COMMENTARY

Discussion Date: 02/05/2015

Approval Date: 02/05/2015

Submitted By: D. Roberts

SUBJECT:

Hear concerns from Mr. Chris Hartman regarding the parking of 18 wheelers on the property located at 1900 Rosharon Road.

DISCUSSION:

Mr. Hartman submitted a request for this item to be discussed during the February 5, 2015 meeting. See attached.

RECOMMENDATION:

ATTACHMENTS:

- | | |
|-----------------------------|----|
| 1. Request from Mr. Hartman | 4. |
| 2. Aerial Photo of property | 5. |
| 3. Pictures | 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: 2015.01.29 07:45:51 -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: 2015.01.29 11:15:56 -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: 2015.01.29 14:39:49 -06'00'

City Manager

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. Only the person whose name appears on this form may speak before the Council. Citizens are encouraged to select a spokesperson if more than one (1) citizen wishes to address the Council on the same subject matter.

TO: MAYOR AND CITY COUNCILMEMBERS

FROM: NAME: CHRIS V. HARTMAN
ADDRESS: 1995 broon, Alvin, TX
HOME TELEPHONE: 281-585-4022
WORK TELEPHONE: retired
TITLE: none
ORGANIZATION: none

SUBJECT MATTER FOR DISCUSSION BEFORE CITY COUNCIL COMMITTEES:

overnight parking and maintenance on 18 wheeler tractors and trailers being done in an approx. 15 acre pasture at 1900 posharon rd. this is or will effect the property value of nearby neighbor hoods. Also a safety issue. see attached photo's.

ACTION, IF ANY, REQUESTED FROM CITY COUNCIL:

develop an ordinance that restricts or prevents parking and/or maintenance on 18 wheeler tractors and trailers on property that is not taxed as commercial or industrial property.

DATE OF APPEARANCE: 4-22-2015 2-5-15 *C.V.H.*

TIME SUBMITTED: 4/20/15 @ 11:25 AM

Grace Cannon, City Clerk's Office

I have read and agree to follow the procedures set forth by the City Council in the Code of Ordinances for appearances under Petitions and Requests from the Public.

SIGNATURE: C. V. Hartman

DATE: 1-19-15

1900 Rosharon Road







AGENDA COMMENTARY

Discussion Date: 02/05/2015

Approval Date: 02/05/2015

Submitted By: Mayor Horn

SUBJECT:

Discuss concerns regarding code violations within the city.

DISCUSSION:

This item is on the agenda at the request of Mayor Horn in order for there to be a discussion had on some concerns had by City Council regarding code violation issues on various properties within the city.

RECOMMENDATION:

ATTACHMENTS:

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

Submitted by:

Funds Available:

Approved as to Form:

Approved By:

Department Head

Finance Director

Bobbi J
Kacz

City Attorney

Junru
Roland

City Manager

Digitally signed by Bobbi J Kacz
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Alvin, ou=Legal Department,
email=bkacz@cityofalvin.com, c=US
Date: 2015.01.29 11:18:19 -0600

Digitally signed by Junru Roland
DN: cn=Junru Roland,
email=jroland@cityofalvin.com,
o=City of Alvin, ou=Finance
Department, c=US
Date: 2015.01.29 14:39:06 -0600



AGENDA COMMENTARY

Discussion Date: 02/05/2015

Approval Date: 02/05/2015

Submitted By: Mayor Horn

SUBJECT:

Presentation by city staff relating to the pending request for issuance of a temporary certificate of occupancy for the Karpeles Manuscript Library Museum located at 800 W. Sidnor St.

DISCUSSION:

Presentation of staff activities and resulting plan review comment letters for this project.

RECOMMENDATION:

ATTACHMENTS:

- | | |
|-----------------------------------------------|-----------------------------------------|
| 1. Summaries of staff activities & meetings | 4. Int'l Bldg Code 110.3 re: Temp Occup |
| 2. Bldg Official's plan review comment letter | 5. |
| 3. Fire Marshal's plan review comment letter | 6. |

Submitted by:

Funds Available:

Approved as to Form:

Approved By:

Department Head

Finance Director

**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: 2015.01.29 11:36:31 -0600

City Attorney

**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: 2015.01.29 14:44:40 -0600

City Manager

Karpeles Museum

800 W. Sidnor

Summary of Events

- 7/20/2011- Re-roof permit issued
- 8/4/2011- Electrical permit issued for temporary power
- 8/25/2011- First Predevelopment Meeting with Chris Kelly of Karpeles Manuscript Museum. City staff present: Roy Sosa, Billy Gerber, Martin Vela, Sussie Sutton, and Michelle Segovia. Items discussed included: ADA access, Architectural Barriers registration, fire alarm, parking, repair of windows, site plan, and asbestos survey, energy compliance report, air conditioning, and lighting.
- 9/16/2011- Asbestos survey conducted by Southern Global. Green and white floor tile on the first floor identified as containing asbestos. This report was not received by the City until sometime after September 2013.
- 6/14/2012- Email from Kristine Schaffner to Chris Kelly reiterating items that would need to be addressed on the property, and the need for plans etc (see attachment 1).
- 6/21/2012- Kristine Schaffner and Billy Gerber found workers inside the building carrying out remodeling activities without a building permit and notified Chris Kelly that a stop work order had been issued and a request was made to APD to put the property on close patrol (see attachment 2).
- 8/24/2012- Email from Councilman Reed to Terry Lucas requesting information on the project based on a citizen's request. Email from

Michelle Segovia to Terry Lucas stating that City Staff was waiting on plans to be submitted (see attachment 3).

- 9/1/2012- Steve Jones with Karpeles Museum submitted an application to the Texas Department of Licensing and Regulation (the State) requesting a waiver for ADA access to the building (see attachment 4).

- 10/22/2012 A three page plan set produced by LSC Designers was submitted. The plans were incomplete and insufficient. Roy Sosa notified Steve Jones that we would need complete plans in order to move forward. Mr. Jones stated that he would work on getting complete plans.

- 2/12/2013- Variance results from the State were obtained showing that ADA access was “postponed” based on the limited scope that was submitted by Steve Jones. The scope that was presented consisted of window frame repair, drywall repair, carpet replacement, and wood floor refinishing with an estimated cost of \$50,000 (see attachment 5).

- 6/11/2013- Mold survey conducted. Samples were taken after the building was cleaned out and some form of remediation was done (see attachment 6). This report was not received by the City until sometime after September 2013.

- 9/4/2013- Email from Steve Jones to Terry Lucas (by way of Mary Dearing) stating that the City was delaying the project (see attachment 7). Email from Roy Sosa to Terry Lucas detailing the status of the project (see attachment 8).

- 9/5/2013- Email from Terry Lucas to the City Council concerning Karpeles Museum. Email from Mayor Appelt to the Council regarding the project (see attachment 8).
- 9/26/2013- Plumbing permit issued for the two bathrooms on the second floor and for the water heater on the third floor.
- 10/3/2013- Second predevelopment meeting regarding Karpeles Museum. Steve Jones representing Karpeles Museum. City Staff present included Terry Lucas, Roy Sosa, Brian Smith, Larry Buehler, Michelle Segovia, and Kristine Schaffner. At this meeting, Mr. Sosa gave Mr. Jones a comment letter dated 10/2/2013 stating the items that were still needed in order for the City to issue a building permit for the project. The items on the letter were explained at length (see attachment 9).
- 1/20/2014- Email from Steve Jones to Terry Lucas stating that the Architect with LSC Designers that submitted the original plans was not responding to any of his messages (see attachment 10).
- 2/1/2014- Email from Terry Lucas to Michelle Segovia asking if there was any work that Steve Jones could move forward with prior to satisfying the items requested in the City's comment letter dated 10/2/2013. Michelle Segovia stated that the City had issued them a plumbing permit in order to do the bathrooms and that the work was complete and that there was nothing else that could be done at this time (see attachment 10).
- 2/4/2014- Letter to Terry Lucas from David Karpeles claiming that excessive improvements were being required on the project and that he would not be submitting plans for any additional work. Email from Terry Lucas to Bobbi Kacz explaining where the project was at and forwarding Mr. Karpeles' letter (see attachment 11).

- 6/16/2014- Email from Andres Zornosa with Studio Forma stating that he was working on the museum project and needed to know the parking requirements.
- 10/9/2014- Steve Jones met with Mayor Horn, Tom Stansel, Junru Roland, Larry Buehler, and Sussie Sutton to discuss the project. Larry Buehler sent an email to City Staff with a recap of the meeting (see attachment 12). Mr. Jones stated that the Architect was almost finished with the plans and would be submitting soon.
- 10/20/2014- Plans for the project were submitted by Andres Zornosa with Studio Forma.
- 11/6/2014- Mike Collins sent an email to Steve Jones and Andres Zornosa containing comment letters from the Fire Marshal dated 10/28/2014 and the Engineering Department dated 11/5/2014 containing each departments' comments from their reviews of the plans that were submitted 10/20/2014 (see attachment 13).
- 11/18/2014- Email from Michelle to Junru Roland and Larry Buehler explaining the ADA issues (see attachment 14).
- 12/9/2014- Meeting with Steve Jones and Andres Zornosa to discuss the Building and Fire comment letters dated 11/5/2014 and 10/28/2014. City Staff included Roy Sosa, Mike Collins, Michelle Segovia, Sussie Sutton, and Matt Cornell. Mr. Zornosa, the Architect for the project, agreed that additional plans were needed to meet code requirements; however he had not been engaged to prepare all of the plans. Mr. Jones requested that Mr. Zornosa send him a proposal to draft all required plans. Larry Buehler sent an email to Mayor Horn, City Staff and Tom Stansel recapping the meeting (see attachment 15).

- 12/18/2014- City Council approved Ordinance 14-Z an amendment to the parking ordinance to include a category for Museums. This was a request by Andres Zornosa.
- 12/22/2014- City Staff met with Tom Stansel to discuss the Museum Project and the outstanding requirements. Mr. Stansel presented staff with a proposed action plan for Karpeles Museum for consideration (see attachment 16).
- 12/23/2014- Email from Larry Buehler to City Staff recapping the meeting with Tom Stansel regarding the meeting held on 12/22/2014 (see attachment 17).

6/14/2012

Kristine Schaffner**Subject:** FW: Karpeles Museum- 800 Sidnor Alvin Texas**Chris,**

With you being in New York and the Karpeles being in California. I wanted to make sure everyone was on the same page as to what needed to be done concerning the Museum here in Alvin.

The Building Official and Myself have been to the property several times, and we understand that this is a slow going process and I have no time constraints on the completion of this project but with that being said, We will not issue a partial Certificate of Occupancy. I am thinking that was what was asked for on Tuesday (6/12/12) the day of our inspection. Mr. Jones had mentioned a target date of August. I do not see this. Clearly, the basement has not been repaired or remediated in anyway, it was so dark in the basement I could not inspect it or take photographs. The second floor looks like it has just been started , I see some minimal floor replacement. Most of the work performed looks to be on the Main Floor , but that also is not complete. Please allow me to reiterate that we have no time constraints on completion of this project at the Fire Marshal's office. However, You may want to check with the Building Official to see if they have time limits regarding permits and such.

I cannot speak for the Building Official, Roy Sosa, but I do know on our last inspection he told Mr. Jones, once again, that there needs to be some plans designed by an Architect. I'm sure this has a lot to do with the Mechanical , Electrical , and Plumbing issues. There will need to be ADA Bathrooms on the main floor, the bathroom at the basement does not meet code. It was also brought up that the project needs to be registered with Architectural Barriers. So all your handicap assessment issues will be clearly addressed and remedied, not just the ones concerning the bathroom but egress and access as well.

I will also need for my file a copy from the Mold Remediation Company that says the mold was taken care of properly as well as the electrical company. Any Company performing work in the City of Alvin needs to check in with the Building Officials office to make sure they have a copy of their license and Insurance and any permits or fees are handled properly. One of my concerns is I saw a lot of fresh paint, I am worried that the mold is being painted over and not treated accordingly. I am enclosing a few pictures from the second floor.

If you have any questions or concerns regarding fire and life safety please contact me at my numbers below. If you have any questions for Mr. Sosa please contact him at 281/388-4274 and or the attached email address. I hope I conveyed his concerns correctly but I would recommend that you speak with him directly before taking a course of action.

Respectfully,

Kristine Schaffner

Assistant Fire Marshal
City Of Alvin, Texas
281/331-7688- Office

6/21/2012

Kristine Schaffner**Subject:** FW: Karpeles Museum- 800 Sidnor Alvin Texas**Chris,**

I wanted to update you on the status of the Karpele's Museum to located in Alvin.

Today, Billy Gerber, Building Inspector and myself issued a stop work order on the Museum. Clearly proper procedures are not being followed. The City of Alvin has not received any permits from any license contractors, other than the Roofer. We feel Mr. Jones has been duly notified, on many occasions, as to the requirements from the City. As I stated in my last email, Mr. Sosa gave very explicit instructions to Mr. Jones. With exception to the roof, it appears all work is being done by none license workers, this includes electrical, plumbing, mechanical and the removal of the mold. Please note that the work currently being preformed does not meet City of Alvin's Codes and Ordinances and our policies and procedures are not being followed.

Until this is rectified there is no work allowed to do done on the property. Violating this stop work order could result in a citation. This property has been issued a Close Patrol and will be monitored infrequently by the Alvin Police Department. Hopefully, someone from your company will contact the Building Department (281/388-4271) and things can get resolved in a timely manner.

Kristine Schaffner

Assistant Fire Marshal
City Of Alvin, Texas
281/331-7688- Office
281/435-4711- Cell

Kschaffner@cityhall.cityofalvin.com

Fire Prevention Is Everybody's Job

Michelle Segovia

From: Terry L. Lucas
Sent: Monday, August 27, 2012 9:06 AM
To: Michelle Segovia
Subject: RE: Karpeles Manuscript Library

Thank you for the information

Terry

From: Michelle Lira
Sent: Monday, August 27, 2012 8:55 AM
To: Terry L. Lucas
Subject: RE: Karpeles Manuscript Library

Terry,

We are waiting for plans detailing the renovation of this building. Initially we allowed them to clean out the building, but they started building walls and installing flooring so we shut them down. Roy advised them to hire an Engineer to draft plans for the renovation and submit them to us. They also have to comply with ADA standards. This project is a classic case of the owner not wanting to spend the money to hire the appropriate professionals to do the plans and a quality contractor to do the work.

Thank You,

Michelle Holley-Lira, P.E., CFM
Community Development Director
City of Alvin
1100 W. Highway 6
Alvin, Texas 77511
281-388-4341 fax 281-331-7516

From: Terry L. Lucas
Sent: Friday, August 24, 2012 10:17 AM
To: Michelle Lira
Subject: FW: Karpeles Manuscript Library

Michelle:

Can you let me know what is occurring with this facility and those noted concerns. Thank you

Terry

From: Scott.Reed@ [REDACTED]
Sent: Friday, August 24, 2012 7:41 AM
To: Terry L. Lucas
Subject: FW: Karpeles Manuscript Library

Karpeles Manuscript Library! What building is this

Scott Reed



**Texas Department of Licensing and Regulation
AB Result Listing**

The following data reflects some of the current information available to the Department for the referenced construction project and may include corrections to the original registration. This document can be used in lieu of the AB Project Confirmation Page as verification of registration.

Project Number: EABPRJB3804129	Estimated Start Date: 09/01/2012
Current/Last Action: Closed - Undetermined	Estimated Completion: 03/01/2013
Status: Project Closed	Estimated Cost: \$50,000.00
Plan Review By:	Job Class: Renovation
	Owner Class: Private

Project Name: Karpeles Manusript Library Museum
 Project Address: 800 W. Sidnor
 City: Alvin Zip: 77511 County: Brazoria
 Scope of Work: Repair window frames, refinish wood floors, repair dryweall, replace carpet.
 Building/Facility Name: Karpeles Manusript Library Museum, Alvin
 Tenant:
 Owner: Dr. David Karpeles Ceo
 Design Firm: Lsc Engineering

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TEXAS DEPARTMENT OF LICENSING AND REGULATION

Compliance Division/ARCHITECTURAL BARRIERS

P.O. Box 12157 Austin, Texas 78711 (512)539-5669 (877)278-0999 FAX (512)539-5690
 Email Address: architectural.barriers@tdlr.texas.gov Internet Address: www.license.state.tx.us

VARIANCE RESULTS

This form is issued by the Texas Department of Licensing and Regulation (TDLR) to document the results of the formal application submitted to the Department for a waiver or modification to Texas Government Code, Chapter 469, the Texas Architectural Barriers Act; the Architectural Barriers Administrative Rules; or the Texas Accessibility Standards (TAS). The owner of the referenced building or facility and the person making the submission has been advised of this determination.

**KARPLES MANUSCRIPT LIBRARY
 MUSEUM
 STEPHEN JONES**
 ALVIN TX 77511

**DAVID KARPLES CEO
 STEPHEN JONES**
 SANTA BARBARA CA 93108

(1 of 1)

- New
- Alteration
- State Lease
- Addition
- Historic

(Person Making the Submission)

(Building / Facility Owner)

EABPRJ: B3804129

Project Information:	
Project Name:	KARPLES MANUSCRIPT LIBRARY MUSEUM
Facility:	KARPLES MANUSCRIPT LIBRARY MUSEUM
Location:	800 W SIDNOR
City:	ALVIN TX 77511
Item(s) Requested to Waive or Modify:	TAS Section #:
To postpone the requirement of an accessible route to the 2035 square foot second floor.	206.2.2

The following decision is based on the information and supporting documentation submitted to the department and has been issued in accordance with Chapter 469.151 and 469.152. It does not address compliance with the Americans with Disabilities Act (ADA) or any other local, state, or federal requirements. For information on the ADA, please contact the regional ADA Hotline at (800) 949-4232, or the United States Department of Justice at (202) 514-0301.

