

City of Alvin, Texas

Paul Horn, Mayor

Keith Thompson, Mayor Pro-tem, District C
Brad Richards, At Large Pos. 1
Joel Castro, At Large Pos. 2
Scott Reed, District A



Adam Arendell, District B
Glenn Starkey, District D
Gabe Adame, District E

ALVIN CITY COUNCIL AGENDA THURSDAY JANUARY 3, 2019

7:00 P.M.
(Council Chambers)

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

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

NOTICE is hereby given of a Regular Meeting and Executive Session of the City Council of the City of Alvin, Texas, to be held on **THURSDAY, JANUARY 3, 2019** at 7:00 p.m. in the Council Chambers at: City Hall, 216 W. Sealy, Alvin, Texas.

REGULAR MEETING AGENDA

1. CALL TO ORDER

2. INVOCATION AND PLEDGE OF ALLEGIANCE

3. PUBLIC HEARING

- A. Public hearing to receive comment on the proposed annexation of 23.004 acres, more or less, for Forest Heights, Section 7, located along the proposed FM 528 extension, between Business 35 and State Highway 6, from Don Barras Development, LLC. – first public hearing.
- B. Public hearing to receive comment on the proposed Strategic Partnership Agreement (SPA) for the Martha's Vineyard Development, more formerly described as Brazoria County Municipal Utility District Number 24 – first public hearing.

4. PUBLIC COMMENT

5. CONSENT AGENDA: CONSIDERATION AND POSSIBLE ACTION: An item(s) may be removed from the Consent Agenda for full discussion by the request of a member of Council. Item(s) removed will automatically become the first item up for discussion under Other Business.

- A. Consider approval of the December 6, 2018 City Council workshop meeting minutes.
- B. Consider approval of the December 6, 2018 City Council meeting minutes.
- C. Consider a final plat of 413 West Blum, LLC (located at the northwest corner of West Lang and South Taylor), being a plat of lots one and two, block 44, Alvin no. 1, as recorded in volume 32, pages 4 and 5, Deed Records, Brazoria County, Texas, to include variance requests to lot size and street side setbacks.
- D. Consider a final plat of Guerrero Subdivision (located at 4355 County Road 155), being a total of 4.58 acres of land out of a called 12.074-acre tract as recorded and described in C.C.F.

2015001049, O.R.B.C.T. situated in the I.&G.N.R.R. Co. Survey, Section 28, Abstract 621, Brazoria County, Texas.

- E. Consider a final plat of Marina Park (located along the south side of Bowling Alley Lane just east of Gordon Street), being a called 4-acre tract, and part of lots 16 and 17 of the Dolson and Nelson Subdivision, H.T. & B.R.R. Company Survey, Abstract 227, Brazoria County, Texas, located in the City of Alvin.
- F. Consider an Interlocal Agreement for the Regional Stormwater Management Program.

6. OTHER BUSINESS

- A. Consider Resolution 19-R-01, repealing Resolutions 17-R-17 and 17-R-19, and establishing the Hotel Occupancy Tax Fund Application Review Panel and Hotel Occupancy Tax Grant Application Guidelines; and setting forth other matters related thereto.
- B. Consider a request for a variance to the building façade requirement of Chapter 35, Section 35-19 of the City of Alvin Code of Ordinances for O'Reilly Auto Parts Store, located at 1042 South Gordon.
- C. Consider the revised Master Preliminary Plat of Fairway Lake / Parkside Trails (located along Nelson Road, north and south of the Fairway Lake Property), being 30.3 acres of land out of the H.T.&B. R.R. Company Survey, A-225, Brazoria County, Texas, also being a partial replat of reserves "A" and "C" of the Final Plat of Alvin Fairway Lake Property, as recorded in document 20180238022, Official Records of Brazoria County, Texas.
- D. Consider Ordinance 19-A, amending Chapter 35, Corridor Land Use Regulations by adding FM 2403 and FM 517 to the designated list of corridors; and setting forth other provisions related thereto.
- E. Consider an award of bid to McKinney Construction, Inc., for the Fairway Drive and South Street Water Line Improvements Project, in an amount not to exceed \$1,228,796.00; and authorize the City Manager to sign the contract upon legal review.
- F. Consider an award of bid to Mar-Con Services, LLC, for the Johnson Street Paving and Drainage Improvement Project, in an amount not to exceed \$1,257,666.30; and authorize the City Manager to sign the contract upon legal review.
- G. Consider an award of bid to T&C Construction, Ltd., for the construction of Water Plant No. 6 Ground Storage Tank Replacement Project, in an amount not to exceed \$2,446,526.20; and authorize the City Manager to sign the contract upon legal review.
- H. Consider Resolution 19-R-02, establishing the City of Alvin's Legislative Priorities for the 86th Session of the Texas Legislature.

7. REPORTS FROM CITY MANAGER

- A. Review preliminary list of items for next Council meeting.

8. ITEMS OF COMMUNITY INTEREST

Pursuant to 551.0415 of the Texas Government Code reports or an announcement about items of community interest during a meeting of the governing body. No action will be taken or discussed.

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

9. EXECUTIVE SESSION

City Council will meet in Executive Session pursuant to:

- A. Texas Government Code 551.072 – deliberation regarding the purchase, exchange, lease or value of real property, commonly called the former Municipal Landfill Property.

10. RECONVENE TO OPEN SESSION

- A. Take action on Executive Session item if necessary.

11. ADJOURNMENT

I hereby certify that a copy of this notice was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City’s website: www.alvin-tx.gov, in compliance with Chapter 551, Texas Government Code on THURSDAY, DECEMBER 27, 2018 at 4:00 P.M.



(SEAL)

A handwritten signature in blue ink, appearing to read "Dixie Roberts", is written over a horizontal line.

Dixie Roberts, City Secretary

Removal Date: _____

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

**MINUTES
CITY OF ALVIN, TEXAS
CITY PLANNING COMMISSION
November 27, 2018**

BE IT REMEMBERED, that on the above date, the Planning Commission met in the First Floor Conference Room, at Public Services Facility, 1100 West Highway 6, Alvin, Texas, at 6:00 P.M. with the following members present, Martin Vela, Chair; Jake Starkey, Vice Chair; Nicole Kelinske, Secretary; Ashley Davis; Santos Garza; Randy Reed; Charles Buckelew; and Chris Hartman. Also present were staff members Michelle Segovia, City Engineer and Shana Church, Executive Secretary. Darrell Dailey was absent.

1. Call To Order.

Call to order at 6:00 p.m.

2. Petition and Requests from the Public.

There were no petitions or requests from the public.

3. Approve the Minutes of the Planning Commission meeting of October 16, 2018.

Commission Member Charles Buckelew motioned to approve the minutes of the regular Planning Commission meeting of October 16, 2018. Seconded by Chris Hartman, the motion carried on a vote of 5 ayes and 0 nays. Nicole Kelinske arrived at 6:01 p.m., Jake Starkey arrived at 6:03 p.m., and Ashley Davis arrived at 6:04 p.m., after the vote.

4. Discuss the Planned Unit Development section of the Subdivision Ordinance.

The Planning Commission discussed the Planned Unit Development section of the Subdivision Ordinance. Some of the topics discussed were green space, lot size and density, and setbacks. The Planning Commission agreed to request a joint workshop with City Council after the first of the year to discuss further.

Randy Reed left at 7:02 p.m.

5. Items of Community Interest.

Nicole Kelinske brought information regarding formula business restrictions to share with the group. Nicole Kelinske also mentioned Alvin Community College is always looking for volunteers who need an echocardiogram or a vascular ultrasound. They will do them yearly and are free of charge.

6. Staff report and update.

There were no staff report or update.

7. Items for the next meeting.

Michelle Segovia stated the Planning Commission will see the revised plat for the Fairway property at the next meeting. The plat was redesigned after the last Planning Commission meeting.

8. Adjournment.

Commission Member Hartman motioned to adjourn the meeting, seconded by Member Garza. The motion carried on a vote of 7 ayes. The meeting ended at 7:45 p.m.

Minutes
City of Alvin
Parks and Recreation Board Meeting
1100 W. Hwy. 6
November 6, 2018
6:30 P.M.

CALL TO ORDER

The meeting was called to order by Jamie Vaughn at 6:39 p.m.

ROLL CALL

Board members present were Carrie Parker, Secretary; Milton Morgan, Jamie Vaughn, Kerry Ulm. Other Attendees: Dan Kelinske, Director of Parks and Recreation.

APPROVAL OF MINUTES

Milton Morgan moved to approve the minutes of August 7 and October 9, 2018. Seconded by Kerry Ulm; motion passed unanimously.

PETITIONS/REQUEST FROM THE PUBLIC

There were no petitions or request from the public.

CHAIRMAN REPORT

There was no report from the Chairman.

DIRECTOR REPORT

A. Update on Upcoming Events.

- Trick or Treat Trail held on October 31st moved to Alvin Junior High. There were 1590 attendees
- No cook Thursday held on October 25 had 40 attendees.
- Market day on October 13 had 60 attendees.
- KaBoom Playground build day November 17th.
- Christmas movie & kid's activities November 30th.
- Rotary International Novemberfest November 10th.
- Home for the Holidays event & parade December 1st.

B. Update on park projects/improvements

- Mustang Bayou bank repair – GC Engineering on track to have geotechnical study completed by eom November. Next phase, drawings for repair.
- Account balances
 - Tree preservation \$22,300
 - ASR Donation (JAN) \$18,158.43
 - Park Dedication \$262,605.83
 - \$181,905.83 locked to quadrants
 - \$80,700 unlocked and can be allocated as needed

- KaBoom Grant \$85,000
- FY2019 funded Capital Improvement projects:
 - Pearson Park Sidewalk - \$150,000
 - Disc Golf - \$300,000
 - Design/Engineering Phase III H&B \$100,000
- YTD 2018 enrollments
 - Course Participants: 549
 - Course Enrollment Transactions: 344
 - General Enrollment: 316
 - Online Enrollment: 28
 - Event Participants: 1690n park projects/improvements.

NEW BUSINESS

- Discuss FY19 park capital improvements
- Discuss asphalt right of way located parallel to 2nd Street

ITEMS OF COMMUNITY INTEREST

There were no items of community interest.

ADJOURNMENT

The meeting was called to adjourn at 8:31 p.m. by Jamie Vaughn.



AGENDA COMMENTARY

Meeting Date: 1/3/2019

Department: Legal

Contact: Suzanne Hanneman, City Attorney

Agenda Item: Public hearing to receive comment on the proposed annexation of 23.004 acres, more or less, for Forest Heights, Section 7, located along the proposed FM 528 extension between Business 35 and State Highway 6, from Don Barras Development, LLC. – first public hearing.

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

Summary: This is the first of two required public hearings for this annexation requested by Don Barras of Don Barras Development LLC. He is petitioning the City to annex 23.004 acres of his property in Forest Heights for the development of Section 7 located along the proposed FM 528 extension between Business 35 and Highway 6.

This public hearing is a time for public comment on said annexation. The next public hearing is scheduled for January 17th. Notices have been published in *The Alvin Sun*, and on the City’s website.

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

Funding Account: _____ **Amount:** _____ **1295 Form Required?** Yes No

Legal Review Required: N/A Required **Date Completed:** 12/20/2018 SLH

Supporting documents attached:

- Resolution 18-R-40 with exhibits
- Request & Petition to Annex to the City Council of the City of Alvin For Annexation of Property
- Annexation Schedule

Recommendation: Announce that the next public hearing is scheduled for Thursday, January 17th at 7:00 p.m.

Reviewed by Department Head, if applicable

Reviewed by City Attorney, if applicable

Reviewed by Chief Financial Officer, if applicable

Reviewed by City Manager

RESOLUTION NO. 18-R-40

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ALVIN, TEXAS, ACCEPTING THE PETITION FOR ANNEXATION OF 23.004 ACRES, MORE OR LESS, FOR FOREST HEIGHTS, SECTION 7 LOCATED ALONG THE PROPOSED FM 528 EXTENSION BETWEEN BUSINESS 35 AND STATE HIGHWAY 6; FROM DON BARRAS DEVELOPMENT, LLC; SETTING AN ANNEXATION SCHEDULE; PROVIDING FOR OPEN MEETINGS AND OTHER RELATED MATTERS.

WHEREAS, the owner of certain property located within Brazoria County, Texas, has petitioned the City of Alvin, Texas (herein the "City"), for annexation of such properties into the City limits;

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

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

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

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

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

Section 2. Proceedings. The petition for annexation of all portions of the following property not previously annexed into the City and the draft service plan shown in Exhibit "B," submitted by Petitioners is hereby accepted:

A tract of 23.004 acres of land, being situated in Lots 63 and 62 of The Hooper and Wade Survey, Section 23, Abstract 420, and out of Lots 8, 9, and 10 of Pierce's Addition of the Hooper and Wade Survey, Section 24, Abstract 485, Brazoria County, Texas, and being more particularly shown and described in the Exhibit "A," attached hereto and incorporated herein for all purposes.

Two (2) public hearings are hereby set for the dates of January 3, 2019, and January 17, 2019. Notice of such hearings shall be posted and the hearings shall be open to the public to accept public comment on the annexation request.

Section 3. Open Meetings. It is hereby officially found and determined that the meeting at which this resolution is passed was open to the public as required and that public notice of the time,

place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED this the 15th day of November, 2018.

THE CITY OF ALVIN, TEXAS

ATTEST

By: _____
Paul A. Horn, Mayor

By: _____
Dixie Roberts, City Secretary

Exhibit "A"

PROPERTY DESCRIPTION

A tract of 23.004 acres of land, being situated in Lots 63 and 62 of The Hooper and Wade Survey, Section 23, Abstract 420, and out of Lots 8, 9, and 10 of Pierce's Addition of the Hooper and Wade Survey, Section 24, Abstract 485, Brazoria County, Texas, and being more particularly shown and described in the Exhibit "A" attached hereto and incorporated herein for all purposes.

Exhibit “B”

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

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

WHEREAS, Section 43.056 of the Local Government Code requires a service plan be adopted with the annexation ordinance;

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

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

WHEREAS, it is found that all statutory requirements have been satisfied and the City is authorized by Chapter 43 of the Texas Local Government Code to annex the subject property into the City;

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

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

A. Police protection as follows:

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

B. Fire protection and Emergency Medical Services as follows:

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

C. Solid waste collection services as follows:

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

D. Animal control as follows:

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

E. Maintenance of parks and playgrounds within the City.

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

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

H. Land use regulation as follows:

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

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

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

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

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

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

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

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

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

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

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

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

(ii) The City will maintain existing public streets within the subject property, and following installation and acceptance of new roadways by the City as provided by city ordinance, including any required traffic signals, traffic signs, street markings, other traffic control devices and street lighting, the City will maintain such newly constructed public streets, roadways and rights-of-way within the boundaries of the subject property, as follows:

(A) As provided in C(i)(A)&(B) above;

(B) Reconstruction and resurfacing of streets, installation of drainage facilities, construction of curbs, gutters and other such major improvements as the need therefore is determined by the governing body under City policies;

(C) Installation and maintenance of traffic signals, traffic signs, street markings and other traffic control devices as the need therefore is established by appropriate study and traffic standards; and

(D) Installation and maintenance of street lighting in accordance with established policies of the City.

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

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

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

STATE OF TEXAS

§

COUNTY OF BRAZORIA

§

§

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

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

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

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

WHEREAS, the City, pursuant to §43.021 of the Texas Local Government Code and the request of the property owner, is authorized to annex the subject property; and

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

NOW THEREFORE, the undersigned by this Petition and Request:

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

A tract of 23.004 acres of land, being situated in Lots 63 and 62 of The Hooper and Wade Survey, Section 23, Abstract 420, and out of Lots 8, 9, and 10 of Pierce’s Addition of the Hooper and Wade Survey, Section 24, Abstract 485, Brazoria County, Texas, and being more particularly shown and described in the Exhibit “A” attached hereto and incorporated herein for all purposes.

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

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

hearings thereon, in accordance with the applicable laws of the State of Texas.

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

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

FILED this 1ST day of NOVEMBER 2018, with the City Secretary of the City of Alvin, Brazoria County, Texas.

Petitioner: **Lando Development Ltd.**

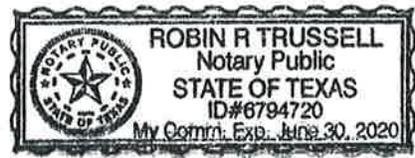
By: , Vice-President
ANUAR TAGER

STATE OF TEXAS §
 §
COUNTY OF BRAZORIA §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Anuar Tager of Lando Development Ltd., Owner of the subject property and Petitioner herein, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged that they had authority to bind the entity and that they executed the same for the purposes therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this 1st day of November 2018.

(SEAL)




Notary Public - State of Texas

Exhibit "A"

DESCRIPTION OF THE SUBJECT PROPERTY

A tract of 23.004 acres of land, being situated in Lots 63 and 62 of The Hooper and Wade Survey, Section 23, Abstract 420, and out of Lots 8, 9, and 10 of Pierce's Addition of the Hooper and Wade Survey, Section 24, Abstract 485, Brazoria County, Texas, and being more fully described in the attached.

Exhibit "B"

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

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

WHEREAS, Section 43.056 of the Texas Local Government Code, requires a service plan be adopted with the annexation ordinance;

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

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

WHEREAS, it is found that all statutory requirements have been satisfied and the City is authorized by Chapter 43 of the Texas Local Government Code to annex the subject property into the City;

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

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

A. Police protection as follows:

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

B. Fire protection and Emergency Medical Services as follows:

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

C. Solid waste collection services as follows:

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

D. Animal control as follows:

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

E. Maintenance of parks and playgrounds within the City.

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

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

H. Land use regulation as follows:

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

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

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

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

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

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

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

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

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

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

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

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

(ii) The City will maintain existing public streets within the subject property, and following installation and acceptance of new roadways by the City as provided by city ordinance, including any required traffic signals, traffic signs, street markings, other traffic control devices and street lighting, the City will maintain such newly constructed public streets, roadways and rights-of-way within the boundaries of the subject property, as follows:

(A) As provided in C(i)(A)&(B) above;

(B) Reconstruction and resurfacing of streets, installation of drainage facilities, construction of curbs, gutters and other such major improvements as the need therefore is determined by the governing body under City policies;

(C) Installation and maintenance of traffic signals, traffic signs, street markings and other traffic control devices as the need therefore is established by appropriate study and traffic standards; and

(D) Installation and maintenance of street lighting in accordance with established policies of the City.

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

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

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

NOTICE OF PUBLIC HEARING(S)
ANNEXATION OF APPROXIMATELY 23.004 ACRES IN
FOREST HEIGHTS, SECTION 7

The City Council of the City of Alvin, Texas will hold two (2) public hearings to receive public comments on the proposed annexation of 23.004 Acres, more or less, for Forest Heights, Section 7 located along the proposed FM528 Extension between Business 35 and State Highway 6. The 1st public hearing will be held on Thursday, January 3, 2019, at 7:00 p.m. at Alvin City Hall 216 W. Sealy. The second public hearing will be held on Thursday, January 17, 2019, at 7:00 p.m. at Alvin City Hall 216 W. Sealy. At the hearing, any interested person shall have a reasonable opportunity to speak for or against said annexation.

Dixie Roberts
City Secretary

LEGAL AD

**SCHEDULE FOR VOLUNTARY ANNEXATION
Forest Heights Section 7**

DATE	ACTION/EVENT	LEGAL AUTHORITY
Nov 15, 2018	COUNCIL BY WRITTEN RESOLUTION Directs notification to land owners; and sets two (2) Public Hearings January 3, 2019 and January 17, 2019 ; Council directs development of service plan for area to be annexed.	Loc. Gov't Code, §§ 43.063 & 43.065; Public Hearings – on or after the 40th day but before 20th day before First Reading of Ordinance
December 2, 2018	NOTICE TO PROPERTY OWNERS & utility providers	Loc. Gov't Code § 43.062(a)
Dec 16-22, 2018* Publish notice of First Public Hearing (1 time) Send School District Notice	NEWSPAPER NOTICE RE: FIRST PUBLIC HEARING ; (If applicable Notice to Railroad) SCHOOL DISTRICT NOTICE (notify each school district of possible impact) POST NOTICE ON WEB SITE and MAINTAIN UNTIL COMPLETE	Not less than 10 days nor more than 20 days before 1st public hearing. Loc. Gov't Code, §43.063 (c).
Dec 30-Jan 5, 2019* Publish notice of Second Public Hearing (1 time)	NEWSPAPER NOTICE RE: SECOND PUBLIC HEARING	Not less than 10 days nor more than 20 days before 2nd public hearing. Loc. Gov't Code, § 43.063 (c).
Ten days after the date the first notice of Public Hearing is published	LAST DAY FOR SUBMISSION OF WRITTEN PROTEST BY RESIDENTS (10 days after first newspaper notice)	Site hearing required if 20 adult residents of tracts protest within 10 days after 1st newspaper notice. Loc. Gov't Code, § 43.063 (b)
January 3, 2019*	1st PUBLIC HEARING AND PRESENT SERVICE PLAN (Not more than 40 days before the reading of ordinance) <i>Regular Meeting</i>	Not less than 20 days nor more than 40 days before reading of ordinance. Loc. Gov't Code, §§ 43.065 & 43.063(a).
January 17, 2019*	2nd PUBLIC HEARING AND PRESENT SERVICE PLAN (At least 20 days before reading of ordinance.) <i>Regular Meeting</i>	Not less than 20 days nor more than 40 days before reading of ordinance. Loc. Gov't Code, §§ 43.065 & 43.063 (a).
Institution Date February 7, 2019*	READING OF ORDINANCE <i>Regular Meeting</i>	Date of institution of proceedings. Not less than 20 days from the second public hearing nor more than 40 days from the first public hearing.
Within 30 days of Reading (before March 9, 2019)	CITY SENDS COPY OF MAP showing boundary changes to County Voter Registrar in a format that is compatible with mapping format used by registrar	Elec. Code §42.0615
Within 60 days of Reading (before April 8, 2019)	CITY PROVIDES CERTIFIED COPY OF ORDINANCE AND MAPS TO: <ol style="list-style-type: none"> 1. County Clerk 2. County Appraisal District 3. County Tax Assessor Collector 4. 911 Addressing 5. Sheriff's Office 6. City Department Heads 	

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



AGENDA COMMENTARY

Meeting Date: 1/3/2019

Department: Economic Development

Contact: Larry Buehler, Economic Development Dir.

Agenda Item: Public hearing to receive comment on proposed Strategic Partnership Agreement for the Martha's Vineyard Development, more formerly described as Brazoria County Municipal Utility District Number 24 – first public hearing.

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

Summary: This is the first of two required public hearings for the Strategic Partnership Agreement for the Martha's Vineyard Development, more formally described as Brazoria County Municipal Utility District Number 24. LESCO Enterprises Inc. is developing approximately 109 acres for a residential subdivision. The property is located northwest of the Highway 6 and CR 146 intersection in the City of Alvin Extraterritorial Jurisdiction (ETJ) and is being subdivided for a new single family residential Planned Unit Development subdivision containing 315 lots and 19 reserves. The Developer plans to construct the subdivision in three sections. The subdivision will be serviced by City utilities via ETJ Municipal Utility District (MUD) No. 24 based on the Utility Services Contract that was approved by Council on February 4, 2016. The Contract provides for the creation of a Strategic Partnership Agreement. The Strategic Partnership Agreement will delineate how fire, police, garbage collections, water, wastewater, and drainage will be provided. City Council will hold another hearing at a special City Council meeting on February 7, 2019 at 7:00 p.m.

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

Funding Account: _____ **Amount:** _____ **1295 Form Required?** Yes No

Legal Review Required: N/A Required **Date Completed:** 12/20/2018 SLH _____

Supporting documents attached:

- Resolution 18-R-39
- Notice of Public Hearing

Recommendation: **Announce that** the second public hearing will be held at a Special Meeting on Thursday February 7, 2019 at 7:00 p.m.

Reviewed by Department Head, if applicable

Reviewed by City Attorney, if applicable

Reviewed by Chief Financial Officer, if applicable

Reviewed by City Manager

RESOLUTION NO. 18-R-39

A RESOLUTION OF THE CITY OF ALVIN, TEXAS, SETTING TWO PUBLIC HEARINGS FOR THE STRATEGIC PARTNERSHIP AGREEMENTS FOR THE MARTHA'S VINEYARD DEVELOPMENT, MORE FORMALLY DESCRIBED AS BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NUMBER 24; PROVIDING FOR OPEN MEETINGS, AND OTHER RELATED MATTERS.

WHEREAS, the owner (LESCO Enterprises Inc.) of certain property located within Brazoria County, Texas, more formally described as Brazoria County Municipal Utility District Number 24, is planning to develop a master planned community within in the jurisdictional control of the City; and

WHEREAS, Strategic Partnership Agreements are a tool that provides how municipal services are provided to developments; and

WHEREAS, the City is required to hold two (2) public hearings prior to Council consideration of Strategic Partnership Agreements;

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

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

Section 2. Proceedings. Two (2) public hearings are hereby set for January 3, 2019, and February 7, 2019. Notice of such hearings shall be posted and the hearings shall be open to the public to accept public comment on the annexation request.

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

Section 4. Open Meetings. It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED this the 15th day of November 2018.

CITY OF ALVIN, TEXAS

ATTEST:

By: _____
Paul A. Horn, Mayor

By: _____
Dixie Roberts, City Secretary

NOTICE OF HEARING REGARDING ADOPTION OF A STRATEGIC PARTNERSHIP AGREEMENT WITH BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 24

Notice is hereby given that the City Council of the City of Alvin, Texas, will hold a public hearing regarding its consideration of the adoption of a Strategic Partnership Agreement (the "SPA") with Brazoria County Municipal Utility District No. 24 at 7:00 p.m., on Thursday, January 3, 2019, at the Alvin City Hall, 216 W. Sealy, Alvin, Texas. At the hearing, any interested person shall have a reasonable opportunity to speak for or against the City's adoption of the SPA. A copy of the proposed SPA may be obtained prior to hearing at City Hall.

**MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
CITY COUNCIL WORKSHOP MEETING
THURSDAY DECEMBER 6, 2018
6:00 P.M**

CALL TO ORDER

BE IT REMEMBERED that, on the above date, the City Council of the City of Alvin, Texas, met in a workshop session at 6:00 P.M. in the 1st Floor Conference Room at City Hall, with the following members present: Mayor Paul A. Horn; Mayor Pro-Tem Keith Thompson; Councilmembers: Gabe Adame, Joel Castro, Scott Reed, Brad Richards and Glen Starkey.

Staff members present: Junru Roland, City Manager; Suzanne Hanneman, City Attorney; Dixie Roberts, City Secretary; Larry Buehler, Director of Economic Development; Priya Bhakta, CVB Director; and Robert E. Lee, Police Chief.

WORKSHOP ITEMS:

Discuss the Hotel Occupancy Tax (HOT) Fund Committee and application process for grant funds.
A discussion was had on the restructuring of the Hotel Occupancy Tax (HOT) Fund Committee and the application process for grant funds. Council directed staff to present the following recommendations for approval at the January 3, 2019 council meeting:

Application Review Panel:

- The Application Review Panel will be selected by the CVB Director and will have no set terms.
- The panel will consist of no more than four (4) members, one of which will include the CVB Director. Any member serving on the panel cannot be in an organization who is applying for HOT Funds that year.
- The panel will review applications from organizations applying for HOT funds and make final decisions on allocations for each application.

Grant Application & Guidelines

- The standard annual appropriation from the HOT Funds for grants will be \$50,000 (based on available funds and state laws).
- Funding will be provided on a reimbursement basis after delivery of the Post-Event Report. 50% of awarded funds may be granted prior to event/project with proof that such payment is required.
- Post-Event Report and proofs of payment must be submitted no later than sixty (60) days following the event.
- A Start-up project/event will receive three (3) years flexibility during application review on hotel/motel and tourism industry impact. The fourth year will be considered on the same merit as all other applications.

ADJOURNMENT

Mayor Horn adjourned the meeting at 6:50 p.m.

PASSED and APPROVED the _____ day of _____, 2019.

Paul A. Horn, Mayor

ATTEST: _____
Dixie Roberts, City Secretary

**MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
REGULAR CITY COUNCIL MEETING
THURSDAY DECEMBER 6, 2018
7:00 P.M**

CALL TO ORDER

BE IT REMEMBERED that, on the above date, the City Council of the City of Alvin, Texas, met in Regular Session at 7:00 p.m. in the Council Chambers at City Hall, with the following members present: Mayor Paul A. Horn; Mayor Pro-Tem Keith Thompson; Councilmembers: Gabe Adame, Adam Arendell, Joel Castro, Brand Richards, Scott Reed and Glen Starkey.

Staff members present: Junru Roland, City Manager; Suzanne Hanneman, City Attorney; Dixie Roberts, City Secretary; Larry Buehler, Director of Economic Development; Priya Bhakta, CVB Director; and Robert E. Lee, Police Chief.

INVOCATION AND PLEDGE OF ALLEGIANCE

Eric Garcia with Grace Christian Center gave the invocation.

Member of Masonic Lodge #762 led the Pledge of Allegiance to the American Flag, and the pledge to the Texas Flag.

PRESENTATIONS

Proclamation – Alvin Masonic Lodge #762 125th Anniversary.

Mayor Horn and members of City Council presented the Alvin Masonic Lodge #762 a proclamation in celebration of their 125th anniversary.

Alvin Convention and Visitors Bureau (CVB) Departmental Update.

Priya Bhakta, CVB Director, gave a brief presentation and update on the Alvin CVB.

PUBLIC COMMENT

There were no comments from the public.

CONSENT AGENDA

Consider approval of the November 15, 2018 City Council meeting minutes.

Consider Ordinance 18-U, amending the City of Alvin Fiscal Year 2018-19 budget for the purpose of appropriating \$3,200,961.95 of prior fiscal year encumbrances into the current fiscal year as set forth for each individual account, in the attached Exhibit “A.”

An encumbrance refers to funds that have been reserved when a purchase order has been approved. Accounting practice requires these funds be reserved (encumbered) until paid. When closing our books on 9/30/2018, there were open (outstanding) purchase orders. As the encumbered items were delivered and paid in FY19, negative budget variances will be reflected in the departmental accounts unless budget appropriations for the previous year’s outstanding encumbrances are moved from the previous FY18 into the current FY19. The total amount of outstanding encumbrances to be carried over from FY18 is \$3,200,961.95.

FY18 Outstanding Encumbrances Carried Over to FY19	
General Fund	28,000.48
Hotel/Motel Fund	158,374.98
Special Investigation Fund	7,086.36
Impact Fee Fund	29,226.71
Utility Fund	70,317.50
EMS Fund	1,627.69
Utility Project Fund	363,630.00
General Projects	586,500.00
Sales Tax Fund	1,794,197.64
Fleet Maintenance Fund	1,924.27
Vehicle Replacement Fund	157,276.32
IT Maintenance Fund	2,800.00
TOTAL	\$ 3,200,961.95

Consider Ordinance 18-V, amending the City of Alvin 2017-18 Fiscal Year-End budget (FY18) by increasing (decreasing) certain expenditures and increasing (decreasing) certain revenues to the budget accounts in all funds set forth in the attached Exhibit "A."

Each fiscal year, the City amends the budget twice. In the Spring (mid-fiscal year), the City amends the budget to appropriate any prior year budget surplus to fund new capital items. In the Fall (fiscal year-end), the City amends the budget to appropriate or adjust (authorized/approved) revenues and/or expenditures which occurred during the year that were not originally budgeted. Reason being, under certain circumstances, staff has more definite revenue and cost information at year end.

FY18 has ended and staff needs to make budget adjustments as a way to put the final FY18 budget in line with actual (approved and/or authorized) revenues and expenditures for financial reporting purposes. Per the City's auditor's recommendation, the City should do a batch budget amendment at the end of the fiscal year to capture expenditures and/or revenues from the year that require a budget amendment.

Hurricane Harvey Fund FY18 Year-End Budget Adjustments

This budget amendment amends the budget to reflect revenues/expenses relating to Hurricane Harvey through FY18. Revenues received from TML for insurance claim recovery totaled \$126,298.53. Funding to cover expenditures comes from the City's fund balance reserves in the General Fund (\$221,196.60), Sanitation Fund (\$139,092.48) and the Utility Fund (\$10,281.25). We are anticipating receiving approximately 80% of reimbursement from FEMA.

General Fund FY18 Year-End Budget Adjustments

This budget amendment adjusts the FY18 budget by \$93,176.81 to reflect: a.) runoff election expenditures; b.) Separation Agreement with former City Attorney; c.) former City Manager vacation contract pay; d.) appraisal and surveying services for landfill site and Fairway property; and e.) replacement of a/c roof top unit at City Hall. In addition, Engineering reimbursements totaling \$208.25 for in-house services related to CIP projects and the interfund transfer from the Cemetery Fund will be adjusted accordingly.

General Projects Fund FY18 Year-End Budget Adjustments (\$162,061.24)

This budget amendment adjusts the FY18 budget to reflect; a.) business matching grant, Downtown Lighting and Wayfinding Signage projects; b.) new roof system at City Hall; and c.) repairs to the trane chiller at the Police Department; d.) light and alarm switch for new light tower/camera system; and e.) National Oak Park bridge improvements.

Hotel Motel Fund FY18 Year-End Budget Adjustments

This budget amendment adjusts the FY18 revenue and expenditures budgets to reflect the receipt and use of Hotel Motel funds which were used for Tour de Braz and debt payments.

Special Investigation Fund FY18 Year-End Budget Adjustments (\$69,853.57)

The Special Investigation Fund is used to account for seized funds, which are acquired through the sale of seized property that was used in the commission of a crime. These funds may only be used for law enforcement purposes such as officer training, salaries for officers, special investigative equipment and supplies, and items used by officers in direct law enforcement duties. This budget amendment reflects seized funds that were used to acquire various equipment and supplies used to support policing activities and law enforcement operations.

Building Security Fund FY18 Year-End Budget Adjustments (\$3,973.91)

A portion of Municipal Court fees are allocated (by the state) to be used solely for Municipal Court building security purposes. This budget amendment adjusts the FY18 budget to reflect the purchase of a metal detector.

Debt Service Fund

This budget amendment adjusts the FY18 budget for principal and interest debt payments to actual.

Donation Fund FY17 Year-End Budget Adjustments

In FY18, the City received donations from Waste Connections (per contract), Sunrise Rotary (per contract approved by city council 12/18/2014; Resolution 14-R-37) and various other donors. In FY18, the City expended donated funds (received from various other donors) in accordance with the donors' requests. This budget amendment adjusts the FY18 revenue and expenditure budgets to reflect the receipt and use of donated proceeds.

Consider Resolution 18-R-45, authorizing the submission of a Community Development Block Grant Disaster Recovery (CDBG-DR) Application to the Texas General Land Office and authorizing the Mayor to act as the City's Executive Officer and authorized representative in all matters pertaining to the City's participation in the CDBG-DR Program; providing for Opening Meetings and other related matters.

The City plans to apply for upcoming Community Development Block Grant – Disaster Recovery funding from the General Land Office – Community Development & Revitalization (GLO). Grant Works was selected by the City for the application and administrative services for this process.

The adoption of this Resolution is required by the GLO and must be submitted as part of the application process in an effort to secure funding. The City is requesting \$1,012,332 in grant funding reimbursement to provide improvements to Water Well No. 4 and Water Plant, Water Well No. 8, Wastewater Treatment Plant and Public Services Facility. These improvements would include the purchase and installation of standby emergency generators, automatic transfer switches, and accessories for lift stations, to ensure operation continues at these critical facilities during an emergency.

Consider Resolution 18-R-46, adopting the Procurement Policies & Procedures Plan as set forth by the Texas General Land Office (GLO) for the Community Development Block Grant Disaster Recovery (CDBG-DR) Program; providing for Opening Meetings and other related matters.

The City plans to apply for upcoming Community Development Block Grant – Disaster Recovery funding from the General Land Office – Community Development & Revitalization (GLO). Grant Works was selected by the City for the application and administrative services for this process.

The adoption of this specific Procurement Policies & Procedures Plan is required by the GLO and must be submitted as part of the application process in an effort to secure grant funding.

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

OTHER BUSINESS

Consider a variance request to Chapter 30 ½ - Regulation of Sex Offender Residency, of the City of Alvin Code of Ordinances, from Eugenio Rodriguez residing at 704 W. Willis.

Discussion was had on this item. Mr. Rodriguez was present to answer questions of City Council.

Council member Thompson moved to deny the variance request to Chapter 30 ½ - Regulation of Sex Offender Residency, of the City of Alvin Code of Ordinances, from Eugenio Rodriguez residing at 704 W. Willis. Seconded by Council member Richards; motion carried a vote of 7 Ayes.

Consider Resolution 18-R-43, approving an offer from Joy Ranch, LLC to purchase approximately 215.452 acres (Municipal Landfill Property at the end of CR38) from the City of Alvin, for the sum of \$1,012,630.00, and authorizing the Mayor or his designee, to execute all related documents upon legal review; providing for Opening Meetings and other related matters.

The City of Alvin has approximately 215.453 acres of land located at the end of County Road 38, of which 18.453 acres is a former city landfill, decommissioned through the Texas Commission on Environmental Quality. The City, through Section 253.014 of the Local Government Code that authorizes a home rule city to sell a tract of real property that is owned by the municipality using a state-licensed real estate broker, listed the property for sale. Joy Ranch, LLC responded with an offer and through negotiations agreed upon the stated price for the entire tract of land. Staff recommends approval of Resolution 18-R-43.

Council member Starkey moved to approve Resolution 18-R-43, approving an offer from Joy Ranch, LLC to purchase approximately 215.452 acres (Municipal Landfill Property at the end of CR38) from the City of Alvin, for the sum of \$1,012,630.00, and authorizing the Mayor or his designee, to execute all related documents upon legal review; providing for Opening Meetings and other related matters. Seconded by Council member Richards; motion carried on a vote of 6 Ayes and 1 No by Council member Reed. (Note: An affidavit declaring a conflict of interest was not filed in accordance to the Charter Article II Section 10; therefore, the abstention was recorded as a No vote.)

Consider Resolution 18-R-44, for the re-appointment of directors on the Kendall Lakes TIRZ Board and Authority Board for even numbered positions from December 31, 2018 to December 31, 2020; and consider appointment of board chair.

The Kendall Lakes Tax Increment Reinvestment Zone (TIRZ) was created in 2005 to assist in the development of Kendall Lakes, a residential, commercial, and industrial area on the north side of the City of Alvin. There is a tax increment that

is used for providing the needed infrastructure for the site through the ability of using bond proceeds. The TIRZ Authority and Board have the responsibility to develop policies that ensure good quality development for this site. TIRZ board members serve staggered even and odd year terms. Those positions up for re-appointment are Position #1 held by Armando Cespedes, Position #4 held by Vicki Ennis, Position # 6 held by Scott Salter, and Position #8 held by Tom Stansel. The Chair of both the Board and Authority is Ricky Kubeczka and this position is reappointed each year. Staff recommends the current directors be reappointed in their respective terms that would expire December 31, 2020, and to reappoint Ricky Kubeczka as the Chair of both the TIRZ and Authority Boards.

Council member Adame moved to approve Resolution 18-R-44, re-appointing Position #1 held by Armando Cespedes, Position #4 held by Vicki Ennis, Position # 6 held by Scott Salter, Position #8 held by Tom Stansel to the Kendall Lake TIRZ Board and Authority who's terms will expire December 31, 2020, and to reappoint Ricky Kubeczka as Chair of both the TIRZ and the Authority Board. Seconded by Council member Thompson; motion carried on a vote of 7 Ayes.

Consider various appointments to boards and commissions.

Current terms will expire for various citizen boards committees and commissions on December 31, 2018.

All board or commission members with expiring terms were mailed notification letters along with a Consent and Willingness to Serve form. Volunteer recruitment ads were published in the Alvin Sun, the City's monthly newsletter, and notifications were pushed out via the City's social media networks. Members appointed during this process will begin service in January 2019. All residency requirements have been verified.

Staff suggests that Council have a time of discussion to decipher which appointments should be made to specific boards/commissions. Once a consensus is agreed upon motions can be made for appointments for each board/commission.

Council member Adame moved to appoint Carrie Parker, Chris Hartman and Richard Garivey to serve a 3-year term on the Planning Commission. Seconded by Council member Thompson; motion carried on a vote of 7 Ayes.

Council member Castro moved to appoint Terrie Beasely, Kerry Ulm and Randall Race to serve a 2-year term on the Parks and Recreation Board. Seconded by Council member Arendell; motion carried on a vote of 7 Ayes.

Council member Thompson moved to appoint Marie Hodges, Beverly Kimbrough, Nell Shimek and John Burkey to serve a 2-year term on the Senior Citizens Board. Seconded by Council member Adame; motion carried on a vote of 7 Ayes.

Council member Adame moved to appoint Khristey Reeves to serve a 3-year term on the Library Board. Seconded by Council member Thompson; motion carried on a vote of 7 Ayes.

Council member Castro moved to appoint Roger Stuksa, Sussie Sutton, Martin Vela and Santos Garza to serve a 2-year term on the Building Board of Adjustments & Appeals. Seconded by Council member Starkey; motion carried on a vote of 7 Ayes.

Consider the cancellation of the December 20, 2018 City Council meeting.

Council member Adame moved to approve cancellation of the December 20, 2018 City Council meeting. Seconded by Council member Thompson; motion carried on a vote of 7 Ayes.

REPORTS FROM CITY MANAGER

Review preliminary list of items for next Council meeting.

