

**MINUTES  
CITY OF ALVIN, TEXAS  
216 W. SEALY STREET  
CITY COUNCIL REGULAR MEETING  
THURSDAY, DECEMBER 15, 2022  
7:00 PM**

**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 PM in the Council Chambers at City Hall, with the following members present: Mayor Paul A. Horn; Councilmembers: Martin Vela, Keko Moore, Glenn Starkey, Richard Garivey, and Chris Vaughn.

Staff members present: Junru Roland, City Manager; Suzanne Hanneman, City Attorney; Dixie Roberts, Assistant City Manager/City Secretary; Michael Higgins, Director of Administrative Services; Dan Kelinske, Parks and Recreation Director; Michelle Segovia, City Engineer; Brandon Moody, Director of Public Services and Robert E. Lee, Police Chief.

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Alvin High School Choir member Ela Flores, under the direction of Choir Director Levi Duncan, gave the invocation by performing The Christmas Song.

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

Council member Garivey led the Pledge to the Texas Flag.

**PUBLIC COMMENT**

There were no comments from the public.

**CONSENT AGENDA**

Consider approval of the December 1, 2022, City Council Workshop minutes.

Consider approval of the December 1, 2022, City Council meeting minutes.

Consider Resolution 22-R-33, of the City Council of the City of Alvin, Texas approving and authorizing the Chief of Police to enter into a contract agreement with Flock Safety, Inc. for the acquisition, installation, maintenance and monitoring of twenty-six (26) automated License Plate Recognition (ALPR) Cameras and authorize the Chief of Police to sign said contract upon legal review.

*On November 17, 2022, the Alvin City Council approved a 24-month contract with FLOCK Safety Inc. for the acquisition of twenty-six (26) automatic license plate (ALPR) cameras. The Texas Department of Transportation (TXDOT), as part of their approval process for placement of FLOCK Safety Inc. ALPR cameras on the State right of way, requires that the governing body of the law enforcement agency acquiring the cameras to pass a resolution authorizing the contract agreement. TXDOT further requires that, as part of the resolution, a Sunset Provision be included to require the Chief of Police, or designee, to provide to City Council prior to end of the contracts first year, and prior to contract renewal, evidence that the ALPR camera program has met the goals of enhancing public safety and improved outcomes in the investigation of criminal offenses within the City.*

**Consider Resolution 22-R-34, acknowledging receipt of the Land Use Assumptions and Capital Improvements Plan relating to Impact Fees, and scheduling a public hearing on Impact Fees for January 19, 2023.**

*In accordance with Section 395 of the Texas Local Government Code, an update of the Land Use Assumptions and Capital Improvements Plan relating to Impact Fees was drafted and reviewed by the Council-appointed Impact Fee Advisory Committee. Resolution 22-R-34 acknowledges receipt of the Water and Wastewater Impact Fee Study 2022 Update, that includes the updated Land Use Assumptions and Capital Improvements Plan, and sets the date for the public hearing for Impact Fees to be held on January 19, 2023. After the public hearing on January 19, City Council will hear a presentation on the impact fee study from Adico Consulting. An impact fee is a fee that can be imposed by a local government on a new or proposed development project to pay for a portion of the costs of providing public services to the new development. These fees are based on growth assumptions and the capital improvements needed to support growth. Staff recommends approval.*

Council member Starkey moved to approve the consent agenda as presented. Seconded by Council member Garivey; motion to approve carried with all members present voting Aye.

**OTHER BUSINESS**

**Consider Resolution 22-R-35, approving the Utility Conveyance and Security Agreement accepting the water distribution, wastewater collection and storm water facilities to serve Municipal Utility District No. 73, Mustang Crossing, Section 6; and authorize the Mayor to sign upon legal review.**

*This conveyance of utility facilities conforms with the initial Utility Services Contract dated September 21, 2007, with the developer, Rooted Development Group, LLC. Rooted Development Group contracted with the City to obtain water supply and wastewater treatment services for MUD #73 serving Mustang Crossing. The Developer provided for the construction and financing of the water and wastewater facilities to serve the MUD district. These services (water supply and wastewater treatment services) are to be transferred to the City for ownership, operation, and maintenance after completion. Staff recommends approval of the Utility Conveyance and Security Agreement for MUD No. 73, Mustang Crossing, Section 6.*

Suzanne Hanneman, City Attorney, presented this item before City Council with explanation.