- Approved
- Disapproved
- Postponed
- Not Required
- Mixed

Comments:
 Per 469.152(3) and 106.5.68, there is inadequate proof that load-bearing members or other physical constraints that cannot be modified make it technically infeasible to provide an accessible route to the front entrance of the facility.
 However, based on TAS 202.4, and 106.5.25 sufficient documentation was provided to determine that the cost of installation of an accessible route would exceed the required 20% of the total project cost going towards accessibility. Therefore, the requirement to provide an accessible route to the front entrance of the facility has been postponed.

This variance is applicable only to the referenced project number unless noted otherwise and is not intended to imply that similar or future projects will be issued the same results nor does it alleviate compliance with any other codes or standards.

A denial of a Variance Application may be appealed in writing within thirty (30) calendar days from issuance of the decision, upon payment of the \$200 appeal fee. Supporting documentation such as plans of all affected areas, photos, cost analyses, and code references not previously reviewed may be submitted for consideration. An appeal form is not required.

A decision made by the Department will not be changed based on a telephone call, email, meeting, or any other means of communication that is not submitted in writing as an appeal.

Signature: <i>Marsha A Godeaux</i>	Date: 2/12/13
Printed Name: Marsha A Godeaux	Title: Program Specialist

FOR DEPARTMENT USE	Verified and Updated (Initials): <i>MLG</i>
--------------------	---------------------------------------------

10/12/11

Attention Linda Lauver
Client AQ Testing Services



Katy, TX 77494

11511 Early Forest Ln, Houston, TX 77043

Project Steve Jones, 800 Sidnor, Alvin, TX 77511

www.Bioldea.net 281-920-3066

Bioldea Order ID 13AQ137

Sampling Date 6/11/2013

Report Date 6/14/2013

Air Cassette Mold Spore Report, Method M11, M12, M13, M14, M15, M19

Client Sample No. Sample Location	047 Outdoor		054 Basement			
	75	53	75	53		
Sampl Vol L Sensitivity	25%	1000 L	25%	1000 L	-	-
Left Column=Raw Data						
Alternaria	3	160	-	-	-	-
Acremonium-like	-	-	-	-	-	-
Arthrospores	-	-	-	-	-	-
Ascospores	5	267	-	-	-	-
Aspergillus/Penicillium	12	640	70	333	-	-
Arthrinium	-	-	-	-	-	-
Basidiospores	5	267	-	-	-	-
Bipolaris/ Drechslera	1	53	-	-	-	-
Chaetomium	-	-	-	-	-	-
Cladosporium	75	4000	12	640	-	-
Curvularia	-	-	-	-	-	-
Epicoccum	-	-	-	-	-	-
Fusarium	-	-	-	-	-	-
Ganoderma	-	-	-	-	-	-
Memnoniella	-	-	-	-	-	-
Myxomycete	2	107	-	-	-	-
Paecilomyces	-	-	-	-	-	-
Peronospora (Mildew)	-	-	-	-	-	-
Pith /Stemph /Uloclad	-	-	-	-	-	-
Sporangiospore (Zygo)	-	-	-	-	-	-
Nigrospora	1	53	1	53	-	-
Spegazzinia	-	-	-	-	-	-
Stachybotrys	-	-	-	-	-	-
Rust/Urediniospore	-	-	-	-	-	-
Torula	-	-	-	-	-	-
Hyphal Fragment	4	213	10	533	-	-
Unidentified Spores	21	1120	-	-	-	-
Total Spores	129	6880	93	1559	-	-
Bkgd Debris (1-5)	2		2		-	-

Note:

- How to Interpret your report?**
1. Left column is **Raw Data** with Reading percentage; Right column is data converted in **Standardized 1000 L**.
 2. **Sensitivity** = 1000 liters / your sampled volume / reading percentage.
 3. Your samples were scanned 100%, then read at the indicated percentage.
 4. Some mold spores are grouped together due to morphological similarity.
 5. **Background Debris** indicates how clean or dirty your air is. Rating 1= 0-19%; 2=20-39%; 3=40-59%; 4=60-79%; 5=80-100% covered by particulates, fibers, pollens, molds, insect parts etc inside the impact area.
 6. When background rating is 5, which is overloaded, mold spores are estimated based on peripheral reading.
 7. For abbreviation: Asp/Pen=Aspergillus/Penicillium. Clado/Cladoph=Cladosporium/Cladophialophora; Pith/Stem/Uloclad=Pithomyces/Stemphyllum/Ulocladium; Bipolaris/Drechslera may also include Exserohilum. Zygo=Zygomycete.
 8. Raw counts may not be comparable among samples if sampling volumes are different.
 9. By submitting samples with COC, you agree on terms, conditions, and payment, see Disclaimer @Bioldea.net.


 Analyst: _____
 J. Jay Jin, PhD

From: Steve Jones [mailto: [REDACTED]]
Sent: Wednesday, September 04, 2013 2:58 PM
To: Mary Dearing
Subject: Karpeles Manuscript Library Museum

I am the director of the Karpeles Manuscript Library Museum trying to prepare the building at 800 W. Sidnor to open as the 12th museum of the Karpeles Foundation.

I believe the Karpeles Manuscript Library Museum would be an asset to the city of Alvin.

However the officials I am dealing with seem to be determined to stop this from happening at all costs. I have been consistently subject to delays, made up excuses and my messages ignored. Despite having done everything asked of me and complying with all requirements.

The situation is way beyond ridiculous, I fail to understand why the project should be so unpopular with the officials. The following is a brief overview of my experiences to date:

06/21/12

Today, after I had left to pick up some materials at Home Depot, the Fire marshal and assistant Fire Marshal showed up in my absense, told my crew to "stop work and leave the building", and that "anyone still on the premises at 10:00am would go to jail"

In an email to the Foundation, (The only documentation we ever received about this "Stop Work" order) the assistant Fire Marshal states:

"It appears all work is being done by none licensed workers, this includes electrical, plumbing, and mechanical and the removal of the mold, please note that the work currently being performed does not meet the City of Alvin's Codes and Ordinances and our policies and procedures are not being followed."

It is true that I am using non-licensed workers, but none of the work requires permits or licenses (except for some electrical work, done by a local contractor with license and permits) no electrical, plumbing, mechanical, or mold remediation has been done - all work to date has been repair of plaster walls, windows (replacing glass and rotted frames) floors, (sanded and finished), doors and walls in sanctuary painted, nothing requiring permits has been done), and ALL the work done meets the required codes.

The Plans were turned in 1 year ago, they haven't changed either.
Both were turned in to the city, The official promised me he would get back to me later that day or the next...

(That was three weeks ago – I have heard nothing since- despite having left many messages)

Anyone from the city of Alvin is welcome at any time to visit the premises and see the work that has been done (and the work yet to do) we are here 5 days a week (Mon Thru Fri) from 6:00am till at least 2:00pm. I would be delighted to show the entire premises and the total lack of electrical, plumbing, mechanical and mold removal work.

Please feel free to bring along any officials from the fire department to show where the unlicensed work was done (I'm certainly very curious to see it myself).

Steve Jones

Director

Karpeles Manuscript Library Museum

Alvin



Michelle Segovia

From: Greg Bullard
Sent: Thursday, September 5, 2013 11:13 AM
To: Gary Appelt
Cc: Terry L. Lucas; Mayor and City Council; Michelle Segovia; Roy Sosa; Larry Buehler; Mary Dearing
Subject: Re: 800 W. Sidnor / Karpeles Museum

Gary's explanation is correct.

Good work by staff!

Sent from my iPhone

On Sep 5, 2013, at 10:23 AM, Gary Appelt [REDACTED] wrote:

Same issues and complaints came up over a year ago in a meeting . The project is underfunded and does not have the field expertise to guide and finish the construction. He continues to blame the City for his inaction and lack of progress on this project. Same old story !
 Gary

From: Terry L. Lucas <tlucas@cityhall.cityofalvin.com>
To: Mayor and City Council <[U MayorandCityCouncil@cityhall.cityofalvin.com](mailto:MayorandCityCouncil@cityhall.cityofalvin.com)>
Cc: Michelle Segovia <mlira@psf.cityofalvin.com>; Roy Sosa <rsosa@psf.cityofalvin.com>; Larry Buehler <lbuehler@cityhall.cityofalvin.com>; Mary Dearing <mdearing@cityhall.cityofalvin.com>
Sent: Thursday, September 5, 2013 10:08 AM
Subject: FW: 800 W. Sidnor / Karpeles Museum

Mayor and Council:

Below you will find a chain of emails between Roy, Michelle and myself regarding Karpeles Museum. As some of you know this has been a very difficult development/remodel, primarily because the representatives have not wanted to comply with our requirements and seemingly continue to want holler foul. In truth, we are more than happy to work with them, but they have to be willing to do their part. In the end I suspect that this will be a very nice attraction for Alvin, but we certainly want those that attend to be safe. Please let me know if you have any questions. Thank you

Terry

From: Michelle Segovia
Sent: Thursday, September 05, 2013 9:30 AM
To: Terry L. Lucas
Subject: RE: 800 W. Sidnor / Karpeles Museum

Terry,

In my discussions with Roy, it sounds as if every time that he had spoken with Mr. Jones that there was information that Mr. Jones was to provide the City before the project could progress. The information would not be submitted, the project would "go stale" and then Mr. Jones would try to start up again in a different area without submitting the items originally asked for. To my knowledge calls have

been returned, however I have told Roy that once the mold and asbestos abatement letters are received that I want to review them and the both of to meet with Mr. Jones.

Thank You,

Michelle H. Segovia, P.E., CFM
City Engineer
City of Alvin Engineering Department
1100 W. Highway 6
Alvin, Texas 77511
281-388-4341 fax 281-331-7516

From: Terry L. Lucas
Sent: Thursday, September 05, 2013 8:59 AM
To: Roy Sosa
Cc: Michelle Segovia
Subject: RE: 800 W. Sidnor / Karpeles Museum

He has made accusations of our Staff never getting back with him and not returning phone calls, any truth to this?

Terry

From: Roy Sosa
Sent: Wednesday, September 04, 2013 11:03 PM
To: Terry L. Lucas
Cc: Michelle Segovia
Subject: 800 W. Sidnor / Karpeles Museum

The inspections & fire marshal's departments have met with the representatives of Karpeles Museum numerous times at the site or in our office since we were approached about the alteration / remodel of the building located at 800 W South. We informed the contractor / representative , Steve Jones , that the building must comply with building , electrical , plumbing , mechanical , fire codes therefore they would be required to submit plans sealed by a Texas engineer. Along with the plans , architectural barriers registration & compliance , an asbestos survey & mold survey of the building would be required & if the survey's indicated levels of asbestos & / or mold which required abatement then a licensed contractor would need to conduct the abatement & provide a letter of compliance. The project appeared to be nickel & dimed therefore proceeded slowly and with no permit prompted the inspection & fire marshal's office to go by the site & found the contractor was working. The contractor was informed to stop any work until a permit was able to be obtained and the inspections department would be requesting the police department to conduct a close patrol of the site.

The inspections department has received a set of plans & an Architectural Barriers / accessibility confirmation registration, however they are not approving or denying there submittal.

In February 2013 the fire marshal's & inspections departments met with Mr. Jones at the site in which we informed Mr. Jones that no permits will be issued & no construction can take place until the asbestos & mold abatement has been completed with letters of compliance.

Approximately three weeks ago a plumber requested a plumbing permit for this site, but they were denied because of the asbestos & mold abatement issue. As of this afternoon the inspection department has not received any letters of compliance. I spoke with Mr. Jones this afternoon & informed him of this issue again. Mr Jones informed me he has the abatement letters of compliance & will provide a copy.

CONFIDENTIALITY NOTICE: This electronic message is for the sole use of the intended recipient(s) and is confidential and may be privileged. If you have received this transmission in error, you are hereby notified that any use, dissemination, distribution, or reproduction of this transmission is strictly prohibited. If you are not the intended recipient, please contact the sender by e-mail and destroy all copies of the original message. Thank you.



CITY OF ALVIN

1100 West Highway 6 • Alvin, Texas 77511 • (281) 388-4281 • FAX (281) 331-7516

Engineering Department

October 2, 2013

Karpeles Manuscript Library Museum
David Karpeles c/o Steve Jones

[REDACTED]
[REDACTED] CA

Re: 800 W. Sidnor

A review of the plans which were submitted was found to be incomplete. The following are just a few items which are not addressed on the plan set.

1. Exit signs
2. Emergency lighting
3. Smoke detectors
4. Interior vertical openings shall be protected by either 1 hour fire resistance rated construction or an automatic sprinkler system shall be installed throughout the building
5. Stairways shall meet minimum requirements which include handrails, guardrails, protection of openings
6. Corridors
7. Exit access travel distances
8. Mandatory fire alarm and EVAC systems as per City of Alvin ordinance Chapter 9 Section 907.2.1.1
9. Door hardware (panic hardware)
10. Parking
11. Signage

The incomplete plans which were submitted could require further code compliance; therefore you must obtain a State of Texas Architect and Engineer to conduct a thorough assessment of the building in order to provide a complete and detailed plan submittal.

Sincerely,

Roy Sosa, Building Official
City of Alvin

CC: File

Michelle Segovia

From: Terry L. Lucas
Sent: Monday, February 3, 2014 9:41 AM
To: Michelle Segovia
Subject: RE: Karpeles Museum plans

Thank you. Also, have you found out yet when we are going to get the South St. bridge so we can move forward with those improvement? Can we go ahead and get bids for the job, so we can expedite the project? Thank you

Terry

-----Original Message-----

From: Michelle Segovia
Sent: Monday, February 03, 2014 8:32 AM
To: Terry L. Lucas
Subject: RE: Karpeles Museum plans

Terry,

I have spoken with Roy and there isn't anything else on this project that can be done at this time. Mr. Jones completed the plumbing improvements last year following our meeting with him, which was the only item that we had satisfactory plans on.

Thank You,

Michelle H. Segovia, P.E., CFM
City Engineer
City of Alvin Engineering Department
1100 W. Highway 6
Alvin, Texas 77511
281-388-4341 fax 281-331-7516

-----Original Message-----

From: Terry L. Lucas
Sent: Saturday, February 01, 2014 12:17 PM
To: Steve Jones
Subject: RE: Karpeles Museum plans

Hello Steve:

I spoke with Michelle on Thursday and she will get with Roy to determine if there is anything you can move forward with. I will let you know as soon as I hear back from her. Thank you

Terry

-----Original Message-----

From: Steve Jones [REDACTED]
Sent: Monday, January 20, 2014 9:02 AM
To: Terry L. Lucas
Subject: Karpeles Museum plans

Michelle Segovia

From: Terry L. Lucas
Sent: Friday, February 7, 2014 12:48 PM
To: All Legal Dept. Employees
Cc: Gary Appelt; Scott Reed; Michelle Segovia
Subject: FW: Karpeles Museum
Attachments: Alv letter.doc

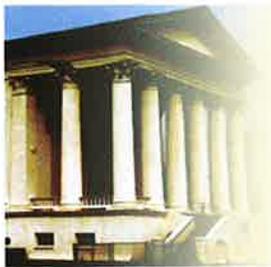
Bobbi:

Please review the attached letter, I assume that you will want to respond. City Staff (Michelle and Roy primarily) have worked diligently with Steve Jones to try and get their project approved, but they evidently hired a poor architect who did not produce an appropriate set of documents and refuses to return their calls for plan updates. In my conversations with Steve, he acknowledges that they hired the wrong person, that that person produced sub-standard work and that he did not follow our City ordinance when developing the scope of work. Because the owner refuses to invest any other money into a new architect, Steve is stuck. Roy and Michelle will not approve the current set of plans, simply because they do not comply. We have all meet with Steve and have spent a lot of time explaining what needs to occur, but it appears he may be caught in the middle. To my knowledge we have not demanded anything that cannot be supported. My guess, based on what Steve has told me and the verbiage in the letter, the owner, in the past, has not had such a poor structure as the one in Alvin, or other cities have not required our same measures. Michelle can provide you with all of the PDM and inspection report information you may need. Thank you

Terry

From: [kmuseumst](#) [REDACTED]
Sent: Tuesday, February 04, 2014 10:59 AM
To: Terry L. Lucas; [REDACTED]
Subject: Karpeles Museum

Please see attached letter.



The KARPELES Manuscript Library MUSEUMS

FOUNDED 1983

Dr. David Karpeles – Founder, C.E.O. & President

Marsha Karpeles – Director of Advisory Staff & Corp. Sec.

Headquarters Staff - (805) 969-3873
465 Hot Springs Road
Santa Barbara, CA 93108

Dr. Elliott Karpeles – Museums Coordinator
Eric Carr – National Resources Manager
Jennifer Rutherford – Assistant Executive Director
California

Fax: (805) 969-0482
Web page: www.karpeles.com
Email [Santa Barbara]: kmuseumSB@aol.com

Museum Locations:

Alvin - (281) 331-3002
Steven Jones – Director
800 West Sidnor Street
Alvin, TX 77511

Buffalo - (716) 885-4139
Chris Kelly – Director
453 Porter Avenue & 220 North Street
Buffalo, NY 14201

Charleston - (843) 853-4651
Steven White – Director
68 Spring Street
Charleston, SC 29403

Duluth - (218) 728-0630
Luis E. Rego, Co-Director
Robert Wickham, Co-Director
902 East 1st Street
Duluth, MN 55805

Fort Wayne - (260) 456-6929
Lisa Olinger – Director
3039 Piqua Avenue
Fort Wayne, IN 46806

Jacksonville - (904) 356-2992
Richard Minor – Director
101 West 1st Street
Jacksonville, FL 32206

Newburgh - (845) 569-4997
Lisa Price – Director
94 Broadway
Newburgh, NY 12550

Rock Island - (telephone #)
John Snow – Director
700 22nd Street
Rock Island, IL 61201

Santa Barbara - (805) 962-5322
Norman Cohan – Director
21 W. Anapamu Street
Santa Barbara, CA 93101

Shreveport - (318) 861-7615
John Gillespie – Curator
3201 Centenary Boulevard
Shreveport, LA 71104

Tacoma - (253) 383-2575
Tom Jutilla – Director
407 South 'G' Street
Tacoma, WA 98405

Advisory Staff

Dr. Brendon Furnish – Fort Worth, Texas
Tonatiuh Gutierrez – Mexico, D.F., Mexico
Dr. Stephen Mattson – Cambria, California
Steven Record
Dr. Concepcion Saenz-Cambra – Spain
Marilyn Sheaffer – Goleta,

Dorothy Sloan – Austin, Texas
Timothy Szumowski – Danville, California

Terry L. Lucas

We are not interested in approval of additional work, nor of providing another set of plans.