Mr. Junru Roland reviewed the preliminary list for the January 3, 2019 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.

Mrs. Roberts reviewed items of community interest.

Council member Thompson congratulated Michelle Nesrsta and Rene Valadez for receiving the GEM Award and being recognized by a local new station for assisting an elderly citizen. He wished everyone a Merry Christmas and cautioned everyone to watch out for the children and to drive safely during the holiday season.

Council member Arendell wished everyone one a happy and safe holiday. He thanked Mr. Roland and the Public Services Department for quickly addressing issues.

Council member Richards thanked the city staff for the great job they do. He wished everyone a Merry Christmas and Happy New Year.

Council member Castro wished everyone a Merry Christmas and a Happy New Year. He announced that Council members Adame, Starkey and he assisted with the playground build at Newman Park and encouraged everyone to visit the park. Castro commended Michelle Nesrsta and Rene Valadez for their work.

Council member Adame wished everyone a Merry Christmas and a Happy New Year. He commended the Masonic Lodge for its 125th anniversary.

Council member Starkey wished everyone a Merry Christmas and a Happy New Year. He encouraged everyone to help those how suffer from seasonal depression. He thanked the city staff and City Council members for the work they do.

Mayor Horn thanked the city staff and citizens for their participation in the Home for the Holidays event held on December 1st.

ADJOURNMENT

Mayor Horn adjourned the meeting at 8:02 p.m.

PASSED and APPROVED the _____ day of _____, 2019.

Paul A. Horn, Mayor

ATTEST: _____
Dixie Roberts, City Secretary



AGENDA COMMENTARY

Meeting Date: 1/3/2019

Department: Engineering

Contact: Michelle Segovia, City Engineer

Agenda Item: Consider a final plat of 413 West Blum, LLC (located at the northwest corner of West Lang and South Taylor), being a plat of lots one and two, block 44, Alvin no. 1, as recorded in volume 32, pages 4 and 5, Deed Records, Brazoria County, Texas, to include variance requests to lot size and street side setbacks.

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

Summary: On November 29, 2018, the Engineering Department received the final plat of 413 West Blum, LLC for review. The property is located on the northwest corner of West Lang and South Taylor Streets and is being platted to reorient the lots by moving the lot line between them (the original lot line is shown as a dashed line running north to south on the plat), in order to build a house on lot 1 (there is an existing house on lot 2). The Owner is requesting a variance to reduce the street side building setback (Sec. 21-37(a)) from 25' to 10' and to reduce the lot area (Sec. 21-37(b)) from the required 7,000 square feet to 6,511 square feet (lot 1) and 6,004 square feet (lot 2).

The City Planning Commission unanimously approved the plat and the variance requests at their meeting on December 18, 2018.

Staff recommends approval.

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

Funding Account: _____ **Amount:** _____ **1295 Form Required?** Yes No

Legal Review Required: N/A Required **Date Completed:** 12/202018 SLH _____

Supporting documents attached:

- Final Plat of 413 West Blum, LLC
- Variance Request Letter

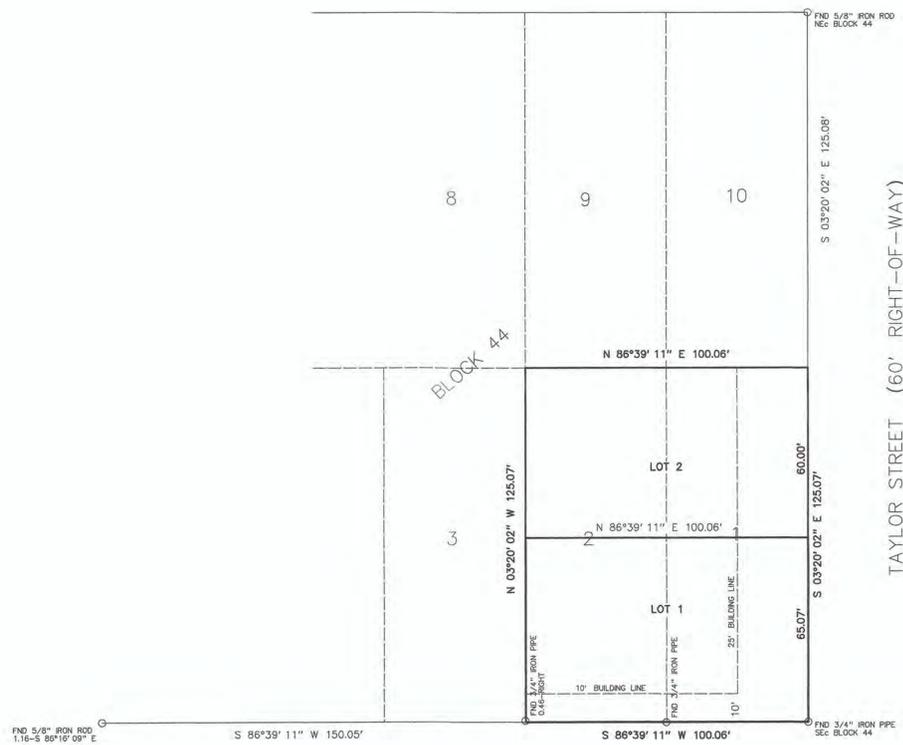
Recommendation: Move to approve the final plat of 413 West Blum, LLC (located at the northwest corner of West Lang and South Taylor), being a plat of lots one and two, block 44, Alvin no. 1, as recorded in volume 32, pages 4 and 5, Deed Records, Brazoria County, Texas, to include variances to lot size and street side setback.

Reviewed by Department Head, if applicable

Reviewed by Chief Financial Officer, if applicable

Reviewed by City Attorney, if applicable

Reviewed by City Manager



FND 5/8\"/>

LANG STREET (60' RIGHT-OF-WAY)

BLOCK 51

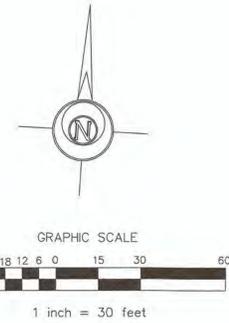
NOTES:

1. CHAD A. GORMLY HAS NOT PERFORMED AN ABSTRACT OF TITLE ON THE ABOVE SURVEYED TRACTS OF LAND.
2. SOURCE OF BEARING BASED UPON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NAD 83(NAZ011) AS COMPUTED FROM THE LEICA TEXAS SMARTNET RTK GPS NETWORK.
3. SIDEWALKS SHALL BE CONSTRUCTED AS PART OF THE ISSUANCE OF A BUILDING PERMIT FOR EACH TRACT, IF REQUIRED.
4. STORM DRAINAGE IMPROVEMENTS, WHICH MAY INCLUDE DETENTION, SHALL BE PROVIDED AT THE TIME OF BUILDING PERMIT, IF APPLICABLE.

I, Chad A. Gormly, Registered Professional Land Surveyor No. 5796, do hereby certify that this plat correctly represents a survey made under my supervision on the ground in accordance with the information provided me and correctly represents the fact as found at the time of survey and is true and correct and that all lot corners, angle points, and points of curvature are properly marked with 1/4\"/>

WITNESS MY HAND AND SEAL THIS 12th DAY OF December, 2019.

Chad A. Gormly, Registered Professional Land Surveyor No. 5796
Gormly Surveying, Inc. FIRM# 10005700
P. O. Box 862, Alvin, Texas 77512-0862 Phone (281) 331-0883



APPROVED BY CITY COUNCIL OF THE CITY OF ALVIN, TEXAS, THIS _____ DAY OF _____, 2019.

PAUL HORN MAYOR

MICHELLE SEGOVIA CITY ENGINEER

DIXIE ROBERTS CITY SECRETARY

We, ALLEGIANCE BANK, acting by and through its Trustee, RAMON A. VITULLI, III, Owner and Holder of a lien against the above-described property, said lien being evidenced by an Instrument of Record in Document Number 2017054086, Official Records of Real Property, Brazoria County, Texas do hereby in all things subordinate to said subdivision and dedication said lien, and we hereby confirm that we are the present owner of said lien and have not assigned the same, nor any part thereof.

RAMON A. VITULLI, III TRUSTEE

STATE OF TEXAS

COUNTY OF _____

BEFORE ME, the undersigned authority, on this day personally appeared RAMON A. VITULLI, III, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged, to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

Given under my hand and seal of Office, this _____ day of _____, 2019.

Notary Public in and for the State of Texas.

My Commission expires _____.

METES AND BOUNDS

0.287 acres of land, being all of Lots 1 and 2, of Block 44, Alvin No. 1, as recorded in Volume 32, Pages 4 and 5, Deed Records, Brazoria County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 3/4 inch iron rod found for the southeast corner of the herein described tract of land and the southeast corner of said Block 44, at the intersection of the north line of Lang Street with the west line of Taylor Street;

THENCE South 86 deg. 39 min. 11 sec. West, a distance of 100.06 feet to a point for the southwest corner of the herein described tract of land and the southwest corner of said Lot 2 and the southeast corner of Lot 3, from which a 3/4 inch iron pipe was found North 20 deg. 38 min. 14 sec. West, a distance of 0.49 feet;

THENCE North 03 deg. 20 min. 02 sec. West, along the common line between Lots 3 and 2, a distance of 125.07 feet to a point for the northwest corner of the herein described tract of land, at the common corner of Lots 8, 9, 2, and 3 of said Block 44;

THENCE North 86 deg. 39 min. 11 sec. East, along the north line of Lots 2 and 1 and the south line of Lots 9 and 10, a distance of 100.06 feet to a point for the northeast corner of the herein described tract of land and the northeast corner of Lot 1 and the southeast corner of Lot 10, in the west line of Taylor Street;

THENCE South 03 deg. 20 min. 02 sec. East, along the east line of said Lot 1 and the west line of said Taylor Street, a distance of 125.07 feet to the PLACE OF BEGINNING and containing 0.287 acres of land.

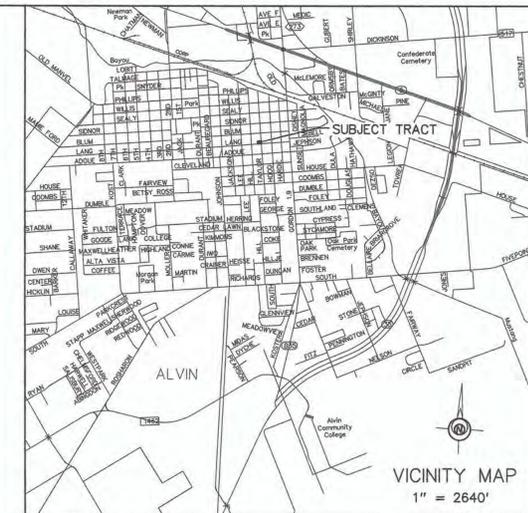
STATE OF TEXAS

COUNTY OF BRAZORIA

I, JOYCE HUDMAN, County Clerk of Brazoria County, Texas, do hereby certify that the written instrument with its authentication was filed for registration in my office on _____, 2019, at _____ o'clock _____ M. in Document Number _____.

Witness my hand and seal of office, at Angleton, Brazoria County, Texas, the day and date last written above.

Deputy _____ County Clerk of Brazoria County, Texas.



VICINITY MAP
1" = 2640'

OWNER: 413 WEST BLUM, LLC
ADDRESS: 305 W. SAN ANTONIO
BOERNE, TX 78006
STATE OF TEXAS
COUNTY OF BRAZORIA

We, 413 WEST BLUM, LLC, acting by and through our agent, JASON WINVELL EDWARDS, owners of the property subdivided in the above and foregoing map of 413 WEST BLUM, being a plat of LOTS 1 AND 2 OF BLOCK 44, ALVIN NO. 1 TO THE CITY OF ALVIN, as recorded in Volume 32, Pages 4 and 5, Deed Records, Brazoria County, Texas, do hereby make subdivision of said property, according to the lines, streets, lots, alleys, parks, building lines and easement as shown hereon, forever, and do hereby waive all claims for damages occasioned by the establishment of grades, as approved for the streets and drainage easements indicated, or occasioned by the alteration of the surface, or any portion of the streets or drainage easements to conform to such grades, and do hereby bind myself, my heirs, successors and assigns, to warrant and defend the title to the land so dedicated.

WITNESS my hand in _____(City), _____ County, Texas, this _____ day of _____, 2019.

JASON WINVELL EDWARDS, MANAGER

STATE OF TEXAS

COUNTY OF BRAZORIA:

BEFORE ME, the undersigned authority, on this day personally appeared JASON WINVELL EDWARDS, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of Office, this _____ day of _____, 2019.

Notary Public in and for the State of Texas.

My Commission Expires: _____

FINAL PLAT
OF

413 WEST BLUM, LLC

DECEMBER 12, 2018
2 LOTS, 1 BLOCK

A PLAT OF LOTS ONE(1) AND TWO (2), BLOCK FORTY FOUR (44), ALVIN NO. 1, AS RECORDED IN VOLUME 32, PAGES 4 AND 5, DEED RECORDS, BRAZORIA COUNTY, TEXAS.

SURVEYOR:
GORMLY SURVEYING, INC.
P.O. BOX 862
ALVIN, TX 77511
281.331.0883
FIRM# 10005700
CONTACT: CHAD A. GORMLY

OWNER(S):
413 WEST BLUM, LLC
305 W. SAN ANTONIO
BOERNE, TX 78006
CONTACT: JASON EDWARDS

GORMLY SURVEYING, INC.
REGISTERED PROFESSIONAL LAND SURVEYORS
P. O. BOX 862, ALVIN, TEXAS, 77512-0862
PHONE 281-331-0883
FIRM # 10095700

December 12, 2018

City of Alvin
Michelle Segovia, City Engineer
1100 W. Highway 6
Alvin, TX 77511
281.388.4341

RE: 413 West Blum Plat

Dear Ms. Segovia:

Please find attached fifteen (15) copies of the plat of 413 West Blum LLC Plat for planning commission review.

Also find attached the plat fee and a variance fee from Chapter 21, Article III, Sec. 21-37 (a) minimum setback lines, and Section 21-37 (b), lot dimensions.

The owners are requesting a variance to the setback along Lang Street so that the buildable area is maintained and the large trees are preserved and not required to be removed. In addition, the buildings directly west of this tract, in this Block, are located 10 feet from the Lang Street ROW. This new building would keep the aesthetics of the existing area while maintaining tree perseverance.

If you have any questions, feel free to contact me.

Regards,



Chad A. Gormly

FILED

DEC 14 2018

RECEIVED

DEC 12 2018



AGENDA COMMENTARY

Meeting Date: 1/3/2019

Department: Engineering

Contact: Michelle Segovia, City Engineer

Agenda Item: Consider a final plat of Guerrero Subdivision (located at 4355 County Road 155), being a total of 4.58 acres of land out of a called 12.074-acre tract as recorded and described in C.C.F. 2015001049, O.R.B.C.T. situated in the I.&G.N.R.R. Co. Survey, Section 28, Abstract 621, Brazoria County, Texas.

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

Summary: On November 29, 2018, the Engineering Department received the final Plat of Guerrero Subdivision for review. The property is located at 4355 County Road 155 in the City of Alvin's Extraterritorial Jurisdiction (ETJ) and is being platted for conveyance. This plat complies with all requirements of the City's Subdivision Ordinance.

The City Planning Commission unanimously approved the plat at their meeting on December 18, 2018.

Staff recommends approval.

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

Funding Account: _____ **Amount:** _____ **1295 Form Required?** Yes No

Legal Review Required: N/A Required **Date Completed:** 12/202018 SLH

Supporting documents attached:

- Final Plat of Guerrero Subdivision

Recommendation: Move to approve the final plat of Guerrero Subdivision (located at 4355 County Road 155), being a total of 4.58 acres of land out of a called 12.074-acre tract as recorded and described in C.C.F. 2015001049, O.R.B.C.T. situated in the I.&G.N.R.R. Co. Survey, Section 28, Abstract 621, Brazoria County, Texas.

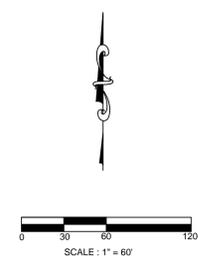
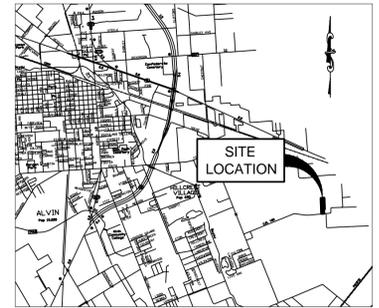
Reviewed by Department Head, if applicable

Reviewed by City Attorney, if applicable

Reviewed by Chief Financial Officer, if applicable

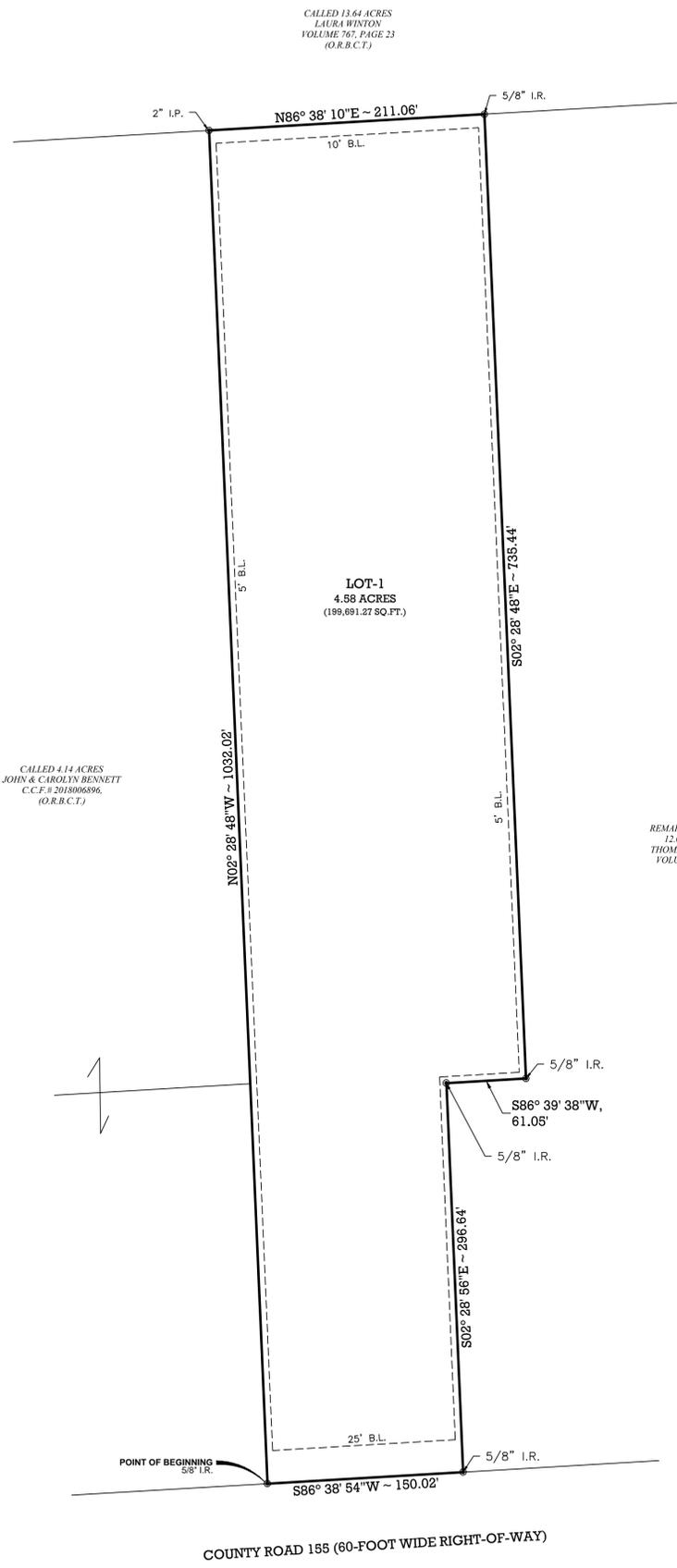
Reviewed by City Manager

VICINITY MAP



LEGEND

- O.R.B.C.T. = OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS
- C.C.F.# = COUNTY CLERK'S FILE NUMBER
- R.O.W. = RIGHT-OF-WAY
- B.L. = BUILDING SETBACK LINE
- = SET 5/8-INCH IRON ROD WITH CAPPED STAMPED 'RPLS-6467'
- = FOUND 5/8-INCH IRON ROD



**STATE OF TEXAS
COUNTY OF BRAZORIA**

KNOW ALL MEN BY THESE PRESENTS THAT:

ERNEST GUERRERO, OWNER OF THE PROPERTY SUBDIVIDED IN THE FOREGOING PLAT AND WHOSE NAME IS DESCRIBED THERETO AND IN PERSON OR THROUGH A DULY AUTHORIZED AGENT DEDICATE TO THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES SHOWN HERON FOR THE PURPOSES AND CONSIDERATION HEREIN EXPRESSES. THE OWNERS DO HEREBY WAIVE ALL CLAIMS FOR DAMAGES OCCASIONED BY THE ESTABLISHMENT OF GRADES AS APPROVED FOR THE STREETS AND DRAINAGE EASEMENTS DEDICATED OR OCCASIONED BY ALTERATION OF THE SURFACE, OR ANY PORTION OF THE STREETS AND DRAINAGE EASEMENTS TO CONFORM TO SUCH GRADES, AND DO HEREBY BIND OURSELVES, OUR HEIRS AND ASSIGNS TO WARRANT AND DEFEND THE TITLE TO THE LAND SO DEDICATED.

WITNESS MY HAND THIS THE ____ DAY OF _____, 20__.

ERNEST GUERRERO, OWNER

**STATE OF TEXAS
COUNTY OF BRAZORIA**

BEFORE ME THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED ERNEST GUERRERO, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THE SAME WAS THE ACTING REPRESENTATIVE FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, 20__.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

**STATE OF TEXAS
COUNTY OF BRAZORIA**

KNOW ALL MEN BY THESE PRESENTS THAT:

I, _____, AUTHORIZED PREVENTATIVE OF TEXAS DOW EMPLOYEES CREDIT UNION, HOLDER OF A LIEN AGAINST THE INSTRUMENT OF RECORD IN THE CLERK'S FILE NUMBER 2015001049 OF THE O.R.B.C.T., DO HEREBY IN ALL THINGS SUBORDINATE OUR INTEREST IN SAID PROPERTY TO THE PURPOSES AND EFFECTS OF SAID PLAT AND THE DEDICATIONS AND RESTRICTIONS SHOWN HEREIN TO SAID SUBDIVISION PLAT AND I HEREBY CONFIRM THAT WE ARE THE PRESENT OWNER OF SAID LIEN AND HAVE NOT ASSIGNED THE SAME NOR ANY PART THEREOF.

WITNESS MY HAND THIS THE ____ DAY OF _____, 20__.

AUTHORIZED PREVENTATIVE

**STATE OF TEXAS
COUNTY OF BRAZORIA**

BEFORE ME THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THE SAME WAS THE ACTING REPRESENTATIVE FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, 20__.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

CITY OF ALVIN SUBDIVISION APPROVAL

APPROVED THIS THE ____ DAY OF _____, 20__ BY THE CITY OF OF ALVIN, TEXAS.

PAUL HORN, MAYOR
DIXIE ROBERTS, CITY SECRETARY

MICHELLE H. SEGOVIA, CITY ENGINEER

REMAINDER OF A CALLED
12.074 ACRE TRACT
THOMAS KIM REED ET AL
VOLUME 77, PAGE 122
(O.R.B.C.T.)

CALLED 4.14 ACRES
JOHN & CAROLYN BENNETT
C.C.F.# 2018006896
(O.R.B.C.T.)

CALLED 13.64 ACRES
LAURA WINTON
VOLUME 767, PAGE 23
(O.R.B.C.T.)

SURVEYOR'S NOTES:

1. ALL BEARINGS AND DISTANCES SHOWN ON THIS SURVEY ARE BASED ON THE TEXAS COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983, SOUTH CENTRAL ZONE, U.S. SURVEY FEET.
2. THE AREA INCLUDED IN THE SUBDIVISION IS IN ZONE "X" (UNSHADED), AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD-PLAIN AS SHOWN AND DESCRIBED ON THE FEMA FIRM #48039C0165H. WARNING: THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR STRUCTURES WILL BE FREE FROM FLOODING OR FLOOD DAMAGE, AND WILL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.
3. REFERENCE BENCHMARK: THE CITY OF ALVIN BENCHMARK # 205, HAVING A CALLED ELEVATION OF 34.58'.
4. NO BUILDING PERMITS WILL BE ISSUED UNTIL ALL THE STORM DRAINAGE IMPROVEMENTS, WHICH MAY INCLUDE DETENTION, HAVE BEEN APPROVED BY THE CITY ENGINEER.
5. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. THE POSSIBLE EXISTENCE OF UNDERGROUND FACILITIES OR SUBSURFACE CONDITIONS OTHER THAN THOSE SHOWN MAY AFFECT THE USE AND DEVELOPMENT OF THE SUBJECT PROPERTY SHOWN HEREON.

FIELD NOTES DESCRIPTION:

BEING A 4.58 ACRE TRACT OF LAND OUT OF A CALLED 12.074 ACRE TRACT AND BEING THE SAME PROPERTY DESCRIBED AND RECORDED UNDER COUNTY CLERK'S FILE NUMBER (C.C.F.#) 2015001049, IN THE OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS (O.R.B.C.T.), SITUATED IN THE I. & G.N. RAILROAD COMPANY SURVEY, SECTION-28, ABSTRACT-621, BRAZORIA COUNTY, TEXAS, SAID 4.58 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8-INCH IRON ROD WITH CAP STAMPED "SUN SURVEYING RPLS 5924" FOUND ON THE NORTH R.O.W. LINE OF COUNTY ROAD 115 MARKING THE SOUTHEAST CORNER OF A CALLED 1.00 ACRE TRACT AS DESCRIBED AND RECORDED UNDER C.C.F.# 1993028505, O.R.B.C.T. AND THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 00° 52' 54" E, A DISTANCE OF 1,032.02 FEET TO A 2-INCH IRON PIPE FOUND ON THE SOUTH BOUNDARY LINE OF A CALLED 13.64 ACRE TRACT AS DESCRIBED AND RECORDED IN VOLUME 767, PAGE 23, O.R.B.C.T., MARKING THE NORTHEAST CORNER OF A CALLED 3.147 ACRE TRACT DESCRIBED AND RECORDED IN VOLUME 1640, PAGE 248, O.R.B.C.T. AND THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 89° 59' 52" E ALONG THE SOUTH BOUNDARY LINE OF SAID 13.64 ACRE TRACT, A DISTANCE OF 211.06 FEET TO 5/8-INCH IRON ROD WITH CAP STAMPED "SUN SURVEYING RPLS 5924" FOUND MARKING THE NORTHWEST CORNER OF THE REMAINDER OF A SAID 12.074 ACRE TRACT AND THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 00° 52' 54" W ALONG THE WEST BOUNDARY LINE OF THE REMAINDER OF SAID 12.074 ACRE TRACT, A DISTANCE OF 735.44 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "SUN SURVEYING RPLS 5924" FOUND MARKING AN INTERIOR CORNER OF SAID REMAINDER OF 12.074 ACRE TRACT AND THE MOST EASTERLY SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 89° 58' 40" W, A DISTANCE OF 61.05 FEET TO 5/8-INCH IRON ROD WITH CAP STAMPED "SUN SURVEYING RPLS 5924" FOUND MARKING THE MOST WESTERLY SOUTHWEST CORNER OF REMAINDER OF SAID 12.074 ACRE TRACT AND AN INTERIOR CORNER ON THE WEST BOUNDARY LINE OF THE HEREIN DESCRIBED TRACT;

THENCE S 00° 52' 54" W ALONG THE WEST BOUNDARY LINE OF REMAINDER OF SAID 12.074 ACRE TRACT, A DISTANCE OF 296.58 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "SUN SURVEYING RPLS 5924" FOUND ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 155 MARKING THE MOST SOUTHERLY SOUTHWEST CORNER OF THE REMAINDER OF SAID 12.074 ACRE TRACT AND THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 89° 59' 24" W ALONG THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 155, A DISTANCE OF 150.02 FEET TO THE POINT OF **BEGINNING** OF THE HEREIN DESCRIBED TRACT CONTAINING 4.84 ACRES (OR 199,691.27 SQUARE FEET) OF LAND.

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND, THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF SURVEY AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS.

SIGNED: PRELIMINARY ONLY
JOSHUA A. MCGINN DATE
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 6467



OWNER:
ERNEST GUERRERO
4355 COUNTY ROAD 155
ALVIN, TEXAS 77512

SOUTH POINT SURVEYING, PLLC
7717 JENKINS ROAD, PEARLAND, TEXAS 77584
OFFICE: (281) 489-5656 - WWW.SP-SURVEYING.COM
T.B.P.L.S. FIRM No. 10194401

SCALE: 1" = 60'	REVISION NO. REV-1 12-13-2018	REVISION DESCRIPTION: ADDED MAYOR'S APPROVAL	DRAWN BY: JM
DATE: 11-25-2018			CHECKED BY: AH
PROJECT NO: 18109			DRAWING NO: 1 OF 1

**FINAL PLAT
OF GUERRERO SUBDIVISION
1-LOT
BEING A TOTAL OF 4.58 ACRES OF LAND
OUT OF A CALLED 12.074 ACRE TRACT
AS RECORDED AND DESCRIBED IN
C.C.F.# 2015001049, O.R.B.C.T.
SITUATED IN THE
I. & G.N. R.R. CO. SURVEY
SECTION-28, ABSTRACT-621,
BRAZORIA COUNTY, TEXAS
DECEMBER 13, 2018**



AGENDA COMMENTARY

Meeting Date: 1/3/2019

Department: Engineering

Contact: Michelle Segovia, City Engineer

Agenda Item: Consider a final plat of Marina Park (located along the south side of Bowling Alley Lane just east of Gordon Street), being a called 4-acre tract, and part of lots 16 and 17 of the Dolson and Nelson Subdivision, H.T. & B.R.R. Company Survey, Abstract 227, Brazoria County, Texas, located in the City of Alvin.

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

Summary: On November 29, 2018, the Engineering Department received the final plat of Marina Park for review. The property is located along the south side of Bowling Alley Lane just east of Gordon Street and is being platted in order to consolidate parcels and to define the park boundary. Consolidating the park parcels into one lot with a defined boundary will aid in the design process when there is a need to add structures/amenities to the park. Having a defined boundary will also make describing the park property simpler from a legal perspective. The plat complies with all requirements of the City's Subdivision Ordinance.

The City Planning Commission unanimously approved the plat at their meeting on December 18, 2018.

Staff recommends approval.

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

Funding Account: _____ **Amount:** _____ **1295 Form Required?** Yes No

Legal Review Required: N/A Required **Date Completed:** 12/202018 SLH

Supporting documents attached:

- Final Plat of Marina Park

Recommendation: Move to approve the final plat of Marina Park (located along the south side of Bowling Alley Lane just east of Gordon Street), being a called 4 acre tract, and part of lots 16 and 17 of the Dolson and Nelson Subdivision, H.T. & B.R.R. Company Survey, Abstract 227, Brazoria County, Texas, located in the City of Alvin.

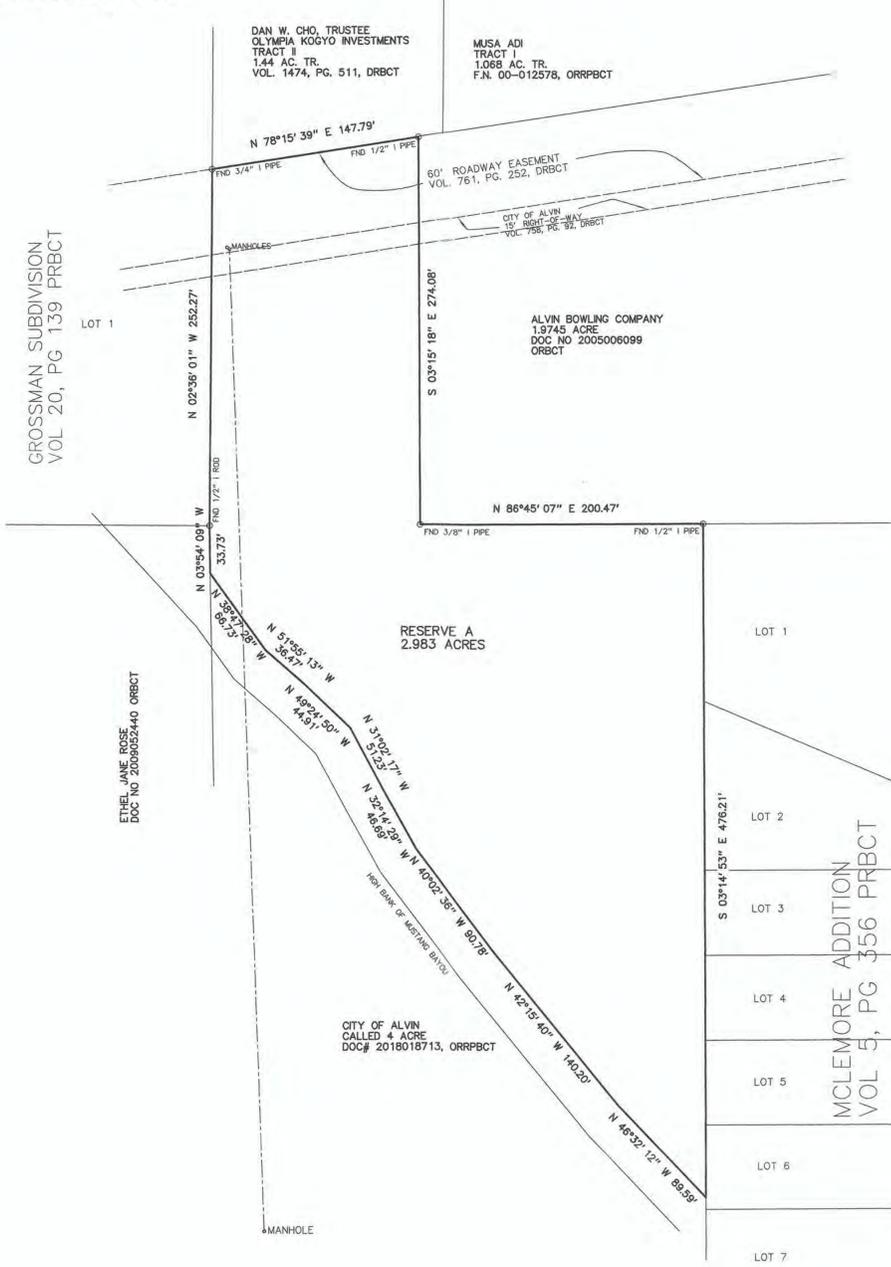
Reviewed by Department Head, if applicable

Reviewed by Chief Financial Officer, if applicable

Reviewed by City Attorney, if applicable

Reviewed by City Manager

H.T.&B. R.R. COMPANY SURVEY
SECTION 15, ABSTRACT 227
BRAZORIA COUNTY, TEXAS

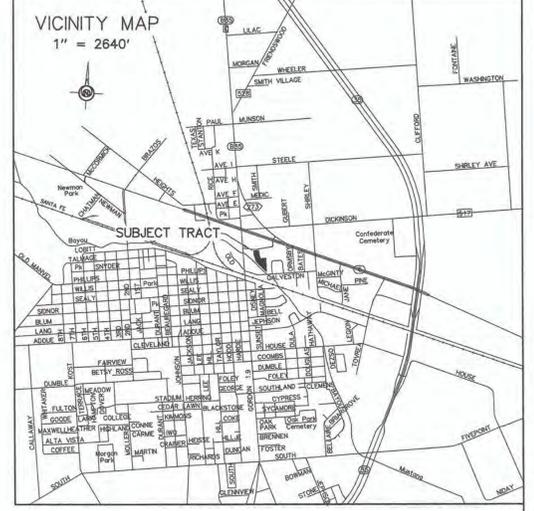
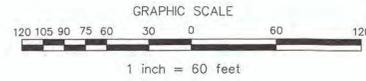
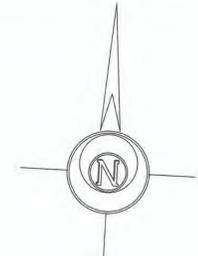


DAN W. CHO, TRUSTEE
OLYMPIA KOGYO INVESTMENTS
TRACT II
1.44 AC. TR.
VOL. 1474, PG. 511, DRBCT

MUSA ADI
TRACT I
1.068 AC. TR.
F.N. 00-012578, ORRPBCT

ALVIN BOWLING COMPANY
1.9745 ACRE
DOC NO 2005006099
DRBCT

CITY OF ALVIN
CALLED 4 ACRE
DOC# 2018018713, ORRPBCT



APPROVED BY CITY COUNCIL OF THE CITY OF ALVIN, TEXAS, THIS _____ DAY OF _____, 2019.

PAUL HORN MAYOR
MICHELLE SEGOVIA CITY ENGINEER
DIXIE ROBERTS CITY SECRETARY

OWNER: CITY OF ALVIN
ADDRESS: 216 WEST SEALY ALVIN, TX 77511
STATE OF TEXAS
COUNTY OF BRAZORIA

We, THE CITY OF ALVIN, acting by and through our agent, MAYOR PAUL HORN, owners of the property subdivided in the above and foregoing map of MARINA PARK, being a called 4 acre tract, and part of Lots 16 and 17 of the Dolson and Nelson Subdivision, H.T. & B.R.R. Company Survey, Abstract 227, Brazoria County, Texas, do hereby make subdivision of said property, according to the lines, streets, lots, alleys, parks, building lines and easement as shown hereon, and dedicate for public use, the streets, alleys, parks and easements shown hereon, forever, and do hereby waive all claims for damages occasioned by the establishment of grades, as approved for the streets and drainage easements indicated, or occasioned by the alteration of the surface, or any portion of the streets or drainage easements to conform to such grades, and do hereby bind myself, my heirs, successors and assigns, to warrant and defend the title to the land so dedicated.

WITNESS my hand in _____(City), _____ County, Texas, this _____ day of _____, 2019.

MAYOR PAUL HORN

STATE OF TEXAS
COUNTY OF BRAZORIA:

BEFORE ME, the undersigned authority, on this day personally appeared PAUL HORN, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.
Given under my hand and seal of Office, this _____ day of _____, 2019.

Notary Public in and for the State of Texas.

My Commission Expires: _____

METES AND BOUNDS
2.983 acres of land, being all of a 0.8954 acre tract as recorded in File Number 98-008689, Official Records of Real Property, and part of a called 4 acre tract of land as recorded in Document Number 2018018713, Official Records of Real Property, Brazoria County, Texas, and said 2.983 acres being out of Lots 16 and 17 of the Dolson and Nelson Subdivision, H.T. & B.R.R. Company Survey, Abstract 227, Brazoria County, Texas, and being more particularly described by metes and bounds as follows:
BEGINNING at a 3/4 inch iron pipe found for northwest corner of the herein described tract of land, the northwest corner of said 0.8954 acre tract, and the southwest corner of a 1.44 acre tract of land as recorded in Volume 1474, Page 511, Brazoria County, Texas, in the east line of Lot 1 of Grossman Subdivision as recorded in Volume 20, Page 139, Plat Records, Brazoria County, Texas;
THENCE North 78 deg. 15 min. 39 sec. East, along the south line of said 1.44 acre tract and the north line of said 0.8954 acre tract, a distance of 147.79 feet to a 1/2 inch iron pipe found for the northeast corner of the herein described tract of land, the northeast corner of said 0.8954 acre tract, and the northwest corner of a 1.9745 acre tract of land as recorded in Document Number 2005006099, Official Records of Real Property, Brazoria County, Texas;
THENCE South 03 deg. 15 min. 18 sec. East, along the west line of said 1.9745 acre tract and the east line of said 0.8954 acre tract, a distance of 274.08 feet to a 3/8 inch iron pipe found for the southwest corner of said 1.9745 acre tract of land and the southeast corner of said 0.8954 acre tract;
THENCE North 86 deg. 45 min. 07 sec. East, along the south line of said 1.9745 acre tract of land, a distance of 200.47 feet to a 1/2 inch iron pipe found for the lower northeast corner of the herein described tract of land and the northwest corner of McLeMORE Addition as recorded in Volume 5, Page 356, Plat Records, Brazoria County, Texas;
THENCE South 03 deg. 14 min. 53 sec. East, along the west line of said McLeMORE Addition, a distance of 476.21 feet to a point for the southeast corner of the herein described tract of land, at a point that is 30 feet from the northeasterly high bank of Mustang Bayou;
THENCE in a Northwesterly direction, 30 feet parallel to the high bank of Mustang Bayou, with the following bearings and distances:
North 46 deg. 32 min. 12 sec. West, 89.59 feet;
North 42 deg. 15 min. 40 sec. West, 140.20 feet;
North 40 deg. 02 min. 36 sec. West, 90.78 feet;
North 32 deg. 14 min. 29 sec. West, 46.69 feet;
North 31 deg. 02 min. 17 sec. West, 51.23 feet;
North 49 deg. 24 min. 50 sec. West, 44.91 feet;
North 51 deg. 58 min. 13 sec. West, 36.47 feet;
North 38 deg. 47 min. 28 sec. West, 66.73 feet to a point for the most southwest corner of the herein described tract of land;
THENCE North 03 deg. 54 min. 09 sec. West, a distance of 33.73 feet to a 1/2 inch iron rod found for the southeast corner of said Lot 1 of Grossman Subdivision, and the southwest corner of said 0.8954 acre tract of land;
THENCE North 02 deg. 36 min. 01 sec. West, a distance of 252.27 feet to the PLACE OF BEGINNING and containing 2.983 acres of land.