Council member Garivey moved to approve Resolution No. 22-R-35, approving the Utility Conveyance and Security Agreement accepting the water distribution, wastewater collection and storm water facilities to serve MUD No. 73, Mustang Crossing, Section 6, and authorize the Mayor to sign upon legal review. Seconded by Council member Moore; motion carried with all members present voting Aye.

**Consider Resolution No. 22-R-36, approving the Utility Conveyance and Security Agreement accepting the water distribution, wastewater collection, and storm water facilities to serve Municipal Utility District No. 73, Mustang Crossing, Section 8, and authorize the Mayor to sign upon legal review.**

*This conveyance of utility facilities conforms with the initial Utility Services Contract dated September 21, 2007, with the developer, Rooted Development Group, LLC. Rooted Development Group contracted with the City to obtain water supply and wastewater treatment services for MUD #73 serving Mustang Crossing. The Developer provided for the construction and financing of the water and wastewater facilities to serve the MUD district. These services (water supply and wastewater treatment services) are to be transferred to the City for ownership, operation, and maintenance after completion. Staff recommends approval of the Utility Conveyance and Security Agreement for MUD 73, Mustang Crossing, Section 8.*

Suzanne Hanneman, City Attorney, presented this item before City Council with explanation.

Council member Moore moved to approve Resolution No. 22-R-36, approving the Utility Conveyance and Security Agreement accepting the water distribution, wastewater collection, and storm water facilities to serve Municipal Utility District No.

73, Mustang Crossing, Section 8, and authorize the Mayor to sign upon legal review. Seconded by Council member Garivey; motion carried with all members present voting Aye.

Consider Ordinance 22-DDD, granting consent to the creation of Brazoria County Municipal Utility District (MUD) No. 88; containing various provisions related to the foregoing subject; and making certain findings related thereto.

*On or about October 11, 2022, the City received a Petition for Consent to the Creation of Brazoria County Municipal Utility District (MUD) No. 88 from Maple View Development LLC, the landowner, who is proposing a new master planned development located south of County Road 35, west of State Highway 288, which includes approximately 238.466 acres of land, some or all of which is located within the City of Alvin's ETJ. Section 54.016 of the Texas Water Code provides that land within a city's ETJ cannot be included in a MUD district without the written consent of the city.*

*The landowner proposes to develop this land for residential and commercial uses and claims that there is not now available within the area an adequate waterworks system, sanitary sewer system, or drainage and storm sewer system. Therefore, a public necessity exists for the creation of the District to provide for such systems to promote the purity and sanitary condition of the State's waters and the public health and welfare of the community.*

*This Ordinance grants the City's consent to the creation of MUD 88. Staff recommends approval.*

Suzanne Hanneman, City Attorney, presented this item before City Council with explanation.

Council member Starkey moved to approve Ordinance 22-DDD, granting consent to the creation of Brazoria County Municipal Utility District No. 88, containing various provisions related to the foregoing subject; and making certain findings related thereto. Seconded by Council member Garivey; motion carried with all members present voting Aye.

Consider Ordinance 22-EEE, amending Chapter 24, Traffic, of the Code of Ordinances, City of Alvin, Texas, for the purpose of designating the prima facie speed limit of 20 miles per hour within the Sunset Ranch Subdivision; authorizing and directing the placement and installation of speed control signage; providing for a penalty and publication; and setting forth other provisions related thereto.

In December 2022, a request was received by the Engineering Department to consider lowering the speed limit in the 80 lot Sunset Ranch Subdivision that is located along Heights Road. The current posted speed limit within the subdivision, which consists of a loop street with one small cul-da-sac extending from it, is 30 miles per hour (MPH). Ordinance 22-EEE will establish a posted speed limit of 20 MPH within the entire Sunset Ranch Subdivision; authorize staff to install the appropriate signage and provide for the enforcement of the designated speed limit. Lowering the speed limit from 30 MPH to 20 MPH will make Sunset Ranch Subdivision consistent with other subdivisions within the city that are of similar size and configuration. Staff recommends approval of Ordinance 22-EEE.

Michelle Segovia, City Engineer, presented this item before City Council with explanation.