We have done so much work on the building (Including two new bathrooms) which no other existing building would have been required to do. The building was a church in the past and no such requirements was asked of them.

No other of our museums has ever been asked to completely repair the stain glass windows. A cost which is excessive in itself.

We have no choice but to hire an attorney and file suit against the city asking to be allowed to open and asking for damages to cover all the excessive improvements we have been forced to do.

David Karpeles

Michelle Segovia

From: Larry Buehler
Sent: Thursday, October 9, 2014 8:51 AM
To: Junru Roland
Cc: Michelle Segovia; Sussie Sutton; All Legal Dept. Employees
Subject: Karpeles Museum

Junru,

I am recapping the meeting where Steve Jones, Mayor Horn, Tom Stansel, Sussie, you and I attended. Action items are as follows:

1. Steve Jones stated that according to his Architect located in Houston, the plans are all finished except for the parking lot issue. Steve will communicate to the architect to submit the plans so staff can begin the review and prepare the comment letter to address any items need to in the plans
2. Parking Spaces – Since the City of Alvin does not have a category for museums, this re-development fell in to the general category of mass gathering, resulting in a 200-space requirement. Staff will work toward proposed language they believe will work and submit to City Council for consideration as a change to the ordinance.
3. ADA Postponement Letter – This letter was generated by the state based on very early information from Steve Jones as he registered the project with the state. Per the State of Texas, there is a percentage calculation used that addresses the total cost of renovations that determine what ADA items have to be included. The city requires the new “complete” plans be submitted to the Sate for review and send the approval as is and/or any additional requirements to meet the state requirements.

If I missed something please comment. Thank you.

Best regards,
Larry V. Buehler
Economic Development Director
City of Alvin
216 West Sealy
Alvin, TX 77511
Phone: 281-388-4242
Cell: 979-848-7308
lbuehler@cityofalvin.com
www.alvin-tx.gov

Michelle Segovia

From: Michael Collins
Sent: Thursday, November 6, 2014 10:39 AM
To: [REDACTED] — architect
Cc: [REDACTED] Michelle Segovia; Larry Buehler; Roy Sosa; Matt Cornell; Kristine Schaffner
Subject: Steve Jones 800 W. Sidnor - Karpeles Museum
Attachments: 2162_001.pdf



CITY OF ALVIN

1100 West Highway 6 • Alvin, Texas 77511 • (281) 388-4371

Eng

Mike Collins

Building Official
City of Alvin
(281) 388-4274 Phone
mcollins@cityofalvin.com



CITY OF ALVIN

302 West House Street ♦ Alvin, Texas 77511 ♦ (281) 331-7688 ♦ FAX (281) 331-9713

Fire Marshal's Office

Business Name: Karpeles Manuscript
Library Museum

Plan Type: Remodel

Address: 800 West Sidnor

Reviewed By: Matt Cornell

Date: 10/28/2014

The FMO reviews submitted plans for compliance with the International Fire Code 2009.

These plans have been reviewed by our office and need the following Stipulations:

- The address must be visible from the street (or main parking lot). Min 6"
- Portable fire extinguishers must be installed in compliance with NFPA Standard #10.
- Locking mechanisms on exterior doors must comply with the International Building Code 2009.
- Emergency lighting is required, including public restrooms and exterior exit discharge.
- A sprinkler system must be installed in compliance with NFPA Standard #13
- A fire alarm system must be installed in accordance with NFPA Standard #72 including Tamper covers on Pull Stations.
- Smoke Detectors installed in accordance with City Ordinance
- FDC (Fire Department Connection) required to have a Knox Cap (part # 5002)
- Fire hydrant must be located within 50 feet of remote FDC
- Fire access required to have approved turning radiuses and turnaround.
- Hydrostatic test 200 pounds for 2 hours with no leaks.
- Knox Box access required, final location shall be determined by business owner and Fire Marshal (Need all keys required for complete access)

COMMENTS: Not approved for construction. Emergency lighting is required in bathrooms, at exit doors and exit discharge. Need fire alarm installed per NFPA 72. A Knox box will be required to be installed near the front door or service entrance.

All Requirements are Subject to Change upon Field Inspection.



CITY OF ALVIN

1100 West Highway 6 • Alvin, Texas 77511 • (281) 388-4281 • FAX (281) 331-7516

Engineering Department

November 5, 2014

CC - Kmuseum@alv@901.com

Andres Zornosa
Studio Forma

[REDACTED]
Houston, TX 77079

Re: 800 W. Sidnor St – Karpeles Museum

A review of the submitted plans has been completed. The following is a listing of comments which need to be addressed:

1. Need a permit application filled out and complete as an updated 2014 application (include the value of construction).
2. Missing an electrical plan with details for the service and outside disconnect, load analysis (need a complete electrical plan).
3. Missing a Mechanical plan with air handlers, duct, return air and registers, fresh air, smoke detector shut down in return airs (need a complete Mechanical plan).
4. Missing a plumbing plan showing all details. Example a drinking fountain is required not just a water cooler. Note: drinking fountain does not have to be chilled water.
5. Building plans must show detail for stair compliance for all guardrails, handrails, head room heights, stair risers to be per the 2009 IBC requirement. As well as stair enclosure for fire separation per 2009 IBC and 2009 IFC.
6. Building plans show office space third floor, but we were told it was to be storage. Please have the plans reflect the intent.
7. Building plans must show planned egress travel and distance per architect's intent.
8. Must provide a ComCheck for 2009 IECC energy code compliance (Energy analysis).
9. Building plans must show the required ADA access to the building from the parking and to the second floor entry (need a complete ADA plan).
10. Provide a stamped engineer letter of approval for this existing structure.
11. Plans for a dumpster? If using a dumpster then include that on the site plan.

Should you have any questions concerning these comments please contact me at 281-388-4274.

Sincerely,

Mike Collins, Building Official
City of Alvin

CC: File

Michelle Segovia

From: Larry Buehler
Sent: Tuesday, November 18, 2014 8:02 PM
To: Michelle Segovia
Cc: Junru Roland
Subject: Re: Church --> Museum Issues

Thanks Michelle. Tom cornered me after the chamber transportation committee on this issue. I simply told him the architect did not submit a fully complete set of plans, and our team responded with a letter showing things left to cover. He brought up the ADA issue also. I told Tom to ask Steve Jones to show him the letter from the State of Texas that approves any ADA plans. Tom understood from me that you and your team have done all you can within the rules to keep this project moving forward.

Best Regards,
Larry V. Buehler
Economic Development Director
City of Alvin
216 West Sealy
Alvin, TX 77511
Phone: 281.388.4242
Cell: 979.848.7308
lbuehler@cityhall.cityofalvin.com
www.alvin-tx.gov

On Nov 18, 2014, at 6:05 PM, "Michelle Segovia" <mlira@psf.cityofalvin.com> wrote:

Junru,

Attached are the comment letters (both building and fire reviews) that were sent out based on the recent plan submittal. An ADA plan is required based on further research by Mike and Roy, as well as, consultation with an ADA consultant. Also attached is a response letter from TDLR regarding a variance request that was made by the Owner's Representative in order to not have to provide ADA access to the building. As you will see in the letter from TDLR it is stated that ADA access to the building is postponed based on the fact that the cost to provide ADA access would be more than 20% of the cost of the project being proposed. I've also included the project registration page from TDLR where the project cost was estimated at \$50,000 and only minor cosmetic changes to the building were being proposed. When this project was registered with TDLR in 2012 and the variance letter was issued by TDLR in 2/2013 the full scope of the work was not known since full complete plans had not been submitted or approved. The cost of the project will likely be higher than \$50,000 and the ADA access will be required.

Thank You,

Michelle H. Segovia, P.E., CFM
City Engineer
City of Alvin
1100 W. Highway 6
Alvin, Texas 77511
Office: 281-388-4341
Fax: 281-331-7516

Office Hours: M-TH 7 A.M. - 6 P.M.

From: Junru Roland
Sent: Tuesday, November 18, 2014 5:14 PM
To: Michelle Segovia
Subject: Church --> Museum Issues

Michelle:

Tom Stansel has informed the mayor that we sent out a letter noting the need for the museum to have handicap access. Apparently, they told the mayor that they have already addressed the issue. When you get a chance please research the letter that they are referring to.

Thanks

*Junru Roland CPFIM, CGFM, CGFO, CPA
Interim City Manager / Chief Financial Officer
City of Alvin, TX
281 388 4212 (office)
City Hall is closed on Fridays*

<Karpeles Comment Letter.pdf>

<Karpeles TDLR Project Registration.pdf>

<Karpeles TDLR Response Letter.pdf>

Michelle Segovia

From: Junru Roland
Sent: Thursday, December 11, 2014 4:48 PM
To: Larry Buehler; Michelle Segovia
Subject: RE: Dr. Karpeles comments

Thanks for the update...
My position is that compliance needs to happen prior to opening.

*Junru Roland CPFIM, CGFM, CGFO, CPA
Interim City Manager / Chief Financial Officer
City of Alvin, TX
281 388 4212 (office)
City Hall is closed on Fridays*

From: Larry Buehler
Sent: Thursday, December 11, 2014 1:21 PM
To: Tom Stansel; 'Paul Horn'
Cc: Junru Roland; Michelle Segovia
Subject: RE: Dr. Karpeles comments

Mayor and Tom,

Addressing the email from Steve Jones discussing Dr. Karpeles responses...As you read his responses below, he is still unwilling to complete items before he can open the museum. I appreciate his offer of thanks to the City of Alvin. The parking issue has been resolved and there is no requirement for a sprinkler system in the building. I cannot speak to the "other cities" requirements because we have no knowledge of what type of buildings were secured and what codes they use. It appears that he has stated items out of frustration, so I will leave them there. FYI, someone connected to the Karpeles Museum is also using social media dating back to 2013 to make many negative comments about the City of Alvin.

The results of the meeting this week were good. Steve and his architect sat down with staff and covered remaining issues. The architect did confirm that he was and is aware of the codes we use and the issues remaining. The architect said that he has not been authorized to complete the standard plans to submit as the city requested some time back. Based on what Steve told Tom and what Michelle told me, the architect is to give Steve a price to complete the documents that will include costs to complete the project. This will be submitted to Dr. Karpeles for consideration. I do think that if the architect was given the typical authority to submit plans and be the project manager, this issue could be resolved with a positive outcome.

We will continue to do what we can within the boundaries of our ordinances to assist the project that we believe, completed right, will be a great asset for the community. Please let me know if I can do anything else.

Best regards,
Larry V. Buehler
Economic Development Director
City of Alvin
216 West Sealy
Alvin, TX 77511

Phone: 281-388-4242
Cell: 979-848-7308
lbuehler@cityofalvin.com
www.alvin-tx.gov

From: Tom Stansel [<mailto:tstansel@alvin-tx.gov>]
Sent: Wednesday, December 10, 2014 10:02 PM
To: Larry Buehler; 'Paul Horn'
Subject: FW: Dr Karpeles comments

FYI
Tom

From: Karpeles Museum
Sent: Wednesday, December 10, 2014 7:11 PM
To:
Subject: Dr Karpeles comments

Tom,

The following (in Italics) are dr Karpeles comments, the first lines I received prior to the meeting

*Our main concern is that we be allowed to open. We will agree to make any submissions, but only if we are allowed to open first, immediately.
(We may have to install some carpeting and our sign, but then we should be allowed to open).*

We will agree not to have a "grand opening" or any large amount of visitors. It will be a quiet opening ... perhaps visits by school classes also.

And the following I received in an email response to my report on the meeting

Please thank the City for their consideration. However in no other City have we ever been asked for complete sets of plans (after years of improvements). If we did submit such plans, it is clear to me that they will demand further draconian alterations.

Newburgh, New York gave us \$200,000 to help us purchase a building. Jacksonville, Florida gave us \$30,000 per year for several years to open our museum there. Duluth, Minnesota has estimated that our museum there adds one to two hundred thousands to the Duluth economy.

None of the above has any parking spaces, except 'on street'. None of the above has a sprinkler system. Alvin's concessions are worthless. None of our museums has ever been asked for 'plans' for an pre-existing building. Why did the City not ask for such requirements from previous owners?

216 West Sealy
Alvin, TX 77511
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From: Alvin Museum Society [REDACTED]
Sent: Thursday, December 18, 2014 1:07 PM
To: Larry Buehler
Subject: Preliminary Karpeles Plan for Discussion

Larry,
Attached is a proposed plan for discussion today.
Thanks,
Tom

Proposed Action Plan for Karpeles Museum (12/18/2014)

Short Term

Karpeles

- Formally request Temporary Certificate of Occupancy for 6 months while Karpeles addresses additional permit work

City of Alvin Building Dept. & Fire Marshal (based on Temporary Occupancy, Section 111.3, International Building Code)

- Determine and identify if any specific safety issues exist that would preclude the issuing of the Temporary Certificate of Occupancy.
- If no specific safety issues exist, issue certificate
- If specific safety issues exist, identify them to Karpeles

Karpeles

- If safety issues exist, address them and reapply for the Temporary Certificate of Occupancy
- If city issues the certificate, open the facility while addressing the outstanding permit issues

City of Alvin Economic Development & Legal (based on Historic Buildings, Section 3409 and Definitions, International Building Code and section 102.6 International Plumbing and Mechanical Codes)

- Determine if Mayor and Council want to pursue designation of Historic building (in general, specifically for the Karpeles building, neither or both)
- Aggressively follow up based on direction

Longer Term

City of Alvin Building Dept. (& legal??)

- Look at Applicability, Sections 102.2,.4 & .5 of International Plumbing and Mechanical Codes to determine if full or partial Mechanical and Plumbing Plans are required
- Look at National Electrical Code and Alvin Code of Ordinances Section 8-47 and 8-82 and determine if electrical drawings for whole building are required based on limited electrical work done.
- Look at other requirements on punch lists (#4 Drinking Fountain & #8 energy analysis), based on limited work done
- Based on research modify list of required permit work if needed and notify Karpeles

City of Alvin Fire Marshal

- Look at any cost effective ways to address emergency lighting and fire alarm system

Karpeles

- Apply for funds from Hotel/Motel tax for historic restoration & preservation projects (to offset some of the costs for handicap access?)

Michelle Segovia

From: Michelle Segovia
Sent: Tuesday, December 23, 2014 10:17 AM
To: Larry Buehler; Michael Collins; Roy Sosa; Matt Cornell
Cc: Junru Roland; Mary Dearing; Kristine Schaffner; Pamela Lawrence; All Legal Dept. Employees
Subject: RE: Preliminary Karpeles Plan for Discussion

Larry,

I agree with all that you have stated.

Thank You,

Michelle H. Segovia, P.E., CFM
 City Engineer
 City of Alvin
 1100 W. Highway 6
 Alvin, Texas 77511
 Office: 281-388-4341
 Fax: 281-331-7516

Office Hours: M-TH 7 A.M.- 6 P.M.

From: Larry Buehler
Sent: Tuesday, December 23, 2014 8:39 AM
To: Michelle Segovia; Michael Collins; Roy Sosa; Matt Cornell
Cc: Junru Roland; Mary Dearing; Kristine Schaffner; Pamela Lawrence; All Legal Dept. Employees
Subject: FW: Preliminary Karpeles Plan for Discussion

Thanks to each of you for your patience and willingness to meet with Tom Stansel one more time yesterday on the Karpeles Museum project. Along with the document he prepared, I attached my notes from the meeting. As I stated toward the end of the meeting, I see two major issues causing this project to not move forward to all our satisfaction. First, it has been stated many times by Tom and Steve Jones that Dr. Karpeles is very "tight" with his money and is not willing to spend the necessary funds to adequately plan and execute the renovations/remodeling to the facility. Second, this is a proven fact since his architect along with Steve Jones sat in front of you and said he has not been authorized to complete the necessary documents that are required by the City of Alvin. In your last meeting with Steve Jones and the architect, Steve told him to prepare a cost for completing such documents that will also have cost estimates on the items still needed to be completed. To date, no new documents have been received.

The City has taken many steps to include changing an ordinance on parking restrictions to help this project move forward. As a result of my exposure to this project to date, here is my recommendation moving forward While I believe we all share Tom's enthusiasm to help this project move forward, in my opinion, the City should communicate all future information with Steve Jones AND his architect at the same time. This is to ensure that they receive firsthand information from the City. Until Dr. Karpeles is willing and authorizes the funding, the issues outlined in my notes will be left undone, thereby, preventing the City of Alvin to allow completion and closure to the project. If you agree, we should request Junru to authorize this step to be communicated to Dr. Karpeles and his team.

Best regards,
 Larry V. Buehler
 Economic Development Director
 City of Alvin

Karpeles Museum Meeting

December 22, 2014

Attendees: Tom Stansel, Michelle Segovia, Mat Cornell, Michael Collins, Roy Sosa, Larry Buehler

Meeting Notes

The key issue remains that a complete set of plans still have not been submitted to the City of Alvin. Tom brought portions of several codes and ordinances to discuss. He also requested what it would take to issue a temporary occupancy certificate so the museum could open. Below are key issues preventing any considerations of occupancy. This is not a complete list, and as stated before, complete plans from the architect have not been submitted.

- Architectural Barriers – The project scope has changed from the original application to the State of Texas. All new scope information has to be submitted by Karpeles to the State of Texas for official response and documentation to the City of Alvin for approval and a certificate of approval. Any exclusions or exceptions must be cleared and accepted by the State of Texas.
- Fire Safety – A State of Texas licensed fire protection system company must submit “stamped” plans for the fire alarm system
- Fire Safety – the stairwell must be protected by a firewall
- Mechanical System (HVAC) – During an earlier inspection, mold was discovered in the building and the furnace does not work. The mechanical system must be repaired and inspected by licensed professionals before city approval
- Electrical - Any new electrical must be completed per the 2011 National Electrical Code (NEC) and shown on plans yet to be submitted.