- NOTES:
1. CHAD A. GORMLY HAS NOT PERFORMED AN ABSTRACT OF TITLE ON THE ABOVE SURVEYED TRACTS OF LAND.
 2. SOURCE OF BEARING BASED UPON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NAD 83(NA2011) AS COMPUTED FROM THE LEICA TEXAS SMARTNET RTK GPS NETWORK.
 3. SIDEWALKS SHALL BE CONSTRUCTED AS PART OF THE ISSUANCE OF A BUILDING PERMIT FOR EACH TRACT, IF REQUIRED.
 4. STORM DRAINAGE IMPROVEMENTS, WHICH MAY INCLUDE DETENTION, SHALL BE PROVIDED AT THE TIME OF BUILDING PERMIT, IF APPLICABLE.

I, Chad A. Gormly, Registered Professional Land Surveyor No. 5796, do hereby certify that this plat correctly represents a survey made under my supervision on the ground in accordance with the information provided me and correctly represents the fact as found at the time of survey and is true and correct and that all lot corners, angle points, and points of curvature are properly marked with 3/4" iron pipes or as shown on plat.
WITNESS MY HAND AND SEAL THIS 12th DAY OF December 2019.
Chad A. Gormly, Registered Professional Land Surveyor No. 5796
Gormly Surveying, Inc. FIRM# 10095700
P. O. Box 862, Alvin, Texas 77512-0862 Phone (281) 331-0883



STATE OF TEXAS
COUNTY OF BRAZORIA
I, JOYCE HUDMAN, County Clerk of Brazoria County, Texas, do hereby certify that the written instrument with its authentication was filed for registration in my office on _____, 2019, at _____ o'clock _____ M. in Document Number _____.
Witness my hand and seal of office, at Angleton, Brazoria County, Texas, the day and date last written above.
Deputy _____ County Clerk of Brazoria County, Texas.

FINAL PLAT
OF
MARINA PARK

DECEMBER 12, 2018
1 RESERVE

A PLAT OF 2.983 ACRES, BEING A CALLED 4 ACRE TRACT, AND PART OF LOTS 16 AND 17 OF THE DOLSON AND NELSON SUBDIVISION, H.T. & B.R.R. COMPANY SURVEY, ABSTRACT 227, BRAZORIA COUNTY, TEXAS, LOCATED IN THE CITY OF ALVIN.

SURVEYOR:
GORMLY SURVEYING, INC.
P.O. BOX 862
ALVIN, TX 77511
281.331.0883
FIRM# 10095700
CONTACT: CHAD A. GORMLY

OWNER:
CITY OF ALVIN
216 W. SEALY
ALVIN, TX 77511
281.388.4341
CONTACT: MICHELLE SEGOVIA



AGENDA COMMENTARY

Meeting Date: 1/3/2019

Department: Public Services

Contact: Brian Smith, Director

Agenda Item: Consider an Interlocal Agreement for the Regional Stormwater Management Program.

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

Summary: The City of Alvin has participated in the Regional Stormwater Management Program for at least the last seven (7) years. The Regional Stormwater Management Program consists of the City of Lake Jackson, the City of Clute, the City of Alvin, the City of Angleton, the City of Freeport, the City of Richwood, Brazoria County Drainage District 4, and the Brazoria County Conservation and Reclamation District 3.

The purpose of this agreement would be to establish and implement a regional stormwater management program and associated permit application forms for the Texas Pollutant Discharge Elimination System Phase II Stormwater Discharge Permit, which is required by the TCEQ. This interlocal agreement would be effective through September 1, 2019 and will be considered automatically renewed for each succeeding year through September 1, 2023. The City of Alvin will be cost sharing with the above entities to pay for the cost of the consulting firm, LJA Engineering, to implement the program.

The City's estimated budget for this program is as follows:

- FY19 - \$13,000
- FY20 - \$12,000
- FY21 - \$12,000
- FY22 - \$12,000
- FY23 - \$12,000

Staff recommends approval.

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

Funding Account: _____ **Amount:** _____ **1295 Form Required?** Yes No

Legal Review Required: N/A Required **Date Completed:** 12/26/2018 SLH

Supporting documents attached:

- Interlocal Agreement
- Estimated Budget
- Scope of Service

Recommendation: Move to approve an Interlocal Agreement for the Regional Stormwater Management Program.

Reviewed by Department Head, if applicable

Reviewed by City Attorney, if applicable

Reviewed by Chief Financial Officer, if applicable

Reviewed by City Manager

THE STATE OF TEXAS §
 §
COUNTY OF BRAZORIA §

INTERLOCAL AGREEMENT FOR A REGIONAL STORMWATER
MANAGEMENT PROGRAM

WHEREAS, the Parties, which consist of the City of Lake Jackson, the City of Clute, the City of Alvin, the City of Angleton, the City of Freeport, the City of Richwood, Brazoria County (hereinafter called “Entities”), and Velasco Drainage District, Angleton Drainage District, Brazoria County Conservation and Reclamation District 3, and Brazoria County Drainage District 4 (hereinafter called “Districts”), agree that it would be advantageous to continue implementation of a regional stormwater management program and associated permit application forms for the Texas Pollutant Discharge Elimination System Phase II Stormwater Discharge Permit, which is required by the TCEQ in TPDES General Permit TXR040000 originally issued August 13, 2007 and subsequently renewed every five years; and

WHEREAS, the governing bodies of each party find that the subject of this agreement is necessary for the benefit of the public, and that each party has the legal authority to perform and to provide the governmental function or service which is the subject matter of this agreement; and

WHEREAS, the governing bodies of each party find that the performance of this agreement is in the common interest of all parties.

NOW THEREFORE, BE IT RESOLVED that the parties, pursuant to Chapter 791 of the Texas Government Code (Interlocal Cooperation Act) each acting through their respective governing bodies, hereby enter into this Interlocal Agreement.

I. RECITALS

All the recitals and preambles hereinabove stated are found to be true and correct and are incorporated herein and made a part of this agreement.

II. PURPOSE

The purpose of this agreement is to develop and implement a regional stormwater management program (SWMP) and associated permit application forms for the Texas Pollutant Discharge Elimination System (TPDES) Phase II Stormwater Discharge Permit (the Project).

III. Scope of Services

(a) Each Entity and District agrees to pay a proportionate share of the cost of every expense incurred in performing the Project. Estimated costs are attached as Exhibit A. Each Entity and District

understands that the proportionate costs shall increase or decrease as parties join or withdraw from this Agreement.

(b) Each Entity and District shall appoint one representative to the steering committee. Decisions to develop and implement the project shall be by a majority decision of the steering committee.

(c) Brazoria County will be responsible for drafting agreements related to consulting services necessary to implement the project. The agreements will be submitted to the steering committee before Brazoria County executes the agreements.

(d) All Entities and Districts will have an opportunity to review and provide input to the permit application and submittals prior to submission to TCEQ.

(e) Brazoria County will bill monthly the Entities/Districts for their share of the cost for implementation of the SWMP.

(f) All of the Entities and Districts shall pay said bill within 30 days of receipt.

IV. TERM OF AGREEMENT

The Effective Date of this Agreement is September 1, 2018.

This Agreement will be in effect for one year from the Effective Date hereof and will be considered automatically renewed for each succeeding year. This Agreement shall not be renewed past September 30, 2023.

V. AMENDMENTS

Amendments may be made to this Agreement upon the approval of the governing body of each Entity and District.

VI. WITHDRAWING FROM OR JOINING AGREEMENT

A party may withdraw from this Agreement, following a vote of its governing body, provided it has notified the steering committee of such action in writing at least 60 days before its intended withdrawal date. Withdrawal shall not relieve any Entity or District of any obligation incurred prior to the withdrawal.

Additional political subdivisions may become parties to this Agreement by first obtaining endorsement by the steering committee, approving the terms and conditions of the Agreement, providing funding support that shall be determined by the steering committee, providing a certified copy of a resolution or order by the political subdivision's governing body indicating its consent to join this Agreement, and affixing hereto the signature of its authorized representative indicating the date of approval of this Agreement by said entity.

VII. TERMINATION

This Agreement may be dissolved at any time by the written consent of a majority of the parties, in the event of the dissolution of the Agreement, whether voluntary or involuntary or by operation of law. Any funds remaining after payment of the debts and obligations accrued pursuant to this Agreement shall be returned to the Entities and Districts on an equal basis.

VIII. CURRENT REVENUES

Each party shall pay for the performances of services under this agreement from current revenues.

IX. DISCRIMINATION

No one, on the grounds of race, creed, color, national origin, disability, age, or gender, shall be subject to discrimination in the performance of this Agreement.

X. FORCE MAJEURE

No Party shall be deemed in violation of this Agreement if it cannot perform any of the obligations hereunder by reason of strikes, boycotts, labor disputes, embargoes, act of God, acts of the public enemy, acts of superior governmental authority, riots, rebellion, sabotage, or other circumstances for which it is not responsible or which is not within its control.

XI. MISCELLANEOUS PROVISIONS

- a) Venue: Venue for any lawsuit involving this agreement shall be in Brazoria County, Texas.
- b) Choice of Law: This Agreement is governed by the laws of the State of Texas
- c) Entire Agreement: This Agreement constitutes the entire agreement between the Entities and Districts, and all negotiations and all understandings between the Parties are merged herein. The terms and conditions of this agreement specifically replace and supersede any prior discussions, terms, documents, correspondence, conversations, or other written or oral understanding not contained herein or specifically adopted by reference.
- d) Exhibits: All exhibits are attached and are incorporated into the agreement.
- e) Partial Invalidity: If any term, provision, covenant, or condition of this agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remainder of the provisions shall remain in full force and effect and shall in no way be affected, impaired, or invalidated.

- f) Survival: Any provisions which by their terms survive the termination of this agreement shall bind its legal representatives, heirs, and assigns as set forth herein.
- g) Assignment: The Parties shall not assign, transfer, or encumber any right or interest in this agreement, in whole or in part, without prior written approval of the other Party.
- h) Benefits: This agreement shall bind, and the benefits thereof shall inure to the respective parties hereto, their heirs, legal representative, executors, administrators, successors, and assigns.
- i) Amendments: This agreement can be supplemented and/or amended only by a dated written document executed by both parties.
- j) Gender: Words or any gender used in this agreement shall be held and constructed to include any other gender and words in the singular number shall be held to include the plural, and vice versa, unless the context requires otherwise.
- k) Multiple Copies: This agreement may be executed in multiple counterparts each of which constitutes an original.
- l) Article and Section Headings: The Article and Section headings contained herein are for convenience and reference and are not intended to define or limit the scope of any provision of this agreement.
- m) Misspelled Words: Misspelling of one or more words in this agreement shall not void this agreement. Such misspelled words shall be read so as to have the meaning apparently intended by the parties.

This agreement shall take effect upon execution by all signatories.

BRAZORIA COUNTY

By _____

Title _____

Date _____

CITY OF LAKE JACKSON

By _____

Title _____

Date _____

CITY OF ALVIN

By _____

Title _____

Date _____

CITY OF FREEPORT

By _____

Title _____

Date _____

CITY OF CLUTE

By _____

Title _____

Date _____

BRAZORIA COUNTY DRAINAGE DISTRICT 4

By _____

Title _____

Date _____

CITY OF ANGLETON

By _____

Title _____

Date _____

VELASCO DRAINAGE DISTRICT

By _____

Title _____

Date _____

ANGLETON DRAINAGE DISTRICT

By _____

Title _____

Date _____

CITY OF RICHWOOD

By _____

Title _____

Date _____

BRAZORIA COUNTY CONSERVATION AND RECLAMATION DISTRICT 3

By _____

Title _____

Date _____

Brazoria County Stormwater Quality Coalition

Brazoria County, City of Lake Jackson, City of Angleton, City of Alvin, City of Freeport, City of Clute, City of Richwood,
Angleton DD, Velasco DD, Brazoria DD4, Brazoria C&R3

**Stormwater Management Program Implementation
Estimated Budget**

Key Implementation Activities by MCM	Permit Year 1 (FY 2019)	Permit Year 2 (FY 2020)	Permit Year 3 (FY 2021)	Permit Year 4 (FY 2022)	Permit Year 5 (FY 2023)
1.0 Public Education, Outreach, and Involvement					
Development of Public Education Materials					
Contractor Training and Outreach Program					
Reproduction Costs for Brochures, Flyers and other materials					
Conduct Public Meetings	\$16,000.00	\$16,000.00	\$16,000.00	\$16,000.00	\$16,000.00
SWMP Committee Meetings					
Record Maintenance/Data Entry					
2.0 Illicit Discharge Detection and Elimination					
Regulatory Enforcement Assistance					
Outfall Screening					
Maintain/Update Outfall Inventory Map	\$18,000.00	\$18,000.00	\$18,000.00	\$18,000.00	\$18,000.00
Record Maintenance/Data Entry					
3.0 Construction Site Stormwater Runoff Control					
Regulatory Enforcement Assistance					
Construction SWPPP Review					
Training Programs for Permitting Personnel	\$45,000.00	\$45,000.00	\$45,000.00	\$45,000.00	\$45,000.00
Monitor Permittee Owned Construction Projects					
Construction Site Inspections and Enforcement					
Record Maintenance/Data Entry					
4.0 Post-Construction Stormwater Management					
Regulatory Enforcement Assistance					
Inspection of Post-Construction Controls					
Training Programs for Plan Review Personnel	\$16,000.00	\$16,000.00	\$16,000.00	\$16,000.00	\$16,000.00
Plan Review Assistance					
Record Maintenance/Data Entry					
5.0 Good Housekeeping for Municipal Operations					
Employee Training Programs					
Municipal Facility Inspections					
Parking Lot Inspections	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
Record Maintenance/Data Entry					
TMDL/Impaired Water Bodies					
TMDL/Stakeholder Representation					
Public Education Development	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00
Focused BMP Implementation					
Additional Services					
Stakeholder Representation					
Permit Renewal Tasks	\$30,000.00	\$19,000.00	\$19,000.00	\$19,000.00	\$19,000.00
Development/Submittal of Annual Reports					
Total Annual Cost for Combined Activities	\$143,000.00	\$132,000.00	\$132,000.00	\$132,000.00	\$132,000.00
Cost per participant (based on 11)	\$13,000.00	\$12,000.00	\$12,000.00	\$12,000.00	\$12,000.00

Brazoria County Stormwater Quality Coalition
Scope of Services

Permit Implementation for Permit Year 1 of the 3rd Permit Term (FY 2019)

Minimum Control Measure 1.0

- I. Assist with implementation of Public Education, Outreach, and Involvement Program in compliance with TPDES General Permit No. TXR040000.
 - A. Develop and make available public education materials on the impacts of illegal dumping and littering
 - B. Develop educational materials to be distributed to local schools
 - C. Maintain multi-jurisdiction stormwater website
 - D. Conduct SWMP committee meetings
 - E. Maintain all associated permit compliance records/documentation
 - F. Provide assistance with Stormwater Hotline calls

Minimum Control Measure 2.0

- II. Assist with implementation of Illicit Discharge Detection and Elimination Program in compliance with TPDES General Permit No. TXR040000.
 - A. Update outfall inventory map
 - B. Field work – Outfall inspections (20% of identified outfalls)
 - C. Provide assistance with enforcement of local illicit discharge regulations
 - D. Maintain all associated permit compliance records/documentation

Minimum Control Measure 3.0

- III. Assist with implementation of Construction Site Stormwater Runoff Control Program in compliance with TPDES General Permit No. TXR040000.
 - A. Conduct construction site inspections
 - B. Monitor permittee owned construction sites
 - C. Provide construction SWPPP review assistance/training
 - D. Maintain all associated permit compliance records/documentation

Minimum Control Measure 4.0

- IV. Assist with implementation of Post-Construction Stormwater Management Program in compliance with TPDES General Permit No. TXR040000.
 - A. Conduct inspections of post construction control measures
 - B. Provide assistance with enforcement of local post-construction control regulations
 - C. Provide post-construction control plan review assistance
 - D. Maintain all associated permit compliance records/documentation

Minimum Control Measure 5.0

V. Assist with implementation of Good Housekeeping Program in compliance with TPDES General Permit No. TXR040000.

- A. Conduct municipal facility inspections
- B. Employee training program
- C. Conduct parking lot inspections
- D. Conduct municipal structural control inspections, if applicable
- E. Maintain all associated permit compliance records/documentation

TMDL/Impaired Water Bodies

VI. Assist with implementation of the BMPs associated with the TMDL/Impaired Water Bodies section of the Brazoria County Stormwater Management Program.

- A. Provide stakeholder representation at TCEQ Water Quality/TMDL meetings
- B. Develop public education materials
- C. Conduct analysis of progress made toward reaching established benchmarks

Additional Services

VII. Additional Permit Compliance Activities

- A. Permit term 2; Year 5 annual report development
- B. Stakeholder representation (TXR040000 Permit Renewal Meetings)
- C. TXR040000 permit renewal tasks
 - a. Draft Permit Review
 - b. SWMP Revisions
 - c. Permit Application Development/Submittal
 - d. TCEQ Permit Negotiations
 - e. Public Notice Process

*All scope items listed will be implemented in accordance with the measureable goals established in the Brazoria County Stormwater Management Program.



AGENDA COMMENTARY

Meeting Date: 1/3/2019

Department: Convention & Visitors Bureau **Contact:** Priya Bhakta, CVB Director

Agenda Item: Consider Resolution 19-R-01, repealing Resolutions 17-R-17 and 17-R-19, and establishing the Hotel Occupancy Tax Fund Application Review Panel and Hotel Occupancy Tax Grant Application Guidelines; and setting forth other matters related thereto.

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

Summary: Resolution 19-R-01 will repeal Resolutions 17-R-17 and 17-R-19, and establish the creation of the Hotel Occupancy Tax (HOT) Fund Application Review Panel and the HOT Grant Application Guidelines, which outline the terms, eligibility, and evaluation criteria for applications seeking HOT funds.

In accordance to the City Council workshop held on December 6, 2018, staff is requesting the following provisions for the HOT Fund Application Review Panel and Grant Applications and Guidelines:

Application Review Panel:

- The Application Review Panel will be selected by the CVB Director and will have no set terms.
- The panel will consist of no more than four (4) members, one of which will include the CVB Director. Any member serving on the panel cannot be in an organization who is applying for HOT Funds that year.
- The panel will review applications from organizations applying for HOT funds and make final decisions on allocations for each application.

Grant Application & Guidelines

- The standard annual appropriation from the HOT Funds for grants will be \$50,000 (based on available funds and state laws).
- Funding will be provided on a reimbursement basis after delivery of the Post-Event Report. Up to 50% of awarded funds may be granted prior to the event/project with proof that such payment is required.
- Post-Event Report and proofs of payment must be submitted no later than sixty (60) days following the event.
- A Start-up project/event will receive three (3) years flexibility during application review on hotel/motel and tourism industry impact. The fourth year will be considered on the same merit as all other applications.

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

Funding Account: _____ **Amount:** _____ **1295 Form Required?** Yes No

Legal Review Required: N/A Required **Date Completed:** 12/20/2018 SLH _____

Supporting documents attached:

- HOT Grant Program Application Guidelines
- Resolution 19-R-01
- Resolution 17-R-17
- Resolution 17-R-19

Recommendation: Move to approve Resolution 19-R-01, repealing Resolutions 17-R-17 and 17-R-19, and establishing the Hotel Occupancy Tax Fund Application Review Panel and Hotel Occupancy Tax Grant Application Guidelines; and setting forth other matters related thereto.

Reviewed by Department Head, if applicable

Reviewed by City Attorney, if applicable

Reviewed by Chief Financial Officer, if applicable

Reviewed by City Manager

RESOLUTION 19-R-01

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ALVIN, TEXAS, REPEALING RESOLUTION 17-R-17 AND RESOLUTION 17-R-19; AMENDING THE HOTEL OCCUPANCY TAX (HOT) COMMITTEE AND CREATING THE HOTEL OCCUPANCY TAX (HOT) APPLICATION REVIEW PANEL AND HOT GRANT APPLICATION GUIDELINES; AND SETTING FORTH OTHER PROVISIONS RELATED THERETO.

WHEREAS, on June 1, 2017, Council approved Resolution 17-R-17 which created the Hotel Occupancy Tax (HOT) Fund Committee; established membership terms of office and qualifications of members; and

WHEREAS, on July 20, 2017, Council approved Resolution 17-R-19 which amended the maximum number of members allowed on the Hotel Occupancy Tax (HOT) Fund Committee; and

WHEREAS, Council intends to repeal Resolutions 17-R-17 and 17-R-19, and instead, establish the Hotel Occupancy Tax (HOT) Fund Application Review Panel and the HOT Grant Application Guidelines, which will outline the terms, eligibility, and evaluation criteria for all applications seeking HOT funds; and

WHEREAS, Council believes these changes are in the best interest of the City and will provide an impartial and unbiased means for distributing the City's HOT funds;

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. Proceedings. That the City Council of the City of Alvin, Texas, approves the creation of the Hotel Occupancy Tax Application Review Panel as follows:

- A. The HOT Fund Application Review Panel shall consist of four (4) members, one of which shall be the Convention Visitors Bureau (CVB) Director. The CVB Director shall appoint three (3) members from the community to serve on the Review Panel, and the members shall have no set terms. Any member serving on the Review Panel may not be in an organization that is applying for the HOT Fund Grant that year. The Review Panel will review applications and make final decisions on allocations for each application.
- B. The standard annual appropriation from the HOT Funds for grants will be \$50,000 (based on available funds and state laws). Funding will be provided as a reimbursement after delivery of the Post-Event Report. Up to Fifty percent (50%) of the awarded funds may be provided to an applicant prior to event/project with proof that such payment is required.
- C. The Post-Event Report and proofs of payment must be submitted to the CVB Director no later than sixty (60) days following the event.

D. A Start-up project/event will receive three (3) years flexibility during the application review to provide for the impact of the project/event on the hotel/motel and tourism industry. The fourth year will be considered on the same merit as all other applications.

Section 3. 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, Chapter 551 of the Texas Government Code.

Section 4. Effective Date. The resolution shall take effect upon the passage of this resolution.

PASSED AND APPROVED on this the _____ day of _____, 2019.

CITY OF ALVIN, TEXAS

ATTEST

By _____
Paul A. Horn, Mayor

By _____
Dixie Roberts, City Secretary



Alvin Hotel Occupancy Tax Grant Program Grant Application & Guidelines

The City of Alvin Convention & Visitors Bureau manages a grant program to provide funding from the hotel and motel tax for projects that support the hotel/motel and tourism industry in Alvin.

Terms

Applications are being accepted beginning May 20, 2019 and ending July 1, 2019. Applications will be reviewed on (MM/DD/YR) and be awarded on (MM/DD/YR). (Applications will not be accepted after July 1, 2019.)

Generally, funding will be provided on a reimbursement basis after delivery of the *Post-Event Report*. However, up to 50% of awarded funds may be granted prior to the event/project with proof that such payment is required, i.e. deposits, down payments, etc.

The standard annual appropriation from the HOT Funds for grants will be \$50,000 (based on available funds and state law).

A **Past Recipient** must have submitted a Post Event Report on or before the 2019 application review process to be eligible for the following year grant program.

The Post-Event Report and proofs of payment must be submitted no later than sixty (60) days following the event. Any funds not spent will need to be refunded to the City of Alvin Convention and Visitors Bureau.

A **Start-up** project/event will receive three (3) years flexibility during application review on hotel/motel and tourism industry impact; a Post Event Report is still required no later than 60 days following an event. The fourth year will be considered on the same merit as all other applications.

Eligibility

HOT Grants are open to any local organization located in the city limits of Alvin. In order to be eligible, projects must meet ALL of the following criteria:

- Organization must be located within the city limits of Alvin
- Funds must be used for project/event development and public awareness
- Recipients must show the impact they have on hotel/motel and tourism industry

Evaluation Criteria for Past Recipients

Applications will be reviewed on a competitive basis and evaluated based on the following criteria:

- Applicants must complete the application form
- The project/event must have innovated features and focus on development
- The project/event should provide public awareness
- 50% minimum matching funding required
- Applicant's ability to provide proof of impact to the hotel/motel and tourism industry
- Applicant's compliance with past application and procedures

If you have any questions, contact Priya Bhakta – pbhakta@cityofalvin.com | 281.585.3359

Priya Bhakta, CVB Director

Alvin Convention & Visitors Bureau, 200 Depot Centre Blvd., Alvin, TX 77511

RESOLUTION 17-R-17

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ALVIN, TEXAS, CREATING THE HOTEL OCCUPANCY TAX (HOT) FUND COMMITTEE; ESTABLISHING THE MEMBERSHIP, TERMS OF OFFICE AND QUALIFICATIONS OF THE COMMITTEE; DEFINING THE PURPOSE OF THE COMMITTEE; AND SETTING FORTH OTHER PROVISIONS RELATED THERETO.

WHEREAS, there is hereby created a Hotel Occupancy Tax (HOT) Fund Committee which shall include a minimum of three (3) members representing the interest of the hotel and convention industry. The other committee members may include owners/managers of tourist attractions; and/or representatives of organizations involved in allowable use categories of the tax code governing HOT funds; and

WHEREAS, members of the HOT Fund Committee shall be appointed by the City Council, shall serve unexpired terms, shall not exceed seven (7) members total, and shall meet at least quarterly. The Alvin Convention and Visitors Bureau Director or appointee shall attend HOT Fund Committee meetings; and

WHEREAS, the sole purpose of the HOT Fund Committee is to review applications from groups or organizations applying for HOT funding, and make initial funding recommendations to the City Council, who in turn will make the final decision on the allocation of funds; and

WHEREAS, each group, with an acceptable application, will be scheduled for a date and time to present their request to the Committee;

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.

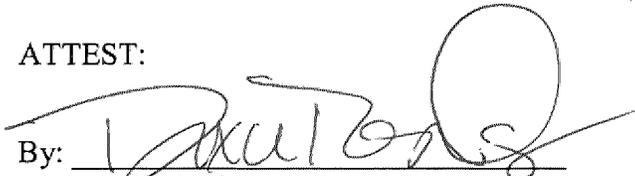
Section 2. Proceedings. That the City Council of the City of Alvin, Texas, approves the creation of the Hotel Occupancy Tax Fund Committee.

Section 3. 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, Chapter 551, Texas Government Code.

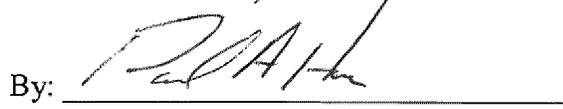
Section 4. Effective Date. The resolution shall take effect upon the passage of this resolution.

PASSED AND APPROVED on this the 1st day of June, 2017.

ATTEST:

By: 
Dixie Roberts, City Clerk

CITY OF ALVIN, TEXAS

By: 
Paul A. Horn, Mayor

RESOLUTION 17-R-19

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ALVIN, TEXAS, AMENDING THE MAXIMUM NUMBER OF MEMBERS ALLOWED ON THE HOTEL OCCUPANCY TAX (HOT) FUND COMMITTEE; AND SETTING FORTH OTHER PROVISIONS RELATED THERETO.

WHEREAS, there is hereby created a Hotel Occupancy Tax (HOT) Fund Committee which shall include a minimum of three (3) members representing the interest of the hotel and convention industry. The other committee members may include owners/managers of tourist attractions, and/or representatives of organizations involved in allowable use categories of the tax code governing HOT funds; and

WHEREAS, members of the HOT Fund Committee shall be appointed by the City Council, shall serve unexpired terms, shall not exceed eleven (11) members total, and shall meet at least quarterly. The Alvin Convention and Visitors Bureau Director or appointee shall attend HOT Fund Committee meetings; and

WHEREAS, the sole purpose of the HOT Fund Committee is to review applications from groups or organizations applying for HOT funding, and make initial funding recommendations to the City Council, who in turn will make the final decision on the allocation of funds; and

WHEREAS, each group, with an acceptable application, will be scheduled for a date and time to present their request to the Committee;

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.

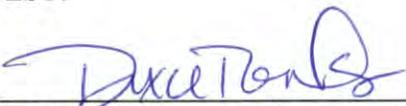
Section 2. Proceedings. That the City Council of the City of Alvin, Texas, approves the creation of the Hotel Occupancy Tax Fund Committee.

Section 3. 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, Chapter 551, Texas Government Code.

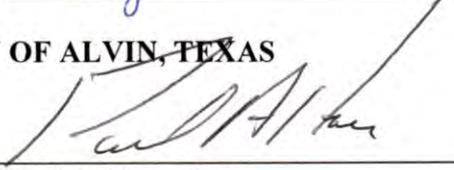
Section 4. Effective Date. The resolution shall take effect upon the passage of this resolution.

PASSED AND APPROVED on this the 20 day of July, 2017.

ATTEST:

By: 
Dixie Roberts, City Secretary

CITY OF ALVIN, TEXAS

By: 
Paul A. Horn, Mayor



AGENDA COMMENTARY

Meeting Date: 1/3/2019

Department: Engineering

Contact: Michelle Segovia, City Engineer

Agenda Item: Consider a request for a variance to the building façade requirement of Chapter 35, Section 35-19 of the City of Alvin Code of Ordinances for O'Reilly Auto Parts Store, located at 1042 South Gordon.

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

Summary: On November 29, 2018 the Engineering Department received a variance request from Buddy Webb & Company, representing O'Reilly Auto Parts (1042 South Gordon), for a waiver to the façade requirement of Section 35-19 of the City Code of Ordinances. O'Reilly Auto Parts is proposing to construct a 2,400 square foot addition to the north side of the existing store that is located at 1042 South Gordon. The requested variance is to allow the proposed addition to be constructed with a metal panel façade consistent with that of the existing building. Section 35-19 requires that the exterior façade of the building addition, on all side of the building visible from the corridor (Gordon Street) to be constructed of brick, stone, stucco, EFIS, or masonry.

The City Planning Commission voted 5 votes to 1 vote to deny this variance request at their meeting on December 18, 2018. The consensus of the Commission was that the exterior façade of the addition should be constructed of a material compliant with the ordinance.

Staff recommends approval.

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

Funding Account: _____ **Amount:** _____ **1295 Form Required?** Yes No

Legal Review Required: N/A Required **Date Completed:** 12/20/2018 SLH

Supporting documents attached:

- Variance Request Letter
- Site Development Plan
- Exterior Elevation Plan
- Chapter 35 Variance Process

Recommendation: Move to approve the variance request to the building façade requirement of Chapter 35, Section 35-19 of the City of Alvin Code of Ordinances for O'Reilly Auto Parts Store, located at 1042 South Gordon.

Reviewed by Department Head, if applicable

Reviewed by Chief Financial Officer, if applicable

Reviewed by City Attorney, if applicable

Reviewed by City Manager



Buddy Webb, AIA, NCARB, CSI

Architect - Consultant

3057 E. Cairo
Springfield, Missouri 65802
(417) 877-1385 Phone
(417) 877-9736 Fax

November 29, 2018

City of Alvin Planning Commission
Michelle H. Segovia, P.E., CFM
Engineering Department / City Engineer
1100 West Highway 6
Alvin, Texas 77511

Re: Addition to O'Reilly Auto Parts Store (AVN-433)
1042 South Gordon Street
Alvin, Texas 77511

Statement of Intent:

Buddy Webb Architects, on behalf of O'Reilly Auto Enterprises, LLC., is seeking a non-compliant building variance through the City of Alvin's Planning Commission for exemption from the clay/masonry brick façade requirement listed within Sec. 35-19 in the Code of Ordinances [REDACTED]. This variance is for a proposed addition to the existing O'Reilly Auto Parts store located at 1042 South Gordon Street.

Existing and Proposed Conditions

The property located at 1042 Gordon Street contains a 6,800 S.F. auto parts store. The building is a pre-engineered metal building enclosed with exterior metal panels. We are proposing a 2,400 S.F. addition to the side of the existing building for the storage of additional merchandise within the store as well as a 4,343 S.F. addition to the existing parking lot located along the side of the building. These additions will not require a change in use or zoning categories.

Variance Requests

A variance is requested for exemption from the requirements within the following sections of the City of Alvin's Code of Ordinances enacted June 7, 2018 Supplement 33:

- Chapter 35 - Corridor Land Use Regulations, Article III. - Property and Land Standards, Sec. 35-19. - Street elevations; building facades; exterior materials.

The current O'Reilly Auto Parts store is a pre-engineered metal building with metal wall panels around the entire building exterior with a glass storefront and entry. The original building was constructed prior to the adoption of the new Code of Ordinances and therefore does not meet its specified requirements. The requested variance is to allow the proposed addition to be constructed with metal wall panels like those existing, so that the overall building appearance may remain the same.

Summary

We are seeking a non-compliant building variance through the Planning Commission for exemption from the clay/masonry brick façade requirement listed in the current Code of Ordinances. The original building was constructed prior to the adoption of this code; therefore, we are requesting this variance to allow O'Reilly the opportunity to expand their store while allowing the appearance of the building to remain cohesive. The addition to the existing O'Reilly Auto Parts store and parking lot will improve the current land usage and site appearance by updating the streetscape and parking lot landscaping. By allowing the addition to be constructed with similar materials to the existing store, the

overall building appearance will be consistent and not appear as a disfigurement to its surroundings or adjacent structures. This addition will also allow for the storage of additional merchandise, which in turn will allow O'Reilly to provide the residents of Alvin with a larger selection of parts and equipment to better meet their needs. The addition of the new landscaping along Gordon Street in front of the new building area will help beautify this process as well. In the end, the proposed addition should cause no negative affects to the overall building aesthetics of the area or the adjacent property values.

Please contact our office if additional information or clarifications are required. Thank you.

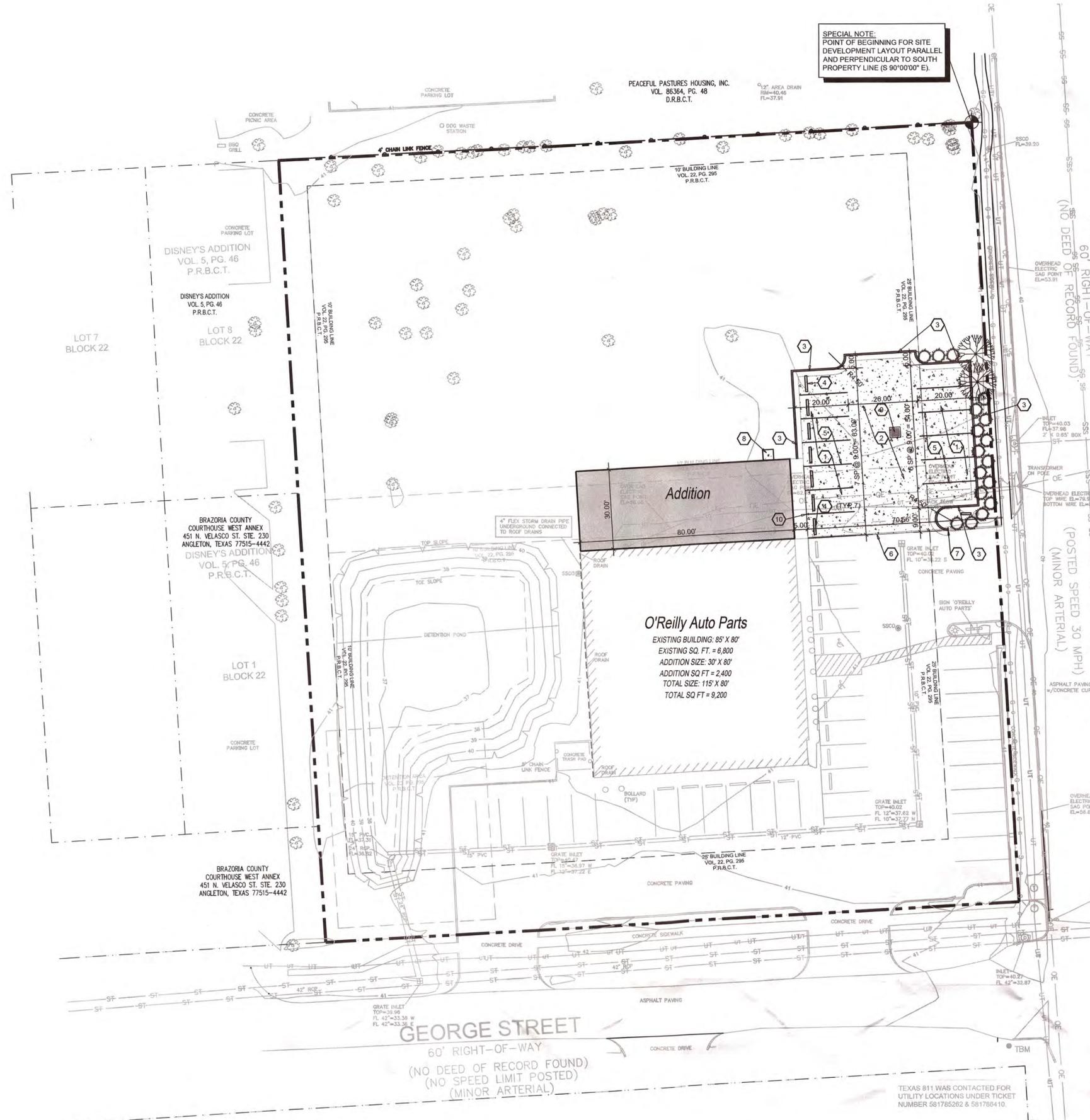
Respectfully,



Ashton Shepard, Associate AIA, CSI
Buddy Webb & Company, Architect • Consultant
3057 E Cairo St
Springfield, MO 65802
417.877.1385 p
www.buddywebbco.com

attachment

Cc:



SPECIAL NOTE
POINT OF BEGINNING FOR SITE DEVELOPMENT LAYOUT PARALLEL AND PERPENDICULAR TO SOUTH PROPERTY LINE (S 90°00'00" E).

ZONING CODE

ZONING CLASSIFICATION: (NO ORDINANCE)
 PROPERTY AREA: (REFER SURVEY)
 NEW PAVEMENT AREA: 4,200 SQ. FT.

PARKING SUMMARY
 PARKING FORMULA: 1 SP. PER 200 SQ. FT. GFA
 SPACE SIZE: 9' x 20'
 SPACES REQUIRED: 46
 SPACES PROVIDED: 47
 H.C. SPACES PROVIDED: 2

SYMBOLS LEGEND

NOTE: REFER TO SURVEY FOR EXISTING CONDITIONS SYMBOLS LEGEND.

[Symbol]	NEW BUILDING CONSTRUCTION
[Symbol]	AREA OF CONCRETE
[Symbol]	AREA OF PAVING
[Symbol]	NEW POLE SIGN LOCATION
[Symbol]	NEW CONCRETE PAVING BLOCK
[Symbol]	NEW LIGHT POLE LOCATION
[Symbol]	NEW FENCE CONSTRUCTION

- GENERAL NOTES**
- A REFER TO PROJECT MANUAL FOR ADDITIONAL REQUIREMENTS. ALL ON SITE CONCRETE TO BE 4,000 PSI.
 - B SITE DIMENSIONS TO FACE OF CONCRETE FOUNDATION, SIDEWALK, CURB GUTTER LINE, PROPERTY LINE, OR CENTER LINE OF STRIPING UNLESS OTHERWISE NOTED.
 - C COORDINATE WORK WITH OTHER SITE RELATED DEVELOPMENT DRAWINGS.
 - D REFER TO STRUCTURAL DRAWINGS FOR BUILDING DIMENSIONS AND LAYOUT OF SIDEWALKS ADJACENT TO BUILDING PERIMETER.
 - E PRIOR TO INSTALLATION, CONTRACTOR TO VERIFY LOCATIONS OF LIGHT POLES, LANDSCAPING, AND UTILITIES DO NOT CONFLICT WITH SITE SIGN LOCATION SHOWN. IF CONFLICT IS DISCOVERED, CONTRACTOR TO NOTIFY OWNER'S REPRESENTATIVE PRIOR TO PROCEEDING WITH THE WORK.

- KEY NOTES**
- 1 CONCRETE PAVING (STANDARD DUTY) AT PARKING AREAS, REFER TO DETAIL 1/C2.2.
 - 2 CONCRETE PAVING (HEAVY DUTY) AT DRIVE AREAS, DRIVE APRONS, FIRE LANES, REFER TO DETAIL 2/C2.2.
 - 3 CONCRETE CURB, REFER TO DETAIL 3/C2.2.
 - 4 CONCRETE BUMPER BLOCK (8" X 5" X 6'-0" LONG) ANCHORED TO PAVING WITH (2)1'-6" LONG #4 REBAR.
 - 5 4" WIDE PAVEMENT STRIPING AS SHOWN USING HIGHWAY MARKING PAINT - YELLOW (2 COATS).
 - 6 LIMITS OF NEW PAVING. MATCH EXISTING PAVEMENT TRANSITION ELEVATIONS. AT TRANSITIONS OF NEW CONCRETE TO EXISTING CONCRETE PAVEMENT, EPOXY DOWEL 6" MINIMUM INTO EXISTING WITH #4 X 1'-6" SMOOTH DOWELS MATCHING NEW PAVEMENT REINFORCEMENT SPACING. PROVIDE SEALANT AT JOINTS.
 - 7 CONCRETE CURB TO MATCH EXISTING.
 - 8 CONCRETE SIDEWALK OR DOOR LANDING, REFER TO DETAIL 4/C2.2 AND STRUCTURAL DRAWINGS. LANDING MAY BE POURED MONOLITHIC WITH PAVING IF CONCRETE PAVING IS PROVIDED.
 - 9 CONCRETE STORM WATER CONTROL SYSTEM, REFER TO SITE GRADING PLAN.
 - 10 CONCRETE SIDEWALK CURB, REFER TO DETAIL 5/C2.2. REFER TO STRUCTURAL DRAWINGS FOR LAYOUT OF CONTROL AND EXPANSION JOINTS ADJACENT TO BUILDING PERIMETER.