Council member Moore moved to approve Ordinance 22-EEE, amending Chapter 24, Traffic, of the Code of Ordinances, City of Alvin, Texas, for the purpose of designating the prima facie speed limit of 20 miles per hour within the Sunset Ranch Subdivision;

authorizing and directing the placement and installation of speed control signage; providing for a penalty and publication; and setting forth other provisions related thereto. Seconded by Council member Garivey; motion carried with all members present voting Aye.

Consider Ordinance 22-CCC, amending Chapter 34 Public Storage Facilities/Mini-Warehouses of the Code of Ordinances, City of Alvin, Texas, for the purpose of providing for a variance; providing for a penalty; and setting forth other provisions related thereto.

At the December 1, 2022 meeting, City Council discussed adding a variance provision to Chapter 34, Public Storage Facilities/Mini-Warehouses. At said meeting, the City Council directed staff to draft an ordinance for consideration at a future meeting.

As requested, this ordinance allows for an applicant to apply for a variance from parts of this chapter upon written request along with a \$250 non-refundable fee, and is to be reviewed first by the Planning Commission with a recommendation to the City Council.

Suzanne Hanneman, City attorney, presented this item before City Council with explanation. Discussion was had. Council member Vela asked that staff look into the fee associated with this variance process to make sure that it was up to industry standards.

Council member Moore moved to approve Ordinance 22-CCC, amending Chapter 34 Public Storage Facilities/Mini-Warehouses of the Code of Ordinances, City of Alvin, Texas, for the purpose of providing for a variance; providing for a penalty; and setting forth other provisions related thereto. Seconded by Council member Garivey; motion carried with all members present voting Aye.

Consider a Deed without Warranty for the north portion of Reserve B of the Final Plat of Rose's Addition 2 (located at 113 East Sealy Street, Alvin, Texas), to Hembree Holdings Group, and authorize the Mayor to sign upon legal review.

On May 17, 2022, the Planning Commission approved the final plat of the north portion of Reserve B of the Final Plat of Rose's Addition 2. (Council was not required to approve the plat, since it is considered a minor plat). The property is located at 113 East Sealy Street (Grace Pizza), and was platted to convey the area around Grace Pizza, including the building that was once the storage and smoker, to the Hembree Holdings Group, the owner of the property.

On August 5, 2021, Council met in an Executive Session to discuss the sale of this property to Hembree Holdings Group, and met again on June 16, 2022, to discuss the particulars of the sale. Hembree Holdings Group has agreed to reimburse the City for the platting and filing expenses, totaling \$4,750.00. Once filed, this Deed will convey the platted property to Hembree Holdings Group. Staff recommends approval.

Suzanne Hanneman, City attorney, presented this item before City Council with

explanation.

Council member Starkey moved to approve the Deed Without Warranty for the north portion of Reserve B of the Final Plat of Rose’s Addition 2 (located at 113 East Sealy Street, Alvin, Texas), to Hembree Holdings Group, and authorize the Mayor to sign upon legal review. Seconded by Council member Moore; motion carried with all members present voting Aye.

Consider, if any, requests from individual council members for an item or items to be placed on the upcoming agenda for the next regularly scheduled meeting.

Council member Vela suggested a review of the fees associated with Public Storage Facilities, look at what other cities are charging, I.e. carports versus Developments. Based on that review then bring a recommendation to City Council at a future date.

**REPORTS FROM THE CITY MANAGER**

Items of Community Interest and review preliminary list of items for next Council meeting.

Mr. Junru Roland announced items of community interest; and he reviewed the preliminary list for the January 5, 2023 City Council Meeting

**ITEMS OF COMMUNITY INTEREST**

Hear announcements concerning items of community interest from the Mayor, Council members, and City staff, for which no action will be discussed or taken.

Council members Garivey, Vela, Vaughn and Starkey all expressed congratulations to Dixie Roberts for winning the Municipal Clerk of the Year award, and Merry Christmas and Happy New Year to all.

**ADJOURNMENT**

Mayor Horn adjourned the meeting at 7:27 p.m.

PASSED and APPROVED the 5th day of January, 2023.

ATTEST:

\_\_\_\_\_  
Paul A. Horn, Mayor

\_\_\_\_\_  
Dixie Roberts, City Secretary