There was discussion on some plumbing code issues that Roy was to research to make sure current activity will be in compliance with appropriate rules.

Tom was appreciative of city staff for all they are doing toward the project.



CITY OF ALVIN

Engineering Department

1100 West Highway 6 • Alvin, Texas 77511 • (281) 388-4281 • FAX (281) 331-7516

January 27, 2015

Bobbie Kacz
216 W. Sealy
Alvin, TX 77511

Re: 800 W. Sidnor St – Karpeles Museum

A review of the submitted plans has been completed. The following is a list of comments which need to be addressed before a temporary occupancy permit could be considered:

1. Need a permit application filled out and complete as an updated 2015 application (include the value of construction).
2. Must provide construction documents of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations (2009 International existing building code).
3. Include an electrical plan with details for the service and outside disconnect, load analysis (need a complete electrical plan).
4. Provide Mechanical plan indicating the mechanical system is in compliance. Mechanical system must provide a minimum of 68 degree temperature. The gas line system for all gas appliances must be tested and inspected. All mechanical systems must be operable and in compliance.
5. All electrical, plumbing, and mechanical work must be permitted by licensed contractors.
6. Must provide a building evaluation by a registered design professional.
7. Building plans must show detail for stair compliance for all guardrails, handrails, head room heights, stair risers to be per the 2009 IBC requirement. As well as stair enclosure for fire separation per 2009 IBC and 2009 IFC.
8. Building plans show office space on the third floor, but we were told it was to be storage. Please have the plans reflect the intent.
9. Building plans must show the required ADA access to the building from the parking and to the second floor entry (need a complete ADA plan). Must resubmit the plans to the architectural barriers division with existing registration number.

Should you have any questions concerning these comments please contact me at 281-388-4274.

Sincerely,

Mike Collins, Building Official
City of Alvin

CC: File



CITY OF ALVIN
Fire Marshal's Office
302 West House Street
Alvin, Texas 77511
(281) 331-7688 FAX (281) 331-9713



RE; Karpeles Manuscript Library Museum
800 West Sidnor Street
Alvin Texas, 77511

01/26/2015

Michelle Segovia PE,

For a temporary conditional occupancy of Karpeles Museum located at 800 West Sidnor all items essential to life safety will need to be completed. Those items will be the fire alarm system and the one hour enclosure of the interior egress stairs.

The fire alarm will need to be designed and submitted to the Fire Marshal's office by a licensed fire alarm contractor. The fire alarm design will need to include voice evacuation, manual pull stations with audible tamper covers at each exit door, smoke detectors every 900 square feet and HVAC shut down for units over 2000 cfm when a general fire alarm is activated. The fire alarm will be required to be monitored by a central station monitoring company. Once the submitted drawing has been approved by the Fire Marshal's office the fire alarm company shall pick up the plans and pay for the installation permit. Installation of the fire alarm may begin after the permit is paid for. Installation of the fire alarm prior to obtaining the permit will cost double the permit fee and no inspections will be done until all fees are paid. Two inspections for the fire alarm are required, a rough in inspection and a final 100% function test. To obtain a passing final inspection all devices must function without delay, two phone lines must be complete and monitoring set up. A cell phone type dialer approved for use with a fire alarm may be used in place of a hard phone line.

The exit egress stairs shall be enclosed and protected as indicated on the drawings submitted in October of 2014. The enclosure will need to be built to a UL listed assembly. The assembly design shall be submitted to the Fire Marshal's office and approved prior to installation. Two inspections will be required, Framing- framed and one sided and a Final- complete wall assembly with doors and fire rated panic hardware.

Upon completion of the above items the Fire Marshal's office would be in agreement to a TCO for six months. All items listed on the plan review letter dated 10/28/2014 shall be completed and pass inspection within six months of obtaining the TCO.

Sincerely,

Matt Cornell, Fire Marshal
IAAI CFI



CITY OF ALVIN

302 West House Street ♦ Alvin, Texas 77511 ♦ (281) 331-7688 ♦ FAX (281) 331-9713

Fire Marshal's Office

Business Name: Karpeles Manuscript
Library Museum

Plan Type: Remodel

Address: 800 West Sidnor

Reviewed By: Matt Cornell

Date: 10/28/2014

The FMO reviews submitted plans for compliance with the International Fire Code 2009.

These plans have been reviewed by our office and need the following Stipulations:

- The address must be visible from the street (or main parking lot). Min 6"
- Portable fire extinguishers must be installed in compliance with NFPA Standard #10.
- Locking mechanisms on exterior doors must comply with the International Building Code 2009.
- Emergency lighting is required, including public restrooms and exterior exit discharge.
- A sprinkler system must be installed in compliance with NFPA Standard #13
- A fire alarm system must be installed in accordance with NFPA Standard #72 including Tamper covers on Pull Stations.
- Smoke Detectors installed in accordance with City Ordinance
- FDC (Fire Department Connection) required to have a Knox Cap (part # 5002)
- Fire hydrant must be located within 50 feet of remote FDC
- Fire access required to have approved turning radiuses and turnaround.
- Hydrostatic test 200 pounds for 2 hours with no leaks.
- Knox Box access required, final location shall be determined by business owner and Fire Marshal (Need all keys required for complete access)

COMMENTS: Not approved for construction. Emergency lighting is required in bathrooms, at exit doors and exit discharge. Need fire alarm installed per NFPA 72. A Knox box will be required to be installed near the front door or service entrance.

All Requirements are Subject to Change upon Field Inspection.

3. The name and address of the owner.
 4. A description of that portion of the structure for which the certificate is issued.
 5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
 6. The name of the *code official*.
 7. The edition of the code under which the permit was issued.
 8. The use and occupancy in accordance with the provisions of the *International Building Code*.
 9. The type of construction as defined in the *International Building Code*.
 10. The design occupant load and any impact the *alteration* has on the design occupant load of the area not within the scope of the work.
 11. If fire protection systems are provided, whether the fire protection systems are required.
 12. Any special stipulations and conditions of the building permit.
- ❖ The code official is required to issue a certificate of occupancy after a successful final inspection has been completed and all deficiencies and violations have been resolved. This section lists the information that must be included on the certificate. This information is useful to both the code official and owner because it indicates the criteria under which the structure was evaluated and approved at the time the certificate was issued. This is especially important when later applying Chapter 13 to existing structures.

110.3 Temporary occupancy. The *code official* is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The *code official* shall set a time period during which the temporary certificate of occupancy is valid.

- ❖ The code official is permitted to issue a temporary certificate of occupancy for all or a portion of a building prior to the completion of all work. Such certification is to be issued only when the building or portion in question can be safely occupied prior to full completion. The certification is intended to acknowledge that some building features may not be completed even though the building is safe for occupancy, or that a portion of the building can be safely occupied while work continues in another area. This provision precludes the occupancy of a building or structure that does not contain all of the required fire protection systems and means of egress. Temporary certificates should be issued only when incidental construction remains, such as site work and interior work, that is not regulated by the code and exterior decoration not necessary to the integrity of the building envelope. The code official

should view the issuance of a temporary certificate of occupancy as substantial an act as the issuance of the final certificate. Indeed, the issuance of a temporary certificate of occupancy offers a greater potential for conflict because once the building or structure is occupied, it is very difficult to remove the occupants through legal means. The certificate must specify the time period for which it is valid.

110.4 Revocation. The *code official* is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this code wherever the certificate is issued in error or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

- ❖ The code official is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of the code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure, or portion thereof, is in violation of any ordinance or regulation or any of the provisions of the code.

This section is needed to give the code official the authority to revoke a certificate of occupancy for the reasons indicated in the code text. The code official may also suspend the certificate of occupancy until all of the code violations are corrected.

SECTION 111 SERVICE UTILITIES

111.1 Connection of service utilities. No person shall make connections from a utility, source of energy, fuel, or power to any building or system that is regulated by this code for which a permit is required, until approved by the *code official*.

- ❖ This section establishes the authority of the code official to approve utility connections to a building for items such as water, sewer, electricity, gas and steam; and to require their disconnection when hazardous conditions or emergencies exist.

The approval of the code official is required before a connection can be made from a utility to a building system that is regulated by the applicable code, including those referenced in Section 101.4. This includes utilities supplying water, sewer, electricity, gas and steam services. For the protection of building occupants, including workers, such systems must have had final inspection approvals, except as allowed by Section 111.2 for temporary connections.

111.2 Temporary connection. The *code official* shall have the authority to authorize the temporary connection of the building or system to the utility source of energy, fuel, or power.

- ❖ The code official is permitted to issue temporary authorization to make connections to the public utility system prior to the completion of all work. This acknowledges that, because of seasonal limitations, time constraints, or the need for testing or partial oper-



Karpeles Museum Presentation

February 5, 2015



110.3 Temporary Occupancy

The code official is permitted to issue a temporary certificate of occupancy for all or a portion of a building prior to the completion of all work. Such certification is to be issued only when the building or portion in question can be safely occupied prior to full completion. The certification is intended to acknowledge that some building features may not be completed even though the building is safe for occupancy, or that a portion of the building can be safely occupied while work continues in another area. This provision precludes the occupancy of a building or structure that does not contain all of the required fire protection systems and means of egress. ***Temporary certificates should be issued only when incidental construction remains, such as site work and interior work, that is not regulated by the code and exterior decoration not necessary to the integrity of the building envelope.*** The code official should view the issuance of a temporary certificate of occupancy as substantial an act as the issuance of the final certificate. Indeed, the issuance of a temporary certificate of occupancy offers a greater potential for conflict because once the building or structure is occupied, it is difficult to remove the occupants through legal means. The certificate must specify the time period for which it is valid. (2009 International Existing Building Code Commentary)