SPECIAL NOTE
PRIOR TO CONTRACT CLOSEOUT, CONTRACTOR SHALL SECURE THE SERVICES OF A REGISTERED LAND SURVEYOR TO PROVIDE SITE SURVEY OF COMPLETED PROJECT CONDITIONS AND SUBMIT FOR REVIEW AND APPROVAL BY OWNER. REFER TO PROJECT MANUAL FOR ADDITIONAL REQUIREMENTS.

INDIVIDUAL ARCHITECTURAL REGISTRATION NO.: 18204
 FIRM ARCHITECTURAL REGISTRATION NO.: BR 2970

SHEETS BEARING THIS SEAL ARE AUTHENTICATED, RESPONSIBILITY FOR ALL OTHER PLANS, SPECIFICATIONS OR INSTRUMENTS ARE DISCLAIMED.

O'Reilly AUTO PARTS
 CORPORATE OFFICES
 233 SOUTH PATTERSON
 SPRINGFIELD, MISSOURI 65802
 (417) 882-2674 TELEPHONE

PROJECT: (ADDITION)
O'REILLY AUTO PARTS STORE
 1042 SOUTH GORDON STREET
 ALVIN, TEXAS
SITE DEVELOPMENT PLAN

Buddy Webb, NCARB, AIA
Architect - Consultant
 3057 EAST CAIRO
 SPRINGFIELD, MISSOURI 65802
 (417) 877-1385 TELEPHONE
 (417) 877-9736 FAX

DRAWN BY: AS
 CHECKED BY: RV
 DATE: 10/17/18
 REVISION: A
 AD#1 11/27/18
 PROJECT NUMBER: AVN
 SHEET NUMBER: C2.1

1 SITE DEVELOPMENT PLAN
 C2.1 SCALE: 1" = 20'-0"



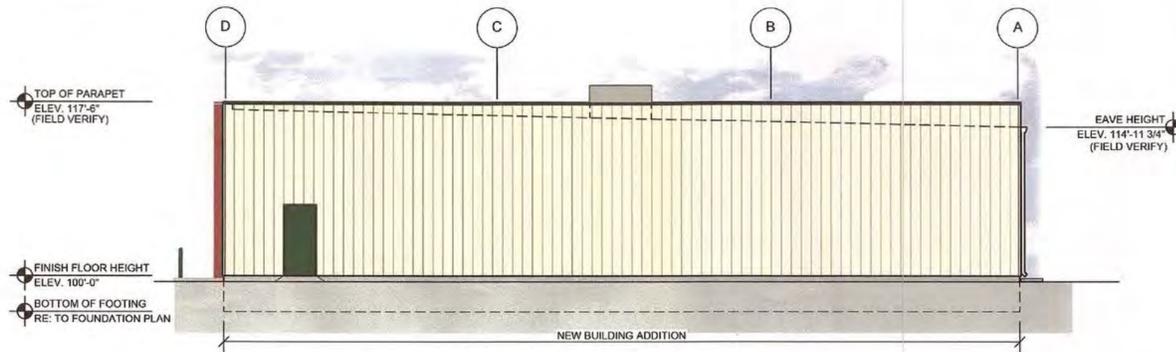
811
 Know what's below
 Call before you dig.
C2.1

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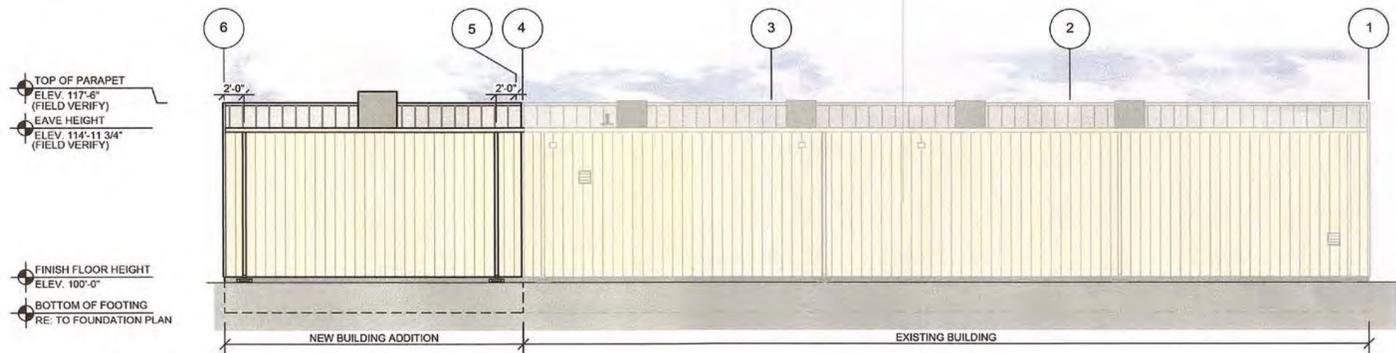
1 FRONT EXTERIOR ELEVATION

A2.1 SCALE: 1/8" = 1'-0"



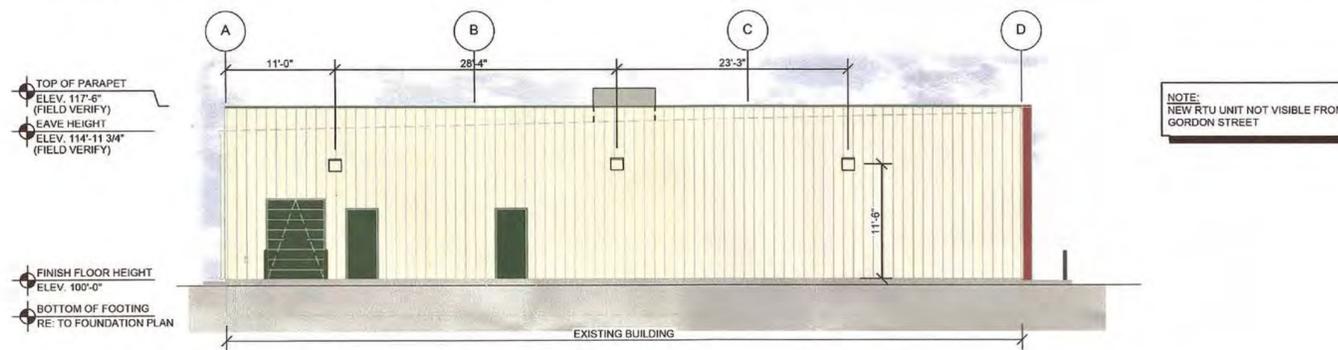
2 RIGHT EXTERIOR ELEVATION

A2.1 SCALE: 1/8" = 1'-0"



3 REAR EXTERIOR ELEVATION

A2.1 SCALE: 1/8" = 1'-0"



4 LEFT EXTERIOR ELEVATION

A2.1 SCALE: 1/8" = 1'-0"

EXTERIOR FINISH SCHEDULE

PRE-ENGINEERED METAL BUILDING WALL PANEL SYSTEMS

KEY NOTE NO. 2:
TYPE: EXTERIOR WALL PANEL (TYPE 2)
MFG: (REFER TO PRE-ENGINEERED METAL BUILDING SHOP DRAWINGS)
SERIES: EQUAL TO BUTLER BUILDING "6STYLWALL"
FINISH: PREFINISHED
COLOR: EQUAL TO BUTLER BUILDING "COOL BIRCH WHITE"

KEY NOTE NO. 3:
TYPE: EXTERIOR WALL PANEL (TYPE 3)
MFG: (REFER TO PRE-ENGINEERED METAL BUILDING SHOP DRAWINGS)
SERIES: EQUAL TO BUTLER BUILDING "6SHADOWALL"
FINISH: PREFINISHED
COLOR: EQUAL TO BUTLER BUILDING "COOL BIRCH WHITE"

FLASHING AND SHEET METAL

KEY NOTE NO. 4:
TYPE: STANDING SEAM ROOFING SYSTEM
MFG: (REFER TO PRE-ENGINEERED METAL BUILDING SHOP DRAWINGS)
COLOR: GALVALUME

KEY NOTE NO. 5:
TYPE: CAP FLASHING AT WALL PANELS (TYPE 2 AND TYPE 3)
MFG: (REFER TO PRE-ENGINEERED METAL BUILDING SHOP DRAWINGS)
FINISH: PREFINISHED
COLOR: EQUAL TO BUTLER BUILDING "COOL EMERALD GREEN" (MATCH EXISTING)

KEY NOTE NO. 7:
TYPE: WALL PANEL TRIM
MFG: (REFER TO PRE-ENGINEERED METAL BUILDING SHOP DRAWINGS)
FINISH: PREFINISHED
COLOR: EQUAL TO BUTLER BUILDING "COOL BIRCH WHITE"

KEY NOTE NO. 8:
TYPE: GUTTER AND DOWNSPOUTS
MFG: (REFER TO PRE-ENGINEERED METAL BUILDING SHOP DRAWINGS)
FINISH: PREFINISHED
COLOR: EQUAL TO BUTLER BUILDING "COOL BIRCH WHITE"

KEY NOTE NO. 9:
TYPE: DOOR TRIM
MFG: (REFER TO PRE-ENGINEERED METAL BUILDING SHOP DRAWINGS)
FINISH: PREFINISHED
COLOR: EQUAL TO BUTLER BUILDING "COOL BIRCH WHITE"

DOORS AND WINDOWS

KEY NOTE NO. 13:
TYPE: STEEL DOORS AND FRAMES (DOOR NO. 1)
MFG: (OWNER FURNISHED / CONTRACTOR INSTALLED)
FINISH: FACTORY PRIMED AND FIELD PAINTED
COLOR: SHERWIN WILLIAMS "HUNT CLUB" SW6468 (SEMI-GLOSS)

GENERAL NOTES

- (A) REFER TO PROJECT MANUAL FOR ADDITIONAL REQUIREMENTS.
- (B) REFER TO CIVIL DRAWINGS FOR ADDITIONAL REQUIREMENTS.
- (C) REFER TO PLUMBING, MECHANICAL, AND ELECTRICAL DRAWINGS FOR SYSTEM TYPES AND ADDITIONAL REQUIREMENTS.
- (D) REFER TO EXTERIOR FINISH SCHEDULE FOR MATERIAL TYPES.
- (E) REFER TO PRE-ENGINEERED METAL BUILDING SHOP DRAWINGS FOR ADDITIONAL REQUIREMENTS.
- (F) REFER TO SCOPE OF WORK SCHEDULE FOR ADDITIONAL REQUIREMENTS.

KEY NOTES

- (1) (NOT USED).
- (2) PRE-ENGINEERED METAL BUILDING EXTERIOR INSULATED WALL PANEL SYSTEM (TYPE 2).
- (3) PRE-ENGINEERED METAL BUILDING EXTERIOR INSULATED WALL PANEL SYSTEM (TYPE 3).
- (4) PRE-ENGINEERED METAL BUILDING SHEET METAL ROOFING SYSTEM.
- (5) PRE-ENGINEERED METAL BUILDING SHEET METAL FLASHING WITH VERTICAL FACE TO MATCH EXISTING. (AT TYPE 2 AND TYPE 3 WALL PANELS).
- (6) (NOT USED).
- (7) PRE-ENGINEERED METAL BUILDING SHEET METAL WALL PANEL TRIM.
- (8) PRE-ENGINEERED METAL BUILDING SHEET METAL GUTTER AND DOWNSPOUT SYSTEM.
- (9) PRE-ENGINEERED METAL BUILDING SHEET METAL DOOR TRIM.
- (10) LINE OF ROOF BEYOND WITH 1/4":12" SLOPE MINIMUM
- (11) (NOT USED).
- (12) (NOT USED).
- (13) EXTERIOR DOOR AND FRAME SYSTEM. REFER TO FLOOR PLAN AND DOOR SCHEDULE FOR TYPES.
- (14) (NOT USED).
- (15) APPROXIMATE LINE OF FOUNDATION, REFER TO STRUCTURAL DRAWINGS.
- (16) (NOT USED).
- (17) (NOT USED).
- (18) REMOVE EXISTING LIGHT FIXTURE. REPLACE WITH NEW IN SAME LOCATION. REFER TO ELECTRICAL DRAWINGS.
- (19) NEW LIGHT FIXTURE. REFER TO ELECTRICAL DRAWINGS.
- (20) NEW MECHANICAL ROOF TOP UNIT, REFER TO MECHANICAL DRAWINGS.
- (21) (NOT USED).
- (22) CONCRETE SPLASH BLOCK INSTALL AT EACH DOWNSPOUT.

INDIVIDUAL ARCHITECTURAL
REGISTRATION NO. 16204
FIRM ARCHITECTURAL REGISTRATION
NO. 2870

SHEETS BEARING THIS SEAL ARE
AUTHENTICATED. RESPONSIBILITY FOR
ALL OTHER PLANS, SPECIFICATIONS
OR INSTRUMENTS ARE DECLINED.

O'Reilly AUTO PARTS
CORPORATE OFFICES
3057 EAST CAIRO
SPRINGFIELD, MISSOURI 65802
(417) 885-2874 TELEPHONE
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PROJECT: (ADDITION)
O'REILLY AUTO PARTS STORE
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EXTERIOR ELEVATIONS

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(417) 877-9736 FAX

DRAWN BY: AS
CHECKED BY: RV
DATE: 10/17/18
REVISION:

PROJECT NUMBER:
AVN

SHEET NUMBER

A2.1

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Sec. 35-4. - Variance process

- (a) Where unique natural features such as soil and geological characteristics, topography, or significant vegetation; historical features such as building design and materials and site configuration; or man-made features such as peculiarly-shaped lots, joint or split ownership patterns or location of existing structures and infrastructure on the site inhibit creative site design or pose unnecessary constraints to appropriate development as a result of strict compliance with these requirements, the building official may approve an alternative plan upon determining that such plan meets or exceeds the intent of these standards.

- (b) If the building official determines alternative compliance is not applicable, an applicant may file a written request for a variance or exception from these standards with the building official who will forward the request to the planning commission. An applicant for a waiver shall pay a non-refundable fee, in an amount provided for in the fee schedule in chapter 28. The planning commission shall review all requests for variances and exceptions to these requirements regarding appropriate measures for compliance with the intent of these standards. The city council shall take action on the recommendation of the planning commission.

(Ord. No. 07-D, § 2, 4-19-07)



AGENDA COMMENTARY

Meeting Date: 1/3/2019

Department: Engineering

Contact: Michelle Segovia, City Engineer

Agenda Item: Consider the revised Master Preliminary Plat of Fairway Lake / Parkside Trails (located along Nelson Road, north and south of the Fairway Lake Property), being 30.3 acres of land out of the H.T.&B. R.R. Company Survey, A-225, Brazoria County, Texas, also being a partial replat of reserves “A” and “C” of the Final Plat of Alvin Fairway Lake Property, as recorded in document 20180238022, Official Records of Brazoria County, Texas.

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

Summary: On October 1, 2018, the Engineering Department received the master preliminary plat of Fairway Lakes / Hillcrest Lakes for review. The property is located along Nelson Road to the north and south of the lake property that was recently conveyed to the Brazoria County Conservation and Reclamation District #3 (C & R #3) by the City. Benson Development is currently under contract with the City of Alvin to purchase the 10-acre tract to the north of the lake and the 20-acre tract to the south of the lake. This master preliminary plat consists of 130 single-family residential lots, 23 reserves, and 4 blocks, and complies with the City of Alvin’s Planned Unit Development section of the Subdivision Ordinance.

The City Planning Commission considered the plat at their meeting on October 16, 2018. Commission Member Garza recommended approval of the plat which was seconded by Commission Member Hartman, the vote ended in a tie with Commission Members Starkey, Hartman, Davis, and Garza voting to approve and Commission Members Kelinske, Buckelew, Reed, and Dailey voting to deny. Commission Member Vela was absent from the meeting. The Commission Members that voted “no” gave the following reasons for their vote: the green space provided is primarily small tracts of left over land that would normally be included as part of the lots, the property should be developed by the City as a park to enhance the quality of life in Alvin, as originally proposed when the land was donated several years ago, and a residential subdivision will add more traffic to an already congested Nelson Road.

On November 29, 2018 the Engineering Department received a revised master preliminary plat of Fairway Lake / Parkside Trails for review. The greenspace areas shown on the plat were revised based on the comments that were received from the Planning Commission, C & R #3 Staff and City Staff, and the detention reserve on the 20-acre tract was eliminated. The attached email from Geoff Freeman, Land Planner for the project, details the changes that were made to the plat.

The City Planning Commission voted 5 votes to 1 vote to approve the revised master preliminary plat of Fairway Lake / Parkside Trails at their meeting on December 18, 2018. The Commission Member that voted against approval of the plat did not state a reason for their denial of the plat.

Staff recommends approval of the plat as revised.

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

Funding Account: _____ **Amount:** _____ **1295 Form Required?** Yes No

Legal Review Required: N/A Required **Date Completed:** 12/202018 SLH

Supporting documents attached:

- Master Preliminary Plat of Fairway Lakes / Hillcrest Lakes (original plat)
 - Email from Geoff Freeman describing the revisions to the plat
 - Revised Master Preliminary Plat of Fairway / Parkside Trails (revised plat)
-

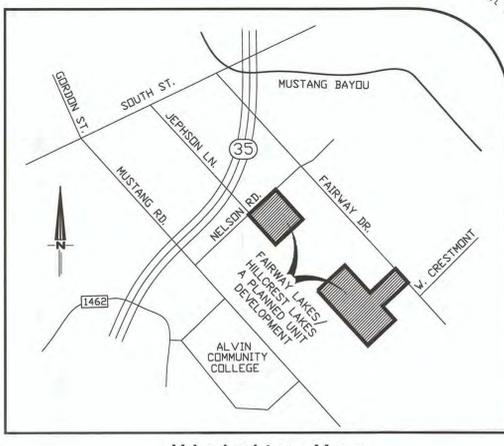
Recommendation: Move to approve the revised Master Preliminary Plat of Fairway Lakes / Parkside Trails (located along Nelson Road, north and south of the Fairway Lake Property), being 30.3 acres of land out of the H.T.&B. R.R. Company Survey, A-225, Brazoria County, Texas, also being a partial replat of reserves "A" and "C" of the Final Plat of Alvin Fairway Lake Property, as recorded in document 20180238022, Official Records of Brazoria County, Texas.

Reviewed by Department Head, if applicable

Reviewed by City Attorney, if applicable

Reviewed by Chief Financial Officer, if applicable

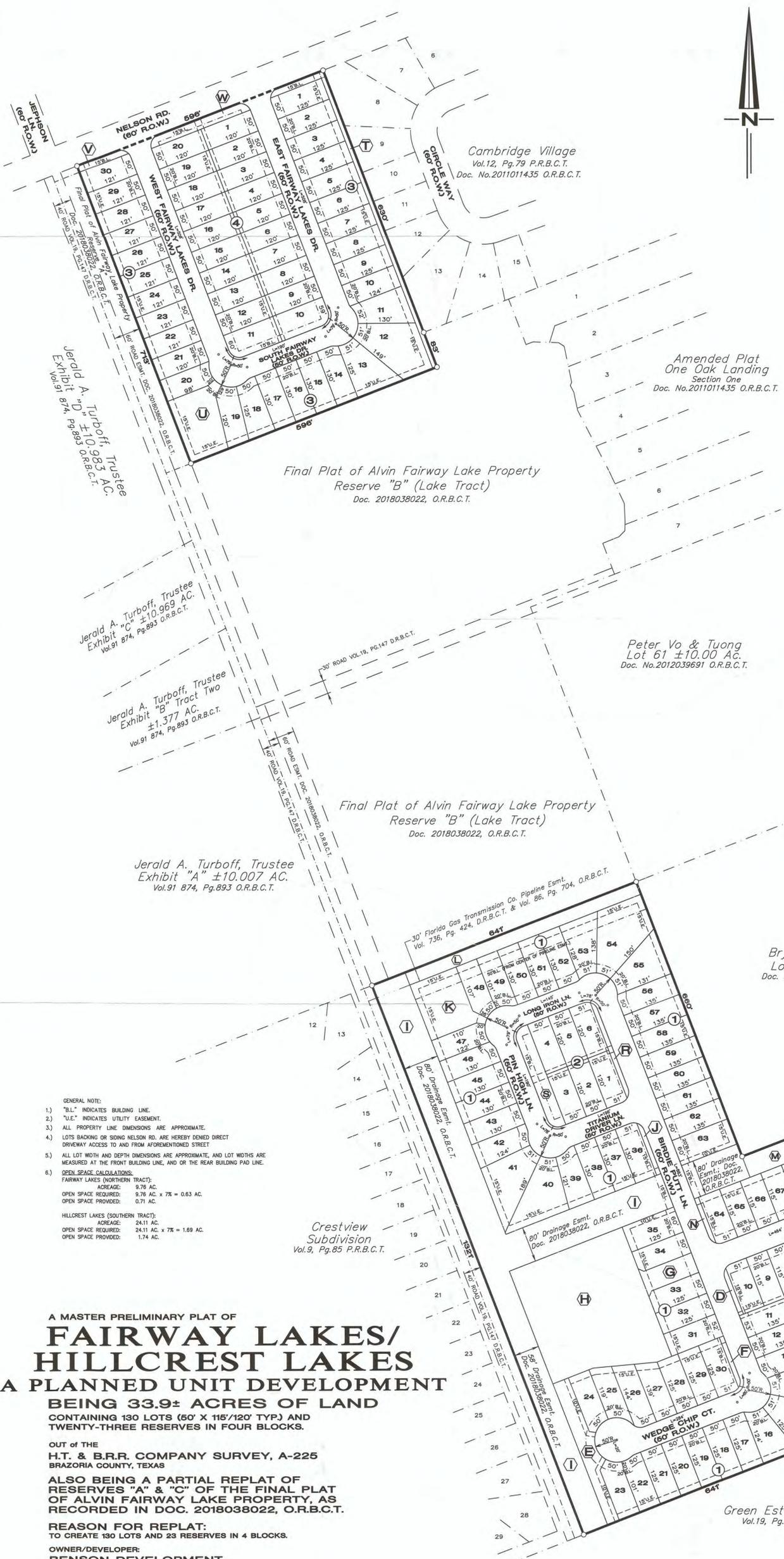
Reviewed by City Manager



Vicinity Map

LOT AREA SUMMARY

BLOCK 1			BLOCK 2		
LOT	LOT WIDTH AT B.L.	SQ. FT.	LOT	LOT WIDTH AT B.L.	SQ. FT.
1	50'	5,531	1	51'	6,032
2	50'	5,738	2	50'	6,000
3	50'	5,748	3	50'	5,994
4	50'	5,748	4	50'	5,991
5	50'	5,748	5	50'	6,000
6	50'	5,748	6	51'	6,034
7	50'	5,748	7	50'	6,250
8	50'	5,748	8	50'	6,250
9	50'	5,748	9	50'	6,250
10	51'	5,791	10	50'	6,242
11	53'	7,152	11	50'	6,250
12	50'	6,744	12	50'	6,250
13	50'	6,850	13	50'	6,250
14	51'	10,328	14	50'	6,250
15	51'	14,104	15	50'	6,250
16	51'	7,484	16	50'	6,250
17	50'	6,247	17	50'	6,250
18	50'	6,250	18	50'	6,250
19	50'	6,250	19	50'	6,247
20	50'	6,250	20	50'	6,250
21	50'	6,250	21	50'	6,250
22	50'	6,250	22	50'	6,250
23	50'	6,447	23	50'	6,484
24	50'	6,383	24	50'	6,502
25	50'	6,270	25	50'	6,502
26	50'	7,284	26	50'	6,501
27	50'	6,808	27	50'	6,501
28	50'	6,250	28	50'	6,518
29	50'	6,250	29	50'	6,518
30	51'	6,283	30	50'	6,518
31	52'	6,498	31	50'	6,518
32	50'	6,245	32	50'	6,518
33	50'	6,189	33	50'	6,518
34	50'	6,198	34	50'	6,518
35	50'	6,250	35	50'	6,518
36	51'	6,549	36	50'	6,518
37	50'	6,500	37	50'	6,518
38	50'	6,500	38	50'	6,518
39	50'	6,781	39	50'	6,518
40	51'	12,588	40	50'	6,518
41	51'	12,427	41	50'	6,518
42	50'	6,701	42	50'	6,518
43	50'	6,508	43	50'	6,518
44	50'	6,508	44	50'	6,518
45	50'	6,508	45	50'	6,518
46	50'	6,432	46	50'	6,518
47	50'	6,660	47	50'	6,518
48	50'	6,178	48	50'	6,518
49	50'	6,194	49	50'	6,518
50	50'	6,500	50	50'	6,518
51	50'	6,507	51	50'	6,518
52	50'	6,497	52	50'	6,518
53	51'	8,471	53	50'	6,518
54	51'	15,536	54	50'	6,518
55	51'	8,647	55	50'	6,518
56	50'	6,727	56	50'	6,518
57	50'	6,750	57	50'	6,518
58	50'	6,750	58	50'	6,518
59	50'	6,750	59	50'	6,518
60	50'	6,750	60	50'	6,518
61	50'	6,750	61	50'	6,518
62	50'	6,750	62	50'	6,518
63	60'	8,100	63	50'	6,518
64	51'	5,792	64	50'	6,518
65	50'	6,750	65	50'	6,518
66	50'	6,750	66	50'	6,518
67	50'	6,750	67	50'	6,518
68	50'	6,750	68	50'	6,518
69	50'	6,750	69	50'	6,518
70	50'	6,750	70	50'	6,518
71	50'	6,750	71	50'	6,518
72	50'	6,750	72	50'	6,518
73	50'	6,508	73	50'	6,518
74	50'	6,508	74	50'	6,518



GENERAL NOTE:

- "B.L." INDICATES BUILDING LINE.
- "U.E." INDICATES UTILITY EASEMENT.
- ALL PROPERTY LINE DIMENSIONS ARE APPROXIMATE.
- LOTS BACKING OR SINGING NELSON RD. ARE HEREBY DENIED DIRECT DRIVEWAY ACCESS TO AND FROM AFOREMENTIONED STREET.
- ALL LOT WIDTH AND DEPTH DIMENSIONS ARE APPROXIMATE, AND LOT WIDTHS ARE MEASURED AT THE FRONT BUILDING LINE, AND OR THE REAR BUILDING PAD LINE.
- OPEN SPACE CALCULATIONS:
FAIRWAY LAKES (NORTHERN TRACT):
ACREAGE: 9.76 AC.
OPEN SPACE REQUIRED: 9.76 AC. x .75 = 0.83 AC.
OPEN SPACE PROVIDED: 0.71 AC.
HILLCREST LAKES (SOUTHERN TRACT):
ACREAGE: 24.11 AC.
OPEN SPACE REQUIRED: 24.11 AC. x .78 = 1.89 AC.
OPEN SPACE PROVIDED: 1.74 AC.

A MASTER PRELIMINARY PLAT OF FAIRWAY LAKES/HILLCREST LAKES A PLANNED UNIT DEVELOPMENT BEING 33.9± ACRES OF LAND CONTAINING 130 LOTS (60' X 115'/120' TYP) AND TWENTY-THREE RESERVES IN FOUR BLOCKS.

OUT OF THE
H.T. & B.R.R. COMPANY SURVEY, A-225
BRAZORIA COUNTY, TEXAS

ALSO BEING A PARTIAL REPLAT OF RESERVES "A" & "C" OF THE FINAL PLAT OF ALVIN FAIRWAY LAKE PROPERTY, AS RECORDED IN DOC. 2018038022, O.R.B.C.T.

REASON FOR REPLAT:
TO CREATE 130 LOTS AND 23 RESERVES IN 4 BLOCKS.

OWNER/DEVELOPER:
BENSON DEVELOPMENT
P.O. BOX 2331
TOMBALL, TX 77377
281-932-7836

PLANNER:
META PLANNING + DESIGN
Land Planning Consultants
P.O. BOX 598
Katy, Texas 77492
Tel: 281-810-1422

- NOTE:**
- A RESTRICTED RESERVE "A" LANDSCAPE/OPEN SPACE ±0.10 ACRE
 - B RESTRICTED RESERVE "B" PIPELINE ESMT. ±0.07 ACRE
 - C RESTRICTED RESERVE "C" LANDSCAPE/OPEN SPACE ±0.15 ACRE
 - D RESTRICTED RESERVE "D" LANDSCAPE/OPEN SPACE ±0.02 ACRE
 - E RESTRICTED RESERVE "E" LANDSCAPE/OPEN SPACE ±0.28 ACRES
 - F RESTRICTED RESERVE "F" LANDSCAPE/OPEN SPACE ±0.35 ACRE
 - G RESTRICTED RESERVE "G" LANDSCAPE/OPEN SPACE ±0.14 ACRE
 - H RESTRICTED RESERVE "H" DRAINAGE ±1.78 ACRE
 - I RESTRICTED RESERVE "I" DRAINAGE ±2.80 ACRE
 - J RESTRICTED RESERVE "J" LANDSCAPE/OPEN SPACE ±0.03 ACRE
 - K RESTRICTED RESERVE "K" LANDSCAPE/OPEN SPACE ±0.38 ACRE
 - L RESTRICTED RESERVE "L" PIPELINE ESMT. ±0.39 ACRE
 - M RESTRICTED RESERVE "M" DRAINAGE ±1.19 ACRES
 - N RESTRICTED RESERVE "N" LANDSCAPE/OPEN SPACE ±0.19 ACRE
 - O RESTRICTED RESERVE "O" LANDSCAPE/OPEN SPACE ±0.26 ACRE
 - P RESTRICTED RESERVE "P" PIPELINE ESMT. ±0.19 ACRE
 - Q RESTRICTED RESERVE "Q" LANDSCAPE/OPEN SPACE ±0.11 ACRE
 - R RESTRICTED RESERVE "R" LANDSCAPE/OPEN SPACE ±0.05 ACRE
 - S RESTRICTED RESERVE "S" LANDSCAPE/OPEN SPACE ±0.19 ACRE
 - T RESTRICTED RESERVE "T" LANDSCAPE/OPEN SPACE ±0.20 ACRE
 - U RESTRICTED RESERVE "U" LANDSCAPE/OPEN SPACE ±0.04 ACRE
 - V RESTRICTED RESERVE "V" LANDSCAPE/OPEN SPACE ±0.04 ACRE
 - W RESTRICTED RESERVE "W" LANDSCAPE/OPEN SPACE ±0.12 ACRE

DISCLAIMER AND LIMITED WARRANTY
THIS MASTER PRELIMINARY SUBDIVISION PLAT HAS BEEN PREPARED IN ACCORDANCE WITH THE PROVISIONS OF THE CITY OF ALVIN SUBDIVISION REGULATIONS IN EFFECT AT THE TIME THIS PLAT WAS PREPARED. THIS MASTER PRELIMINARY PLAT WAS PREPARED FOR THE LIMITED PURPOSE OF GUIDANCE IN THE PREPARATION OF ACTUAL ENGINEERING AND DEVELOPMENT PLANS. THIS LIMITED WARRANTY IS MADE IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, AND NEITHER META PLANNING + DESIGN LLC NOR ANY OF ITS OFFICERS, OR DIRECTORS, OR EMPLOYEES MAKE ANY OTHER WARRANTIES OR REPRESENTATIONS, EXPRESS OR IMPLIED CONCERNING THE DESIGN, LOCATION, QUALITY, CHARACTER OF ACTUAL UTILITIES OR OTHER FACILITIES IN, ON, OVER, OR UNDER THE PREMISES INDICATED IN THE PRELIMINARY SUBDIVISION PLAT.

Michelle Segovia

From: Michelle Segovia
Sent: Tuesday, December 11, 2018 5:35 PM
To: Michelle Segovia
Subject: FW: Fairway Lake / Parkside Trails (f/k/a Hillcrest Lakes) - Master Preliminary Plat



From: Geoff Freeman <gfreeman@metaplanningdesign.com>
Sent: Tuesday, December 11, 2018 4:40 PM
To: Michelle Segovia <mlira@psf.cityofalvin.com>
Subject: RE: Fairway Lake / Parkside Trails (f/k/a Hillcrest Lakes) - Master Preliminary Plat

Here is a brief synopsis of the changes to the plat that was last seen by Planning Commission and the current plat.

Northern Tract (Fairway Lake):

This has remained relatively unchanged; we simply rebuilt the same plan off the new survey boundary which was almost identical to the boundary we already had. It contains the same lot count as the previous version; 50 lots; however, East and West Fairway Lake Drive have been shifted approx. 6' to the east to create a 6' sliver of Reserve "M" to widen the city trail. Reserve "L" has been relabeled for Drainage and its area has been removed from the open space calculations.

Southern Tract (Parkside Trails):

The detention pond has been removed as on-sight detention is no longer needed and the street pattern has been modified slightly to incorporate the area formerly occupied by the pond. There are now 3 additional lots in the plat (133 total) as opposed to the (130 lots) in the previous plan. The entry street and lots fronting on it have been revised to conform to the recently revised boundary survey. The entire tract was rebuilt based on the new survey boundary; the lots in the island blocks were reconfigured and we removed areas from the plat boundary that have been previously platted such as the existing drainage easement, old 20' ROW along the south property line and the 30' pipeline easement along the north property line. Along the southern property line, the lots backing up to it have been moved north to get them out of the old 20' ROW and an additional 15' reserve has been added north of and adjoining the reserve for the old 20' ROW for added open space and possible extension of the City's proposed trail system. The developer has also renamed the southern portion as Parkside Trails instead of Hillcrest Lakes.

I think that covers everything. Please review and let me know if you have any questions or comments.

Thank you and have a great day!

-G

Geoff Freeman | Principal

META Planning + Design LLC

24275 Katy Freeway, Suite 200

Katy, Texas 77494

T 281 810 1422

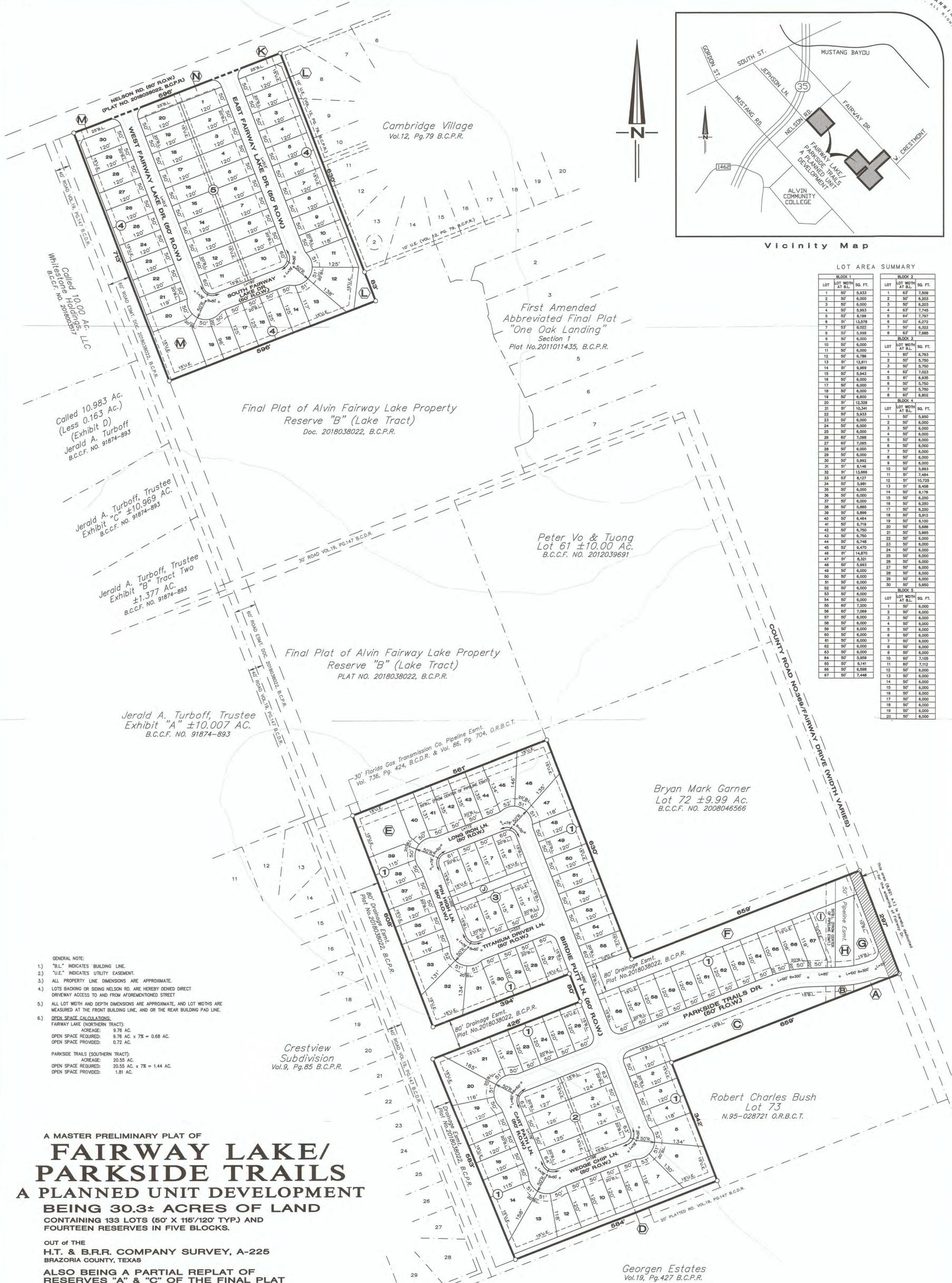
D 713 480 8883

F 281 895 3482

gfreeman@metaplanningdesign.com

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LOT AREA SUMMARY

BLOCK	LOT	LOT WIDTH AT B.L.	LOT DEPTH AT B.L.	SQ. FT.	
BLOCK 1	1	50'	5,933		
	2	50'	6,000		
	3	50'	6,000		
	4	50'	5,993		
	5	50'	5,199		
	6	51'	13,978		
	7	53'	8,022		
	8	50'	5,998		
	9	50'	6,000		
	10	50'	6,000		
BLOCK 2	1	50'	6,783		
	2	50'	5,750		
	3	50'	5,750		
	4	50'	7,023		
	5	51'	6,835		
	6	50'	5,750		
	7	50'	5,750		
	8	50'	6,802		
	BLOCK 3	1	50'	6,000	
		2	50'	6,000	
3		50'	6,000		
4		50'	6,000		
5		50'	6,000		
6		50'	6,000		
7		50'	6,000		
8		50'	6,000		
BLOCK 4		1	50'	6,000	
		2	50'	6,000	
	3	50'	6,000		
	4	50'	6,000		
	5	50'	6,000		
	6	50'	6,000		
	7	50'	6,000		
	8	50'	6,000		
	BLOCK 5	1	50'	6,000	
		2	50'	6,000	
3		50'	6,000		
4		50'	6,000		
5		50'	6,000		
6		50'	6,000		
7		50'	6,000		
8		50'	6,000		
BLOCK 6		1	50'	6,000	
		2	50'	6,000	
	3	50'	6,000		
	4	50'	6,000		
	5	50'	6,000		
	6	50'	6,000		
	7	50'	6,000		
	8	50'	6,000		
	BLOCK 7	1	50'	6,000	
		2	50'	6,000	
3		50'	6,000		
4		50'	6,000		
5		50'	6,000		
6		50'	6,000		
7		50'	6,000		
8		50'	6,000		
BLOCK 8		1	50'	6,000	
		2	50'	6,000	
	3	50'	6,000		
	4	50'	6,000		
	5	50'	6,000		
	6	50'	6,000		
	7	50'	6,000		
	8	50'	6,000		
	BLOCK 9	1	50'	6,000	
		2	50'	6,000	
3		50'	6,000		
4		50'	6,000		
5		50'	6,000		
6		50'	6,000		
7		50'	6,000		
8		50'	6,000		
BLOCK 10		1	50'	6,000	
		2	50'	6,000	
	3	50'	6,000		
	4	50'	6,000		
	5	50'	6,000		
	6	50'	6,000		
	7	50'	6,000		
	8	50'	6,000		
	BLOCK 11	1	50'	6,000	
		2	50'	6,000	
3		50'	6,000		
4		50'	6,000		
5		50'	6,000		
6		50'	6,000		
7		50'	6,000		
8		50'	6,000		
BLOCK 12		1	50'	6,000	
		2	50'	6,000	
	3	50'	6,000		
	4	50'	6,000		
	5	50'	6,000		
	6	50'	6,000		
	7	50'	6,000		
	8	50'	6,000		
	BLOCK 13	1	50'	6,000	
		2	50'	6,000	
3		50'	6,000		
4		50'	6,000		
5		50'	6,000		
6		50'	6,000		
7		50'	6,000		
8		50'	6,000		
BLOCK 14		1	50'	6,000	
		2	50'	6,000	
	3	50'	6,000		
	4	50'	6,000		
	5	50'	6,000		
	6	50'	6,000		
	7	50'	6,000		
	8	50'	6,000		
	BLOCK 15	1	50'	6,000	
		2	50'	6,000	
3		50'	6,000		
4		50'	6,000		
5		50'	6,000		
6		50'	6,000		
7		50'	6,000		
8		50'	6,000		
BLOCK 16		1	50'	6,000	
		2	50'	6,000	
	3	50'	6,000		
	4	50'	6,000		
	5	50'	6,000		
	6	50'	6,000		
	7	50'	6,000		
	8	50'	6,000		
	BLOCK 17	1	50'	6,000	
		2	50'	6,000	
3		50'	6,000		
4		50'	6,000		
5		50'	6,000		
6		50'	6,000		
7		50'	6,000		
8		50'	6,000		
BLOCK 18		1	50'	6,000	
		2	50'	6,000	
	3	50'	6,000		
	4	50'	6,000		
	5	50'	6,000		
	6	50'	6,000		
	7	50'	6,000		
	8	50'	6,000		
	BLOCK 19	1	50'	6,000	
		2	50'	6,000	
3		50'	6,000		
4		50'	6,000		
5		50'	6,000		
6		50'	6,000		
7		50'	6,000		
8		50'	6,000		
BLOCK 20		1	50'	6,000	
		2	50'	6,000	
	3	50'	6,000		
	4	50'	6,000		
	5	50'	6,000		
	6	50'	6,000		
	7	50'	6,000		
	8	50'	6,000		

GENERAL NOTE:
 1) "B.L." INDICATES BUILDING LINE.
 2) "U.E." INDICATES UTILITY EASEMENT.
 3) ALL PROPERTY LINE DIMENSIONS ARE APPROXIMATE.
 4) LOTS BACKING OR SINGING NELSON RD. ARE HEREBY GRANTED DIRECT DRIVEWAY ACCESS TO AND FROM AFOREMENTIONED STREET.
 5) ALL LOT WIDTH AND DEPTH DIMENSIONS ARE APPROXIMATE, AND LOT WIDTHS ARE MEASURED AT THE FRONT BUILDING LINE, AND OR THE REAR BUILDING PAD LINE.
 6) OPEN SPACE CALCULATIONS:
 FAIRWAY LAKE (NORTHERN TRACT):
 ACREAGE: 9.76 AC.
 OPEN SPACE REQUIRED: 9.76 AC. x 7% = 0.68 AC.
 OPEN SPACE PROVIDED: 0.72 AC.
 PARKSIDE TRAILS (SOUTHERN TRACT):
 ACREAGE: 20.55 AC.
 OPEN SPACE REQUIRED: 20.55 AC. x 7% = 1.44 AC.
 OPEN SPACE PROVIDED: 1.81 AC.