Karpeles Manuscript Museum 800 West Sidnor



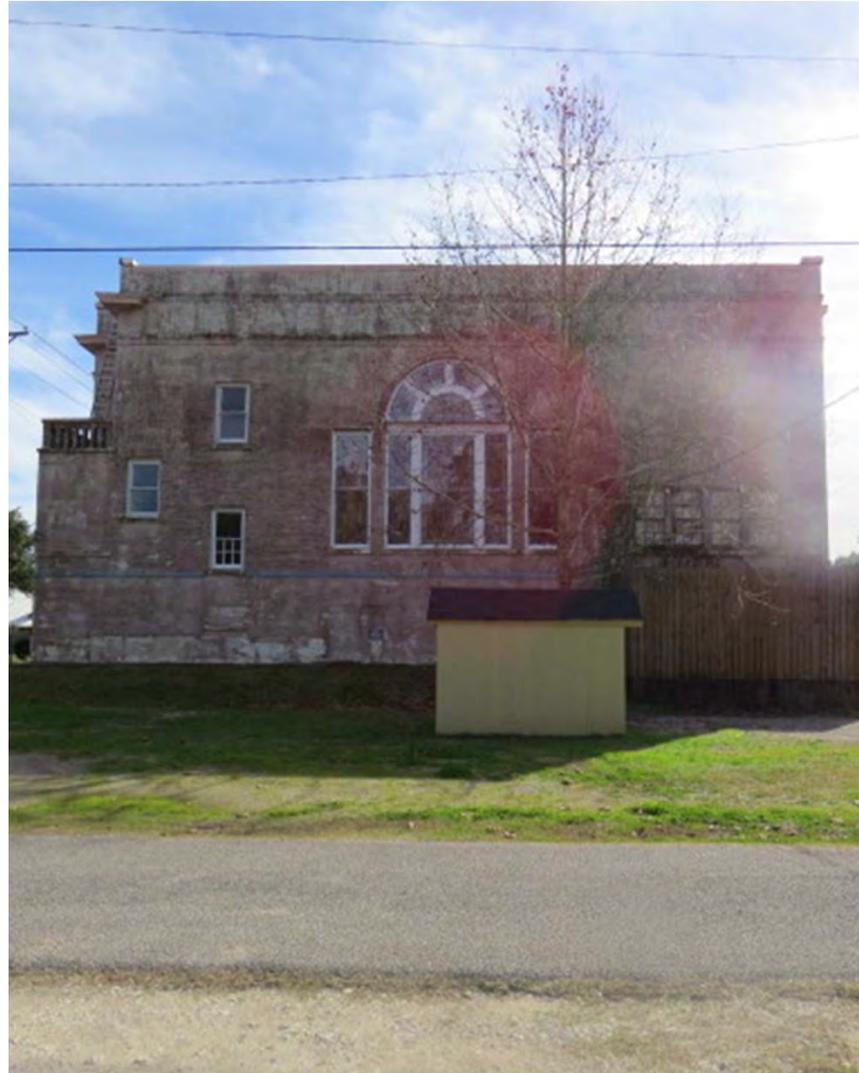
South Exterior



West Exterior



North Exterior



East Exterior



Handrails missing at entrance



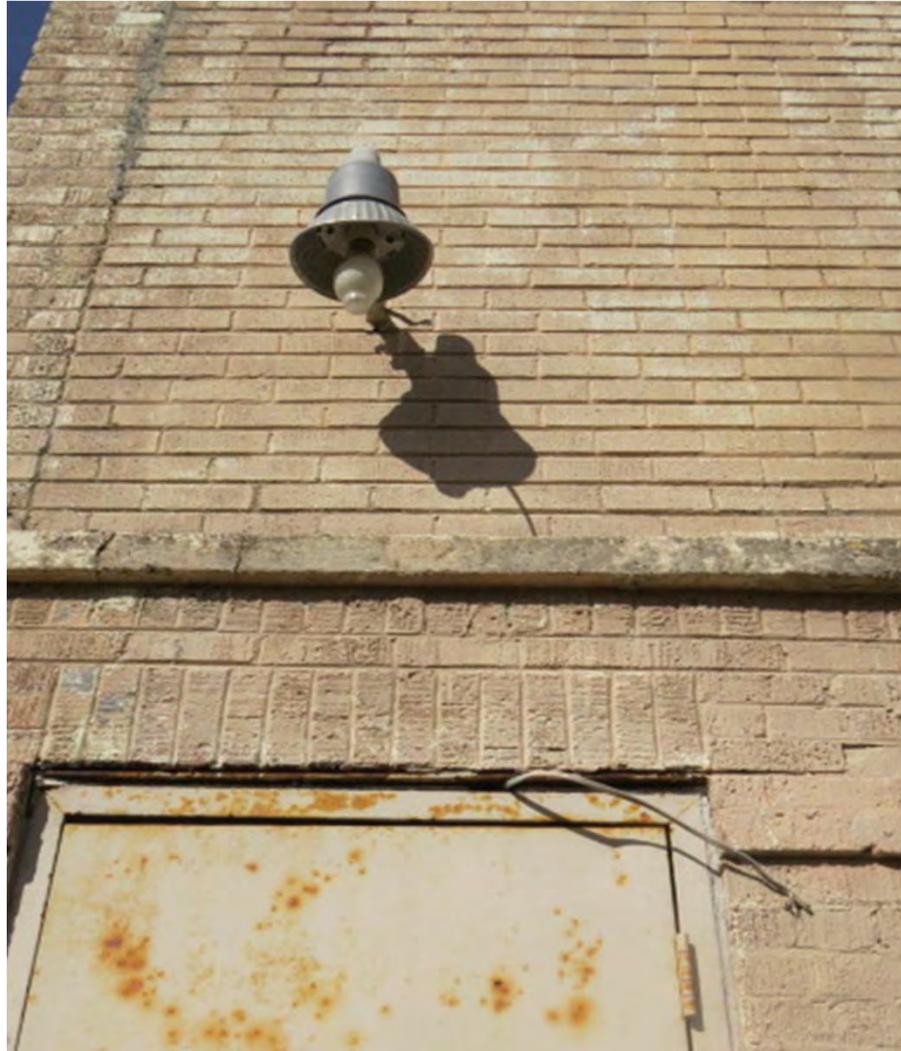
Unapproved wiring and open J box



Wood covering J box



Unapproved wiring and egress light not working



South exit stair door hardware issues



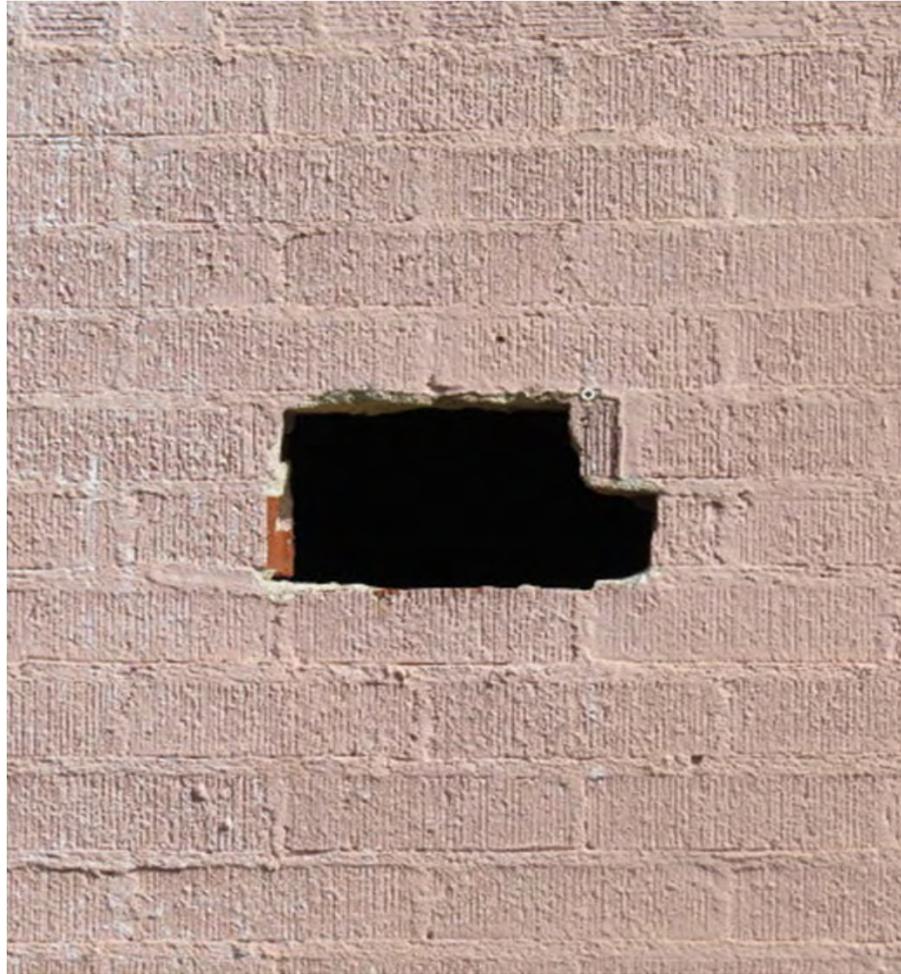
Open south stair looking through window



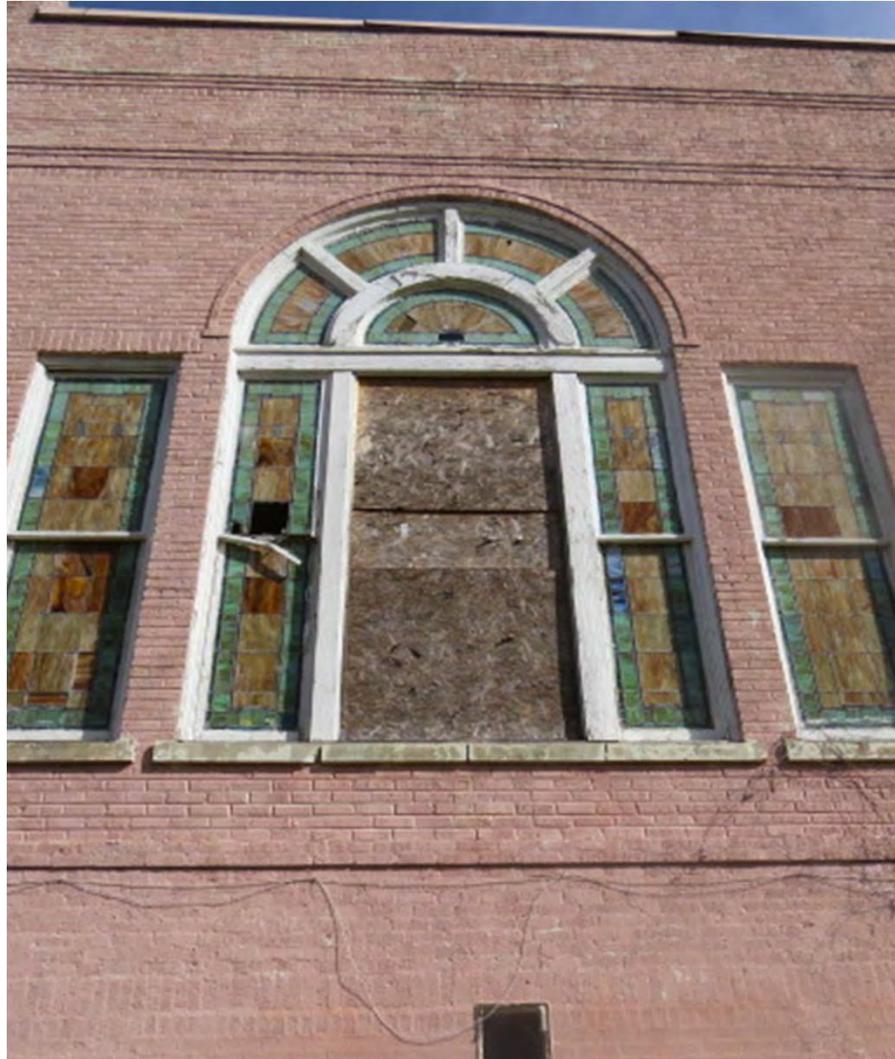
West wall vent opening into ground floor



West wall brick opening into ground floor



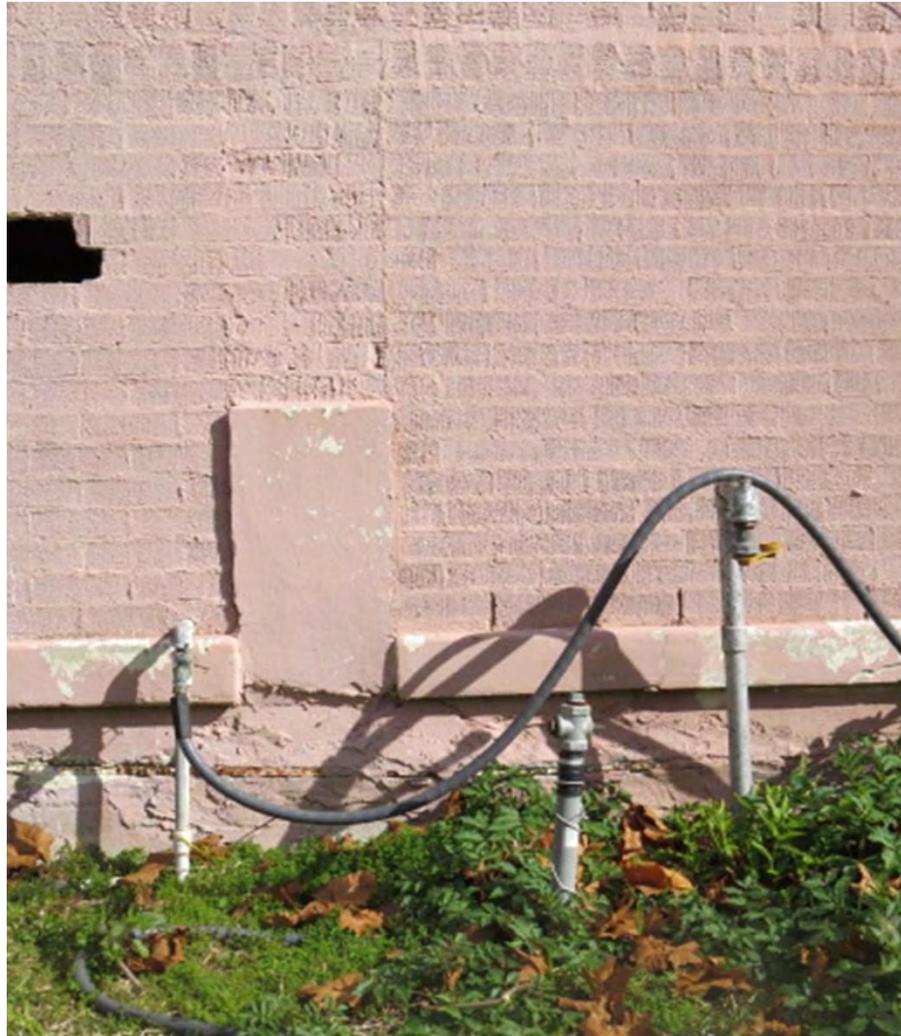
West window boarded up and broken glass



West window broken and frame deteriorated



West wall water and gas utilities



Water service needs new hose bib, vacuum breaker and insulation



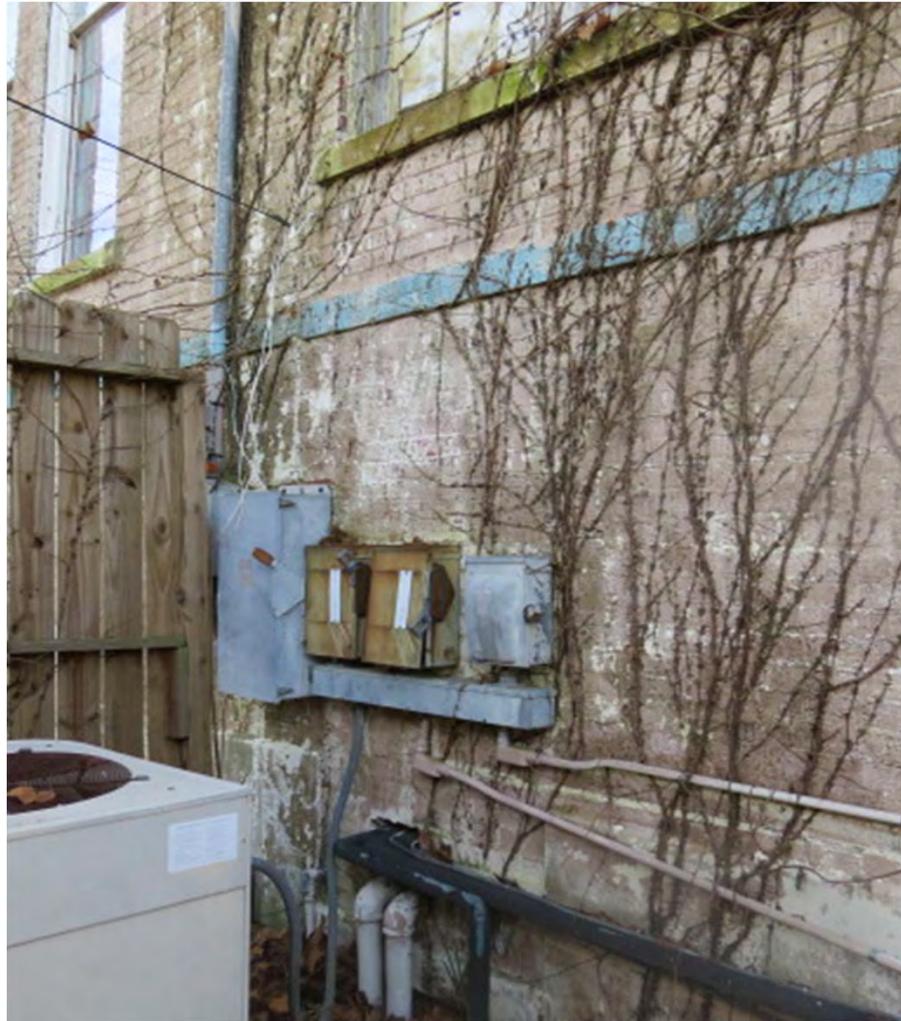
West window missing glass



Missing downspout eroding mortar



North wall electrical disconnect



North wall above electrical disconnect



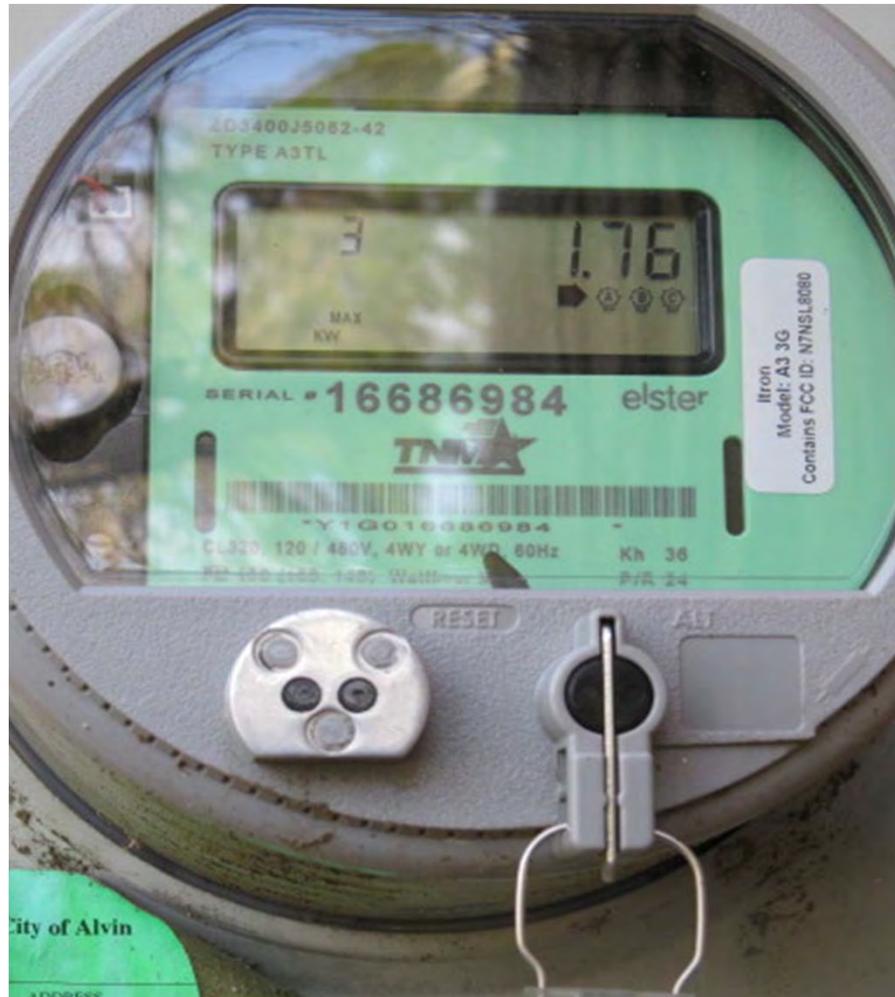
Light not attached to back box and wired with extension cord



Electric meter on the North wall



Electric meter



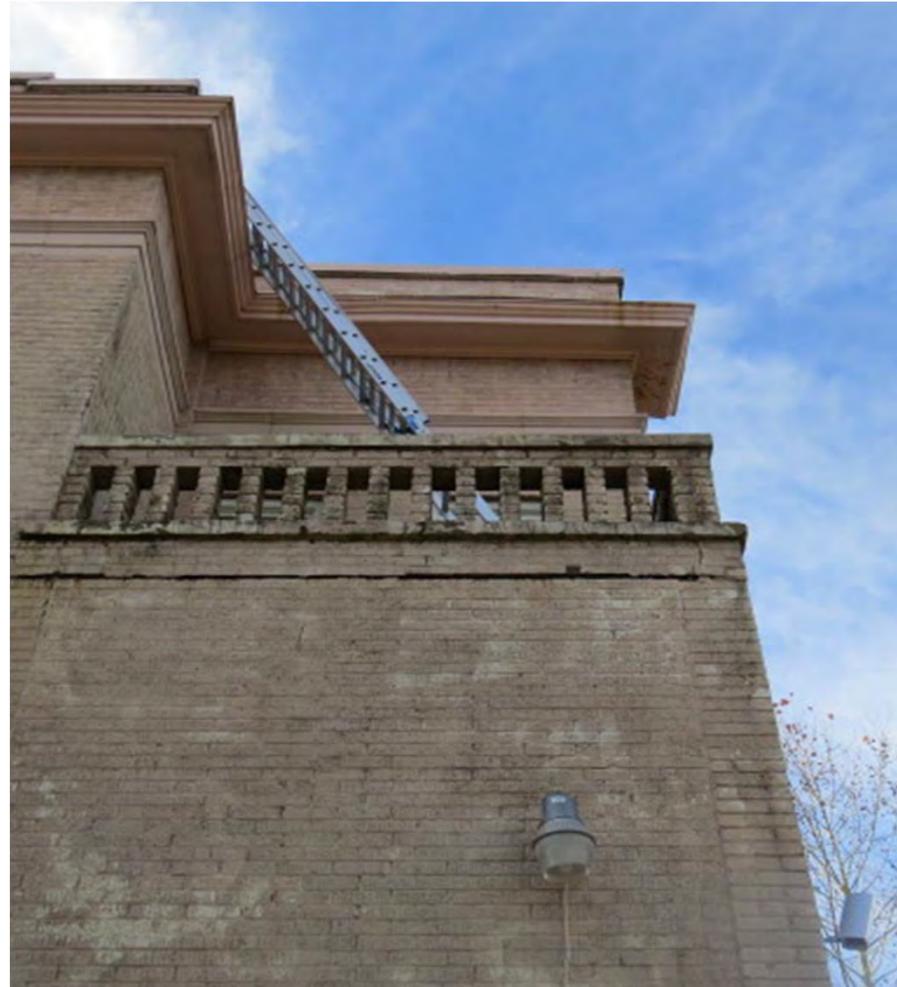
East wall improperly wired egress light



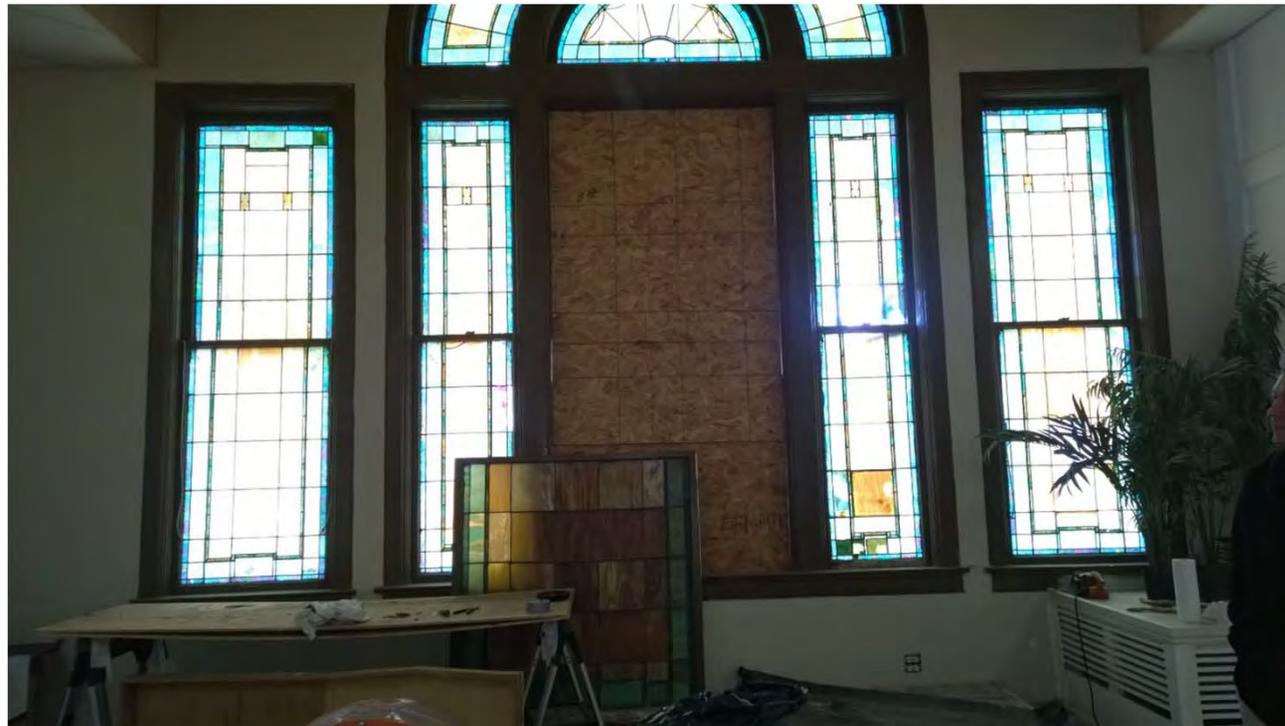
East wall improper landing at exit door



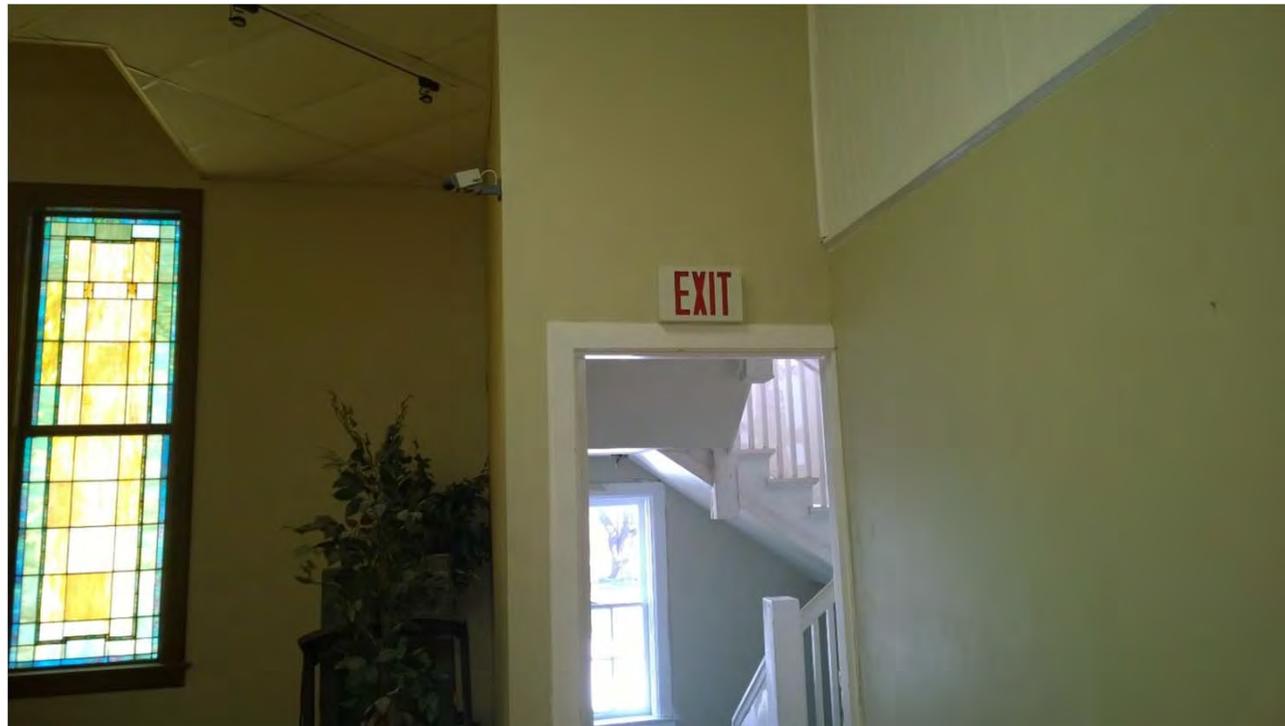
**Rusted lintel above exit door
causing cracks in brick and brick rail
above**



West wall windows



Exit sign without emergency lighting and battery backup



Furnace



Furnace



Ground floor kitchen area



Ground floor kitchen partition wall



Ground floor kitchen wall



Ground floor north wall no support



Ground floor exposed electrical



South wall exit door



Exposed electrical



Stairwell exposed electrical



Storage room exposed electrical



Window in the stairwell needs safety glass



Non-compliant handrail and guardrail



Third floor exposed ceiling and electrical



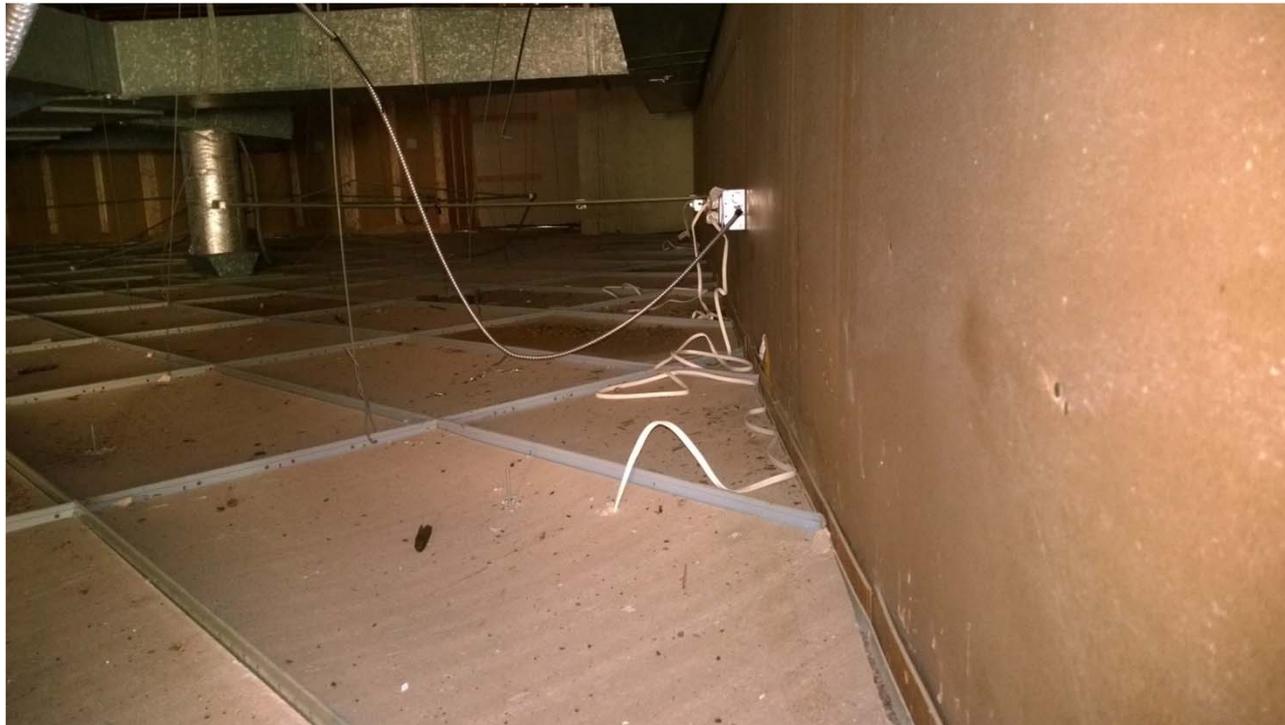
Third floor exposed ceiling



Second floor ceiling exposed electrical



Second floor ceiling electrical violation



Third floor exposed ceiling





Fire Marshal's Letter Dated 1/26/2015

Items that must be completed prior to a Temporary Certificate of Occupancy:

- Fire Alarm System
- One hour enclosure of the interior egress stairs



Building Official's Letter Dated 1/27/2015

Items that must be addressed prior to a Temporary Certificate of Occupancy:

- Updated permit application including total value of construction.
- Detailed construction documents in compliance with the 2009 International Existing Building Code.
- Complete electrical plan with load analysis
- Mechanical plans.
- Licensed contractors to complete all electrical, plumbing, and mechanical work.



Building Official's Letter Con't

- Provide a building evaluation by a registered design professional.
- Building plans must show detail for stair compliance for all guardrails, handrails, head room heights, stair risers, as well as, stair enclosure for fire separation.
- Plans must reflect the intended use of each area of the building.
- Building plans must show ADA access to the building from the parking lot to the second floor entry. Must resubmit plans to architectural barriers with existing registration number.



AGENDA COMMENTARY

Discussion Date: 02/05/2015

Approval Date: 02/05/2015

Submitted By: Mayor Paul Horn

SUBJECT:

Consider the appropriation of \$20,000.00 from the Hotel Occupancy Tax Fund to the Karpeles Museum for the purpose of promoting tourism; contingent upon completion of the museum building located at 800 W. Sidnor Street based on the City's issuance of a Certificate of Occupancy.

DISCUSSION:

Mayor Horn requests council's consideration to authorize and appropriate funds from the Hotel Occupancy Tax Fund to the Karpeles Museum for the purpose of promoting tourism in the City of Alvin according to Chapter 351 of the Texas Tax Code. These funds will be appropriated and released to Karpeles Museum only after the Karpeles Museum has met the City's code requirements resulting in a certificate of occupancy.

RECOMMENDATION:

Move to approve appropriating \$20,000.00 to the Karpeles Museum from the Hotel Motel Tax Fund after the Karpeles Museum has met the City's code requirements, and received a City issued certificate of occupancy.

ATTACHMENTS:

- | | |
|------------------------------------------|----|
| 1. Stansel email regarding project costs | 4. |
| 2. | 5. |
| 3. | 6. |

Submitted by:

Funds Available:

Approved as to Form:

Approved By:

Junru
Roland

Digitally signed by Junru Roland
DN: cn=Junru Roland,
email=roland@cityofalvin.com, o=City
of Alvin, ou=Finance Department,
c=US
Date: 2015.01.27 10:40:59 -0600

Department Head

Finance Director

City Attorney

City Manager

From: Tom Stansel
Sent: Wednesday, January 28, 2015 6:57 PM
To: 'Paul & Shary Horn'; [Alvin City Council](#)
Subject: Karpeles Museum

Dear Council & Mayor,

I am sure you have heard about the current situation of the Karpeles Museum. The old Methodist Church on Johnson Street was in a slow spiral to ultimate demolition until Dr. Karpeles purchased the building to both save an interesting/historic structure and to use it for the first Karpeles Manuscript Museum in Texas. The current Alvin Karpeles Director is Steve Jones. They have been working on this project for about three and a half years.

They removed 17 roll off containers of trash before they could even start work on the building. Since then they have redone the roof, repaired the stained glass windows and frames on three sides of the building, converted the bathrooms to handicap accessible, remediated mold in the basement, repaired floors walls etc. They have received support for the community – Council amended its parking ordinance to allow their limited space to work and Terry Droege provided the work and permits to allow electric power to be brought in.

Currently they have run into an impasse with City building code enforcement. From the Karpeles point of view they see additional requirements being continually levied on them each time they complete one set. This problem is mostly caused by the way Karpeles approach repairs/restoration. They try to do as much work as they can themselves to absolutely minimize costs. When, after trying to avoid having to have complete plans for the city's review, they hired an architect who was not licensed in Texas to draw up the building plans so the city could accept them. They received another list of requirements from the City in November. Dr. Karpeles got frustrated with the whole process after working to get the museum open for three and a half years and from his perspective sees no end in sight. Nothing specific has occurred since that time so he has put the building up for sale and is looking for another site in the Houston area. While I think the City has some flexibility that they have not used, the situation was caused by the non-standard way this project was implemented in order to minimize costs. Steve Jones has just requested this week a Temporary Certificate of Occupancy from the city in order to open while they continue work on the outstanding building issues.

Dr Karpeles 501,c,3 organization does not charge admission to their museums or for their “satellite museums” in area schools. In addition to the cost of the manuscripts, Dr. Karpeles funds both the acquisition, repair and operational costs. By keeping his costs down, Dr. Karpeles has been able to do amazing things. They will be a tremendous benefit to Alvin. They will continually bring in tourists to Alvin because Dr. Karpeles rotates his various exhibits among the museums every three months.

I will be bringing a presentation to the next council meeting where I will be asking for Hotel/Motel funds to help the Karpeles with the spiraling costs of the project and to urge the city to use all the flexibility they can to allow the museum to open and to minimize their costs.

If you would like further information or have questions, please feel free to email me or call my cell phone 713 247-9356.

The Karpeles web site is at: <http://karpeles.org> . It has a large amount of information about the other 14 museums, the million plus manuscripts, the educational outreach program and other information.

Thank You for all you do for the citizens of Alvin,
Tom



AGENDA COMMENTARY

Discussion Date:

Approval Date: 02/05/2014

Submitted By: Junru Roland

SUBJECT:

Consider request from Progressive Waste to change the weekly pickup day from Wednesday to Monday for the area bounded by West House Street to the north, Davis Bend Road to the west, Callaway Drive to the east and Owen Street / Hicklin Street to the south, including the cul-de-sacs off Owen Street.

DISCUSSION:

Endeavoring to balance routes and better serve residents during normal working hours, Progressive Waste is requesting approval to change the weekly pickup day from Wednesday to Monday for the area bounded by West House Street to the north, Davis Bend Road to the west, Callaway Drive to the east and Owen Street/Hicklin Street to the south, including the cul-de-sacs off Owen Street.

If approved, the implementation date for this change would be Monday, March 2, 2015.

*The Contract requires the City's approval of residential collection routes and requires Progressive to publish the changed days of the collection routes in the local newspaper.

RECOMMENDATION:

Move to approve Progressive Waste's request to change the pickup days from Wednesdays to Mondays for the specified routes and the required publication of such.

ATTACHMENTS:

- | | |
|-----------------------------------------|----|
| 1. Letter of Request | 4. |
| 2. Maps of areas affected by the change | 5. |
| 3. | 6. |

Submitted 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: 2015.01.23 21:09:14
+06'00'

Department Head

Funds Available:

Finance Director

Approved as to Form:

**Bobbi J
Kacz**

Digitally signed by Bobbi J Kacz
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Alvin, ou=Legal Department,
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Date: 2015.01.29 14:42:04 -0600'

City Attorney

Approved By:

**Junru
Roland**

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o=City of Alvin, ou=Finance
Department, c=US
Date: 2015.01.29 16:49:50 -0600'

City Manager



Wednesday January 15, 2015

Ms. Amy Mallett, Alvin Utility Billing Supervisor
216 West Sealy
Alvin, TX 77511

RE: Route change request

Dear Ms. Amy Mallett:

In an effort to enhance service to the residents of the City of Alvin, I would like to request the city allow a day change to an area of the Wednesday route. We are trying to balance the routes so that we can work until about 4:00 pm on Monday's and complete the routes on Wednesday before 5:00pm.

I would like to change the area bounded by West House Street to the north, Davis Bend Road to the west, Callaway Street to the east and Owen road / Hicklin to the south, including the culdesacs off of Owen road (Map is included). Customers will actually have only 5 days between collections from the old Wednesday route until the new Monday collections begin. I would like to propose this change to start on Monday March 2, 2015. Progressive Waste Solutions will place temporary signs at the entrance and exits of the neighborhood, and mail letters to the residents in the affected areas. We are asking if the city to provide the mailing addresses for this area, for us to mail to the affected residents. This will allow Progressive Waste Solutions to better serve residents during normal working hours, as well as, during heavier collections periods of the year.

Thank you for allowing Progressive Waste Solutions to provide the residents of the City of Alvin residential, recycling, and commercial solid waste services. If you have any questions please feel free to call me at 281-330-0810.

Sincerely,

A handwritten signature in black ink that reads "Mike Wilson". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Mike Wilson

District Manger

Attachments





Map data ©2015 Google 200 m



AGENDA COMMENTARY

Discussion Date:

Approval Date: 02/05/2015

Submitted By: Junru Roland

SUBJECT:

Consider authorizing the City Attorney to draft an Addendum to the Contract with Progressive Waste providing for the added service of an annual collection of unbundled items using the Progressive bulk truck in addition to the current weekly collection of bundled items in exchange for one citywide cleanup.

DISCUSSION:

The current contract with Progressive Waste provides for collection of up to 6 yards of debris per week collected via normal trash collection but requires customers to tie and bundle the material. Progressive Waste is willing to offer a citywide collection of unbundled items using their bulk truck in addition to the weekly bundled collection. There would be no additional charges or fees to the city or the residents; however, the "unbundled" collection service is provided once a year for all residents with a defined period of approximately five weeks for the entire city, generally starting the week after Spring break. Residents will be required to contact Progressive to schedule this service. In exchange for this service, Progressive Waste is requesting that the City forgo one of the semi-annual clean ups held at the College --preferably the Fall citywide cleanup.

RECOMMENDATION:

Authorize the City Attorney to draft an Addendum to the Contract with Progressive adding the unbundled service in exchange for the City forgoing the Fall citywide cleanup.

ATTACHMENTS:

- | | |
|----------------------------|----|
| 1. Letter from Progressive | 4. |
| 2. | 5. |
| 3. | 6. |

Submitted by:

Junru
Roland

Department Head

Digitally signed by Junru Roland
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email=jroland@cityofalvin.com,
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+06'00'

Funds Available:

Finance Director

Approved as to Form:

Bobbi J
Kacz

City Attorney

Digitally signed by Bobbi J Kacz
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Alvin, ou=Legal Department,
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Approved By:

Junru
Roland

City Manager

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Alvin Committee on Solid Waste

November 14, 2014

Dear Adam Arendell, Keith Thompson, Joyce Kubeczka, Amy Mallet:

I appreciate the time we spent on Tuesday November 11, 2014 speaking on the solid waste issues in Alvin. I believe that we have improved the service to the citizens of Alvin on the daily curbside trash and recycle collection. We spoke about possible changes to the bulk service that might enhance the current service that the city receives on the contract. I have taken the time to outline a few possibilities. I would be willing to discuss any of these or other ideas to enhance the solid waste collection in Alvin.