A MASTER PRELIMINARY PLAT OF
**FAIRWAY LAKE/
 PARKSIDE TRAILS**
 A PLANNED UNIT DEVELOPMENT
 BEING 30.3± ACRES OF LAND
 CONTAINING 133 LOTS (60' X 115'/120' TYP.) AND
 FOURTEEN RESERVES IN FIVE BLOCKS.

OUT OF THE
H.T. & B.R.R. COMPANY SURVEY, A-225
 BRAZORIA COUNTY, TEXAS
 ALSO BEING A PARTIAL REPLAT OF
 RESERVES "A" & "C" OF THE FINAL PLAT
 OF ALVIN FAIRWAY LAKE PROPERTY, AS
 RECORDED IN DOC. 2018038022, O.R.B.C.T.
REASON FOR REPLAT:
 TO CREATE 133 LOTS AND 14 RESERVES IN 6 BLOCKS.
OWNER/DEVELOPER:
BENSON DEVELOPMENT
 P.O. BOX 2331
 TOMBALL, TX 77377
 281-932-7836
PLANNER:
META
 PLANNING + DESIGN
 - Land Planning Consultants -
 24275 Katy Freeway, Suite 200
 Katy, Texas 77494
 Tel: 281-810-1422

- NOTE:
- A** RESTRICTED RESERVE "A"
LANDSCAPE/OPEN SPACE
±0.02 ACRE
 - B** RESTRICTED RESERVE "B"
PIPELINE ESMT.
±0.03 ACRE
 - C** RESTRICTED RESERVE "C"
LANDSCAPE/OPEN SPACE
±0.77 ACRE
 - D** RESTRICTED RESERVE "D"
LANDSCAPE/OPEN SPACE
±0.20 ACRES
 - E** RESTRICTED RESERVE "E"
LANDSCAPE/OPEN SPACE
±0.36 ACRE
 - F** RESTRICTED RESERVE "F"
DRAINAGE
±1.04 ACRES
 - G** RESTRICTED RESERVE "G"
LANDSCAPE/OPEN SPACE
±0.19 ACRE
 - H** RESTRICTED RESERVE "H"
PIPELINE ESMT.
±0.21 ACRE
 - I** RESTRICTED RESERVE "I"
LANDSCAPE/OPEN SPACE
±0.17 ACRE
 - J** RESTRICTED RESERVE "J"
LANDSCAPE/OPEN SPACE
±0.11 ACRE
 - K** RESTRICTED RESERVE "K"
LANDSCAPE/OPEN SPACE
±0.07 ACRE
 - L** RESTRICTED RESERVE "L"
DRAINAGE
±0.22 ACRE
 - M** RESTRICTED RESERVE "M"
LANDSCAPE/OPEN SPACE
±0.50 ACRE
 - N** RESTRICTED RESERVE "N"
LANDSCAPE/OPEN SPACE
±0.15 ACRE

DISCLAIMER AND LIMITED WARRANTY
 THIS MASTER PRELIMINARY SUBDIVISION PLAT HAS BEEN PREPARED IN ACCORDANCE WITH THE PROVISIONS OF THE CITY OF ALVIN SUBDIVISION REGULATIONS IN EFFECT AT THE TIME THIS PLAT WAS PREPARED. THIS MASTER PRELIMINARY PLAT WAS PREPARED FOR THE LIMITED PURPOSE OF GUIDANCE IN THE PREPARATION OF ACTUAL ENGINEERING AND DEVELOPMENT PLANS. THIS LIMITED WARRANTY IS MADE IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, AND NEITHER META PLANNING + DESIGN LLC NOR ANY OF ITS OFFICERS, OR DIRECTORS, OR EMPLOYEES MAKE ANY OTHER WARRANTIES OR REPRESENTATIONS, EXPRESS OR IMPLIED CONCERNING THE DESIGN, LOCATION, QUALITY, CHARACTER OF ACTUAL UTILITIES OR OTHER FACILITIES IN, ON, OVER, OR UNDER THE PREMISES INDICATED IN THE PRELIMINARY SUBDIVISION PLAT.



AGENDA COMMENTARY

Meeting Date: 1/3/2019

Department: Economic Development

Contact: Larry Buehler, Director

Agenda Item: Consider Ordinance 19-A, amending Chapter 35, Corridor Land Use Regulations by adding FM 2403 and FM 517 to the designated list of corridors; and setting forth other provisions related thereto.

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

Summary: In April 2007, City Council approved Ordinance 07-D that designated certain corridors within the boundaries of the City of Alvin, and set regulations that were reasonable and necessary for the public health, safety, and welfare, and for the promotion of economic development and aesthetics along the City's commercial corridors. This included S.H. 35 North and South, S.H. 35 Bypass, S.H. 35 Business, S.H. 6, F.M. 528, and F.M. 1462. The provisions apply to all lands, in whole or in part, within three hundred (300) feet of either side of the rights-of-way of the above described roadways, within the city limits, as may be changed from time to time. The rights-of-way shall be determined by the adopted thoroughfare plan, as amended from time to time.

With increasing growth, staff recommends the addition of FM 2403 and FM 517 to the list of corridors. Staff recommends approval of Ordinance 19-A.

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

Funding Account: _____ **Amount:** _____ **1295 Form Required?** Yes No

Legal Review Required: N/A Required **Date Completed:** 12/20/2018 SLH _____

Supporting documents attached:

- Ord. 07-D
- Ord. 19-A

Recommendation: Move to approve Ordinance 19-A, amending Chapter 35, Corridor Land Use Regulations by adding FM 2403 and FM 517 to the designated list of corridors; and setting forth other provisions related thereto.

Reviewed by Department Head, if applicable

Reviewed by City Attorney, if applicable

Reviewed by Chief Financial Officer, if applicable

Reviewed by City Manager

ORDINANCE 19-A

AN ORDINANCE OF THE CITY OF ALVIN, TEXAS AMENDING CHAPTER 35, CORRIDOR LAND USE REGULATIONS, BY ADDING FM 2403 AND FM 517 TO THE DESIGNATED LIST OF CORRIDORS; AND SETTING FORTH OTHER PROVISIONS RELATED THERETO.

WHEREAS, the City of Alvin, Texas, (herein the “City”), being a home-rule city, has authority to utilize police power regulation for the health, safety and general welfare of the citizens of the City; and

WHEREAS, the City Council finds that the regulations set forth herein are reasonable and necessary for the public health, safety, and welfare, and for the promotion of economic development and aesthetics along the City’s commercial corridors;

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

Section 1. Findings of Fact. The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact. The City Council hereby further finds and determines that the rules, regulations, terms, conditions, provisions and requirements of this Ordinance are reasonable and necessary to protect the public health, safety and quality of life.

Section 2. The City of Alvin Code of Ordinances, Chapter 35, Section 35-1, “Purpose and applicability,” is hereby amended, to read as follows:

The following regulations are created for the purpose of imposing special standards in designated areas of the city to accomplish the intentions of the comprehensive plan. The regulations are intended to protect and preserve the appearance and character of the community's primary highway corridors, including the S.H. 35 North and South, S.H. 35 Bypass, S.H. 35 Business, S.H. 6, F.M. 528, FM 2403, FM 517 and F.M. 1462. The provisions herein shall apply to all lands, in whole or in part, within three hundred (300) feet of either side of the rights-of-way of the above described roadways, within the city limits, as may be changed from time to time. The rights-of-way shall be determined by the adopted thoroughfare plan, as amended from time to time.

That the City of Alvin Code of Ordinances, Section 35-5, “Definitions” of the Code of Ordinances, City of Alvin Texas, defining “Corridor” is hereby amended, to read as follows:

Corridor means all lands, in whole or in part, within three hundred (300) feet of either side of the rights-of-way of S.H. 35 North and South, S.H. 35 Bypass, S.H. 35 Business-Gordon Street, S.H. 6, F.M. 528, FM 2403, FM 517, and F.M. 1462.

Section 3. Effective Date. This Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of Chapter 52 of the Texas Local Government Code and the City of Alvin Charter.

Section 4. Open Meetings. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED on this ____ day of _____, 2019

CITY OF ALVIN, TEXAS

ATTEST

By _____
Paul A. Horn, Mayor

By _____
Dixie Roberts, City Secretary

ORDINANCE NO. 07-D

AN ORDINANCE OF THE CITY OF ALVIN, TEXAS CREATING CHAPTER 35, CORRIDOR LAND USE REGULATIONS, ESTABLISHING REGULATIONS FOR LAND USE ALONG THE STATE HIGHWAY 35 NORTH AND SOUTH, STATE HIGHWAY 35 BYPASS, STATE HIGHWAY 35 BUSINESS – GORDON STREET, STATE HIGHWAY 6, FM 528 AND FM 1462 CORRIDORS; AND SETTING FORTH OTHER PROVISIONS RELATED THERETO.

WHEREAS, the City of Alvin, Texas, (herein the “City”), being a home-rule city has authority to utilize police power regulation for the health, safety and general welfare of the citizens of the City; and,

WHEREAS, the City Council finds that the regulations set forth herein are reasonable and necessary for the public health, safety, and welfare, and for the promotion of economic development and aesthetics along the City’s commercial corridors; **NOW THEREFORE**,

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

Section 1. Findings of Fact. The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact. The City Council hereby further finds and determines that the rules, regulations, terms, conditions, provisions and requirements of this Ordinance are reasonable and necessary to protect the public health, safety and quality of life.

Section 2. Adopt Chapter 35. That the City of Alvin Code of Ordinances is hereby amended by adding Chapter 35 to be entitled “Corridor Land Use Regulations” to read as follows:

CHAPTER 35. CORRIDOR LAND USE REGULATIONS

ARTICLE I. IN GENERAL

Sec. 35-1. Purpose and Applicability

The following regulations are created for the purpose of imposing special standards in designated areas of the City to accomplish the intentions of the Comprehensive Plan. The regulations are intended to protect and preserve the appearance and character of the community’s primary highway corridors, including the S.H. 35 North and South, S.H. 35 Bypass, S.H. 35 Business, S.H. 6, F.M. 528, and F.M. 1462. The provisions herein shall apply to all lands, in whole or in part, within three hundred (300) feet of either side of the rights-of-way of the above described roadways, within the City limits, as may be changed from time to time. The rights-of-way shall be determined by the adopted Thoroughfare Plan, as amended from time to time.

Sec. 35-2. Exemptions – The regulations contained within this Chapter shall not apply to the following:

- (1) Single family residential dwellings; and
- (2) Those projects that, on the effective date of this Chapter, have submitted administratively complete plans as determined by the Engineering Department.

Sec. 35-3. Compliance Required

(1) There shall be no alteration of the existing condition of the lands, buildings, or structures within the above described areas from the date of enactment of this Chapter, except as provided by this or other sections of the City's Code of Ordinances. This Chapter shall be applied to building additions, expansions, alterations, installation, and construction and new development under building permits issued after the effective date of this Chapter, except as may otherwise be provided for under the provisions of this Chapter.

(2) The regulations set forth in this Chapter are in addition to any other applicable requirements set forth in the Code of Ordinances or state law. In the event of a conflict between this Chapter and another provision of the Code of Ordinances, the most restrictive shall apply.

(3) It shall be the responsibility of each applicant submitting a request for approval of a change or building permit to confirm that the proposed development complies fully with the special development requirements of these regulations. A pre-development meeting with pertinent City departments is required regarding the applicability of these standards to the proposed development.

Sec. 35-4. Variance Process

(1) Where unique natural features such as soil and geological characteristics, topography, or significant vegetation; historical features such as building design and materials and site configuration; or man-made features such as peculiarly-shaped lots, joint or split ownership patterns or location of existing structures and infrastructure on the site inhibit creative site design or pose unnecessary constraints to appropriate development as a result of strict compliance with these requirements, the Building Official may approve an alternative plan upon determining that such plan meets or exceeds the intent of these standards.

(2) If the Building Official determines alternative compliance is not applicable, an applicant may file a written request for a variance or exception from these standards with the Building Official who will forward the request to the Planning Commission. An applicant for a waiver shall pay a non-refundable fee, in an amount provided for in the Fee Schedule, Chapter 28 of this Code. The Planning Commission shall review all requests for variances and exceptions to these requirements regarding appropriate measures for compliance with the intent of these standards. The City Council shall take action on the recommendation of the Planning Commission.

Sec. 35-5. Definitions. When used in this Chapter, the following definitions shall apply unless the context clearly indicates otherwise. All definitions in Chapter 21 shall apply herein for the purpose of interpreting this Chapter.

Berm refers to an earthen mound designed to provide visual interest on a site, screen undesirable views, reduce noise, or fulfill other purposes.

Bufferyard refers to a strip of land on the periphery of a property created to separate one type of development or land use from another when they are incompatible or in conflict.

Building Official is the officer, or a duly authorized representative, hereby authorized and directed to enforce all of the provisions of this code. The Building Official shall have the power to render interpretations of this Code and to enforce written rules and supplemental regulations in order to clarify the application of its provisions. Such interpretations, rules and regulations shall be in conformance with the intent and purpose of this Code.

Caliper refers to a horticultural method of measuring the diameter of nursery stock. For trees less than four inches in diameter, the measurement shall be taken at six inches above ground level. For trees greater than four inches in diameter up to and including 12 inches, the caliper measurement must be taken at 12 inches above the ground level. For trees greater than 12 inches in diameter, the trunk is measured 4.5 feet above the ground.

Chain Link Fence refers to an open mesh fence made entirely of wire woven in squares of approximately 1.5 inches with vertical supports not less than 1.5 inches in diameter spaced not less than six (6) feet, and not more than eight (8) feet, apart.

Corner Clearance refers to the distance from an intersection of a public or private road to the nearest access connection, measured from the closest edge of the pavement of the intersecting road to the closest edge of the pavement of the connection along the traveled way.

Corridor means all lands, in whole or in part, within three hundred (300) feet of either side of the rights-of-way of S.H. 35 North and South, S.H. 35 Bypass, S.H. 35 Business-Gordon Street, S.H. 6, F.M. 528, and F.M. 1462.

Cross Access refers to a service drive providing vehicular access between two or more contiguous sites so a driver need not enter the public street right-of-way to pass between sites.

Feeder line refers to that portion of an electrical circuit that provides power from a power substation, and which has a rated capacity of three thousand (3,000) KVA or more.

Front Yard refers to open space extending across the full width of the lot between the front lot line and the nearest line of the building or any enclosed portion of the building.

Ground Cover refers to any evergreen or broadleaf evergreen plant that does not attain a mature height of more than one (1) foot. Such plants shall be characterized by a growth habitat in which the plant spreads across the ground to connect with other similar plants forming a continuous vegetative cover on the ground.

Indigenous refers to plant material that occurs or lives naturally in an area, also referred to as native plant materials.

Intensity Category, Use Category means the classifications of land in the Corridor set forth in Section 35-44(a).

Interior side yard refers to a yard between any building and the side lot line, extending from the front yard to the rear yard. (see *Figure 1, Definition of Yards, page 4*)

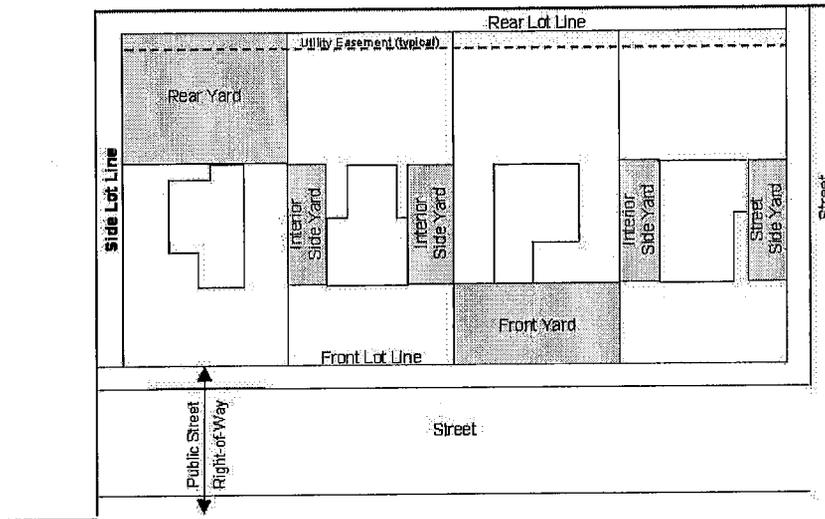


Figure 1
Definition of Yards

Irrigation System refers to a permanent, artificial watering system designed to transport and distribute water to plants.

Landscape Plan refers to a plan, drawn to scale, showing locations and dimensions of existing and proposed site features and the quantity, size, and name of proposed plant material, including shade trees, evergreens, shrubs, groundcovers, and turf.

Landscape Surface refers to the surface area of land not covered by any buildings, storage areas, or impervious surfaces. These areas shall be maintained as lawn, natural area, or landscaped beds and may be left undisturbed.

Loading Berth refers to a space within a building or on the premises providing for the standing, loading, or unloading, and together with apron space for maneuvering of vehicles, trucks, and semi-tractor trailers.

National branding means a nationally standardized trademark, logo, service mark, symbol, sign, decor, architecture, or layout.

Nonconforming Structure or Building means a structure or building the size dimensions or location of which was lawful prior to the adoption, revision or amendment of this Chapter, but which fails by reason of such adoption, revision or amendment, to conform to the present requirements of this Chapter.

Nonconforming Use means any building, structure or land lawfully occupied by a use or lawfully existing at the time of passage of this Chapter or amendments thereto, which does not, by reason of design or use, conform after the passage of this Chapter or amendments with the regulations of the Chapter or amendment.

Opacity refers to the relative measurement of the screening effectiveness of a bufferyard expressed as the percent of vision that the screen blocks.

Outdoor Display Area refers to an area of designated size used for the display of merchandise or tangible property normally vended within the contiguous business or organization.

Outdoor Storage refers to the storage of any material, personal or business property or motor vehicles for a period greater than 24 consecutive hours, including items for sale, lease, processing, and repair not within an enclosed building.

Parking Structure refers to a structure composed of one or more levels or floors used exclusively for the parking or storage of motor vehicles. A parking structure may be below grade or either partially or totally above grade with those levels being either open or enclosed.

Planning Commission means the City of Alvin Planning Commission.

Principal Building or Structure refers to a structure in which is conducted the principal use of the lot on which it is located.

Principal Facade refers to exterior walls of a building that are adjacent to or front on a public street, park or other special feature, which are of an architectural design and building standard that contributes to the quality appearance of the environment.

Principal Use refers to the main use to which a premise is devoted and the primary purpose for which a premise exists.

Rear Yard refers to open space extending across the full width of the lot between the rear lot line and the nearest line of the building or any enclosed portion of the building. (see ***Figure 1, page 4***)

Retaining Wall refers to any fence or wall built or designed to retain or restrain lateral forces of soil or other materials.

Sight Distance Triangle refers to the triangular area formed by a diagonal line connecting two points located on intersecting street right-of-way lines, or a right-of-way line and the curb or edge of a driveway. (See ***Figure 5, page 18***)

Soil Stabilization refers to measures that protect soil from the erosive forces of raindrop impact and flowing water and include, but are not limited to, vegetative establishment, mulching, and the early application of gravel base on areas to be paved.

Street Side Yard refers to that portion of a yard, which abuts the street right-of-way along the side of the lot extending from the front lot line to the rear lot line. This may also be referred to as a corner yard. (see *Figure 1, page 4*)

Surface Parking Lot refers to a parking area for motor vehicles where there is no gross building area below the parking area and no gross building area or roof above the parking area

Swale refers to a linear depression in land running downhill or having a marked change in contour direction in which sheet runoff would collect and form a temporary watercourse.

Thoroughfare Plan is the Thoroughfare Street System Plan adopted by the City, as amended from time to time, and filed in the City Clerk's Office.

Wall refers to a constructed solid barrier of concrete, masonry, stone, brick, tile, wood, or similar type of material that closes or borders a field, yard, or lot, and limits visibility and restricts the flow of light and air.

Yard refers to an open space at grade between a building and adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise allowed in these regulations.

“Sec. 35-6 – 35-11. Reserved.

ARTICLE II. LOT STANDARDS

Sec. 35-12. Lots.

(a) *General Yard Provisions*

- (1) **Yard Restrictions:** Except as otherwise provided in these regulations, a building must not be erected, established, altered, converted, or relocated so as to be located or extend within the required front, rear, interior side, or street side yard.
- (2) **Shared Yards:** No part of a yard, or other open space required in connection with any building or use for the purpose of complying with these regulations, shall be used to meet the requirements of any other building or use as part of a yard or landscape surface.

(3) Measurement of Yard Depth: The depth of the required front yard and rear yard is determined by measuring along the interior side lot lines, beginning at the respective front and rear lot lines and extending the required minimum distances. The depth of the required interior side and street side yards is determined by measuring along the front and rear yards, beginning at the respective interior side and street side lot lines, as applicable, and extending the required minimum distances. (see *Figure 2, Measurement of Yards, page 7*)

(4) Yard Determination: The front yard of a corner lot shall be considered as parallel to the street upon which the lot has its least dimension.

(5) Lot Width: The minimum lot width shall be measured along the front setback line. (see *Figure 2, page 7*)

(6) Double Frontage: On lots abutting public streets to the front and rear, the required front yard setback shall be provided to the front and rear or, alternatively, the average setback of buildings along the same side of the block if it is greater than the required front yard setback. (see *Figure 2, page 7*)

(7) Conflict with Other Codes: The yard requirements set forth in this section shall not be construed as repealing or in any manner amending applicable building or fire code requirements regarding building separation, which may be more restrictive than the requirements set forth in this section.

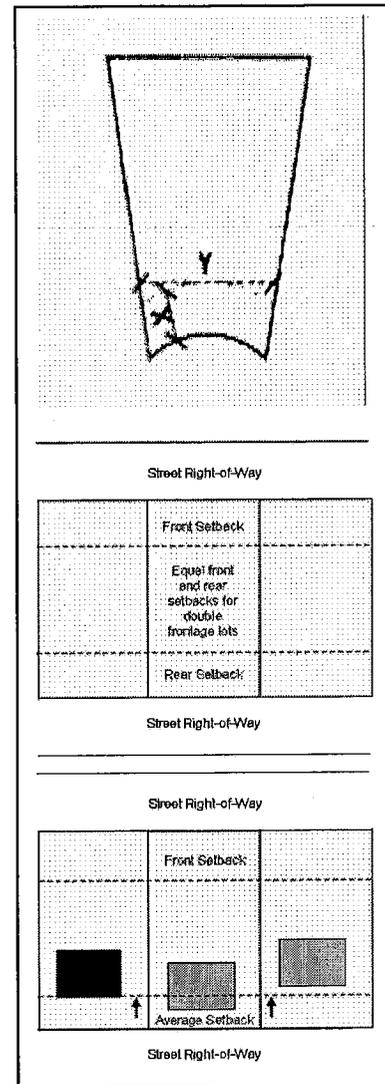


Figure 2
Measurement of Yards

(b) Yard Allowances

Every part of a required yard must be open and unobstructed of structures from ground level of the graded lot to the sky, except as follows:

- (1) Landscaping, fountains, sculptures, lighting fixtures, and flagpoles, which are situated and constructed in compliance with all other provisions of these regulations, provided they do not obstruct the view of traffic.
- (2) Fences, walls, and bufferyard treatments.
- (3) Driveways, sidewalks, vehicular use areas, parking and loading areas.

(4) Building or ground-mounted mechanical equipment.

(c) *Yard Requirements*

The following indicates the dimensional yard requirements that apply to the Corridor.

(1) Front Yard.

- a. All uses and activities shall maintain a minimum building front set back line of twenty-five (25) feet. Such front building line shall be measured from the ultimate rights-of-way of the Corridor, which shall be determined by the Thoroughfare Plan.

(2) Interior Side Yard

- a. All uses and activities, including both principal buildings and accessory buildings or structures, shall be setback a minimum distance of ten (10) feet.

(3) Street Side Yard

- a. All uses and activities, including both principal buildings and accessory buildings or structures, shall have a minimum street side yard setback of fifteen (15) feet. Such street side building line shall be measured from the ultimate rights-of-way of the Corridor, which shall be determined by the Thoroughfare Plan.
- b. The ultimate rights-of-way of all other streets shall be in accordance with the Thoroughfare Plan.
- c. A street side yard that abuts the Corridor shall remain open and unobstructed in accordance with this Chapter.
- d. A street side yard that abuts street rights-of-way other than the Corridor may be used for the required parking and vehicular use areas, subject to Sec. 35-30, Streetscape Standards, Sec. 35-31, Parking Lot Landscaping Standards, and Sec. 35-44, Bufferyard Standards.

(4) Rear Yard

- a. All uses and activities, including both principal buildings and accessory buildings or structures, shall have a minimum rear yard setback of twenty (20) feet, subject to the requirements of Sec. 35-44, Bufferyard Standards.

- b. In the case of a lot that abuts the Corridor to the rear, the same provisions required for front yards shall apply.

“Sec. 35-13 – 35-18. Reserved.

ARTICLE III. PROPERTY AND LAND STANDARDS

Sec. 35-19. Street Elevations; Building Facades; Exterior Materials

- (a) The street elevations, building facades, and exterior materials of buildings in the Corridor shall abide by the following standards:

(1) Where a building abuts the Corridor, to the extent practicable, the front facade shall be oriented to the highway frontage. In the case of a side building facade oriented generally parallel to the highway frontage, the building wall elevation shall form a principal facade.

(2) In the case of a building that abuts the frontage of more than one of the roadways of the Corridor, a principal facade shall be constructed adjacent to both highway frontages.

(3) Long-monotonous facades, including, but not limited to, those characterized by unrelieved repetition of shape or form or by an unbroken extension of planes shall be avoided.

(4) All building facades adjacent to and within public view of the Corridor shall be constructed of clay or masonry brick; customized concrete masonry with scored or broken faced brick type units (sealed) with color consistent with the design theme; poured in place, tilt-up, or pre-cast concrete with a stone textured or coated finish; steel frame structures with glass curtain walls; natural stone; exterior insulation and finish systems (EIFS); or similar materials. Non-decorative exposed concrete block buildings are prohibited. Metal buildings, including corrugated metal-sided buildings, and wood-sided buildings are prohibited unless such metal buildings and wood-sided buildings are finished with an above described material on eighty (80) percent of the facade.

(5) To provide a professional appearance along the Corridors, all siding and roof materials seen from ground level must be of earth tone colors as defined in this Chapter. Signs and glass are not restricted to color; however, signs are limited to size as defined in Chapter 17½ of the Code. National Branding colors are allowed for no more than twenty (20) percent of the structure's visible elevation. Approved colors in all structures built or installed along the corridors must be in one, or a combination of, shade(s) from white to dark of the following palettes:

- Grey
- Brown
- Terracotta
- Green

The Building Official shall maintain an approved Color Sample Chart that the owner or builder may use to select colors. The approved Color Sample Chart represents the intent of this Chapter and may be updated from time to time by the Building Official, with approval of Council. The Building Official shall have the authority to approve slight variations in color from the Color Sample Chart so long as the colors fall within the approved color palettes.

All non-conforming structures shall be required to comply with this section regulating color:

- a. within five (5) years of the date of final passage of this Chapter; or
- b. within ninety (90) days of conveyance of the property; or
- c. upon repainting of the structure's exterior.

Any request for an extension of time for compliance with this section regulating color shall be considered by Council.

(b) Property Maintenance

(1) Property located in the Corridor, including all principal and accessory buildings and appurtenances thereto, display and/or storage areas, parking and loading spaces, and open areas, shall be maintained in accordance with this Section and all applicable ordinances. The exterior of all structures shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare. All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

Sec. 35-20. NonConforming Uses and Structures

(a) This section applies to buildings or land which fail to conform to the regulations set forth in this Chapter on the date of enactment of this Chapter. The lawful use of any building or land existing as of the date of enactment of this Chapter may be continued, although such use does not conform to the provisions of this Chapter, provided that:

- (1) No nonconforming use shall be extended to displace a conforming use.
- (2) A building that contains a nonconforming use may not be reconstructed or structurally altered in excess of fifty (50) percent of the assessed value of the building prior to construction, unless the building is changed to a conforming use approved by the Building Official.

- (3) Once changed to a conforming use, no building or land shall be permitted to revert to a nonconforming use.
- (4) Whenever a building used in whole or in part for a nonconforming use becomes and remains vacant for a continuous period of one-hundred and eighty (180) days, or whenever the commercial operations carried on in such a building have been discontinued for a period of more than one-hundred and eighty (180) days, the subsequent use of the property must conform to the provisions of this Chapter.
- (5) An abandoned nonconforming use may be re-established within ninety (90) days after one-hundred and eighty (180) days of the abandonment, upon a showing that the continuation of a conditional nonconforming use would not adversely affect the health, safety or welfare of the public; and is in substantial compliance with existing or permitted uses of adjacent properties.
- (6) This section shall apply to any nonconforming uses which may arise whenever the boundaries of a Corridor are altered.
- (7) A nonconforming use shall terminate upon any sale or conveyance of the property. A new owner shall submit plans within thirty (30) days to the Building Official to bring nonconforming use into conforming use. The property shall be converted into conforming use within ninety (90) days upon approval of the plans by the Building Official.

(b) Nonconforming Structures. Any structure lawfully existing on the effective date of this Chapter, or any amendment hereto, that is designed for a use not permitted where the structure is located shall be designated a nonconforming structure.

- (1) No such nonconforming structure may be enlarged or altered except to redesign it for a use permitted within the Corridor where the structure is located or to bring the structure into compliance with the facade and exterior material standards of this Chapter. Ordinary maintenance and repair are permitted; provided that when a structure is repainted, the color shall comply with the requirements of this Chapter.
- (2) Should such nonconforming structure be destroyed by any means to an extent of more than fifty (50) percent of its replacement cost at time of destruction, it shall not be reconstructed except in conformity with the provisions of this Chapter.
- (3) Should such nonconforming structure be moved for any reason for any distance within the Corridor, it shall thereafter conform to the Corridor regulations.

Sec. 35-21. Common Access and Internal Cross Access

The use of common access and cross access between properties with compatible land uses is highly encouraged to minimize direct access off public streets, resulting in improved street capacity and reduced traffic conflicts. In cases where access control is especially critical to the

safe and efficient flow of traffic, such as multi-use developments, the City Engineer may require common or cross access as a contingency of site plan approval. A cross access requirement may include one (1) or more of the following:

- (1) A continuous drive extending the entire length of each block it serves, or at least 1,000 feet of linear frontage along a thoroughfare, whichever is less.
- (2) Sufficient width to accommodate a two-way access between properties, designed to accommodate automobiles and service and loading vehicles.
- (3) Stub-outs and other design features to allow abutting properties to be tied in to provide future cross access.
- (4) Linkage to other cross access drives in the area.

Access that is shared by adjacent properties, whether under single or separate ownership, requires that an access easement and agreement between property owners be approved by the City Attorney and recorded. The recorded book and page number shall be denoted on any subsequent subdivision plats of the property.

“Sec. 35-22 – 35-27. Reserved.

ARTICLE IV. LANDSCAPING

Sec. 35-28. Landscape Plan Requirements

(a) For any property to be developed or redeveloped, or for any land, building, or structural alteration within the Corridor, a landscape plan must be submitted showing how the requirements of this Article are to be met. The required plan must be submitted in a form and manner specified by the City.

(b) In approving a landscape plan for new development, the Building Official may allow or require minor deviations from the requirements of this Article whenever a literal application of a requirement to a property or premise would, because of circumstances or situations not generally common to other premises, not achieve the purpose or intent of the regulation or may cause an undesirable result.

(c) Where improvements are proposed for lands, buildings, or structures that existed prior to the effective date of this Chapter, the Building Official may approve a landscape plan with deviations from the requirements of this Article or impose alternative requirements that serve the purpose and intent of this Article, if the requirements cannot be reasonably complied with because of the existing developed conditions. The decision as to whether or not to allow deviations shall be at the discretion of the Building Official.

Sec. 35-29. Selection, Installation, and Maintenance

(a) Trees, shrubs and other landscaping materials depicted on the approved landscape plan shall be considered to be characteristics of use (site improvements) in the same manner as parking, buildings, and other details. The property owner, and his/her successor and/or

subsequent owner(s) and their agents shall be responsible for maintenance of landscaping on the property on a continuing basis for the life of the development. Plant materials which exhibit evidence of insect pests, disease, and/or damage shall be appropriately treated, and dead plants promptly removed and replaced. All landscaping will be subject to periodic inspection. Should landscaping not be installed, maintained, and replaced as needed to comply with the approved landscape plan, the owner shall be considered in violation of this Chapter.

(b) All landscape materials shall be installed in accordance with the current planting procedures established by the most recent edition of The American Standard for Nursery Stock, as published by the American Association of Nurserymen.

Sec. 35-30. Streetscape Standards

Streetscape improvements shall be designed in accordance with the following standards:

(a) Streetscape buffer – A minimum planting strip between the ultimate right-of-way line of the Corridor and all proposed buildings/structures and parking and vehicular use areas is required, which shall be continuous along the full length of said Corridor frontage and shall be no less than ten (10) feet in width.

(b) Abutting Residential Use - If the premises abutting the opposite side of the Corridor are vacant or used for residential use, one (1) canopy tree is required in the streetscape buffer for each thirty (30) feet of lot width, or portion thereof, measured along the front property line. The trees may be clustered or spaced linearly and need not be placed evenly.

(c) Abutting Nonresidential Use - If the premises abutting the opposite side of the highway is used for nonresidential use, one (1) canopy tree is required in the streetscape buffer for each fifty (50) feet of lot width, or portion thereof, measured along the front property line. The trees may be clustered or spaced linearly and need not be placed evenly.

(d) Ground Cover - All portions of the ground located in a streetscape buffer that are not covered by driveways, parking lots, sidewalks, and similar permanent improvements, must be covered with live plants, grass or ground cover.

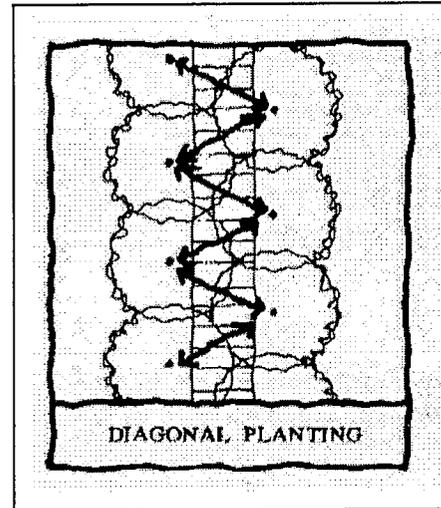
Sec. 35-31. Parking Lot Landscaping Standards

This section applies to all surface parking lots with more than five (5) parking spaces on properties within the defined limits of the Corridor, regardless of whether the parking is required by other applicable City ordinances. All parking lots shall be screened from adjacent properties in accordance with Sec. 35-44, Bufferyard Standards.

(a) Landscaping Along Highways – Landscaping shall be provided for all parking and vehicular use areas adjacent to the Corridor as well as all private street rights-of-way, street easements, or internal access aisles in multi-use or multi-tract developments within, in part or in whole, the defined limits of the Corridor, in accordance with the following standards:

(1) Features and Height – Landscaping may include features such as planter boxes, fences, walls, shrubs, or earthen berms in combination with trees and other plantings, but must be a minimum height of thirty six (36) inches.

(2) Shrubs and Hedges – Non-deciduous or evergreen shrubs shall be planted in a double row with triangular spacing along seventy five (75) percent of all parking and vehicular use areas that are parallel or roughly adjacent to the Corridor, as well as all private street rights-of-way, street easements, or internal access aisles in multi-use or multi-tract developments within, in whole or in part, the defined limits of the Corridor. (*Figure 3, Diagonal Planting, page 14*)



*Figure 3
Diagonal Planting*

(3) Fences or Walls - If a fence or wall is used along seventy five (75) percent of all parking and vehicular use areas as stated in subsection (2) above, Shrubs and Hedges, one shrub or vine shall be planted on the street side of the fence or wall for each ten (10) feet of street frontage, but the plants need not be spaced evenly. The maximum height of a fence or wall shall be no more than forty two (42) inches.

(4) Earthen Berms – An earthen berm may be used along seventy five (75) percent of all parking and vehicular use areas as stated in subsection (2) above, Shrubs and Hedges, provided it has a minimum height of thirty (30) inches. Deciduous or evergreen shrubs shall be planted in a single row on top of an earthen berm along twenty five (25) percent of said parking and vehicular use areas, but the plants need not be spaced evenly.

(b) Interior Parking Lot Landscaping

(1) Any premises containing a parking lot that has fewer than fifteen (15) parking spaces must provide a minimum of one (1) island containing at least one hundred sixty two (162) square feet, subject to the provisions of this subsection.

(2) Any premises containing a parking lot that has fifteen (15) or more parking spaces must meet the following landscaping requirements:

a. Islands - For each fifteen (15) parking spaces, or fraction thereof, a landscape island containing at least one hundred sixty two (162) square feet must be provided within the parking lot. Landscaped islands must be a minimum of seven and one-half (7.5) feet in width, measured from the back of the curb, and must be dispersed throughout the parking lot. Islands measuring less than one hundred sixty two (162) square feet may be permitted provided the total required minimum square footage for the site is met. (See Fig. 4, page 15)

b. Diamonds - Diamond-shaped islands between abutting parking rows may be used to fulfill the requirement for islands provided the total required minimum square footage for the site required in subsection (a) above is met. The minimum area of a diamond shall be thirty six (36) square feet.

(See Fig. 4, page 15)

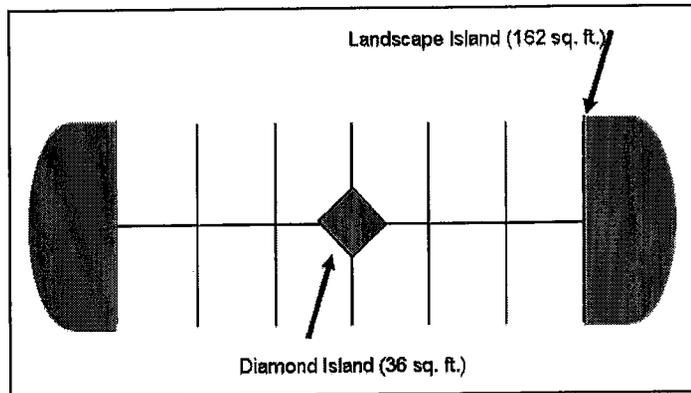


Figure 4
Islands & Diamonds

c. Trees - At least two (2) trees must be provided for each one hundred sixty two (162) square feet of required island of which at least seventy five (75) percent must be non-deciduous or evergreen trees. One tree is required for each diamond-shaped island.

d. Ground cover - All island areas shall be completely landscaped with ground cover or plants not exceeding two (2) feet in height.

e. Vertical protection - Landscape islands shall be protected from vehicle intrusion by vertical curbs.

This section applies to all parking structures in the Corridor, including the parking requirements of other City ordinances. All parking structures shall be landscaped and screened in accordance with all applicable provisions of this section and in accordance with Sec. 35-44, Bufferyard Standards.

Sec. 35-32. Minimum Plant Sizes and Planting Standards

Any tree or shrub installed to satisfy the provisions of this section must meet the following requirements:

(a) Size of trees - Trees must be a minimum of seven (7) feet in overall height and have a minimum of three (3) inch caliper upon planting and must have an average mature crown spread of at least fifteen (15) feet in diameter. Trees having an average mature crown spread of less than fifteen (15) feet in diameter may be grouped in sufficient number so as to create an equivalent crown spread.