Bulk Collection with the brush truck. Currently, customers are asked to tie and bundle up to 6 yards of debris per week that is collected via the normal trash collection. Progressive Waste Solutions would be willing to offer a city wide collection with the bulk truck for unbundled items above and beyond the weekly collection. This collection would be advertised and organized by the current collection day. Residents would be asked to call and schedule a collection based on their current collection day prior to a designated week, beginning the week after Spring Break (suggested to start week after Spring Break). Progressive Waste would then schedule and route their area's collection week and we would send the truck out to collect their unbundled / additional pick up items. We feel that based on the Alvin's current size and potential volume we could cover each route day in about a week's time. For example, we would start with Monday and collect in the Monday area all of the scheduled pick up over a period of one week. The following week we would work in the Tuesday collection area, and so on. This collection period would last approximately 5 weeks. I feel that if we were to provide this service for the city wide effort the city might forgo one of the semi- annual clean ups held at the College, possibly the fall collection. There would be no additional charges or fees to the city or the residents during this period one time per year.

A handwritten signature in black ink that reads "Mike Wilson".

Mike Wilson

**Assistant District Manager
Progressive Waste Solutions
827 West Highway 6
Alvin Texas 77511**

Phone 281-331-0810 Ext 3310



AGENDA COMMENTARY

Discussion Date: 02/05/2015

Approval Date: 02/05/2015

Submitted By: Michelle H. Segovia

SUBJECT:

Consider a variance request submitted by Lonnie Cole requesting Council to temporarily allow two (2) residences on a single lot and waive the prohibition of two (2) single family dwellings on a single lot, parcel or tract pursuant to Sec 21-8 Offenses (A) in order to allow Mr. Cole to construct a new home on the same lot as his existing home.

DISCUSSION:

On 1/12/2015, staff received a request for a variance to Sec 21-8 Offenses (A). It shall be unlawful to construct two (2) single family dwellings on a single lot, parcel or tract of land for the property located at 920 County Road 737A (AKA Newton Drive); submitted by Lonnie Cole. Mr. Cole is currently residing in the existing home at this location and wishes to construct a new home. The City's ordinance does not allow for two residential homes to exist on the same lot. Therefore, Mr. Cole is requesting this variance with the promise to demolish the existing home within 60 days after completion of his new home. A demolition permit must be obtained for the existing house before the certificate of occupancy can be issued for the new home. If approving, Council shall prescribe the conditions it deems necessary or desirable to the public interest; such as the certificate of occupancy will not be issued until the older home is demolished.

RECOMMENDATION:

Move to approve the variance request with the stipulation that upon completion of the new home that a demo permit shall be obtained prior to a temporary occupancy permit being issued by the City and that demo be completed prior to issuance of the final Certificate of Occupancy.

ATTACHMENTS:

- | | |
|----------------------------|----|
| 1. Variance request letter | 4. |
| 2. Site drawing | 5. |
| 3. Aerial Map | 6. |

Submitted by:
Michelle Segovia
Digitally signed by Michelle Segovia
DN: cn=Michelle Segovia, o=City of Alvin,
ou=Engineering,
email=mssegovia@cityofalvin.com, c=US
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Department Head

Funds Available:
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Alvin, ou=Legal Department,
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Finance Director

Approved as to Form:
Junru Roland
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o=City of Alvin, ou=Finance
Department, c=US
Date: 2015.01.29 15:14:51 -0600
City Attorney

Approved By:
Junru Roland
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o=City of Alvin, ou=Finance
Department, c=US
Date: 2015.01.29 15:14:51 -0600
City Manager

To The City of Alvin,

My name is Lonnie H. Cole. I reside at 920 CR 737A. This road is also known as Newton Dr.

I would like to request a variance from City Code to allow me to remain in the existing structure while constructing a new home.

Please see the attached map for a better understanding of the property layout.

Once the new home is complete, I will either move the existing structure off site or have it torn down. This should be completed in no more than 60 calendar days after move in.

Thank you for your consideration,
Lonnie H. Cole

713-408-8825

E CR 737A AKA NEWTON DRIVE



Property Line App 171'

APP 56'

Proposed New House

APP 20'

APP 55'

APP 32'

APP 45'

EXISTING HOUSE

APP 33'

APP 60'

APP 20'

APP 182'

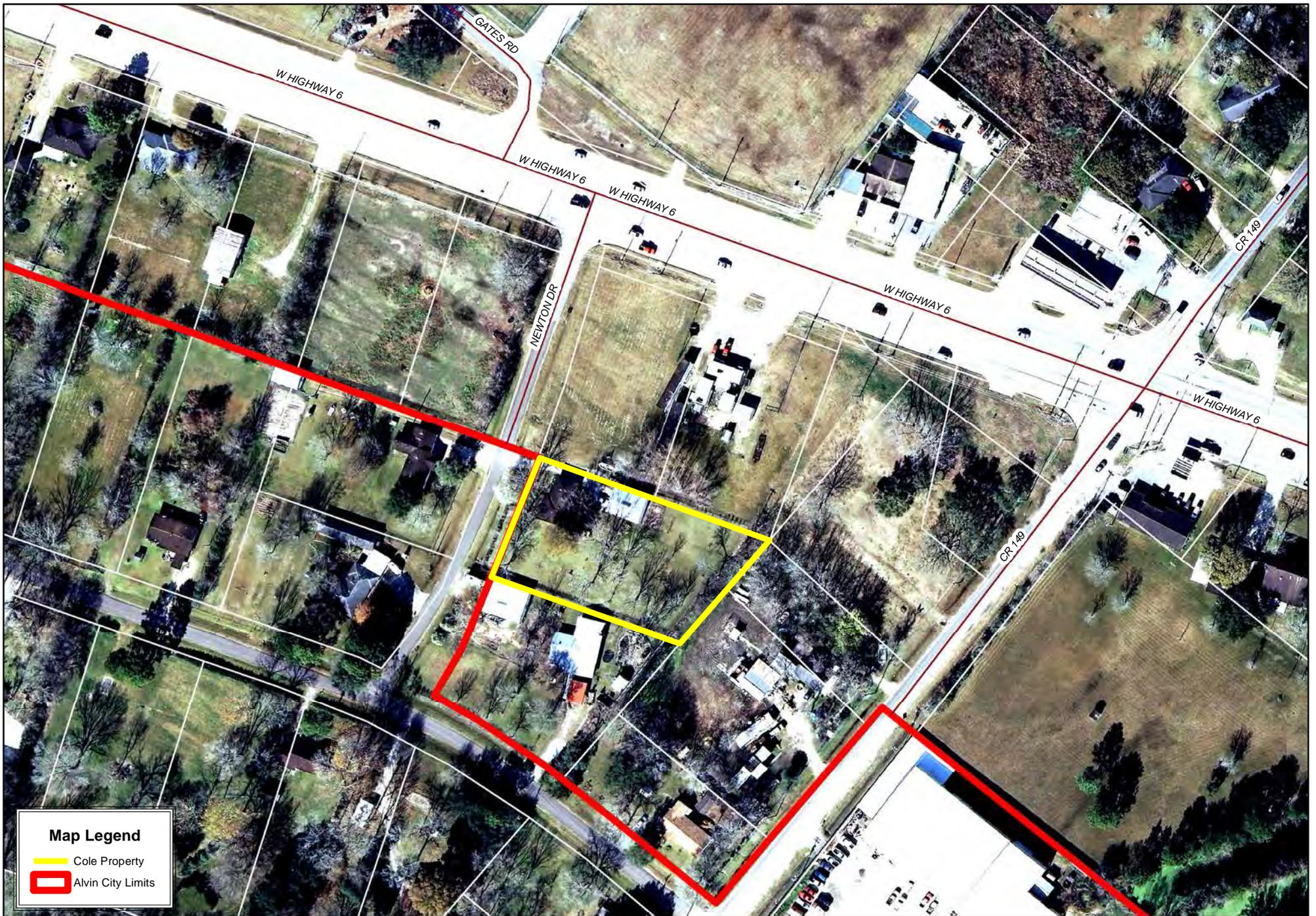
APP 173'

APP 260' Property Line

Property Line

Property Line

APP 24'



Map Legend

-  Cole Property
-  Alvin City Limits



920 Newton Dr - Cole Property



AGENDA COMMENTARY

Discussion Date: 02/05/2015

Approval Date: 02/05/2015

Submitted By: Michelle H. Segovia

SUBJECT:

Consider Ordinance 15-D; establishing a " No Parking" zone along the east side of Hood Street beginning at a point 454 feet north of the north edge of South Street and extending northward a distance of 477 feet along Hood Street as depicted in Exhibit "A" attached hereto; authorizing installation of appropriate signage; providing for a penalty and publication of this ordinance; and setting forth other provisions related thereto.

DISCUSSION:

Ordinance 15-D establishes a "No Parking" zone along the east side of Hood Street in front of the Alvin Police Department property and authorizes the posting of appropriate signage. This ordinance is being proposed due to concerns from Councilman Arendell and the Alvin Police Department.

RECOMMENDATION:

Move to approve Ordinance 15-D and authorize the appropriate signage be installed.

ATTACHMENTS:

- | | |
|--------------------------------------------|----|
| 1. Ord. 15-D | 4. |
| 2. Exhibit "A"- Map of the No Parking Zone | 5. |
| 3. | 6. |

Submitted by:
Michelle Segovia
Digitally signed by Michelle Segovia
DN: cn=Michelle Segovia, o=City of Alvin,
ou=Engineering,
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Date: 2015.01.15 11:28:30 -0600
Department Head

Funds Available:
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Finance Director

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Department, c=US
Date: 2015.01.29 14:58:27 -0600
City Attorney

Approved By:
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Alvin, ou=Legal Department,
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Date: 2015.01.29 13:56:29 -0600
City Manager

ORDINANCE NO. 15-D

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALVIN, TEXAS ESTABLISHING A “NO PARKING” ZONE ALONG A PORTION OF THE EAST SIDE OF HOOD STREET IN FRONT OF THE ALVIN POLICE DEPARTMENT PROPERTY AS DEPICTED IN EXHIBIT “A”;
AUTHORIZING INSTALLATION OF APPROPRIATE SIGNAGE;
PROVIDING FOR A PENALTY AND PUBLICATION; AND SETTING FORTH OTHER PROVISIONS RELATED THERETO.

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

Section 1. That there is hereby established a “No Parking” zone along the east side of Hood Street beginning at a point 454 feet north of the north edge of South Street and extending northward along Hood Street a distance of 477 feet as depicted in Exhibit “A” attached hereto and made a part hereof.

Section 2. Authority to Erect Signs. The City Manager of the City of Alvin, Texas or his designee, after the effective date of this ordinance, shall cause to be erected signs designating the “No Parking” zone, as required by the Texas Manual on Uniform Traffic Control Devices along the east side of Hood Street beginning at a point 454 feet north of the north edge of South Street and extending northward a distance of 477 feet along Hood Street reflecting the “No Parking” area established herein.

Section 3. Penalty Provision. Any person violating the parking restriction established by this Ordinance, upon conviction, shall be punished by a fine in accordance with the general penalty section 1-5 of the Code of Ordinances.

Section 4. Publication. The City Clerk of the City of Alvin is hereby directed to publish this Ordinance, or its caption and penalty clause, in one issue of the official City newspaper as required by the *City of Alvin Charter*.

Section 5. 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 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 Horn, Mayor

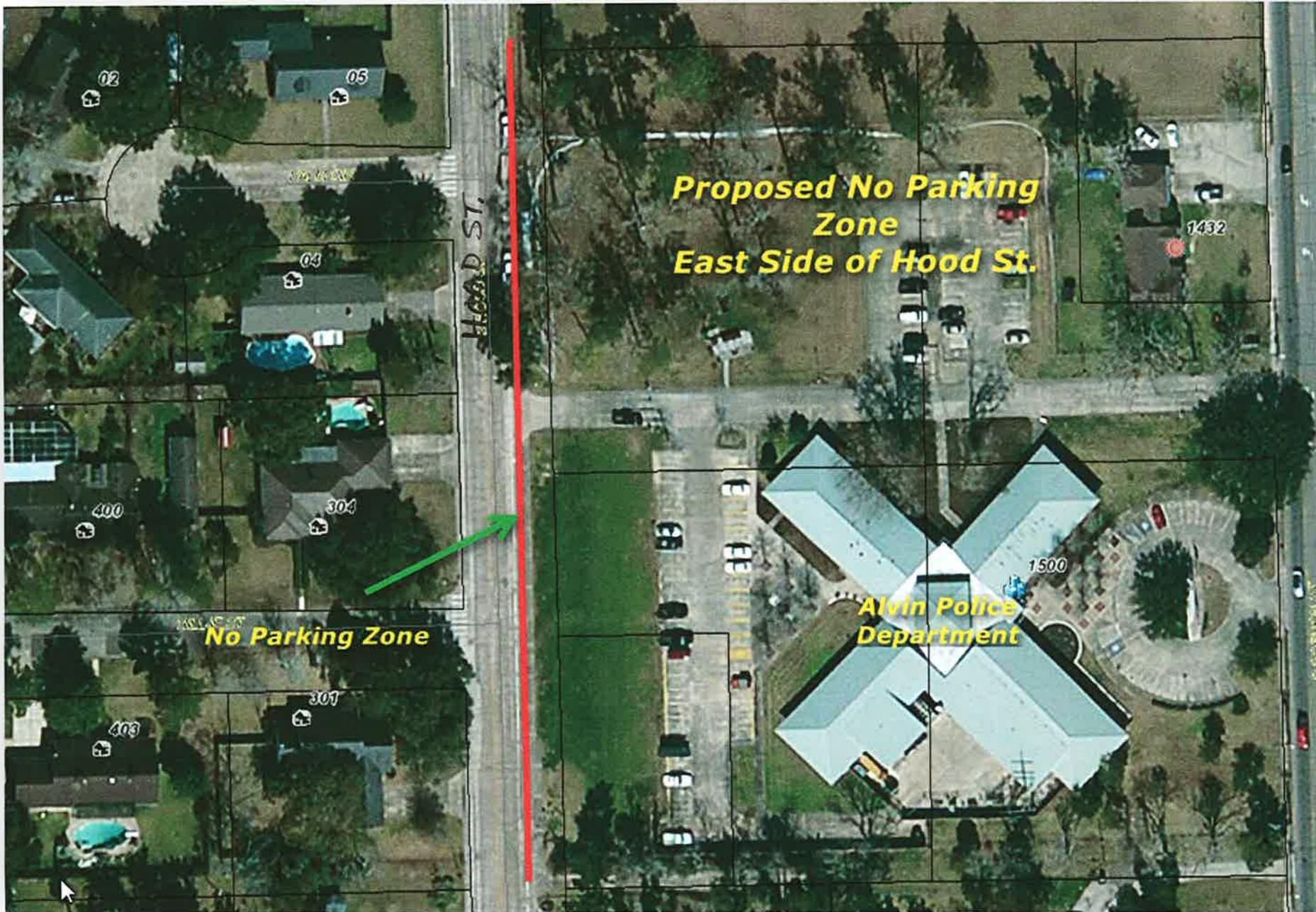


EXHIBIT "A"



AGENDA COMMENTARY

Discussion Date: 02/05/2015

Approval Date: 02/05/2015

Submitted By: Michelle H. Segovia

SUBJECT:

Consider Ordinance 15-E; establishing a "No Parking" zone along the streets comprising the entrance to the Forest Heights Subdivision as depicted in Exhibit "A" attached hereto; authorizing installation of appropriate signage; providing for a penalty and publication of this ordinance; and setting forth other provisions related thereto.

DISCUSSION:

Ordinance 15-E establishes a "No Parking" zone along both sides of Forest Heights Street from its intersection with Heights Road to its intersection with Barras Street / Allison Street, along both sides of Barras Street beginning at the centerline of Forest Heights Street and extending east along the centerline of Barras Street a distance of 105 feet, and along both sides of Allison Street beginning at the centerline of Forest Heights Street and extending west along the centerline of Allison Street a distance of 110 feet.

This ordinance is being proposed due to complaints from residents in the Forest Heights Subdivision. The residents stated that parents waiting to pickup their children from Hood Case Elementary frequently park along the entrance roads of the subdivision making it difficult for them to enter and exit the subdivision.

RECOMMENDATION:

Move to approve Ordinance 15-E and authorize appropriate signage be installed.

ATTACHMENTS:

- | | |
|--------------------------------------------|----|
| 1. Ord. 15-E | 4. |
| 2. Exhibit "A"- Map of the No Parking Zone | 5. |
| 3. | 6. |

Submitted by:
Michelle Segovia
Department Head

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Funds Available:
Bobbi J Kacz
Finance Director

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Alvin, ou=Legal Department,
email=bkacz@cityofalvin.com, c=US
Date: 2015.01.29 14:01:56 -0600

Approved as to Form:
Bobbi J Kacz
City Attorney

Approved By:
Junru Roland
City Manager

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Department, c=US
Date: 2015.01.29 14:59:27 -0600

ORDINANCE NO. 15-E

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALVIN, TEXAS ESTABLISHING A “NO PARKING” ZONE ALONG THE STREETS COMPRISING THE ENTRANCE TO THE FOREST HEIGHTS SUBDIVISION AS DEPICTED IN EXHIBIT “A”; AUTHORIZING INSTALLATION OF APPROPRIATE SIGNAGE; PROVIDING FOR A PENALTY AND PUBLICATION; AND SETTING FORTH OTHER PROVISIONS RELATED THERETO.

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

Section 1. That there is hereby established a “No Parking” zone along both sides of Forest Heights Street from its intersection with Heights Road to its intersection with Barras Street / Allison Street, along both sides of Barras Street beginning at the centerline of Forest Heights Street and extending east along the centerline of Barras Street a distance of 105 feet, and along both sides of Allison Street beginning at the centerline of Forest Heights Street and extending west along the centerline of Allison Street a distance of 110 feet as depicted in Exhibit “A” attached hereto and made a part hereof.

Section 2. Authority to Erect Signs. The City Manager of the City of Alvin, Texas or his designee, after the effective date of this ordinance, shall cause to be erected signs designating the “No Parking” zone, as required by the Texas Manual on Uniform Traffic Control Devices along the areas established herein.

Section 3. Penalty Provision. Any person violating the parking restriction established by this Ordinance, upon conviction, shall be punished by a fine in accordance with the general penalty section 1-5 of the Code of Ordinances.

Section 4. Publication. The City Clerk of the City of Alvin is hereby directed to publish this Ordinance, or its caption and penalty clause, in one issue of the official City newspaper as required by the *City of Alvin Charter*.

Section 5. 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 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 Horn, Mayor



EXHIBIT "A"



AGENDA COMMENTARY

Discussion Date: 02/05/2015

Approval Date: 02/05/2015

Submitted By: D. Roberts

SUBJECT:

Consider Resolution 15-R-05 supporting the proposed countywide joint elections and the implementation and use of voting centers within Brazoria County.

DISCUSSION:

This resolution is being requested by the Brazoria County Clerk's office. Resolutions from municipalities within Brazoria County will be submitted along with the application to the Secretary of State's Office requesting permission to use Voting Centers on Election Day. Early Voting has been conducted in this manner for several years now. Various public hearings have been held throughout Brazoria County to inform voters of the proposed change with no opposition.

RECOMMENDATION:

Move to adopt Resolution 15-R-05 supporting Brazoria County Joint Elections with voting centers.

ATTACHMENTS:

- | | |
|-----------------------|----|
| 1. Resolution 15-R-05 | 4. |
| 2. | 5. |
| 3. | 6. |

Submitted by:

Dixie
Roberts

Digitally signed by Dixie Roberts
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Alvin, ou=City Clerk,
email=droberts@cityofalvin.com,
c=US
Date: 2015.01.20 15:41:17
-06'00'

Department Head

Funds Available:

Finance Director

Approved as to Form:

Bobbi J
Kacz

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Alvin, ou=Legal Department,
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City Attorney

Approved By:

Junru
Roland

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o=City of Alvin, ou=Finance
Department, c=US
Date: 2015.01.29 15:08:48 -06'00'

City Manager

RESOLUTION NO. 15-R-05

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ALVIN, TEXAS SUPPORTING BRAZORIA COUNTY JOINT ELECTIONS WITH VOTING CENTERS; AND SETTING FORTH OTHER RELATED MATTERS THERETO.

WHEREAS, it is agreed that the City of Alvin supports the county wide joint elections and the use of vote centers; and

WHEREAS, the creation of voting centers will give voters more Election Day options and greater convenience; and

WHEREAS, the creation of voting centers will help eliminate voter confusion as to where they are to vote on Election Day.

WHEREAS, the creation of voting centers will help reduce the number of provisional votes that are cast each election; and **NOW, THEREFORE**

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

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

ATTEST:

CITY OF ALVIN, TEXAS

By: _____
Dixie Roberts, City Clerk

By: _____
Paul A. Horn, Mayor



AGENDA COMMENTARY

Discussion Date: 02/05/2015

Approval Date: 02/05/2015

Submitted By: D. Roberts

SUBJECT:

Consider Resolution 15-R-06 establishing the procedure for the May 9, 2015 General Election in Alvin Texas and providing for related matters thereto.

DISCUSSION:

This is the resolution calling the general election and providing for the joint election. The General Election is for the purpose of electing a member from Council District B, Council District C, and At Large Position 1; for a term of three (3) years.

RECOMMENDATION:

Move to approve Resolution 15-R-06

ATTACHMENTS:

- | | |
|-----------------------|----|
| 1. Resolution 15-R-06 | 4. |
| 2. | 5. |
| 3. | 6. |

Submitted by:

Dixie
Roberts

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DN: cn=Dixie Roberts, o=City of
Alvin, ou=City Clerk,
email=droberts@cityofalvin.com,
c=US
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-06'00'

Department Head

Funds Available:

Finance Director

Approved as to Form:

Bobbi J
Kacz

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Alvin, ou=Legal Department,
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City Attorney

Approved By:

Junru
Roland

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o=City of Alvin, ou=Finance
Department, c=US
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City Manager

RESOLUTION 15-R-06

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ALVIN, TEXAS, ESTABLISHING THE PROCEDURE FOR THE MAY 9, 2015, GENERAL ELECTION IN ALVIN, TEXAS, AND PROVIDING FOR RELATED MATTERS.

WHEREAS, on May 9, 2015, there shall be elected the following officials for this City: a member of Council District B, Council District C and At Large Position 1; for a term of three (3) years;

WHEREAS, the *Texas Election Code* is applicable to the election and this Resolution establishes procedures consistent with the Code, and designates the voting places and times for the election; and

WHEREAS, the City of Alvin, Texas (hereinafter the "City") has made provision to contract with Brazoria County to conduct the City's election, pursuant to *Chapter 31, Tex. Elec. Code, and Chapter 791, Tex. Gov't Code* (the Joint Election Agreement and Contract for Election Services, hereafter called the "Election Agreement"), and such election agreement provides for political subdivisions subject to the election agreement that hold elections on the same day in all or part of the same territory to hold a joint election as authorized in *Chapter 271, Tex. Elec. Code*; **NOW, THEREFORE**,

BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF ALVIN, TEXAS:

Section 1. General Election Ordered. The General Election of the City shall be held on Saturday, May 9, 2015, to elect a member of Council District B, Council District C and At Large Position 1; for a term of three (3) years.

Section 2. Filing Period. Candidates at the election for the above offices shall file their application to become candidates with the City Clerk of the City at City Hall, 216 W. Sealy, Alvin, Texas 77511, beginning January 28, 2015 and continuing through February 27, 2015. Candidates shall file their applications with the City Clerk on any weekday that is not a City holiday, between 7:00 a.m. and 6:00 p.m., Monday through Thursday, with the exception of 8:00 a.m. - 5:00 p.m. on Friday, February 27, 2015. All applications for candidacy shall be on a form as prescribed by the *Tex. Elec. Code*.

Section 3. Drawing. The order in which the names of the candidates for each office are to be printed on the ballot shall be determined by a drawing conducted by the City Clerk as provided by the *Tex. Elec. Code*. Such drawing will be held in the Council Chambers at City Hall on Monday March 2, 2015 at 5:30 p.m., for the general election.

Section 4. Notice of Election. Notice of the election shall be given and the election shall be held in compliance with the provisions of the *Tex. Elec. Code, the Federal Voting Rights Act of 1965, as amended* and the *City Charter* in all respects. Notice of the election shall be by

publishing the Notice of Election, in both English and Spanish, at least one time, not earlier than thirty (30) days nor later than ten (10) days prior to said election, in a newspaper of general circulation published within the City, with the first publication occurring before the fourteenth (14) day before the date of the election; and by posting of the notice on the bulletin board used for posting notices of meetings of City Council at City Hall and at the aforesaid polling places not later than the twenty-first (21st) day before the election, written in both English and Spanish.

Section 5. Ballots. The ballots for the election shall comply with the *Tex. Elec. Code* and be in the form provided by the City to the Brazoria County Election Officer for use on the voting devices and ballots used by Brazoria County.

Section 6. Election Procedures. The Brazoria County Election Officer and his/her employees and appointees, and the election judges, alternate judges and clerks properly appointed for the election, shall hold and conduct the election in the manner provided by the Election Agreement and the law governing the holding of general elections by home rule cities of the State of Texas; and the official ballots, together with such other election materials as are required by the *Tex. Elec. Code*, shall be prepared in both the English and Spanish languages and shall contain such provisions, markings and language as is required by law.

Section 7. Early Voting. Early voting, both by personal appearance and by mail, will be conducted by the Brazoria County Election Officer, who is designated and appointed as the Early Voting Clerk, in accordance with the *Tex. Elec. Code*. Early voting by personal appearance shall be conducted at places and locations authorized by state law and the Brazoria County Election Officer. Early voting shall commence on Monday, April 27, 2015, and continue through Tuesday, May 5, 2015, and early voting polls shall remain open for the time specified by the *Tex. Elec. Code*. Early voting shall also be held at any time and location authorized by the Brazoria County Election Officer. Early voting by City residents may be conducted at any Brazoria County early voting location and any location exclusively designated by the Brazoria County Election Officer for City residents.

Section 8. Election Precincts and Polling Places. *The election precincts for the election shall be the election precincts established by Brazoria County, provided that each shall contain and include geographic area that is within the City. The polling place for each such election precinct shall be the polling place established by Brazoria County for such election precincts in Brazoria County and voting by residents of the City. The polls shall remain open on the day of the election from 7:00 a.m. to 7:00 p.m. The returns for precincts in Brazoria County will be provided by precinct and the Brazoria County Election Officer shall tabulate and provide the election returns for the election.*

Section 9. Joint Election. The City agrees to conduct a joint election with other political subdivisions within Brazoria County, provided that such political subdivision holds an election on May 9, 2015 in all or part of the same territory as the City (the "Political Subdivisions"). The joint election shall be conducted in accordance with state law, this Resolution, and the Joint Election Agreement and Contract for Election Services with Brazoria County approved by the City Council on the ____ day of _____, 2015.

Section 10. Duties of City Clerk and Election Officer. The City Clerk, or his designee, is instructed to aide the Brazoria County Election Officer in the acquisition and furnishing of all election supplies and materials necessary to conduct the election as provided by the Election Agreement. The City Clerk is further authorized to give or cause to be given notices required for the election, and to take such other and further action as is required to conduct the election in compliance with the *Tex. Elec. Code*; provided that, pursuant to the Election Agreement between Brazoria County and the City, the Brazoria County Election Officer shall have the duty and be responsible for organizing and conducting the election in compliance with the *Tex. Elec. Code*; and for providing all services specified to be provided in the Election Agreement. The Brazoria County Election Officer shall give the notices required by the *Tex. Elec. Code* to be given for the election not required to be given by the City under the Election Agreement.

Section 11. Election Judges. The presiding judges, alternate presiding judges and clerks for the election shall be selected and appointed by Brazoria County and its appointees in compliance with the requirements of state law, and such judges and clerks so selected by Brazoria County and its appointees are hereby designated and appointed by the City Council as the election officers, judges and clerks, respectively, for the holding of said general election. The presiding judges, alternate presiding judges and clerks shall perform the functions and duties of their respective positions that are provided by state law. The City Council will further confirm and appoint the election judges and alternate election judges that are appointed by Brazoria County for the election.

Section 12. Official Newspaper. It is hereby found and determined that THE ALVIN SUN is a newspaper published within the City of Alvin, Texas; is a newspaper of general circulation within the City; and is the official newspaper of the City of Alvin. The City Clerk is hereby authorized and directed to cause notice to be given as directed in above in Section 4. Further orders are reserved until the returns of the election are made by the duly authorized election officials and received by this body.

Section 13. General. The election shall be held and conducted by the Brazoria County Election Officer in compliance with the *Tex. Elec. Code* and the Election Agreement.

Section 14. Effective Date. This Resolution shall be in force and effect from and after its passage on the date shown below.

Section 15. Open Meetings Act. It is hereby officially found and determined that this meeting was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by the Open Meetings Act, *Chapter 551, Texas Government Code*.

AND, IT IS SO RESOLVED.

PASSED AND APPROVED on this the _____ day of _____, 2015.

ATTEST:

CITY OF ALVIN, TEXAS

By: _____
Dixie Roberts, City Clerk

By: _____
Paul A. Horn, Mayor



AGENDA COMMENTARY

Discussion Date: 02/05/2015

Approval Date: 02/05/2015

Submitted By: D. Roberts

SUBJECT:

Accept the resignation of Marilyn Thomas from the Senior Citizens Board; and consider the appointment of a new member to the Senior Citizens Board.

DISCUSSION:

The only applicant I have on file that wishes to serve on the Seniors Board that has not been appointed is Darrell W. Brady.

Darrell Brady: Retired, a resident of Alvin for 46 years; Enjoys all of the programs at the Seniors Center. Served on the Board of Directors Alvin Girls Softball, and VP of Actions.

Board is comprised of seven (7) members and appointed by the mayor subject to the approval of the council by a majority vote. Vacancies on the board shall be filled according to the same procedure. Members of the senior citizens board shall be appointed for a term of two (2) years.

RECOMMENDATION:

Move to approve the resignation from the Seniors Board of Marilyn Thomas; and consider the appointment of a new member to the Senior Citizens Board.

ATTACHMENTS:

- | | |
|------------------------------------------|----|
| 1. Letter of Resignation; Marilyn Thomas | 4. |
| 2. | 5. |
| 3. | 6. |

Submitted by:
Dixie Roberts
Department Head

Digitally signed by Dixie Roberts
DN: cn=Dixie Roberts, o=City of Alvin, ou=City Clerk,
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c=US
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+06'00'

Funds Available:
Bobbi J Kacz
Finance Director

Approved as to Form:
Bobbi J Kacz
City Attorney

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Approved By:
Junru Roland
City Manager

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email=jroland@cityofalvin.com,
o=City of Alvin, ou=Finance
Department, c=US
Date: 2015.01.29 15:11:38 -0600'

Jan 23, 2015



To City Hall,

Thank you for
the privilege of being
on the Senior Board.

Because of their volunteering,
I will not be able to
accept this job!

God Bless You,

Marilyn Thomas



AGENDA COMMENTARY

Discussion Date: 02/05/2015

Approval Date: 02/05/2015

Submitted By: D. Roberts

SUBJECT:

Update and discussion regarding parking space orientation along the 100-200 blocks of Sealy Street.

DISCUSSION:

Council member Stuksa asked for an update on the parking issue along the 100-200 blocks of Sealy Street.

RECOMMENDATION:

Council discussion is encouraged to provide direction to staff regarding possible changes to the current parking space orientation.

ATTACHMENTS:

1. Proposed parking space orientation drawing
2. Aerial Photo
- 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,
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+06'00'

Department Head

Funds Available:

Finance Director

Approved as to Form:

Bobbi J
Kacz

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Alvin, ou=Legal Department,
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Date: 2015.01.29 14:21:48 -0600'

City Attorney

Approved By:

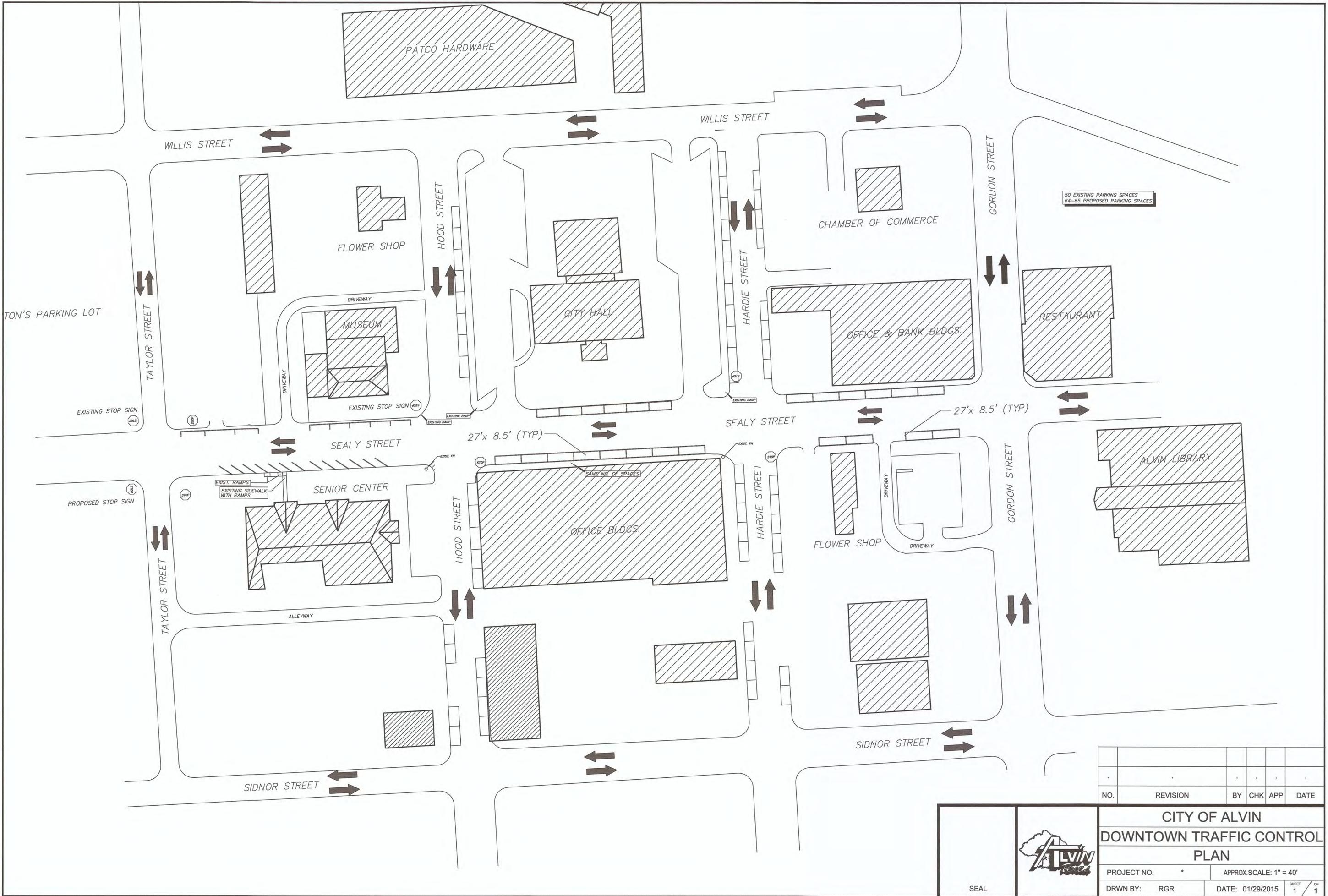
Junru
Roland

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o=City of Alvin, ou=Finance
Department, c=US
Date: 2015.01.29 15:00:28 -0600'

City Manager

Sealy Street Parking





50 EXISTING PARKING SPACES
64-65 PROPOSED PARKING SPACES

NO.	REVISION	BY	CHK	APP	DATE

CITY OF ALVIN
DOWNTOWN TRAFFIC CONTROL PLAN

PROJECT NO. * APPROX. SCALE: 1" = 40'

DRWN BY: RGR DATE: 01/29/2015 SHEET 1 OF 1

SEAL