(b) Size and opacity of shrubs - Shrubs must be a minimum of twenty four (24) inches in height upon planting. When used for screening purposes, the shrubs must be planted with triangular centers and not be separated by more than thirty six (36) inches. Whenever a hedge is used along streets, the plants must be planted and maintained so as to form a continuous, unbroken, solid visual screen within one (1) year of planting.

(c) Ground covers - When used in lieu of grass, in whole or in part, ground covers must be planted to present a finished appearance and reasonably complete coverage within one (1) year of planting.

(d) Grass - Grass must be of a species normally grown as permanent lawns in the Gulf Coast Region. Sod with solid coverage must be used to provide soil stabilization in swales or other areas subject to erosion. In areas where other than solid sod or grass seed is used, annual rye grass seed must be sown for immediate effect and protection until coverage is achieved.

(e) Sturdy plant materials - Indigenous and drought resistant plant material must be used, but if not used, an irrigation system shall be installed or a watering source shall be made available within one hundred fifty (150) feet.

Sec. 35-33. Fences, Walls, and Earthen Berms

When fences, walls, or earthen berms are used for landscaping, such as for screening under Sec. 35-34 Screening Requirements, the following requirements apply:

(a) All fences shall be erected so that the structural supports are not visible from highway rights-of-way or adjacent properties.

(b) All fences shall be maintained by the owner of record in good condition so that there are no damaged or missing boards or parts, all structural supports are sound and sufficient to maintain the fence in its original upright condition, and any surface treatment, including paint or stucco, is substantially maintained in its original appearance so that there is no noticeable cracking, discoloration, or similar surface blemishes or defects.

(c) The posts and grade beams of fences and walls used for landscaping shall be designed and constructed using materials and methods expected to last at least twenty (20) years without requiring major repair.

(d) All wood fences and walls used to meet landscaping requirements shall have either a grade beam or rot board along the entire length of the base of the wooden section of the fence. The grade beam or rot board may be partly below grade. All fence posts shall be set in concrete

(e) Any fence installed to meet the requirements of this section must, unless otherwise specified, be constructed of wood, stone, brick, masonry, stucco or concrete. Wire-type fencing such as a chain link fence, with or without vertical slats, shall not satisfy the requirements of this section.

(f) Fences that exceed eight (8) feet in height shall be constructed to meet the City's wind loading design standards.

(g) Earthen berms shall be constructed with smooth transitions, at a slope of no greater than one (1) unit of rise to three (3) units run, unless stabilized by an anchored, durable retaining wall.

(h) Earthen berms shall be planted with vines, grasses, or other ground cover.

Sec. 35-34. Screening Requirements

Landscape plans, as required by Sec. 35-28, Landscape Plan Requirements, shall include a detailed drawing of screening methods for all developments adjacent to the Corridor. The requirements for screening are as follows:

(a) Trash enclosures - Areas used to hold refuse containers must be completely screened from public view with a solid masonry or wood fence at least as tall as the container and in no case less than eight (8) feet in height. This provision applies to all refuse containers, including those used for the collection and storage of recyclable materials. All applicable City ordinances shall apply to trash enclosures.

(b) Mounted equipment - Exterior ground-mounted or building-mounted equipment to serve a building, including mechanical equipment, utility meter banks, and heating or cooling equipment, must be completely screened from public view with landscaping or with an architectural treatment compatible with the building materials and colors. Building mounted equipment may be painted to match the building color on which it is attached.

(c) Rooftop equipment - All rooftop equipment must be completely screened from public view with a structural treatment that is compatible with the building architecture. The methods of screening rooftop equipment include the use of parapet walls and the encasement of partition screens. This subsection applies to the roofs of buildings within view of the future elevated section of the S.H. 35 Bypass.

(d) Outdoor storage - All materials, supplies, inventory, and equipment which is stored outside of a fully-enclosed building, must be completely screened from public view.

Sec. 35-35. Site Distance Requirements

Within the triangular area formed by the right-of-way lines of intersecting streets with the Corridor, and a line connecting points twenty-five (25) feet on either side of such intersecting rights-of-way, including triangles formed from centerlines of driveways, there shall be clear space and no obstruction to vision. No person shall place or maintain any structures, fences, landscaping, or other objects within any sight distance triangle that obstructs or obscures site distance visibility by more than twenty-five (25) percent of the total view in the vertical plane above the sight distance triangle between a height of thirty (30) inches and ninety six (96) inches above the roadway surface, except for the following (*see Figure 5, page 18*):

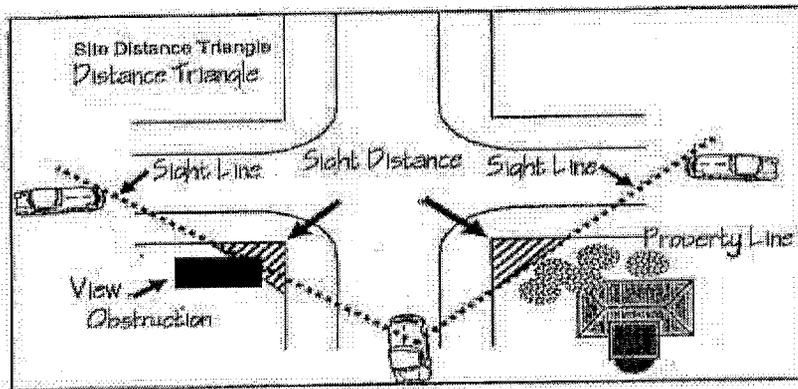


Figure 5
Site Distance Triangle

(a) Landscaping, structures, or fences that protrude no more than thirty (30) inches above the adjacent roadway surface may be permitted within the site distance triangle.

(b) Trees may be planted and maintained within the site distance triangle if all branches are trimmed to maintain a clear vision for a vertical height of ninety six (96) inches above the roadway surface and the location of the trees planted, based on the tree species expected mature height and size, does not obstruct sight visibility by more than twenty five (25) percent of the site distance triangle area.

Sec. 35-36. Timing of Compliance

(a) All landscaping requirements must be met prior to issuance of a certificate of occupancy for any premises to which these regulations apply. If weather conditions, scheduling delays, or similar conditions delay compliance, the Building Official may authorize a temporary certificate of occupancy, subject to the posting of a cash escrow or irrevocable letter of credit in an amount equal to one and one half (1.5) times the estimated cost of the landscaping, with said estimated cost to be certified by a landscape provider. A contract letter or bill of sale from a landscape company or garden center for the required landscape materials may be accepted in lieu of a cash escrow or irrevocable letter of credit as approved by the City Attorney. The cash escrow or

irrevocable letter of credit may be forfeited if the landscaping is not completed within thirty (30) days after the issuance of a temporary certificate of occupancy. Forfeiture of any cash escrow or irrevocable letter of credit shall not relieve the owner or person in control of the premises of the responsibility to complete the required landscaping, as approved.

(b) Prior to final inspection, when additional parking spaces are required that are less than twenty (20) percent of the number of existing parking spaces, all standards of Section 35-31, Parking Lot Landscaping Standards, shall be met for the new portions of the parking lot. Such required landscaping may be distributed throughout the existing and new parking areas.

(c) Prior to final inspection, when additional parking spaces are required that exceed twenty (20) percent of the number of existing parking spaces, all standards of Section 35-31, Parking Lot Landscaping Standards, shall be met for the new and existing portions of the parking lot.

“Sec. 35-37 – 35-42. Reserved.

ARTICLE V. BUFFERYARDS

Sec. 35-43. Bufferyards

Bufferyards are required between properties and, in some cases, between individual developments. All bufferyard requirements are specified in terms of opacity, which is a relative term used to describe the degree to which an adjoining use is visible. For instance, an opacity of one-tenth screens ten (10) percent of an object. Where the provisions of this section and Sec. 35-30, Streetscape Standards both apply, the most restrictive shall apply and the purpose and intent of both sections shall be met.

Sec. 35-44. Bufferyard Standards

These regulations are intended to increase the compatibility of adjacent uses, and to minimize the effects on the surrounding environment due to noise, dust, debris, artificial light intrusions, and other impacts of an adjoining or nearby use.

(a) Intensity Categories.

Use categories classify land uses and activities based upon common functional and physical characteristics, each of which relate to the requisite intensity of the use or activity. It is possible for there to be uses and activities within the same development that are of different intensities and, hence, categories. The intensities are denoted from least to most intensive by the following categories:

- I. Undeveloped, open land.
- II. Detached single and attached single and two family dwellings up to a maximum density of 4.0 units per acre.
- III. City home, medium density multiple family development, and manufactured home parks and subdivisions up to a maximum density of 8.0 units per acre.

- IV. Multiple family developments up to a maximum density of 15.0 units per acre.¹
- V. Light office and commercial retail uses within freestanding or multi-tenant buildings up to a maximum scale of 6,000 square feet.
- VI. Moderate office and commercial retail uses within freestanding or multi-tenant buildings ranging in scale from 6,001 square feet to 30,000 square feet.
- VII. Large-scale office and commercial retail uses within freestanding or multi-tenant buildings ranging in scale from 30,001 to 100,000 square feet.
- VIII. Intensive office and commercial retail or wholesale uses within freestanding or multi-tenant buildings that are over 100,001 square feet.
- IX. Multi-story (3+ stories) single or mixed use buildings.
- X. Light industrial, non-retail assembly, warehousing, wholesaling, and office uses conducted within a fully enclosed building with outdoor storage in a confined area of less than fifteen (15) percent of the gross floor area of all principal and accessory buildings.
- XI. Heavy industrial manufacturing and processing of materials with outdoor storage and principal or ancillary industrial activity and storage in a confined or unconfined area in excess of fifteen (15) percent of the gross floor area of all principal and accessory buildings.

The Building Official shall make an official determination as to the appropriate use category for all uses and activities along the Corridors. If there is ambiguity as to its proper classification, the Building Official may seek the judgment of the Planning Commission, whose decision shall be final.

(b) The standards in **Table 1, Opacity Requirements (see page 21)**, address the opacity of the bufferyard that is required between properties and, in some cases, between individual developments within the same property. The table is a matrix showing varying intensities of uses based upon quantifiable factors such as building square footage and height. Site performance characteristics such as loading berths, outdoor storage areas, outdoor use and activity areas, uses with intensive noise and/or lighting, drive-through lanes, and multi-tenant buildings are considered for their increases in intensity, which are addressed in Sec. 35-47, Special Provisions.

(c) The columns in **Table 1, Opacity Requirements (see page 21)**, represent the development or use of the adjoining property or properties while the values in the rows represent the intensity category of the proposed development or use. The black cells are where both properties are similarly used. There are two numbers shown within each cell whereby the first number indicates the required opacity on the property of the proposed development and the second number indicates the opacity required for the adjoining development or use. The total required bufferyard is the sum of the two numbers. For instance, 0.2/0.2 means a total opacity of 0.4. Where the adjacent development or use is existing or where the bufferyards may not be developed, the proposed development or use shall provide the full bufferyard requirement – the sum of the two numbers. Where a proposed development abuts undeveloped land, the first number is that required for installation by the proposed development. At the time of development of the adjoining tract, the total required opacity shall be met by the latter development.

¹ Sec. 31-8, Density, Chapter 31, Apartment Developments

Proposed Development	Adjoining Development or Use										
	I	II	III	IV	V	VI	VII	VIII	IX	X	XI
I		0.0/0.2	0.1/0.3	0.1/0.4	0.1/0.4	0.1/0.5	0.1/0.5	0.1/0.6	0.1/0.6	0.1/0.7	0.1/0.8
II	0.2/0.0		0.1/0.3	0.3/0.1	0.1/0.5	0.1/0.5	0.1/0.5	0.1/0.5	0.1/0.5	0.2/0.6	0.2/0.7
III	0.3/0.1	0.3/0.1		0.1/0.3	0.1/0.1	0.1/0.4	0.1/0.5	0.1/0.5	0.1/0.3	0.1/0.6	0.1/0.7
IV	0.4/0.1	0.1/0.3	0.3/0.1		0.1/0.1	0.1/0.4	0.1/0.5	0.1/0.5	0.1/0.3	0.2/0.6	0.2/0.7
V	0.4/0.1	0.5/0.1	0.1/0.1	0.1/0.1		0.1/0.1	0.1/0.2	0.1/0.2	0.1/0.1	0.0/0.3	0.0/0.4
VI	0.5/0.1	0.5/0.1	0.4/0.1	0.4/0.1	0.1/0.1		0.1/0.1	0.1/0.1	0.1/0.5	0.0/0.3	0.0/0.4
VII	0.5/0.1	0.5/0.1	0.5/0.1	0.5/0.1	0.2/0.1	0.1/0.1		0.0/0.0	0.0/0.3	0.1/0.2	0.2/0.3
VIII	0.6/0.1	0.5/0.1	0.5/0.1	0.5/0.1	0.2/0.1	0.1/0.1	0.0/0.0		0.0/0.3	0.1/0.2	0.1/0.3
IX	0.6/0.1	0.5/0.1	0.3/0.1	0.3/0.1	0.1/0.1	0.5/0.1	0.3/0.0	0.3/0.0		0.0/0.3	0.0/0.4
X	0.7/0.1	0.6/0.2	0.6/0.1	0.6/0.2	0.3/0.0	0.3/0.0	0.2/0.1	0.2/0.1	0.3/0.0		0.0/0.1
XI	0.8/0.1	0.7/0.2	0.7/0.1	0.7/0.2	0.4/0.0	0.4/0.0	0.3/0.1	0.3/0.1	0.4/0.0	0.1/0.0	

Table 1
Opacity Requirements

(d) The corresponding standards for each of the required levels of opacity provided in **Table 1, Opacity Requirements** (see page 21), are shown in **Table 2, Bufferyard Standards** (see page 22). To use this table, refer first to the intensity category of the subject and adjoining development(s) or use(s). Once the intensity category, or categories in the case of more than one adjacent development or use, is defined, refer to **Table 1, Opacity Requirements** (see page 21), to identify the required opacity between the proposed development and the adjoining development or use. Then, refer to **Table 2, Bufferyard Standards** (see page 22), to identify the preferred bufferyard width for the proposed development or use and the corresponding plant units for each of nine different widths. The minimum allowable width is eight feet. If an interim bufferyard width is preferred, such as 11 feet, the required plant units must be rounded up to the next bufferyard width, in this case 12 feet. All required plant units for an opacity of 0.3 and above require a six foot fence, subject to the provisions of Sec. 35-33, Fences, Walls, and Earthen Berms.

Opacity	Tree Type	Bufferyard Width and Plant Units								
		8'	10'	12'	15'	20'	25'	30'	35'	40'
0.1	Canopy	0.7	0.7	0.7	0.6	0.6	0.5	0.6	0.6	0.7
	Understory	1.4	1.4	1.4	1.3	1.1	1.0	1.1	1.3	1.5
	Evergreen	0.7	0.7	0.7	0.6	0.6	0.5	0.6	0.6	0.7
	Shrubs	7.2	7.0	6.8	6.4	5.7	4.8	5.5	6.4	7.3
0.2	Tree Type	8'	10'	12'	15'	20'	25'	30'	35'	40'
	Canopy	1.5	1.4	1.4	1.3	1.2	1.1	1.0	0.9	0.8
	Understory	3.0	2.8	2.8	2.6	2.4	2.2	2.0	1.7	1.5
	Evergreen	1.5	1.4	1.4	1.3	1.2	1.1	1.0	0.9	0.8
0.3	Tree Type	8'	10'	12'	15'	20'	25'	30'	35'	40'
	Canopy	0.7	0.7	0.6	0.6	0.4	0.5	0.6	0.6	0.7
	Understory	1.5	1.4	1.3	1.1	0.9	0.9	1.1	1.3	1.5
	Evergreen	0.7	0.7	0.6	0.6	0.4	0.5	0.6	0.6	0.7
0.4	Tree Type	8'	10'	12'	15'	20'	25'	30'	35'	40'
	Canopy	1.6	1.5	1.5	1.4	1.2	1.0	0.8	0.7	0.7
	Understory	3.2	3.1	2.9	2.7	2.4	2.0	1.7	1.3	1.5
	Evergreen	1.6	1.5	1.5	1.4	1.2	1.0	0.8	0.7	0.7
0.5	Tree Type	8'	10'	12'	15'	20'	25'	30'	35'	40'
	Canopy	2.6	2.5	2.4	2.2	2.0	1.8	1.5	1.3	1.1
	Understory	5.2	5.0	4.8	4.5	4.0	3.6	3.1	2.6	2.3
	Evergreen	2.6	2.5	2.4	2.2	2.0	1.8	1.5	1.3	1.1
0.6	Tree Type	8'	10'	12'	15'	20'	25'	30'	35'	40'
	Canopy	3.7	3.6	3.4	3.2	2.9	2.6	2.3	2.1	1.8
	Understory	7.4	7.1	6.8	6.4	5.8	5.2	4.6	4.1	3.6
	Evergreen	3.7	3.6	3.4	3.2	2.9	2.6	2.3	2.1	1.8
0.7	Tree Type	8'	10'	12'	15'	20'	25'	30'	35'	40'
	Canopy	5.0	4.8	4.6	4.4	3.9	3.5	3.2	2.8	2.5
	Understory	10.1	9.7	9.3	8.7	7.9	7.1	6.3	5.7	5.0
	Evergreen	5.0	4.8	4.6	4.4	3.9	3.5	3.2	2.8	2.5
0.8	Tree Type	8'	10'	12'	15'	20'	25'	30'	35'	40'
	Canopy	6.8	6.5	6.2	5.8	5.2	4.6	4.1	3.7	3.3
	Understory	13.6	12.9	12.3	11.5	10.3	9.2	8.3	7.4	6.7
	Evergreen	6.8	6.5	6.2	5.8	5.2	4.6	4.1	3.7	3.3
0.9	Tree Type	8'	10'	12'	15'	20'	25'	30'	35'	40'
	Canopy		6.4	6.1	5.7	5.1	4.6	4.1	3.7	3.3
	Understory		12.7	12.1	11.3	10.1	9.1	8.2	7.3	6.5
	Evergreen		6.4	6.1	5.7	5.1	4.6	4.1	3.7	3.3
1.0	Tree Type	8'	10'	12'	15'	20'	25'	30'	35'	40'
	Canopy			8.4	7.6	6.6	5.9	5.2	4.7	4.2
	Understory			16.9	15.2	13.2	11.7	10.4	9.3	8.3
	Evergreen			8.4	7.6	6.6	5.9	5.2	4.7	4.2
1.0	Tree Type	8'	10'	12'	15'	20'	25'	30'	35'	40'
	Canopy			84.3	76.1	66.2	58.5	52.1	46.5	41.7
	Understory									
	Evergreen									

Table 2
Bufferyard Standards

Sec. 35-45. Calculating the Bufferyard

Table 2, Bufferyard Standards, provides the plant material required for each 100 feet of bufferyard, or portion thereof. To calculate the site bufferyard, divide the actual length of the bufferyard by 100. Then multiply the result by the number of plant units required and shown in **Table 2, Bufferyard Standards (see page 22)**. When calculating the quantity of plant units and plant material required, the number shall be rounded up to the next whole number. For example, 3.12 canopy trees shall be rounded up to four (4) canopy trees.

Sec. 35-46. Constrained Sites

In the case of small sites where there is limited area for bufferyards, a petition may be made by an applicant to the City Engineer requesting a narrower bufferyard. Upon recommendation by the City Engineer, the Building Official may grant a bufferyard as narrow as five feet provided:

- (a) It can be shown that a bufferyard of the minimum required width would occupy more than 10 percent of the site area; and
- (b) The required plant units would remain the same; or
- (c) There are physical constraints that force an alternative site plan, in which case the Planning Commission shall approve an alternate bufferyard plan.

Sec. 35-47. Special Provisions

The following special provisions apply for uses that have characteristics that increase the extent of intensity and incompatibility with adjacent and nearby uses. These defined characteristics require more stringent bufferyard requirements to ensure there is a requisite compatibility between developments or uses.

- (a) Uses with one or two loading berths shall increase the required plant unit on the subject tract by an opacity of 0.2. For instance, if an opacity of 0.5 is required for the subject development or use, the required opacity shall be 0.7 along the adjacent property line(s) that are within direct view of the loading berths.
- (b) Uses with two or more loading berths that are within 50 feet of an adjacent property line that has a lesser intensity category shall meet the bufferyard requirements and shall provide a masonry wall, with an opacity of 1.0, constructed of a material similar to and consistent with that used as the primary building material of the principal building to a minimum height of 12 feet and sufficient in length to entirely screen trucks from view of the adjacent properties with a lesser intensity category. When such subject use is adjacent to a development or use or equal or higher intensity category the standard bufferyard requirements shall apply, as specified in Sec. 35-44, Bufferyard Standards.
- (c) Uses with outdoor storage of materials or an outdoor display area within an enclosed, fenced area shall require an increase in the required plant unit on the subject tract by an opacity of 0.1. If materials are stacked above the enclosure or fencing, the required plant unit shall be increased by an opacity of 0.2.

- (d) Uses with outdoor storage of materials or an outdoor display area not within an enclosed, fenced area shall require an increase in the required plant units on the subject tract by an opacity of 0.2. If the intensity categories of adjacent uses are separated by two or more categories, the opacity of the plant unit on the subject property shall be increased by 0.3. The opacity shall be increased by 0.4 if the intensity categories of adjacent uses are separated by four or more categories.
- (e) Drive-in or drive-through type uses shall increase the required plant units on the subject tract by an opacity of 0.1.
- (f) Developments or uses with bays for vehicle service or use shall not front an adjoining public right-of-way. Furthermore, when adjacent to an adjoining property line of a development or use of equal or lesser intensity category, the required plant unit on the subject tract shall be increased by an opacity of 0.2.
- (g) Developments or uses with a canopy, such as gasoline stations and the drop-off areas of hotels/motels may extend to within twenty-five (25) feet of the property line provided there is one (1) canopy tree in the streetscape buffer for each twenty (20) feet of lot width, or portion thereof, measured along the front property line, and non-deciduous or evergreen shrubs to a minimum height of forty-two (42) inches (within two years of planting) planted in a double row with triangular spacing along one hundred (100) percent of all parking and vehicular use areas that are parallel or roughly adjacent to the right-of-way.
- (h) Development or uses that propose a one-way drive aisle within the required setback may be allowed provided there is one (1) canopy tree in the streetscape buffer for each twenty (20) feet of lot width, or portion thereof, measured along the front property line, and non-deciduous or evergreen shrubs to a minimum height of forty-two (42) inches (within two years of planting) planted in a double row with triangular spacing along one hundred (100) percent of all parking and vehicular use areas that are parallel or roughly adjacent to the right-of-way.
- (i) Development or uses that have operable automobiles of any type, whether for sale, lease, or service, shall require an increase in the required plant units on the subject tract by an opacity of 0.2. If such development or use abuts or is within direct view of a development or use of lesser intensity category, the required opacity shall be increased by 0.3.
- (j) Development or uses that have inoperable vehicles, as determined by the Building Official shall be within a fully enclosed area and have an opacity of 1.0 (screened 100 percent from public view), subject to the provisions of Sec. 35-33, Fences, Walls, and Earthen Berms.
- (k) Development or uses within intensity categories III or IV may locate parking along up to fifty (50) percent of the right-of-way line provided there is one (1) canopy tree in the streetscape buffer for each twenty (20) feet of lot width, or portion thereof, measured along the front property line, and non-deciduous or evergreen shrubs to a minimum

height of forty-two (42) inches (within two years of planting) planted in a double row with triangular spacing along one hundred (100) percent of all parking and vehicular use areas that are parallel or roughly adjacent to the right-of-way.

“Sec. 35-48 – 35-53. Reserved.

ARTICLE VI. UNDERGROUND UTILITIES

Sec. 35-54 . Underground Utilities.

From and after the effective date of this Chapter, it shall be unlawful, except as specifically provided in this Article, for any person or utility to erect or construct poles, overhead wires, and associated overhead structures to supply electric, communication, or other similar or associated services to any area, platted or unplatted, within the Corridor.

The subdivider, developer, or owner of any area shall make the necessary arrangements for the installation of underground facilities, including circuits for street lights and traffic signals that may be required by the City. Such arrangements shall be made with each of the companies or persons supplying the electrical and/or communication services. Letters from each of the companies or persons, indicating that arrangements have been made, shall be submitted to the City at the time a construction plan or site plan is submitted.

The provisions of this subsection shall not apply to any of the following uses:

- (1) All electric power lines rated at or above feeder line class.
- (2) Radio and television antennas.
- (3) Structures on corner lots, in streets and alleys, and on easements, in cases where electrical and communication wires cross a street or other district boundary from an area where overhead wires are not prohibited, may be connected to the overhead wires.
- (4) Existing overhead lines attached to the exterior surface of a building by means of a bracket or other fixture and extending from one location on the building to another location on the same building.
- (5) Poles used exclusively for street or area lighting or for traffic control facilities.
- (6) Service terminals, transformers, regulators, meters, or other on-ground and above-ground facilities normally used with and as part of an underground distribution system.
- (7) Electric substations and the accompanying equipment and apparatus necessary to provide adequate electric service.

“Sec. 35-55 – 35-60. Reserved.

ARTICLE VII. ENFORCEMENT

Sec. 34-61. Enforcement.

(a) **Penalty.** Any person, firm or corporation violating a provision of this chapter shall be guilty of a misdemeanor which shall be punishable by a fine prescribed by Section 1-5 of the Code of Ordinances of the City.

(b) **Administrative Action.** The Building Official and/or the City Engineer shall enforce this Chapter by appropriate administrative action and the issuance of stop work orders, including, but not limited to, rejection of plans, plats and specifications not found to be in compliance with this Chapter and good engineering practices.

(c) **Court Proceedings.** Upon the request of the City Council, the City Attorney or other authorized attorney shall file an action to enjoin the violation or threatened violation of this Chapter, or to obtain declaratory judgment, and to seek and recover court costs and attorney fees, and/or to recover damages in an amount sufficient for the City to undertake any construction or other activity necessary to bring about compliance with a requirement regarding the property and established pursuant to this Chapter.

“Sec. 35-62 – 35-67. Reserved.

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

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

Section 5. Open Meetings. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the

time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chapt. 551, Tex. Gov't Code.*

PASSED AND APPROVED on first reading this 5 day of April, 2007.

PASSED AND APPROVED on second and final reading this 19 day of April, 2007.

ATTEST:

CITY OF ALVIN, TEXAS

By: Thomas W. Peebles
Thomas W. Peebles, City Clerk

By: Gary Appelt
Gary Appelt, Mayor



AGENDA COMMENTARY

Meeting Date: 1/3/2019

Department: Engineering

Contact: Michelle Segovia, City Engineer

Agenda Item: Consider an award of bid to McKinney Construction, Inc., for the Fairway Drive and South Street Water Line Improvements Project in an amount not to exceed \$1,228,796.00; and authorize the City Manager to sign the contract upon legal review.

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

Summary: On December 13, 2018, bids were opened for the Fairway Drive and South Street Water Line Improvements Project, and McKinney Construction, Inc. was the qualified low bidder. Cobb, Fendley & Associates, Inc., the City’s consultant that designed the project, reviewed all bids that were received and has recommended McKinney Construction for this project.

Original Project Estimate: \$3,352,000

Contract Amount: \$1,170,282 (Base Bid and Supplemental Items)

5% Contingency: \$ 58,514

Total Amount: \$1,228,796

This project consists of the construction of a 12-inch water transmission line (no service connections) to connect the Dyche Lane Water Tower and the Verhalen Water Tower. The line will be constructed along South Street from Gordon Street to Bowman Drive, along Bowman Drive from South Street to Jephson Lane, along Jephson Lane from Bowman Drive to Nelson Road, along Nelson Road from Jephson Lane to Mustang Road, along Mustang Road from Nelson Road to Verhalen Road and along Verhalen Road to the point of connection for the Verhalen Water Tower.

The project also contains a small section of 10-inch water line along FM 1462 from Koster Road to Gordon Street. These improvements were based on recommendations in the 2015 Utility Master Plan by Freese and Nichols, Inc. that was approved by City Council on March 3, 2016. Funding for this project will come from the 2018 Water & Sewer Revenue Bonds that were issued on August 21, 2018.

The project is scheduled to start in February 2019 and has a construction time of 270 calendar days.

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

Funding Account: 236-6001-00-9073 **Amount:** \$1,228,796.00 **1295 Form Required?** Yes No

Legal Review Required: N/A Required **Date Completed:** 12/20/2018 SLH

Supporting documents attached:

- Cobb Fendley Recommendation Letter

- Bid Tabulation
- Proposal

Recommendation: Move to award a bid to McKinney Construction, Inc., for the Fairway Drive and South Street Water Line Improvements Project in an amount not to exceed \$1,228,796.00; and authorize the City Manager to sign the contract upon legal review.

Reviewed by Department Head, if applicable

Reviewed by City Attorney, if applicable

Reviewed by Chief Financial Officer, if applicable

Reviewed by City Manager



December 17, 2018

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

BY EMAIL

Re: **Contract Award Recommendation**
Fairway Drive and South Street Water Line Improvements
City of Alvin BID # B-19-06
CFA Project No. 1812-013-01

Dear Mrs. Segovia:

We have reviewed the bid tabulation and the contractor references for the above referenced project. McKinney Construction, Inc. was the low bidder with a total bid price of **\$1,170,282.00**.

Based on our review of the bids and qualifications of the bidder, we recommend that the Contract be awarded to McKinney Construction, Inc. If you have any questions or require additional information, I can be contacted at 281-993-4952.

Sincerely,

COBB, FENDLEY & ASSOCIATES, INC.

A handwritten signature in blue ink that reads "Kerry Lackey".

Kerry Lackey, P.E.
Project Manager

Client: City of Alvin
 Project Name: Fairway Drive and South Street Water Line Improvements Project
 Date: 12/13/2018

Opinion of Probable Construction Cost				Bidder No. 1		Bidder No. 2		Bidder No. 3		Bidder No. 4	
				McKinney Construction, Inc.		G & A Boring Direccional		D.L. Elliott Enterprises, Inc.		Texas Pride Utilities, LLC	
Item No.	Item Description	Unit	Quantity	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price
BASE ITEMS											
1	Mobilization (No Greater Than 3% of Total Bid)	LS	1	\$ 33,000.00	\$ 33,000.00	\$ 36,845.00	\$ 36,845.00	\$ 40,000.00	\$ 40,000.00	\$ 40,000.00	\$ 40,000.00
2	Traffic Control and Regulation, per latest edition of TMUTCD, complete in place, the sum of	LS	1	\$ 20,000.00	\$ 20,000.00	\$ 12,000.00	\$ 12,000.00	\$ 5,000.00	\$ 5,000.00	\$ 24,000.00	\$ 24,000.00
3	12-Inch PVC Waterline (AWWA C-900) Class 200, restrained joints, by directional drill construction, including bends, fittings, disinfection and pressure test, complete in place, the sum of	LF	13,280	\$ 50.00	\$ 664,000.00	\$ 65.00	\$ 863,200.00	\$ 77.00	\$ 1,022,560.00	\$ 76.00	\$ 1,009,280.00
4	20-Inch steel casing by bore and jack construction, including 12-Inch PVC (AWWA C-900) Class, 200, restrained joint water line, for TXDOT SH 35 crossing, all depths, complete in place, the sum of	LF	200	\$ 450.00	\$ 90,000.00	\$ 300.00	\$ 60,000.00	\$ 185.00	\$ 37,000.00	\$ 380.00	\$ 76,000.00
5	20-Inch steel casing by open cut construction, including 12-Inch PVC (AWWA C-900) Class, 200, restrained joint water line, for TXDOT SH 35 crossing, all depths, complete in place, the sum of	LF	138	\$ 450.00	\$ 62,100.00	\$ 140.00	\$ 19,320.00	\$ 185.00	\$ 25,530.00	\$ 260.00	\$ 35,880.00
6	12-inch gate valves, AWWA C509, mechanical joint, resilient wdge, NRS open counter clockwise with valve boxes and concrete pad, complete in place, the sum of	EA	14	\$ 2,500.00	\$ 35,000.00	\$ 2,500.00	\$ 35,000.00	\$ 2,000.00	\$ 28,000.00	\$ 3,100.00	\$ 43,400.00
7	12-inch X 12-inch Tapping Sleeve and Valve, including fittings and appurtenances as necessary, complete in place, the sum of	EA	1	\$ 7,000.00	\$ 7,000.00	\$ 5,000.00	\$ 5,000.00	\$ 8,000.00	\$ 8,000.00	\$ 9,000.00	\$ 9,000.00
8	10-inch X 10-inch Tapping Sleeve and Valve, including fittings and appurtenances as necessary, complete in place, the sum of	EA	3	\$ 7,000.00	\$ 21,000.00	\$ 4,500.00	\$ 13,500.00	\$ 7,500.00	\$ 22,500.00	\$ 7,000.00	\$ 21,000.00
9	8-inch X 8-inch Tapping Sleeve and Valve, including fittings and appurtenances as necessary, complete in place, the sum of	EA	9	\$ 4,800.00	\$ 43,200.00	\$ 4,000.00	\$ 36,000.00	\$ 5,250.00	\$ 47,250.00	\$ 5,000.00	\$ 45,000.00
10	6-inch X 6-inch Tapping Sleeve and Valve, including fittings and appurtenances as necessary, complete in place, the sum of	EA	5	\$ 4,200.00	\$ 21,000.00	\$ 3,500.00	\$ 17,500.00	\$ 4,500.00	\$ 22,500.00	\$ 4,600.00	\$ 23,000.00
11	10-Inch PVC Waterline (AWWA C-900) Class 150, by open cut or auger construction, including bends, fittings, disinfection and pressure test, complete in place, the sum of	LF	296	\$ 48.00	\$ 14,208.00	\$ 40.00	\$ 11,840.00	\$ 86.00	\$ 25,456.00	\$ 10.00	\$ 2,960.00
12	18-Inch steel casing by bore and jack construction, including 10-Inch PVC (AWWA C-900) Class 200, restrained joint water line, for TXDOT FM 1462 crossing, all depths	LF	180	\$ 550.00	\$ 99,000.00	\$ 150.00	\$ 27,000.00	\$ 170.00	\$ 30,600.00	\$ 340.00	\$ 61,200.00
13	8-Inch PVC Waterline (AWWA C-900) Class 150, by open cut or auger construction, including bends, fittings, disinfection and pressure test, complete in place, the sum of	LF	180	\$ 38.00	\$ 6,840.00	\$ 35.00	\$ 6,300.00	\$ 32.00	\$ 5,760.00	\$ 80.00	\$ 14,400.00
14	6-Inch PVC Waterline (AWWA C-900) Class 150, by open cut or auger construction, including bends, fittings, disinfection and pressure test, complete in place, the sum of	LF	100	\$ 35.00	\$ 3,500.00	\$ 30.00	\$ 3,000.00	\$ 30.00	\$ 3,000.00	\$ 80.00	\$ 8,000.00
15	Sawcut remove and replace existing pavement, complete in place, the sum of	SY	100	\$ 150.00	\$ 15,000.00	\$ 75.00	\$ 7,500.00	\$ 50.00	\$ 5,000.00	\$ 100.00	\$ 10,000.00
16	Trench Safety system for water lines greater than 5-feet deep, all types, including installation, operation and removal, complete in place, the sum of	LF	3000	\$ 1.00	\$ 3,000.00	\$ 2.00	\$ 6,000.00	\$ 0.01	\$ 30.00	\$ 2.00	\$ 6,000.00
17	Non-Destructive Testing/Potholing for Pipeline Crossings, complete in place, the sum of	LS	5	\$ 3,000.00	\$ 15,000.00	\$ 2,500.00	\$ 12,500.00	\$ 1,000.00	\$ 5,000.00	\$ 6,000.00	\$ 30,000.00
BASE ITEMS SUBTOTAL					\$ 1,152,848.00		\$ 1,172,505.00		\$ 1,333,186.00		\$ 1,459,120.00
SUPPLEMENTAL ITEMS											
18	Groundwater Control for HDD Construction, complete in place, the sum of	LF	2000	\$ 1.00	\$ 2,000.00	\$ 16.00	\$ 32,000.00	\$ 0.01	\$ 20.00	\$ 15.00	\$ 30,000.00
19	Groundwater Control for Open Cut Construction, complete in place, the sum of	LF	434	\$ 1.00	\$ 434.00	\$ 20.00	\$ 8,680.00	\$ 0.01	\$ 4.34	\$ 15.00	\$ 6,510.00
20	Cash allowance for miscellaneous items, as directed by the Engineer, complete in place, the sum of	LS	1	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00
SUPPLEMENTAL ITEMS SUBTOTAL					\$ 17,434.00		\$ 55,680.00		\$ 15,024.34		\$ 51,510.00
TOTAL BID PRICE					\$ 1,170,282.00		\$ 1,228,185.00		\$ 1,348,210.34		\$ 1,510,630.00

Client: City of Alvin
 Project Name: Fairway Drive and South Street Water Line Improvements Project
 Date: 12/13/2018

Opinion of Probable Construction Cost				Bidder No. 5		Bidder No. 6		Bidder No. 7		Bidder No. 8	
				Persons Service Company, LLC		JTM Construction, LLC		Alcott, Inc. dba TCH		Sendero Industries, LLC	
Item No.	Item Description	Unit	Quantity	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price
BASE ITEMS											
1	Mobilization (No Greater Than 3% of Total Bid)	LS	1	\$ 46,000.00	\$ 46,000.00	\$ 10,500.00	\$ 10,500.00	\$ 46,550.00	\$ 46,550.00	\$ 57,076.00	\$ 57,076.00
2	Traffic Control and Regulation, per latest edition of TMUTCD, complete in place, the sum of	LS	1	\$ 19,000.00	\$ 19,000.00	\$ 14,175.00	\$ 14,175.00	\$ 15,000.00	\$ 15,000.00	\$ 124,565.00	\$ 124,565.00
3	12-Inch PVC Waterline (AWWA C-900) Class 200, restrained joints, by directional drill construction, including bends, fittings, disinfection and pressure test, complete in place, the sum of	LF	13,280	\$ 88.00	\$ 1,168,640.00	\$ 84.70	\$ 1,124,816.00	\$ 86.28	\$ 1,145,798.40	\$ 132.00	\$ 1,752,960.00
4	20-Inch steel casing by bore and jack construction, including 12-Inch PVC (AWWA C-900) Class, 200, restrained joint water line, for TXDOT SH 35 crossing, all depths, complete in place, the sum of	LF	200	\$ 190.00	\$ 38,000.00	\$ 199.40	\$ 39,880.00	\$ 288.86	\$ 57,772.00	\$ 235.00	\$ 47,000.00
5	20-Inch steel casing by open cut construction, including 12-Inch PVC (AWWA C-900) Class, 200, restrained joint water line, for TXDOT SH 35 crossing, all depths, complete in place, the sum of	LF	138	\$ 148.00	\$ 20,424.00	\$ 158.90	\$ 21,928.20	\$ 218.17	\$ 30,107.46	\$ 145.00	\$ 20,010.00
6	12-inch gate valves, AWWA C509, mechanical joint, resilient wdg, NRS open counter clockwise with valve boxes and concrete pad, complete in place, the sum of	EA	14	\$ 2,550.00	\$ 35,700.00	\$ 2,590.00	\$ 36,260.00	\$ 3,245.00	\$ 45,430.00	\$ 2,265.00	\$ 31,710.00
7	12-inch X 12-inch Tapping Sleeve and Valve, including fittings and appurtenances as necessary, complete in place, the sum of	EA	1	\$ 7,200.00	\$ 7,200.00	\$ 6,528.00	\$ 6,528.00	\$ 12,565.00	\$ 12,565.00	\$ 8,475.00	\$ 8,475.00
8	10-inch X 10-inch Tapping Sleeve and Valve, including fittings and appurtenances as necessary, complete in place, the sum of	EA	3	\$ 6,500.00	\$ 19,500.00	\$ 5,569.60	\$ 16,708.80	\$ 10,400.00	\$ 31,200.00	\$ 7,680.00	\$ 23,040.00
9	8-inch X 8-inch Tapping Sleeve and Valve, including fittings and appurtenances as necessary, complete in place, the sum of	EA	9	\$ 4,500.00	\$ 40,500.00	\$ 4,097.70	\$ 36,879.30	\$ 7,960.00	\$ 71,640.00	\$ 6,250.00	\$ 56,250.00
10	6-inch X 6-inch Tapping Sleeve and Valve, including fittings and appurtenances as necessary, complete in place, the sum of	EA	5	\$ 4,200.00	\$ 21,000.00	\$ 3,579.90	\$ 17,899.50	\$ 6,980.00	\$ 34,900.00	\$ 5,800.00	\$ 29,000.00
11	10-Inch PVC Waterline (AWWA C-900) Class 150, by open cut or auger construction, including bends, fittings, disinfection and pressure test, complete in place, the sum of	LF	296	\$ 35.00	\$ 10,360.00	\$ 61.50	\$ 18,204.00	\$ 59.30	\$ 17,552.80	\$ 88.00	\$ 26,048.00
12	18-Inch steel casing by bore and jack construction, including 10-Inch PVC (AWWA C-900) Class 200, restrained joint water line, for TXDOT FM 1462 crossing, all depths	LF	180	\$ 135.00	\$ 24,300.00	\$ 182.80	\$ 32,904.00	\$ 290.55	\$ 52,299.00	\$ 150.00	\$ 27,000.00
13	8-Inch PVC Waterline (AWWA C-900) Class 150, by open cut or auger construction, including bends, fittings, disinfection and pressure test, complete in place, the sum of	LF	180	\$ 33.00	\$ 5,940.00	\$ 56.20	\$ 10,116.00	\$ 48.50	\$ 8,730.00	\$ 68.00	\$ 12,240.00
14	6-Inch PVC Waterline (AWWA C-900) Class 150, by open cut or auger construction, including bends, fittings, disinfection and pressure test, complete in place, the sum of	LF	100	\$ 30.00	\$ 3,000.00	\$ 42.40	\$ 4,240.00	\$ 35.00	\$ 3,500.00	\$ 60.00	\$ 6,000.00
15	Sawcut remove and replace existing pavement, complete in place, the sum of	SY	100	\$ 220.00	\$ 22,000.00	\$ 107.30	\$ 10,730.00	\$ 75.00	\$ 7,500.00	\$ 121.00	\$ 12,100.00
16	Trench Safety system for water lines greater than 5-feet deep, all types, including installation, operation and removal, complete in place, the sum of	LF	3000	\$ 0.76	\$ 2,280.00	\$ 1.00	\$ 3,000.00	\$ 0.10	\$ 300.00	\$ 0.19	\$ 570.00
17	Non-Destructive Testing/Potholing for Pipeline Crossings, complete in place, the sum of	LS	5	\$ 1,500.00	\$ 7,500.00	\$ 2,000.00	\$ 10,000.00	\$ 3,500.00	\$ 17,500.00	\$ 1,110.00	\$ 5,550.00
BASE ITEMS SUBTOTAL					\$ 1,491,344.00		\$ 1,414,768.80		\$ 1,598,344.66		\$ 2,239,594.00
SUPPLEMENTAL ITEMS											
18	Groundwater Control for HDD Construction, complete in place, the sum of	LF	2000	\$ 13.00	\$ 26,000.00	\$ 65.00	\$ 130,000.00	\$ 2.00	\$ 4,000.00	\$ 18.00	\$ 36,000.00
19	Groundwater Control for Open Cut Construction, complete in place, the sum of	LF	434	\$ 20.00	\$ 8,680.00	\$ 65.00	\$ 28,210.00	\$ 20.00	\$ 8,680.00	\$ 18.00	\$ 7,812.00
20	Cash allowance for miscellaneous items, as directed by the Engineer, complete in place, the sum of	LS	1	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00
SUPPLEMENTAL ITEMS SUBTOTAL					\$ 49,680.00		\$ 173,210.00		\$ 27,680.00		\$ 58,812.00
TOTAL BID PRICE					\$ 1,541,024.00		\$ 1,587,978.80		\$ 1,626,024.66		\$ 2,298,406.00

ERRORS CORRECTED BY ENGINEER

PROPOSAL

TO: The Honorable Mayor and City Council
The City of Alvin, Texas

FROM: Contractor / Bidder: McKinney Construction, Inc.

Fairway and South Water Line Improvements

Bid Number: B-19-06

Account Number: 236-6001-00-9073

The undersigned, as Bidder, declares that the only person or parties interested in this proposal as principals are those named herein, that this Proposal is made without collusion with any other person, firm or corporation; that he has carefully examined the form of Contract, Notice to Bidders, Specifications and the Plans therein referred to, and has carefully examined the location, conditions and classes or materials of the proposed work, and agrees that he will provide all the necessary labor, material, superintendence, machinery, tools, apparatus, and other items incidental to construction, and will do all the work and furnish all the materials necessary to accomplish the work called for in the Plans and Specifications in the manner prescribed therein and according to the requirements of the Engineer as therein set forth.

In submitting this bid, the undersigned Bidder does hereby certify that the bid is not made in the interest of other firms, corporations or on behalf of any undisclosed person or interest other than sole bidder submitting this bid by signatures. The Bidder also certifies that he is not solicited or being induced by any other firms to submit a false or sham bid for obtaining advantage over any other bidder that is submitting a bid on this project.

The five percent (5%) bid security accompanying this Proposal shall be returned to the Bidder, unless in case of the acceptance of the Proposal the successful Bidder shall fail to execute a Contract and file a Performance Bond and a Payment Bond within fifteen (15) days after its acceptance in which case the bid security will become the property of the Owner, and shall be considered as payment for damages due to delay and other inconveniences suffered by the Owner. The Bidder will also furnish the Owner with a satisfactory Maintenance Bond indemnifying the City against defective workmanship and material for a period of one year.

The undersigned certifies that the bid prices quoted on the Proposal have been carefully checked and are submitted as correct and final.

The undersigned proposal is to complete the work quoted above on or before **270 Calendar days** after the effective date of the work order. The undersigned further agrees that the Owner will suffer damages if the above quoted work is not finished and completed within the time allotted for such work and that these damages will accrue to the Owner as liquidated in the amount of **\$400.00 Per Calendar Day.**

The following unit prices are bid and shall be complete compensation as measured in place for all materials, labor, overhead, profits and any other cost that is necessary to complete the job to the Engineers specifications and satisfaction. It is also understood that the quantities shown are only an estimate of the work to be done.

No renegotiation of bid prices will be made for over runs or under runs of quantities.

FAIRWAY DRIVE AND SOUTH STREET WATERLINE IMPROVEMENTS

BID FORM

ITEM NO.	DESCRIPTION	UNIT	EST. QUAN.	UNIT PRICE	TOTAL PRICE
BASE ITEMS					
1	Mobilization (No Greater Than 3% of Total Bid)	LS	1	\$ 33,000.-	\$ 33,000.-
2	Traffic Control and Regulation, per latest edition of TMUTCD, complete in place, the sum of	LS	1	\$ 201,000.-	\$ 201,000.-
3	12-Inch PVC Waterline (AWWA C-900) Class 200, restrained joints, by directional drill construction, including bends, fittings, disinfection and pressure test, complete in place, the sum of	LF	13,280	\$ 50.-	\$ 664,000.-
4	20-Inch steel casing by bore and jack construction, including 12-Inch PVC (AWWA C-900) Class, 200, restrained joint water line, for TXDOT SH 35 crossing, all depths, complete in place, the sum of	LF	200	\$ 450.-	\$ 90,000.-
5	20-Inch steel casing by open cut construction, including 12-Inch PVC (AWWA C-900) Class, 200, restrained joint water line, for TXDOT SH 35 crossing, all depths, complete in place, the sum of	LF	138	\$ 450.-	\$ 62,100.-
6	12-inch gate valves, AWWA C509, mechanical joint, resilient wedge, NRS open counter clockwise with valve boxes and concrete pad, complete in place, the sum of	EA	14	\$ 2,500.-	\$ 35,000.-
7	12-inch X 12-inch Tapping Sleeve and Valve, including fittings and appurtenances as necessary, complete in place, the sum of	EA	1	\$ 7,000.-	\$ 7,000.-
8	10-inch X 10-inch Tapping Steeve and Valve, including fittings and appurtenances as necessary, complete in place, the sum of	EA	3	\$ 7,000.-	\$ 21,000.-

FAIRWAY DRIVE AND SOUTH STREET WATERLINE IMPROVEMENTS

BID FORM

ITEM NO.	DESCRIPTION	UNIT	EST. QUAN.	UNIT PRICE	TOTAL PRICE
9	8-inch X 8-inch Tapping Sleeve and Valve, including fittings and appurtenances as necessary, complete in place, the sum of	EA	9	\$ 4,800.-	\$ 43,200.-
10	6-inch X 6-inch Tapping Sleeve and Valve, including fittings and appurtenances as necessary, complete in place, the sum of	EA	5	\$ 4,200.-	\$ 21,000.-
11	10-inch PVC Waterline (AWWA C-900) Class 150, by open cut or auger construction, including bends, fittings, disinfection and pressure test, complete in place, the sum of	LF	296	\$ 48.-	\$ 14,208.-
12	18-inch steel casing by bore and jack construction, including 10-inch PVC (AWWA C-900) Class 200, restrained joint water line, for TXDOT FM 1462 crossing, all depths	LF	180	\$ 550.-	\$ 99,000.-
13	8-inch PVC Waterline (AWWA C-900) Class 150, by open cut or auger construction, including bends, fittings, disinfection and pressure test, complete in place, the sum of	LF	180	\$ 38.-	\$ 6,840.-
14	6-inch PVC Waterline (AWWA C-900) Class 150, by open cut or auger construction, including bends, fittings, disinfection and pressure test, complete in place, the sum of	LF	100	\$ 35.-	\$ 3,500.-
15	Sawcut remove and replace existing pavement, complete in place, the sum of	SY	100	\$ 150.-	\$ 15,000.-
16	Trench Safety system for water lines greater than 5-feet deep, all types, including installation, operation and removal, complete in place, the sum of	LF	3,000	\$ 1.-	\$ 3,000.-
17	Non-Destructive Testing/Potholing for Pipeline Crossings, complete in place, the sum of	LS	5	\$ 3,000.-	\$ 15,000.-

FAIRWAY DRIVE AND SOUTH STREET WATERLINE IMPROVEMENTS

BID FORM

ITEM NO.	DESCRIPTION	UNIT	EST. QUAN.	UNIT PRICE	TOTAL PRICE
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SUPPLEMENTAL ITEMS

18	Groundwater Control for HDD Construction, complete in place, the sum of	LF	2000	\$ 1. —	\$ 2,000. —
19	Groundwater Control for Open Cut Construction, complete in place, the sum of	LF	434	\$ 1. —	\$ 434. —
20	Cash allowance for miscellaneous items, as directed by the Engineer, complete in place, the sum of	LS	1	\$15,000	\$15,000

TOTAL BID ITEMS: \$

1,170,282. —

Receipt is hereby acknowledged of the following addendum to the Contract Documents:

Addendum No. 1 Dated 6/18 Received _____

Addendum No. 2 Dated _____ Received _____

Addendum No. 3 Dated _____ Received _____

Accompanying this proposal is a Certified Check, Cashier's Check, or Bid Bond in the amount of five (5%) of the greatest amount bid and payable to the Owner.

Bidder: McKinney Construction, Inc.

Address: 1955 W. McKinney St.

Houston, Texas 77019

Telephone: 281-924-0393

Date: 12-13-18

ATTEST: (Signature)

Secretary of Corporation Dolly Baakline

(Seal of Bidder Corporation)



AGENDA COMMENTARY

Meeting Date: 1/3/2019

Department: Engineering

Contact: Michelle Segovia, City Engineer

Agenda Item: Consider an award of bid to Mar-Con Services, LLC., for the Johnson Street Paving and Drainage Improvements Project in an amount not to exceed \$1,257,666.30; and authorize the City Manager to sign the contract upon legal review.

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

Summary: On December 4, 2018, bids were opened for the Johnson Street Paving and Drainage Improvements Project, and Mar-Con Services, LLC. was the qualified low bidder. Freese and Nichols, Inc. (FNI), the City's consultant that designed the project, reviewed all bids that were received and has recommended Mar-Con Services LLC. for this project.

Project Budget: \$2,039,650.00

Contract Amount: \$1,197,777.50

5% Contingency: \$ 59,888.88

Total Amount: \$1,257,666.30

This project consists of the construction of a 28-foot wide concrete curb and gutter roadway to replace the existing 21-foot wide asphalt open ditch roadway, along with the construction of a concrete sidewalk along the east side of the road from South Street to Pearson Road. This project appears in the City's 2019-2023 Capital Improvement Program (CIP) that was approved by City Council on April 5, 2018. This budgeted project is funded from the Sales Tax Fund.

The project is scheduled to start in February 2019 and has a construction time of 150 calendar days.

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

Funding Account: 312-5501-00-9067 **Amount:** \$1,257,666.30 **1295 Form Required?** Yes No

Legal Review Required: N/A Required **Date Completed:** 12/202018 SLH

Supporting documents attached:

- Freese and Nichols Recommendation Letter
- Bid Tabulation
- Proposal

Recommendation: Move to award a bid to Mar-Con Services LLC, for the Johnson Street Paving and Drainage Improvements Project in an amount not to exceed \$1,257,666.30; and authorize the City Manager to sign the contract upon legal review.

Reviewed by Department Head, if applicable

Reviewed by City Attorney, if applicable

Reviewed by Chief Financial Officer, if applicable

Reviewed by City Manager



Innovative approaches
Practical results
Outstanding service

11200 Broadway Street, Suite 2320 • Pearland, Texas 77584 • 832-456-4700 • FAX 817-735-7491

www.freese.com

12/7/2018

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

RE: Johnson Street Paving and Drainage Improvements

Dear Michelle:

On December 4th, 2018, eleven (11) bids were received and opened for the referenced project. Listed below is the summary of bids received:

Summary of Bids:

1) Mar-Con Services, LLC	\$ 1,197,777.50
2) DVL Enterprises, LLC	\$ 1,216,168.00
3) Triple B Services, LLP	\$ 1,258,263.80
4) Lucas Construction Co. Inc.	\$ 1,261,950.00
5) Angel Brothers Enterprises, LTD	\$ 1,274,729.35
6) Rodriguez Construction Group, LLC	\$ 1,360,615.75
7) Fused Industries, LLC	\$ 1,390,350.00
8) Tandem Services, LLC	\$ 1,397,825.25
9) Precise Services Inc.	\$ 1,420,578.44
10) Main Lane Industries, LTD	\$ 1,448,853.80
11) GW Phillips Concrete Construction Inc.	\$ 1,732,838.25

We tabulated and checked bids. There was one discrepancy in the bids. GW Phillips Concrete Construction, Inc. had a bid of \$2,138,438.25 but Bid Item 35 math was not correct. When corrected, their actual total bid is \$1,732,838.25. A copy of the bid tabulation is attached for your use and information. We checked similar past projects experience provided for the low bidder. They had previously performed similar paving work successfully for the City of Alvin. Based on the level of project experience presented, Mar-Con Services LLC meets the requirements of the bidding documents and is a responsible, responsive low bidder. Based on this information, Freese and Nichols, Inc. recommends the City award the construction contract for this project to Mar-Con Services, LLC in the amount of \$1,197,777.50.

Please call me at (832) 456-4722 if you have any questions.

Sincerely,

Mehran (Ron) Bavarian, P.E.
Project Manager

Attachments:



Freese & Nichols, Inc.
11200 Broadway St., Suite 2320
Pearland, TX 77584
BID TABULATION

Owner: City of Alvin Project: Johnson St. Paving and Drainage Improvements Bid Date: 12-04-2018 Bid No. B-19-05 FNI Project No.: AVN18-285				Mar-Con Services, LLC 1410 Parston Avenue Bldg., H Pasadena, Texas 77503		DVL Enterprises, LLC 4022 Cedar Forest Kingwood, Texas 77339		Triple B Services, LLP 820 Old Atascocita Road Huffman, Texas 77336		Lucas Construction Co., INC. 551 Link Road, Suite C League City, Texas 77573		Angel Brothers Enterprises, LTD. 5210 West Road, P.O. Box 570 Baytown, Texas 77522-0570		Rodriguez Construction Group, LLC 2647 Jo Ann Street Stafford, Texas 77477		Fused Industries, LLC 14155 West Hardy Road Houston, Texas 77060		Tandem Services, LLC 4425 FM 2351, Suite 5 Friendswood, Texas 77546		Precise Services INC. 2233 Sandy Lane Porter, Texas 77365		Main Lane Industries, LTD. 14115 Luthe Road, Suite 100 Houston, Texas 77039		GW Phillips Concrete Construction, INC. 117 Oates Road Houston, Texas 77031		Average All Bids		Engineer's Estimate			
#	Description	Quantity	Unit	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost		
Base Bid-Section A - Independence Boulevard																															
1	Mobilization (Max 3% of Total Contract) 01350	1	LS	\$26,286.60	\$26,286.60	\$35,000.00	\$35,000.00	\$30,000.00	\$30,000.00	\$35,000.00	\$35,000.00	\$38,000.00	\$38,000.00	\$40,000.00	\$40,000.00	\$37,510.00	\$37,510.00	\$40,530.00	\$40,530.00	\$20,000.00	\$20,000.00	\$43,000.00	\$43,000.00	\$62,000.00	\$62,000.00	\$37,069.72	\$37,029.69	\$44,390.23	\$44,390.23		
2	Traffic Control & Regulation 01505	1	LS	\$9,402.70	\$9,402.70	\$10,000.00	\$10,000.00	\$20,000.00	\$20,000.00	\$42,396.00	\$42,396.00	\$61,000.00	\$61,000.00	\$14,375.00	\$14,375.00	\$5,500.00	\$5,500.00	\$25,000.00	\$25,000.00	\$40,000.00	\$40,000.00	\$7,000.00	\$7,000.00	\$40,000.00	\$40,000.00	\$23,347.81	\$24,970.34	\$20,000.00	\$20,000.00		
3	ROW Preparation Clearing & Grubbing 311100	5	AC	\$20,121.50	\$100,607.50	\$14,000.00	\$70,000.00	\$3,500.00	\$17,500.00	\$8,000.00	\$40,000.00	\$1,680.00	\$8,400.00	\$9,250.00	\$46,250.00	\$15,000.00	\$75,000.00	\$3,000.00	\$15,000.00	\$12,500.00	\$62,500.00	\$2,000.00	\$10,000.00	\$12,000.00	\$60,000.00	\$9,670.96	\$45,932.50	\$3,000.00	\$15,000.00		
4	Remove Existing Asphalt Pavement w/ Base (Milled asphalt and base material will be hauled off by Brazoria County Conservation & Reclamation District #3, Alvin, Texas with own staff and trucks.) 02220	8,800	SY	\$4.20	\$36,960.00	\$3.00	\$26,400.00	\$2.35	\$20,680.00	\$6.00	\$52,800.00	\$4.00	\$35,200.00	\$6.25	\$55,000.00	\$10.00	\$88,000.00	\$6.00	\$52,800.00	\$7.75	\$68,200.00	\$4.00	\$35,200.00	\$9.00	\$79,200.00	\$6.05	\$50,040.00	\$10.00	\$88,000.00		
5	Remove Existing Conc Pmt & Base 02220	300	SY	\$5.20	\$1,560.00	\$10.00	\$3,000.00	\$13.50	\$4,050.00	\$10.00	\$3,000.00	\$17.35	\$5,205.00	\$12.50	\$3,750.00	\$20.00	\$6,000.00	\$15.00	\$4,500.00	\$25.75	\$7,725.00	\$9.00	\$2,700.00	\$9.00	\$2,700.00	\$13.94	\$4,017.27	\$10.00	\$3,000.00		
6	Remove Existing Slope Paving (All Sizes) 02220	1	EA	\$689.60	\$689.60	\$100.00	\$100.00	\$2,000.00	\$2,000.00	\$500.00	\$500.00	\$560.00	\$560.00	\$3,125.00	\$3,125.00	\$1,000.00	\$1,000.00	\$520.00	\$520.00	\$2,000.00	\$2,000.00	\$2,500.00	\$2,500.00	\$18,000.00	\$18,000.00	\$2,666.22	\$2,817.69	\$100.00	\$100.00		
7	Remove Existing Headwall 02220	1	EA	\$440.70	\$440.70	\$1,000.00	\$1,000.00	\$1,300.00	\$1,300.00	\$500.00	\$500.00	\$560.00	\$560.00	\$4,375.00	\$4,375.00	\$1,000.00	\$1,000.00	\$520.00	\$520.00	\$2,250.00	\$2,250.00	\$1,000.00	\$1,000.00	\$4,000.00	\$4,000.00	\$1,495.48	\$1,540.52	\$1,500.00	\$1,500.00		
8	Remove Existing SET 02220	1	EA	\$440.70	\$440.70	\$1,000.00	\$1,000.00	\$600.00	\$600.00	\$500.00	\$500.00	\$336.00	\$336.00	\$1,875.00	\$1,875.00	\$1,000.00	\$1,000.00	\$375.00	\$375.00	\$700.00	\$700.00	\$450.00	\$450.00	\$1,000.00	\$1,000.00	\$773.06	\$752.43	\$500.00	\$500.00		
9	Remove Existing Manhole 02220	3	EA	\$439.50	\$1,318.50	\$1,000.00	\$3,000.00	\$600.00	\$1,800.00	\$500.00	\$1,500.00	\$336.00	\$1,008.00	\$1,875.00	\$5,625.00	\$1,000.00	\$3,000.00	\$690.00	\$2,070.00	\$1,500.00	\$4,500.00	\$880.00	\$2,640.00	\$1,500.00	\$4,500.00	\$943.38	\$2,814.68	\$350.00	\$1,050.00		
10	Remove Existing Pipe (All Sizes) 02220	500	LF	\$11.00	\$5,500.00	\$15.00	\$7,500.00	\$18.00	\$9,000.00	\$15.00	\$7,500.00	\$11.20	\$5,600.00	\$25.00	\$12,500.00	\$20.00	\$10,000.00	\$32.00	\$16,000.00	\$17.00	\$8,500.00	\$19.00	\$9,500.00	\$30.00	\$15,000.00	\$19.43	\$9,690.91	\$10.00	\$5,000.00		
11	Adjust Existing Manhole To Finished Grade 02633	1	EA	\$405.90	\$405.90	\$1,000.00	\$1,000.00	\$800.00	\$800.00	\$500.00	\$500.00	\$504.00	\$504.00	\$437.50	\$437.50	\$500.00	\$500.00	\$563.00	\$563.00	\$1,000.00	\$1,000.00	\$300.00	\$300.00	\$800.00	\$800.00	\$609.20	\$619.13	\$350.00	\$350.00		
12	Removed & Relocate Mailbox 02220	2	EA	\$311.00	\$622.00	\$250.00	\$500.00	\$200.00	\$400.00	\$500.00	\$1,000.00	\$28.00	\$56.00	\$187.50	\$375.00	\$250.00	\$500.00	\$800.00	\$800.00	\$400.00	\$800.00	\$150.00	\$300.00	\$400.00	\$800.00	\$264.71	\$532.09	\$350.00	\$700.00		
13	Remove & Install New Fire Hydrant & Valve Assembly 01100	1	EA	\$4,486.50	\$4,486.50	\$6,000.00	\$6,000.00	\$5,400.00	\$5,400.00	\$3,500.00	\$3,500.00	\$5,600.00	\$5,600.00	\$6,875.00	\$6,875.00	\$6,000.00	\$6,000.00	\$5,625.00	\$5,625.00	\$3,950.00	\$3,950.00	\$5,500.00	\$5,500.00	\$6,800.00	\$6,800.00	\$5,478.04	\$5,430.59	\$500.00	\$500.00		
14	Roadway Excavation 02316	7,000	CY	\$10.20	\$71,400.00	\$12.00	\$84,000.00	\$11.50	\$80,500.00	\$15.00	\$105,000.00	\$12.25	\$85,750.00	\$13.75	\$96,250.00	\$10.00	\$70,000.00	\$13.00	\$91,000.00	\$15.00	\$105,000.00	\$25.00	\$175,000.00	\$18.00	\$126,000.00	\$13.81	\$99,081.82	\$9.00	\$63,000.00		
15	Roadway Embankment (Compacted) 02316	300	CY	\$3.30	\$990.00	\$5.00	\$1,500.00	\$9.00	\$2,700.00	\$10.00	\$3,000.00	\$12.25	\$3,675.00	\$12.50	\$3,750.00	\$10.00	\$3,000.00	\$6.00	\$1,800.00	\$21.00	\$6,300.00	\$20.00	\$6,000.00	\$18.00	\$5,400.00	\$11.42	\$3,465.00	\$9.00	\$2,700.00		
16	Manipulation of Lime Treated Subgrade (8") 02335	12,500	SY	\$2.50	\$31,250.00	\$2.00	\$25,000.00	\$3.00	\$37,500.00	\$4.00	\$50,000.00	\$4.00	\$50,000.00	\$4.08	\$50,750.00	\$5.00	\$62,500.00	\$5.50	\$68,750.00	\$2.40	\$30,000.00	\$6.00	\$75,000.00	\$5.00	\$62,500.00	\$4.04	\$49,386.36	\$5.00	\$62,500.00		
17	Lime Material (8%) 02335	310	TN	\$175.20	\$54,312.00	\$170.00	\$52,700.00	\$160.00	\$49,600.00	\$175.00	\$54,250.00	\$178.00	\$55,180.00	\$212.50	\$65,875.00	\$170.00	\$52,700.00	\$190.00	\$58,900.00	\$210.00	\$65,100.00	\$180.00	\$55,800.00	\$185.00	\$57,350.00	\$181.31	\$56,524.27	\$155.00	\$48,050.00		
18	8" Jointed Reinf. Concrete Pavement 02751	11,200	SY	\$48.80	\$546,560.00	\$50.00	\$560,000.00	\$52.00	\$582,400.00	\$50.00	\$560,000.00	\$54.00	\$604,800.00	\$53.13	\$595,056.00	\$57.00	\$638,400.00	\$55.35	\$619,920.00	\$56.35	\$631,120.00	\$54.00	\$604,800.00	\$65.00	\$728,000.00	\$54.39	\$606,459.64	\$70.00	\$784,000.00		
19	6" Conc. Drive 02751	205	SY	\$55.30	\$11,336.50	\$70.00	\$14,350.00	\$105.00	\$21,525.00	\$54.00	\$11,070.00	\$66.60	\$13,653.00	\$62.50	\$12,812.50	\$100.00	\$20,500.00	\$53.00	\$10,865.00	\$122.00	\$25,010.00	\$90.00	\$18,450.00	\$65.00	\$13,325.00	\$78.62	\$15,717.91	\$60.00	\$12,300.00		
20	6" Conc. Curb 02770	6,000	LF	\$3.00	\$18,000.00	\$3.00	\$18,000.00	\$4.25	\$25,500.00	\$3.55	\$21,300.00	\$3.00	\$18,000.00	\$4.38	\$26,280.00	\$3.00	\$18,000.00	\$5.00	\$30,000.00	\$4.25	\$25,500.00	\$3.00	\$18,000.00	\$6.00	\$36,000.00	\$3.79	\$23,143.64	\$5.00	\$30,000.00		
21	Conc. Undercut Header at Tie-ins 02770	50	LF	\$12.80	\$640.00	\$5.00	\$250.00	\$25.01	\$1,250.50	\$10.00	\$500.00	\$22.40	\$1,120.00	\$43.75	\$2,187.50	\$35.00	\$1,750.00	\$35.00	\$1,750.00	\$35.00	\$1,750.00	\$120.00	\$6,000.00	\$24.00	\$1,200.00	\$33.58	\$1,672.55	\$100.00	\$5,000.00		
22	Asphalt Pavement (2") (Type D HMA) 321216	35	TN	\$171.80	\$6,013.00	\$200.00	\$7,000.00	\$155.00	\$5,425.00	\$200.00	\$7,000.00	\$168.00	\$5,880.00	\$312.50	\$10,937.50	\$175.00	\$6,125.00	\$422.00	\$14,770.00	\$340.00	\$11,900.00	\$160.00	\$5,600.00	\$250.00	\$8,750.00	\$227.44	\$8,127.32	\$100.00	\$3,500.00		
23	Asphalt Stabilized Base (6") 321216	105	TN	\$116.50	\$12,232.50	\$90.00	\$9,450.00	\$135.00	\$14,175.00	\$50.00	\$5,250.00	\$141.00	\$14,805.00	\$93.75	\$9,843.75	\$135.00	\$14,175.00	\$205.00	\$21,525.00	\$120.00	\$12,600.00	\$100.00	\$10,500.00	\$180.00	\$18,900.00	\$125.10	\$13,041.48	\$70.00	\$7,350.00		
24	5' Concrete Sidewalk (4") 02751	900	SY	\$42.00	\$37,800.00	\$60.00	\$54,000.00	\$50.00	\$45,000.00	\$50.00	\$45,000.00	\$52.00	\$46,800.00	\$56.25	\$50,625.00	\$40.00	\$36,000.00	\$49.00	\$44,100.00	\$57.00	\$51,300.00	\$50.00	\$45,000.00	\$58.00	\$52,200.00	\$50.35	\$46,165.91	\$60.00	\$54,000.00		
25	4' Concrete Sidewalk (4") 02751	35	SY	\$42.70	\$1,494.50	\$65.00	\$2,275.00	\$50.00	\$1,750.00	\$50.00	\$1,750.00	\$52.00	\$1,820.00	\$52.50	\$1,837.50	\$40.00	\$1,400.00	\$49.00	\$1,715.00	\$56.00	\$1,960.00	\$50.00	\$1,750.00	\$58.00	\$2,030.00	\$50.43	\$1,798.36	\$60.00	\$2,100.00		
26	Sidewalk Ramp & Detectable Warning Pad 02751	3	EA	\$968.70	\$2,906.10	\$2,000.00	\$6,000.00	\$3,300.00	\$9,900.00	\$1,000.00	\$3,000.00	\$2,019.00	\$6,057.00	\$1,625.00	\$4,875.00	\$1,750.00	\$5,250.00	\$1,830.00	\$5,490.00	\$1,750.00	\$5,250.00	\$1,300.00	\$3,900.00	\$1,500.00	\$4,500.00	\$1,732.73	\$5,193.46	\$1,200.00	\$3,600.00		
27	Block Sodding 02922	3,300	SY	\$3.40	\$11,220.00	\$5.00	\$16,500.00	\$5.58	\$18,414.00	\$4.00	\$13,200.00	\$5.35	\$17,655.00	\$5.63	\$18,579.00	\$5.00	\$16,500.00	\$5.50	\$18,150.00	\$4.50	\$14,850.00	\$3.00	\$9,900.00	\$4.50	\$14,850.00	\$4.71	\$15,438.00	\$5.00	\$16,500.00		
28	Remove & Re-install Detector Wire & Reconnect at South St and FM 1462	1	LS	\$5,650.00	\$5,650.00	\$15,000.00	\$15,000.00	\$4,592.40	\$4,592.40	\$2,500.00	\$2,500.00	\$3,920.00	\$3,920.00	\$5,250.00	\$5,250.00	\$10,000.00	\$10,000.00	\$7,500.00	\$7,500.00	\$4,500.00	\$4,500.00	\$3,000.00	\$3,000.00	\$5,800.00	\$5,800.00	\$6,476.03	\$6,155.67	\$4,000.00	\$4,000.00		
29	Final Site Restoration (Grading, Clean Up, etc.) 02630	1	LS	\$1,806.90	\$1,806.90	\$5,000.00	\$5,000.00	\$6,500.00	\$6,500.00	\$20,000.00	\$20,000.00	\$14,310.00	\$14,310.00	\$18,750.00	\$18,750.00	\$10,000.00	\$10,000.00	\$8,250.00	\$8,250.00	\$20,000.00	\$20,000.00	\$37,000.00	\$37,000.00	\$35,000.00	\$35,000.00	\$15,551.41					



Freese & Nichols, Inc.
11200 Broadway St., Suite 2320
Pearland, TX 77584
BID TABULATION

Owner: City of Alvin Project: Johnson St. Paving and Drainage Improvements Bid Date: 12-04-2018 Bid No. B-19-05 FNI Project No.: AVN18-285				Mar-Con Services, LLC 1410 Parston Avenue Bldg., H Pasadena, Texas 77503		DVL Enterprises, LLC 4022 Cedar Forest Kingwood, Texas 77339		Triple B Services, LLP 820 Old Atascocita Road Huffman, Texas 77336		Lucas Construction Co., INC. 551 Link Road, Suite C League City, Texas 77573		Angel Brothers Enterprises, LTD. 5210 West Road, P.O. Box 570 Baytown, Texas 77522-0570		Rodriguez Construction Group, LLC 2647 Jo Ann Street Stafford, Texas 77477		Fused Industries, LLC 14155 West Hardy Road Houston, Texas 77060		Tandem Services, LLC 4425 FM 2351, Suite 5 Friendswood, Texas 77546		Precise Services INC. 22337 Sandy Lane Porter, Texas 77365		Main Lane Industries, LTD. 14115 Luthe Road, Suite 100 Houston, Texas 77039		GW Phillips Concrete Construction, INC. 117 Oates Road Houston, Texas 77031		Average All Bids		Engineer's Estimate	
#	Description	Quantity	Unit	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost		
54	Sediment Control Fence 015723	6,800	LF	\$1.70	\$11,560.00	\$1.50	\$10,200.00	\$3.30	\$22,440.00	\$1.50	\$10,200.00	\$1.40	\$9,520.00	\$1.69	\$11,492.00	\$3.00	\$20,400.00	\$2.50	\$17,000.00	\$1.50	\$10,200.00	\$4.00	\$27,200.00	\$2.00	\$13,600.00	\$2.26	\$14,892.00	\$10.00	\$68,000.00
55	Rock Filter Dam Type 3 015723	90	LF	\$63.30	\$5,697.00	\$10.00	\$900.00	\$60.00	\$5,400.00	\$50.00	\$4,500.00	\$44.80	\$4,032.00	\$25.00	\$2,250.00	\$70.00	\$6,300.00	\$30.00	\$2,700.00	\$35.00	\$3,150.00	\$75.00	\$6,750.00	\$65.00	\$5,850.00	\$49.84	\$4,320.82	\$20.00	\$1,800.00
56	Extra Excavation 02316	100	CY	\$10.40	\$1,040.00	\$5.00	\$500.00	\$12.00	\$1,200.00	\$5.00	\$500.00	\$12.25	\$1,225.00	\$6.25	\$625.00	\$10.00	\$1,000.00	\$12.00	\$1,200.00	\$5.50	\$550.00	\$22.00	\$2,200.00	\$18.00	\$1,800.00	\$10.70	\$1,070.36	\$0.00	\$0.00
57	Extra Embankment (Compacted) 02316	100	CY	\$3.30	\$330.00	\$5.00	\$500.00	\$12.00	\$1,200.00	\$5.00	\$500.00	\$12.25	\$1,225.00	\$10.00	\$1,000.00	\$10.00	\$1,000.00	\$7.00	\$700.00	\$18.00	\$1,800.00	\$55.00	\$5,500.00	\$18.00	\$1,800.00	\$13.80	\$1,414.09	\$0.00	\$0.00
58	Extra Labor (Skilled)	30	MH	\$27.00	\$810.00	\$12.00	\$360.00	\$27.00	\$810.00	\$15.00	\$450.00	\$24.85	\$739.50	\$37.50	\$1,125.00	\$70.00	\$2,100.00	\$60.00	\$1,800.00	\$30.00	\$900.00	\$32.00	\$960.00	\$24.00	\$720.00	\$35.76	\$979.50	\$0.00	\$0.00
59	Extra Labor (Unskilled)	30	MH	\$22.10	\$663.00	\$10.00	\$300.00	\$18.00	\$540.00	\$10.00	\$300.00	\$19.00	\$570.00	\$25.00	\$750.00	\$45.00	\$1,350.00	\$45.00	\$1,350.00	\$25.00	\$750.00	\$26.00	\$780.00	\$18.00	\$540.00	\$25.68	\$771.55	\$0.00	\$0.00
60	Extra Conc. Pavement 02751	50	SY	\$48.80	\$2,440.00	\$40.00	\$2,000.00	\$55.00	\$2,750.00	\$50.00	\$2,500.00	\$56.00	\$2,800.00	\$68.75	\$3,437.50	\$59.00	\$2,950.00	\$55.00	\$2,750.00	\$50.00	\$2,500.00	\$60.00	\$3,000.00	\$65.00	\$3,250.00	\$55.55	\$2,761.59	\$0.00	\$0.00
61	Extra Asphalt (Type D HMA) 321216	10	TN	\$171.10	\$1,711.00	\$100.00	\$1,000.00	\$140.00	\$1,400.00	\$100.00	\$1,000.00	\$280.00	\$2,800.00	\$125.00	\$1,250.00	\$175.00	\$1,750.00	\$422.00	\$4,220.00	\$275.00	\$2,750.00	\$180.00	\$1,800.00	\$250.00	\$2,500.00	\$199.43	\$2,016.45	\$0.00	\$0.00
62	Extra Conc. Drive 02751	50	SY	\$1.10	\$55.00	\$50.00	\$2,500.00	\$70.00	\$3,500.00	\$60.00	\$3,000.00	\$72.80	\$3,640.00	\$62.50	\$3,125.00	\$100.00	\$5,000.00	\$50.00	\$2,500.00	\$60.00	\$3,000.00	\$120.00	\$6,000.00	\$65.00	\$3,250.00	\$67.62	\$3,233.64	\$0.00	\$0.00
63	Extra Cement Stabilized Sand 02252	50	CY	\$1.90	\$95.00	\$30.00	\$1,500.00	\$58.00	\$2,900.00	\$40.00	\$2,000.00	\$50.40	\$2,520.00	\$25.00	\$1,250.00	\$50.00	\$2,500.00	\$52.00	\$2,600.00	\$40.00	\$2,000.00	\$60.00	\$3,000.00	\$30.00	\$1,500.00	\$40.61	\$1,987.73	\$0.00	\$0.00
TOTAL AMOUNT - ALL SECTIONS					\$1,197,777.50		\$1,216,168.00		\$1,268,263.80		\$1,261,950.00		\$1,274,729.35		\$1,360,615.75		\$1,390,350.00		\$1,397,825.25		\$1,420,578.44		\$1,448,853.80		\$1,732,838.25		\$1,359,996.47		\$1,525,864.48

PROPOSAL

TO: The Honorable Mayor and City Council
The City of Alvin, Texas

FROM: Contractor / Bidder: Mar-Con Services, LLC

Johnson St Paving & Drainage Improvements
Bid Number: B-19-05
Account Number: 312-5501-00-9067

The undersigned, as Bidder, declares that the only person or parties interested in this proposal as principals are those named herein, that this Proposal is made without collusion with any other person, firm or corporation; that he has carefully examined the form of Contract, Notice to Bidders, Specifications and the Plans therein referred to, and has carefully examined the location, conditions and classes or materials of the proposed work, and agrees that he will provide all the necessary labor, material, superintendence, machinery, tools, apparatus, and other items incidental to construction, and will do all the work and furnish all the materials necessary to accomplish the work called for in the Plans and Specifications in the manner prescribed therein and according to the requirements of the Engineer as therein set forth.

In submitting this bid, the undersigned Bidder does hereby certify that the bid is not made in the interest of other firms, corporations or on behalf of any undisclosed person or interest other than sole bidder submitting this bid by signatures. The Bidder also certifies that he is not solicited or being induced by any other firms to submit a false or sham bid for obtaining advantage over any other bidder that is submitting a bid on this project.

The five percent (5%) bid security accompanying this Proposal shall be returned to the Bidder, unless in case of the acceptance of the Proposal the successful Bidder shall fail to execute a Contract and file a Performance Bond and a Payment Bond within fifteen (15) days after its acceptance in which case the bid security will become the property of the Owner, and shall be considered as payment for damages due to delay and other inconveniences suffered by the Owner. The Bidder will also furnish the Owner with a satisfactory Maintenance Bond indemnifying the City against defective workmanship and material for a period of one year.

The undersigned certifies that the bid prices quoted on the Proposal have been carefully checked and are submitted as correct and final.

The undersigned proposal is to complete the work quoted above on or before **150 Calendar days** after the effective date of the work order. The undersigned further agrees that the Owner will suffer damages if the above quoted work is not finished and completed within the time allotted for such work and that these damages will accrue to the Owner as liquidated in the amount of **\$250.00 Per Calendar Day.**

The following unit prices are bid and shall be complete compensation as measured in place for all materials, labor, overhead, profits and any other cost that is necessary to complete the job to the Engineers specifications and satisfaction. It is also understood that the quantities shown are only an estimate of the work to be done.

No renegotiation of bid prices will be made for over runs or under runs of quantities.

PROPOSAL

Johnson St Paving & Drainage Improvements

Contractor Mar-Con Services, LLC

Item	Description	Unit	Quantity	Unit Price	Total	Written Total
1	Mobilization (Max 3% of Total Contract) 01350	LS	1	\$26,286.60	\$26,286.60	Twenty Six Thousand Two Hundred Eighty Six Dollars and Sixty Cents
2	Traffic Control & Regulation 01505	LS	1	\$9,402.70	\$9,402.70	Nine Thousand Four Hundred Two Dollars and Seventy Cents
3	ROW Preparation/ Clearing & Grubbing 311100	AC	5	\$20,121.50	\$100,607.50	Twenty Thousand One Hundred Twenty One Dollars and Fifty Cents
4	Remove Existing Asphalt Pavement w/ Base (Milled asphalt and base material will be hauled off by Brazoria County Conservation & Reclamation District #3, Alvin, Texas with own staff and trucks.) 02220	SY	8,800	\$4.20	\$36,960.00	Four Dollars and twenty cents
5	Remove Existing Conc Pvmnt & Base 02220	SY	300	\$5.20	\$1,560.00	Five dollars and twenty cents
6	Remove Existing Slope Paving (All Sizes) 02220	EA	1	\$689.60	\$689.60	Six hundred eighty nine dollars and sixty cents
7	Remove Existing Headwall 02220	EA	1	\$440.70	\$440.70	Four hundred forty dollars and seventy cents
8	Remove Existing SET 02220	EA	1	\$440.70	\$440.70	Four hundred forty dollars and seventy cents
9	Remove Existing Manhole 02220	EA	3	\$439.50	\$1,318.50	Four hundred thirty nine dollars and fifty cents
10	Remove Existing Pipe (All Sizes) 02220	LF	500	\$11.00	\$5,500.00	Eleven dollars and zero cents
11	Adjust Existing Manhole To Finished Grade 02633	EA	1	\$405.90	\$405.90	Four hundred five dollars and ninety cents
12	Removed & Relocate Mailbox	EA	2	\$311.00	\$622.00	Three hundred eleven dollars and zero cents
13	Remove & Install New Fire Hydrant & Valve Assembly	EA	1	\$4,486.50	\$4,486.50	Four thousand four hundred eighty six dollars and fifty cents
14	Roadway Excavation 02316	CY	7,000	\$10.20	\$71,400.00	Ten dollars and twenty cents
15	Roadway Embankment (Compacted) 02316	CY	300	\$3.30	\$990.00	Three dollars and thirty cents

16	Manipulation of Lime Treated Subgrade (8") 02335	SY	12,500	\$2.50	\$31,250.00	Two dollars and fifty cents
17	Lime Material (8%) 02335	TN	310	\$175.20	\$54,312.00	One hundred seventy five dollars and twenty cents
18	8" Jointed, Reinl. Concrete Pavement 02751	SY	11,200	\$48.80	\$546,560.00	Forty eight dollars and eighty cents
19	6" Conc. Drive 02751	SY	205	\$55.30	\$11,336.50	Fifty five dollars and thirty cents
20	6" Conc. Curb 02770	LF	6,000	\$3.00	\$18,000.00	Three dollars and zero cents
21	Conc. Undercut Header at Tie-Ins 02770	LF	50	\$12.80	\$640.00	Twelve dollars and eighty cents
22	Asphalt Pavement (2") (Type D HMAC) 321216	TN	35	\$171.80	\$6,013.00	One hundred seventy one dollars and eighty cents
23	Asphalt Stabilized Base (6") 321216	TN	105	\$116.50	\$12,232.50	One hundred sixteen dollars and fifty cents
24	5' Concrete Sidewalk (4") 02751	SY	900	\$42.00	\$37,800.00	Forty two dollars and zero cents
25	4' Concrete Sidewalk (4") 02751	SY	35	\$42.70	\$1,494.50	Forty two dollars and seventy cents
26	Sidewalk Ramp & Detectable Warning Pad 02751	EA	3	\$968.70	\$2,906.10	Nine hundred sixty eight dollars and seventy cents
27	Block Sodding 02922	SY	3,300	\$3.40	\$11,220.00	Three dollars and forty cents
28	Remove & Re-install Detector Wire & Reconnect at South St and FM 1462	LS	1	\$5,650.00	\$5,650.00	Five thousand six hundred fifty dollars and zero cents
29	Final Site Restoration (Grading, Clean Up, etc.)	LS	1	\$1,806.90	\$1,806.90	One thousand eight hundred six dollars and ninety cents
30	24" RCP including Bedding & Backfill 02630	LF	332	\$84.60	\$28,087.20	Eighty four dollars and sixty cents
31	30" RCP including Bedding & Backfill 02630	LF	20	\$104.50	\$2,090.00	One hundred four dollars and fifty cents
32	Curb Inlets Type B-B 02632	EA	14	\$2,691.40	\$37,679.60	Two thousand six hundred ninety one dollars and forty cents
33	Remove & Replace Manhole 02542	EA	1	\$3,331.70	\$3,331.70	Three thousand three hundred thirty one dollars and seventy cents
34	Concrete Manhole 02542	EA	1	\$2,405.10	\$2,405.10	Two thousand four hundred five and ten cents

35	Pipe Outfall Conc. Slope Paving Structure 334900	EA	7	\$10,307.80	\$72,154.60	Ten thousand three hundred seven dollars and eighty cents
36	Junction Box (Complete in Place) 334900	EA	1	\$13,819.00	\$13,819.00	Thirteen thousand eight hundred nineteen dollars and zero cents
37	Trench Safety 01570	LF	352	\$0.20	\$ 70.40	Zero dollars and twenty cents
38	Small Roadside Signs with Post	EA	6	\$347.70	\$2,086.20	Three hundred forty seven dollars and seventy cents
39	ReflectORIZED Pavement Marking (8")(SLD)(W) 02760	LF	120	\$2.00	\$240.00	Two dollars and zero cents
40	ReflectORIZED Pavement Marking (24")(SLD)(W) 02760	LF	95	\$5.40	\$513.00	Five dollars and forty cents
41	ReflectORIZED Pavement Marking (4")(SLD)(Y) 02762	LF	6,600	\$0.50	\$3,300.00	Zero dollars and fifty cents
42	ReflectORIZED Pavement Marking (WORD)(W) 02760	EA	1	\$135.60	\$135.60	One hundred thirty five dollars and sixty cents
43	ReflectORIZED Pavement Marking (ARROW)(W) 02760	EA	3	\$130.00	\$390.00	One hundred thirty dollars and zero cents
44	ReflectORIZED Pavement Marking (CROSSWALK)(W) 02760	EA	1	\$630.50	\$630.50	Six hundred thirty dollars and fifty cents
45	Raised Pavement Markers (CL B)(REFL)(TY I-C) 02760	EA	50	\$4.20	\$210.00	Four dollars and twenty cents
46	Raised Pavement Markers (CL B)(REFL)(TY II-A- A) 02760	EA	200	\$4.20	\$840.00	Four dollars and twenty cents
47	Pavement Surface Preparation for Marking (Blast Clean)(4")	LF	6,600	\$0.10	\$660.00	zero dollars and ten cents
48	Pavement Surface Preparation for Marking (Blast Clean)(8")	LF	120	\$0.40	\$48.00	zero dollars and forty cents
49	Pavement Surface Preparation for Marking (Blast Clean)(24")	LF	95	\$1.40	\$133.00	One dollar and forty cents
50	Pavement Surface Preparation for Marking (Blast Clean)(WORD)	EA	1	\$13.60	\$13.60	Thirteen dollars and sixty cents
51	Pavement Surface Preparation for Marking (Blast Clean)(ARROW)	EA	3	\$13.60	\$40.80	Thirteen dollars and sixty cents
52	Construction Entrance/Exit 015723	SY	75	\$21.60	\$1,620.00	Twenty one dollars and sixty cents
53	Biodegradable Erosion Control Logs (12") 015723	LF	130	\$4.20	\$546.00	Four dollars and twenty cents

54	Sediment Control Fence 015723	LF	6,800	\$1.70	\$11,560.00	One dollar and seventy cents
55	Rock Filter Dam Type 3 015723	LF	90	\$63.30	\$5,697.00	Sixty three dollars and thirty cents
56	Extra Excavation 02316	CY	100	\$10.40	\$1,040.00	Ten dollars and forty cents
57	Extra Embankment (Compacted) 02316	CY	100	\$3.30	\$330.00	Three dollars and thirty cents
58	Extra Labor (Skilled)	MH	30	\$27.00	\$810.00	Twenty seven dollars and zero cents
59	Extra Labor (Unskilled)	MH	30	\$22.10	\$663.00	Twenty two dollars and ten cents
60	Extra Conc. Pavement 02751	SY	50	\$48.80	\$2,440.00	Forty eight dollars and eighty cents
61	Extra Asphalt (Type D HMAC) 321216	TN	10	\$171.10	\$1,711.00	One hundred seventy one dollars and ten cents
62	Extra Conc. Drive 02751	SY	50	\$1.10	\$55.00	One dollar and ten cents
63	Extra Cement Stabilized Sand 02252	CY	50	\$1.90	\$95.00	One dollar and ninety cents
TOTAL BID					\$1,197,777.50	One million One hundred Ninety Seven Thousand Seven Hundred Seventy Seven Dollars and Fifty Cents

Receipt is hereby acknowledged of the following addendum to the Contract Documents:

Addendum No. 1 Dated _____ Received _____

Addendum No. 2 Dated _____ Received _____

Addendum No. 3 Dated _____ Received _____

Accompanying this proposal is a Certified Check, Cashier's Check, or Bid Bond in the amount of five (5%) of the greatest amount bid and payable to the Owner.

Bidder: Mar-Con Services, LLC

Address: 1410 Preston Avenue, Bldg. H

Pasadena, Texas 77503

Telephone: 713-473-1800

Date: 12/4/2018

ATTEST: _____

Secretary of Corporation _____

(Seal of Bidder Corporation)

STATEMENT OF MATERIALS AND OTHER CHARGES

MATERIALS INCORPORATED INTO THE PROJECT: \$ 475,310.90

ALL OTHER CHARGES: \$ 722,466.61

*TOTAL: \$ 1,197,777.50

*This total must agree with the total figure shown in the Item and Quantity Sheets in the bound contract.

For purposes of complying with the Texas Tax Code, the contractor agrees that the charges for any materials incorporated into the project in excess of the estimated quantity provided for herein will be no less than the invoice price for such materials to the contractor.

NOTE: ONLY THE COPY OF THIS FORM IN THE EXECUTED CONTRACTS IS TO BE FILLED OUT.

STATEMENT OF BIDDER'S QUALIFICATIONS

All questions must be answered and the data given must be clear and comprehensive. This Statement must be notarized. If necessary, questions may be answered on separate attached Sheets. The bidder may submit any additional information he desires.

Name of Bidder: Mar-Con Services, LLC Date Organized: 8 / 01 / 2006

Address: 1410 Preston Ave., Bldg., H Pasadena, Date Incorporated: _____
Texas 77503

Number of Years in Contracting Business under Present Name: 12

Contracts on Hand:

<u>Contract</u>	<u>Amount</u>	<u>Anticipated Completion Date</u>
Roadway Improvements at Timber Forest	\$2,977,779.00	2/20/2019
Pansy Road Improvements	\$2,167,777.00	7/2/2019
St. Christopher Avenue Reconstruction	\$2,117,098.00	4 /26 /2019
Widening at Telge Road	\$5,847,015.00	12/18/2018

Type of work performed by your company: Heavy Civil Construction

Have you ever failed to complete any work awarded to you? No

Have you ever defaulted on a contract? No

List the more important projects recently completed by your firm (be sure to include projects of similar importance):

<u>Project</u>	<u>Amount</u>	<u>Month/Year</u>	<u>Completed</u>
Avenue I Reconstruction	\$559,923.00	April, 2018	June, 2018
Thornwood Drainage Improvements	\$1,257,895.00	May, 2017	December, 2017
Vista Road Reconstruction	\$1,777,884.00	November, 2015	September, 2018
Ivy Avenue	\$1,298,728.00	July 2018	January, 2018

Major Equipment Available for this Contract:

<u>CAT 315 EXCAVATOR</u>	<u>CAT 420 BACKHOE</u>
<u>CAT D3 BULLDOZER</u>	
<u>SD 70 VOLVO COMPACTOR</u>	
<u>CAT RM 300 SOIL STABILIZER</u>	

Attach resumes for the principal members of your organization, including the officers as well as the proposed superintendent for the project.

Credit Available: \$ 750,000.00

Bank Reference: Comerica Bank / Karen L. Higginbotham

The undersigned hereby authorizes and requests any person, firm, or corporation to furnish any information requested by the City of Alvin in verification of the recitals comprising this Statement of Bidder's Qualifications.

Executed this 4 day of December, 2018.

By: 

Title: Owner

REFERENCES

The following are the names, address, and phone numbers for three public agencies for which the Bidder has performed similar work within the past two years:

Julia D. Bond, P.E. / Harris County

Name

1001 Preston, Suite 670

Address

Houston, Texas 77002

City, State, Zip

713-274-1564

(Area) Phone

Mark Gardemal, P.E. /City of Pasadena

Name

1149 Ellsworth Drive 5th Floor

Address

Pasadena, Texas 77503

City, State, Zip

713-475-7833

(Area) Phone

Madhu Kilambi, P.E.

Name

7322 Southwest Fwy, Ste. 1040

Address

Houston, Texas 77074

City, State, Zip

713-400-2275

(Area) Phone

LIST OF SUBCONTRACTORS

BIDDER proposes to subcontract certain portions of the work, and to procure materials and equipment from suppliers and vendors as follows:

Name Under Which Subcontractor is Doing Business	Address of Office, Mill or Shop	Percent of Total Contract	Specific Description of Subcontract
D. Solis	1853 Garden Road Pearland, Texas 77581	.01	Trucking
Traffic Signs and Lines	4253 Bandera Run Ct. Pasadena, Texas 77505	.01	Traffic Control
Cemex	10100 Katy Fwy # 300 Houston, Texas 77043		Concrete
U.S. Lime	5428 Allison Road Houston, Texas 77048		Lime
Katy Steel	28011 Highway Blvd. Katy, Texas 77494		Reinforcing Steel
Rock Solid Precast	11393 Sleepy Hollow Rd Conroe, Texas 77385		Structures

Mario Ramos

Owner / Project Manager / Estimator

Experience:

Ramex Construction	1987 – 2001	Project Manager
Ramos Industries	2001 –2006	Estimator
Mar-con Services, LLC	2006 – Present	Owner / Project Manager / Estimator

Mr. Ramos has worked in the construction industry for over twenty seven years. He started his own business, MAR-CON SERVICES, LLC, in 2006 with his brother Robert Ramos Jr. and sister Ada Villarreal. Together with their father, Roberto Ramos Sr., serving as a mentor, they have built a strong and well respected heavy civil construction company. Working primarily in Houston and surrounding areas they provide installations that include, concrete slope paving, bridges, structural retaining walls, large and small diameter water / sewer lines, concrete roadway paving and lift stations. MAR-CON SERVICES, LLC, currently employs a work force of 80 – 85 honest, hard working individuals that are ready, willing and able to perform.

Mario Villarreal
General Superintendent

Experience:

Ramex Construction	1985 – 1997	Project Superintendent
Ramos Industries	1997 –2006	Project Superintendent
SER Construction	2006 – 2010	Project Superintendent
Mar-con Services, LLC	2010 – Present	General Superintendent

Mr. Villarreal has worked in the construction industry as a Project Superintendent for over thirty years. He has supervised jobs in excess of twelve million dollars. His experience includes roadway paving, slope paving, water plants, lift stations, structural concrete walls and he specializes in large diameter waterline installations and building bridges. Mr. Villarreal is our General Superintendent and is responsible to oversee all of the field work and report directly to the Owner.

1318 Seminole, Deer Phone 281-478-40951 Park,
Tx. 77536

Employment

2006 – Present MAR-CON SERVICES, LLC
Owner / Office Manager

1999-2005 Ramos Industries, Inc. 3636 Pasadena Blvd Pasadena. TX. 77503
Office Manager

- Manager over accounts payable, payroll, and insurance department. I have extensive knowledge in the insurance field and working with all aspects of worker's compensation claims and the employees. I also handle all General Liability claims such as: damaged lines and cables, all job related liability claims, and all reported claims for the Houston area, Laredo area, Corpus Christi and Mission Texas. I am responsible for all company loan payments and maturity dates. I handle all large equipment rentals and contracts. Working with the equipment has made me very experienced with the equipment types, sizes, uses, prices, rental rates, and sales prices. Reconcile all cash receipts, and handle all bank sweeps and transfers. I have extensive experience with depreciation schedules and allocations of all company owned assets. I am responsible for all medical and all other employee insurance quotes and policies for Ramos Industries, Inc. and am responsible for all OSHA reporting and reporting requirements .

1982-1999

Ramex Construction started doing business in February of 1982. I was hired to fulfill all office duties. I trained in payroll, accounts payable, accounts receivables and all bank requirements. I was the only office employee; therefore this gave me the opportunity to fully learn how to run an office from setup to all bookkeeping needs. Ramex Construction grew rapidly and soon hired more office personnel. I was promoted to office manager and given the responsibility of all office personnel hiring. I learned to work with the company attorney on all legal and insurance matters. I learned all office responsibilities and became responsible for producing all monthly financial statements and reports.

Education 1982 Graduate of Deer Park High School

San Jacinto College 1 year computer courses

Languages Speak, read, and write Spanish fluently.

I have worked in the construction field for over 33 years. I have extensive knowledge in all aspects of construction and office management.



AGENDA COMMENTARY

Meeting Date: 1/3/2019

Department: Engineering

Contact: Michelle Segovia, City Engineer

Agenda Item: Consider an award of bid to T & C Construction, Ltd., for the Water Plant No. 6 Ground Storage Tank Replacement Project in an amount not to exceed \$2,446,526.20; and authorize the City Manager to sign the contract upon legal review.

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

Summary: On December 4, 2018, bids were opened for the Water Plant No. 6 Ground Storage Tank Replacement Project, and T & C Construction, Ltd. was the qualified low bidder. LJA Engineering, the City's consultant that designed the project, reviewed all bids that were received and has recommended T & C Construction, Ltd. for this project.

Original Project Estimate: \$2,828,620

Contract Amount: \$2,330,025 (Base Bid, Supplementary, Allowance, Alternate A and Alternate B.)
5% Contingency: \$ 116,501.25
Total Amount: \$2,446,526.20

This project consists of the removal of three existing 0.5-million-gallon bolted steel ground water storage tanks at water plant number 6 (Heights Road near Brazos Street) and the construction of a new 1.5-million-gallon concrete ground water storage tank. These improvements were based on recommendations in the 2015 Utility Master Plan by Freese and Nichols, Inc. that was approved by City Council on March 3, 2016. This project will be paid from the 2018 Revenue Bond proceeds that were approved by Council on August 21, 2018.

The project is scheduled to start in February 2019 and has a construction time of 300 calendar days.

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

Funding Account: 236-6001-00-9079 **Amount:** \$2,446,526.20 **1295 Form Required?** Yes No

Legal Review Required: N/A Required **Date Completed:** 12/202018 SLH

Supporting documents attached:

- LJA Engineering Recommendation Letter
- Bid Tabulation
- Proposal

Recommendation: Move to award a bid to T & C Construction, Ltd., for the Water Plant No. 6 Ground Storage Tank Replacement Project in an amount not to exceed \$2,446,526.20; and authorize the City Manager to sign the contract upon legal review.

Reviewed by Department Head, if applicable

Reviewed by City Attorney, if applicable

Reviewed by Chief Financial Officer, if applicable

Reviewed by City Manager



December 10, 2018

Ms. Michelle H. Segovia, PE, CFM
City of Alvin Engineering
City Engineer
1100 W. Highway 6
Alvin, Texas 77511

RE: Bid Tabulation and Recommendation of Award for Construction of
Water Plant No. 6 Ground Storage Tank Replacement to Serve the City of Alvin
LJA Project No. E231-0020

Ms. Segovia:

Bids for construction of the reference project were received on Tuesday, December 4, 2018, at 2:00 P.M. at City Hall located at 216 W. Sealy Street, Alvin, Texas 77511 and subsequently read in public at 2:15 P.M. Five (5) contracting firms submitted bids for the project. Mathematical errors were found but did not change the final results.

The bidders from low to high and the correct total amounts bid for the combination of Base, Supplementary, Allowance, Alternate "A", and Alternate "B" Bid Items are as follows:

<u>Contractor</u>	<u>Location</u>	<u>Contract Amount</u>
1. T&C Construction, Ltd.	Houston, TX	\$2,330,025.00 ⁽¹⁾
2. Long & Son, Inc.	Houston, TX	\$2,389,449.74 ⁽¹⁾⁽²⁾
3. W. W. Payton Corporation	Katy, TX	\$2,406,000.00
4. Principal Plant Services	Cleveland, TX	\$2,784,365.25 ⁽²⁾
5. JTR Constructors, Inc. (Bid Disqualified)	Houston, TX	\$2,332,250.00 ⁽³⁾

⁽¹⁾ Discrepancy between written total amount and unit price – Written total amount governs.

⁽²⁾ Mathematical error found – adjusted for rounding error.

⁽³⁾ Bid Disqualified – All blank spaces were not filled in – no written amount, only figures.

A copy of the Bid Tabulation is attached.

The bidding documents of the bidders were examined and found to be in order.

Ms. Michelle H. Segovia, PE, CFM
City Engineer
City of Alvin Engineering
December 10, 2018
Page 2

Our investigation of T&C Construction, Ltd. included a review of their surety, references of previous projects and past work experience. Based on our investigation, we recommend awarding a contract to the low bidder, T&C Construction, Ltd. The total amount bid by the low bidder was \$2,330,025.00 and is within available funds.

If you have any questions or need additional information, please contact me at 281-627-2633.

Sincerely,

Les Dodson
Construction Manager



Attachment

Copy: Jimmy C. Flowers, PE, LJA Engineering, Inc.
Construction File 16.6

Bid Tabulation For:

**Construction of Water Plant No. 6 Ground Storage Tank Replacement
To Serve The City of Alvin**

Bid Opening Date: Tuesday, December 4, 2018 @ 2:15 PM

Bid Opening Location: City of Alvin
216 W. Sealy Street
Alvin, TX 77511

Tabulation By: Sira Garcia
Tabulation Date: 12/5/2018
LJA Project No. E231-0020

Bidder's Name: Total Bid Amount for Total Base, Supplementary, Allowance,
Alternate "A", and Alternate "B" Items:

- | | |
|----------------------------|-------------------|
| 1) T&C Construction, Ltd | * \$2,330,025.00 |
| 2) Long & Son, Inc. | * \$2,389,449.74 |
| 3) W.W. Payton Corporation | \$2,406,000.00 |
| 4) Pincipal Plant Services | * \$2,784,365.25 |
| 5) JTR Constructors, Inc. | ** \$2,332,250.00 |

Calendar Days - 300



I, Jimmy C. Flowers, P.E., hereby certify these bid tabulations to be true and correct.

*Mathematical Error - Discrepancies - Written Totals Govern

**Bid Disqualified - Bid Proposal not filled out in its entirety

Bid Tabulation - Bid Opening, Tuesday, December 4, 2018 @ 2:15 PM				T&C Construction, Ltd 5411 Killough Houston, TX 77086 281-445-1828	Long & Son, Inc. 13014 Queensbury Houston, TX 77079 713-461-7032	W.W. Payton Corporation P.O. Box 1056 Katy, TX 77492 Wesley W. Payton 281-371-7068	Pincipal Plant Services 27080 Mandell Rd Cleveland, TX 77328 Marty Wells 832-480-5447	JTR Constructors, Inc. 18484 Clay Rd. Houston, TX 77084 281-550-7107
CLIENT: City of Alvin								
Water Plant NO. 6 Ground Storage Tank Replacement								
LJA Project No.: E231-0020								
FRN F-1386								

ITEM NO.	DESCRIPTION	EST. QTY.	UNITS	UNIT PRICE	TOTAL PRICE PER ITEM								
BASE BID ITEMS													
1	Mobilization (Not More than 5% of Overall Bid Amount), Including Obtaining Permits, Installation, Maintenance, and Removal of Project Sign, Complete in Place	1	LS	\$20,000.00	\$20,000.00	\$33,400.00	\$33,400.00	\$75,000.00	\$75,000.00	\$96,600.00	\$96,600.00	\$110,000.00	\$110,000.00
2	Site Demolition, Including the Removal of 3 Existing 0.5MG Bolted Steel Ground Storage Tanks, Existing Generator and Foundation, Existing Electrical Components, Existing Chemical Feed Facility, Existing Yard Piping, Existing Asphalt and Gravel Pavement, Existing Fence as Necessary, Phased in Such a Way as to Allow the Owner Continued Use of the Water Plant Throughout Construction, Complete in Place	1	LS	\$50,000.00	\$50,000.00	\$41,100.00	\$41,100.00	\$30,000.00	\$30,000.00	\$169,050.00	\$169,050.00	\$40,000.00	\$40,000.00
3	Furnish and Install New 1,500,000 Gallon Wire-Wound, Prestressed Concrete Ground Storage Tank, Including Foundation, Tank, Coating, Splash Pad and all Accessories Shown on Plans and Outlined in Specifications, Installation, Maintenance, and Removal of all Temporary Construction Items Required to Complete the Work, and all Appurtenances, Complete in Place	1	LS	\$1,420,000.00	\$1,420,000.00	\$1,335,500.00	\$1,335,500.00	\$1,479,000.00	\$1,479,000.00	\$1,570,000.00	\$1,570,000.00	\$1,285,650.00	\$1,285,650.00
4	Furnish and Install New 300kW Emergency Stand By Diesel Generator with Automatic Transfer Switch and Double Wall Sub-Base Fuel Tank with Capacity of 72 Hours Run Time at Full Load, Including Fuel Transfer System, Foundation, Access Platforms, Coordination with Electric Company for Approval of Automatic Transfer Switch if Required, all Accessories Shown on Plans and Outlined in Specifications, and all Appurtenances, Complete in Place	1	LS	\$100,000.00	\$100,000.00	\$105,000.00	\$105,000.00	\$100,000.00	\$100,000.00	\$139,725.00	\$139,725.00	\$102,000.00	\$102,000.00
5	Furnish and Install New Chemical Feed Facility, Including Foundation, Fiberglass Building, Polyphosphate Tanks and Feed Equipment, Chlorine Cylinders, Scales, and Feed Equipment, Water Supply Line (Field Routed to Discharge Line), Chemical Feed Lines (Field Routed to Existing Injection Points), all Accessories Shown on Plans and Outlined in Specifications, and all Appurtenances, Complete in Place	1	LS	\$50,000.00	\$50,000.00	\$113,000.00	\$113,000.00	\$120,000.00	\$120,000.00	\$166,175.00	\$166,175.00	\$64,000.00	\$64,000.00

Bid Tabulation - Bid Opening, Tuesday, December 4, 2018 @ 2:15 PM				T&C Construction, Ltd 5411 Killough Houston, TX 77086 281-445-1828		Long & Son, Inc. 13014 Queensbury Houston, TX 77079 713-461-7032		W.W. Payton Corporation P.O. Box 1056 Katy, TX 77492 Wesley W. Payton 281-371-7068		Pincipal Plant Services 27080 Mandell Rd Cleveland, TX 77328 Marty Wells 832-480-5447		JTR Constructors, Inc. 18484 Clay Rd. Houston, TX 77084 281-550-7107	
CLIENT: City of Alvin													
Water Plant NO. 6 Ground Storage Tank Replacement													
LJA Project No.: E231-0020													
FRN F-1386													

ITEM NO.	DESCRIPTION	EST. QTY.	UNITS	UNIT PRICE	TOTAL PRICE PER ITEM								
6	Modify Yard Piping, Including the Cut and Plug of Existing Lines, Installation of New 12-Inch Yard Piping, Gate Valves and Boxes, Coatings, Connections to Existing Piping, Tapping Sleeve and Valves and Boxes, all Accessories Shown on Plans and Outlined in Specifications, Bedding and Backfill, and all Appurtenances, Complete in Place	1	LS	\$60,000.00	\$60,000.00	\$64,500.00	\$64,500.00	\$60,000.00	\$60,000.00	\$72,565.00	\$72,565.00	\$175,000.00	\$175,000.00
7	Electrical System Installation, Provide and Install All Work Shown on Plans and Described in the Specifications, Including, But Not Limited to, As Follows: Underground Duct Bank to Transformer Pole, New Motor Control Center with Foundation, New Duct Banks to Generator, Chemical Feed Facility, Ground Storage Tank, Lighting and Receptacles, Electrical Service Equipment, Integration with Existing SCADA Equipment, Coordination with the Electric Company for New Service and Demolition of Old Service, and All Appurtenances, in Accordance with Details on Plans and Specifications, Complete in Place	1	LS	\$326,000.00	\$326,000.00	\$335,300.00	\$335,300.00	\$300,000.00	\$300,000.00	\$278,300.00	\$278,300.00	\$279,000.00	\$279,000.00
8	Coating of Existing Above Ground Yard Piping, Valves, and All Appurtenances, Including Removal of Existing Coatings, In Accordance with Specifications, Complete in Place	1	LS	\$20,000.00	\$20,000.00	\$15,400.00	\$15,400.00	\$15,000.00	\$15,000.00	\$16,100.00	\$16,100.00	\$20,000.00	\$20,000.00
9	Site Work, Including But Not Limited to Site Grading to Establish Positive Site Drainage Away from Structures and To Roadside Ditches, Concrete Rip-Rap at Splash Box, Regrading of Swale Along North Property Line, Turf Establishment by Hydromulch Seeding, Complete	1	LS	\$15,000.00	\$15,000.00	\$14,500.00	\$14,500.00	\$8,850.00	\$8,850.00	\$17,250.00	\$17,250.00	\$15,000.00	\$15,000.00
10	Concrete Access Pavement, 6-Inches Thick, Including Paving Header at Tie-In to Existing Pavement, Subgrade Material, Installation, and Manipulation, in Accordance with Details on Plans and Specifications, Complete in Place	330	SY	\$80.00	\$26,400.00	\$125.00	\$41,250.00	\$100.00	\$33,000.00	\$100.00	\$33,000.00	\$75.00	\$24,750.00
11	Crushed Concrete Access Pavement, 4-Inches Thick, Including Subgrade Material, Installation, and Manipulation, in Accordance with Details on Plans and Specifications, Complete in Place	165	SY	\$50.00	\$8,250.00	\$40.15	\$6,624.75	\$50.00	\$8,250.00	\$40.00	\$6,600.00	\$40.00	\$6,600.00

Bid Tabulation - Bid Opening, Tuesday, December 4, 2018 @ 2:15 PM				T&C Construction, Ltd 5411 Killough Houston, TX 77086 281-445-1828		Long & Son, Inc. 13014 Queensbury Houston, TX 77079 713-461-7032		W.W. Payton Corporation P.O. Box 1056 Katy, TX 77492 Wesley W. Payton 281-371-7068		Pincipal Plant Services 27080 Mandell Rd Cleveland, TX 77328 Marty Wells 832-480-5447		JTR Constructors, Inc. 18484 Clay Rd. Houston, TX 77084 281-550-7107	
CLIENT: City of Alvin													
Water Plant NO. 6 Ground Storage Tank Replacement													
LJA Project No.: E231-0020													
FRN F-1386													

ITEM NO.	DESCRIPTION	EST. QTY.	UNITS	UNIT PRICE	TOTAL PRICE PER ITEM								
12	Concrete Pedestrian Sidewalk Ramps, Single, In Accordance with Details on Plans and Specifications, Complete in Place	3	EA	\$1,000.00	\$3,000.00	\$1,333.33	\$3,999.99	\$500.00	\$1,500.00	\$1,500.00	\$4,500.00	\$500.00	\$1,500.00
13	Concrete Sidewalk, 4-Inches Thick, In Accordance with Details on Plans and Specifications, Complete in Place	20	SY	\$1,000.00	\$20,000.00	\$70.00	\$1,400.00	\$75.00	\$1,500.00	\$50.00	\$1,000.00	\$75.00	\$1,500.00
14	Chain-Link Fence, 6-Foot Tall, with 3-Strand Barbed Wire, Including Roller Gates (Cantilever) and All Appurtenances, in Accordance with Details on Plans and Specifications, Complete in Place	225	LF	\$50.00	\$11,250.00	\$50.00	\$11,250.00	\$75.00	\$16,875.00	\$48.89	\$11,000.25	\$53.00	\$11,925.00
15	Wood Fence, 8-Foot Tall, with Galvanized Steel Posts, Cedar Pickets, Cedar Rot Board, and Cedar Top Board, Including All Appurtenances, in Accordance with Details on Plans and Specifications, Complete in Place	250	LF	\$80.00	\$20,000.00	\$40.00	\$10,000.00	\$55.00	\$13,750.00	\$36.00	\$9,000.00	\$37.00	\$9,250.00
16	Trench Safety System, Complete in Place	225	LF	\$1.00	\$225.00	\$3.00	\$675.00	\$1.00	\$225.00	\$1.00	\$225.00	\$5.00	\$1,125.00
17	Traffic Control, as Necessary, Includes Acquiring Permits, Flaggers as Necessary, Installation, Maintenance, and Removal of All Traffic Control Devices Required by Permit, Complete in Place	1	LS	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$500.00	\$500.00	\$500.00	\$500.00	\$1,000.00	\$1,000.00
18	SWPPP System, Including Reinforced Filter Fabric Fence, Stabilized Construction Exit, Rock Filter Dams, Concrete Truck Washout Area, and All Appurtenances, Complete in Place	1	LS	\$6,000.00	\$6,000.00	\$4,500.00	\$4,500.00	\$500.00	\$500.00	\$2,500.00	\$2,500.00	\$1,000.00	\$1,000.00
SUB-TOTAL BASE BID ITEMS - ITEMS 1 - 18				\$2,158,125.00		\$2,139,399.74		\$2,263,950.00		\$2,594,090.25		\$2,149,300.00	

Bid Tabulation - Bid Opening, Tuesday, December 4, 2018 @ 2:15 PM CLIENT: City of Alvin Water Plant NO. 6 Ground Storage Tank Replacement LJA Project No.: E231-0020 FRN F-1386				T&C Construction, Ltd 5411 Killough Houston, TX 77086 281-445-1828		Long & Son, Inc. 13014 Queensbury Houston, TX 77079 713-461-7032		W.W. Payton Corporation P.O. Box 1056 Katy, TX 77492 Wesley W. Payton 281-371-7068		Pincipal Plant Services 27080 Mandell Rd Cleveland, TX 77328 Marty Wells 832-480-5447		JTR Constructors, Inc. 18484 Clay Rd. Houston, TX 77084 281-550-7107	
ITEM NO.	DESCRIPTION	EST. QTY.	UNITS	UNIT PRICE	TOTAL PRICE PER ITEM	UNIT PRICE	TOTAL PRICE PER ITEM	UNIT PRICE	TOTAL PRICE PER ITEM	UNIT PRICE	TOTAL PRICE PER ITEM	UNIT PRICE	TOTAL PRICE PER ITEM
SUPPLEMENTARY ITEMS													
19	Asphalt Surface Restoration, Including 8-Inch Thick Asphalt Base, Gr. 2, PG-64, Per TXDOT Item 292, and 2-1/2-Inch Thick HMHL Surface Coarse, Type "D" Per TXDOT Item 340, Includes Saw-Cut and Removal of Existing Pavement, As Directed by Owner's Representative, Complete in	100	SY	\$80.00	\$8,000.00	\$55.00	\$5,500.00	\$55.00	\$5,500.00	\$100.00	\$10,000.00	\$55.00	\$5,500.00
20	"Extra" Turf Establishment, Full Sodding, As Directed by the Owner's Representative, Complete in Place	2,000	SY	\$3.00	\$6,000.00	\$3.00	\$6,000.00	\$3.00	\$6,000.00	\$3.00	\$6,000.00	\$3.00	\$6,000.00
21	"Extra" 4,000 PSI Structural Concrete, As Directed by the Owner's Representative, Complete in Place	60	CY	\$150.00	\$9,000.00	\$120.00	\$7,200.00	\$120.00	\$7,200.00	\$120.00	\$7,200.00	\$350.00	\$21,000.00
22	"Extra" Cement Stabilized Sand, 2.0 Sacks per Ton, As Directed by the Owner's Representative, Complete in Place	10	TON	\$30.00	\$300.00	\$30.00	\$300.00	\$30.00	\$300.00	\$30.00	\$300.00	\$40.00	\$400.00
23	"Extra" Crushed Limestone Bedding, As Directed by the Owner's Representative, Complete in Place	50	CY	\$40.00	\$2,000.00	\$25.00	\$1,250.00	\$25.00	\$1,250.00	\$25.00	\$1,250.00	\$45.00	\$2,250.00
24	"Extra" Reinforcing Steel, As Directed by the Owner's Representative, Complete in Place	800	LB	\$2.00	\$1,600.00	\$1.00	\$800.00	\$1.00	\$800.00	\$1.00	\$800.00	\$1.00	\$800.00
25	"Extra" Embankment for Fill Purposes if Required, Placement and Compaction to 95% Standard Proctor Density, As Directed by the Owner's Representative, Complete in Place	500	CY	\$10.00	\$5,000.00	\$10.00	\$5,000.00	\$10.00	\$5,000.00	\$10.00	\$5,000.00	\$20.00	\$10,000.00
SUB-TOTAL SUPPLEMENTARY ITEMS - ITEMS 19 - 25						\$31,900.00		\$26,050.00		\$26,050.00		\$30,550.00	\$45,950.00

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CLIENT: City of Alvin								
Water Plant NO. 6 Ground Storage Tank Replacement								
LJA Project No.: E231-0020								
FRN F-1386								

ITEM NO.	DESCRIPTION	EST. QTY.	UNITS	UNIT PRICE	TOTAL PRICE PER ITEM	UNIT PRICE	TOTAL PRICE PER ITEM	UNIT PRICE	TOTAL PRICE PER ITEM	UNIT PRICE	TOTAL PRICE PER ITEM	UNIT PRICE	TOTAL PRICE PER ITEM
ALLOWANCE ITEMS													
26	Costs Incurred (Direct from Electric Provider) Due to New Electrical Service, As Directed by Owner's Representative, Complete in Place	1	LS	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
27	Costs Incurred (Direct from Gas Provider) Due to New Gas Service, As Directed by Owner's Representative, Complete in Place	1	LS	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
SUB-TOTAL ALLOWANCE ITEMS - ITEMS 26 AND 27							\$20,000.00		\$20,000.00		\$20,000.00		\$20,000.00
ALTERNATE "A"													
28	Increase/Deduct in Bid Item No.4 to Furnish and Install New Emergency Stand By Natural Gas Generator with Automatic Transfer Switch in Lieu of Diesel Generator and Fuel Tank, Including Foundation, Gas Line, Coordination with Electric Company for Approval of Automatic Transfer Switch if Required, Coordination with the Gas Company for Installation of Gas Service and Meter, Complete in Place	1	LS	\$50,000.00	\$50,000.00	\$152,500.00	\$152,500.00	\$36,000.00	\$36,000.00	\$75,325.00	\$75,325.00	\$49,000.00	\$49,000.00
SUB-TOTAL ALTERNATE ITEM "A" - ITEM 28							\$50,000.00		\$152,500.00		\$36,000.00		\$75,325.00
ALTERNATE "B"													
29	Remove and Replace Existing Booster Pumps in Place in Kind, Salvage Existing Booster Pumps and Motors and Deliver to the Owner, Replace with Horizontal, Single Stage, Split Case Pumps with 50 HP Motors and Steel Base Skid, Including Coating and All Appurtenances, Pumps and Motors to be Installed Utilizing the Existing Piping and Electrical Components, in Accordance with Specifications, Complete in Place	4	EA	\$17,500.00	\$70,000.00	\$12,875.00	\$51,500.00	\$15,000.00	\$60,000.00	\$16,100.00	\$64,400.00	\$17,000.00	\$68,000.00
SUB-TOTAL ALTERNATE ITEM "B" - ITEM 29							\$70,000.00		\$51,500.00		\$60,000.00		\$64,400.00

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CLIENT: City of Alvin													
Water Plant NO. 6 Ground Storage Tank Replacement													
LJA Project No.: E231-0020													
FRN F-1386													
ITEM NO.	DESCRIPTION	EST. QTY.	UNITS	UNIT PRICE	TOTAL PRICE PER ITEM	UNIT PRICE	TOTAL PRICE PER ITEM	UNIT PRICE	TOTAL PRICE PER ITEM	UNIT PRICE	TOTAL PRICE PER ITEM	UNIT PRICE	TOTAL PRICE PER ITEM

SUMMARY OF BID

BASE BID ITEMS	ITEMS 1 - 18			\$2,158,125.00			\$2,139,399.74		\$2,263,950.00		\$2,594,090.25		\$2,149,300.00
SUPPLEMENTARY BID ITEMS	ITEMS 19 - 25			\$31,900.00			\$26,050.00		\$26,050.00		\$30,550.00		\$45,950.00
ALLOWANCE ITEMS	ITEMS 26 - 27			\$20,000.00			\$20,000.00		\$20,000.00		\$20,000.00		\$20,000.00
ALTERNATE "A"	ITEM 28			\$50,000.00			\$152,500.00		\$36,000.00		\$75,325.00		\$49,000.00
ALTERNATE "B"	ITEM 29			\$70,000.00			\$51,500.00		\$60,000.00		\$64,400.00		\$68,000.00
TOTAL BASE BID AND SUPPLEMENTARY BID ITEMS	ITEMS 1 - 25			\$2,190,025.00			\$2,165,449.74		\$2,290,000.00		\$2,624,640.25		\$2,195,250.00
TOTAL BASE BID, SUPPLEMENTARY BID, AND ALLOWANCE ITEMS	ITEMS 1 - 27			\$2,210,025.00			\$2,185,449.74		\$2,310,000.00		\$2,644,640.25		\$2,215,250.00
TOTAL BASE BID, SUPPLEMENTARY BID, ALLOWANCE, AND ALTERNATE "A" ITEMS	ITEMS 1 - 28			\$2,260,025.00			\$2,337,949.74		\$2,346,000.00		\$2,719,965.25		\$2,264,250.00
TOTAL BASE BID, SUPPLEMENTARY BID, ALLOWANCE, AND ALTERNATE "B" ITEMS	ITEMS 1 - 27, AND 29			\$2,280,025.00			\$2,236,949.74		\$2,370,000.00		\$2,709,040.25		\$2,283,250.00
TOTAL BASE BID, SUPPLEMENTARY BID, ALLOWANCE, ALTERNATE "A", AND ALTERNATE "B" ITEMS	ITEMS 1 - 29			\$2,330,025.00			\$2,389,449.74		\$2,406,000.00		\$2,784,365.25		\$2,332,250.00

PROPOSAL

TO: The Honorable Mayor and City Council
The City of Alvin, Texas

FROM: **Contractor / Bidder:** T & C Construction, Ltd

Water Plant No. 6 Ground Storage Tank Replacement
Bid Number: B-19-01
Account Number: 236-6001-00-9079

The undersigned, as Bidder, declares that the only person or parties interested in this proposal as principals are those named herein, that this Proposal is made without collusion with any other person, firm or corporation; that he has carefully examined the form of Contract, Notice to Bidders, Specifications and the Plans therein referred to, and has carefully examined the location, conditions and classes or materials of the proposed work, and agrees that he will provide all the necessary labor, material, superintendence, machinery, tools, apparatus, and other items incidental to construction, and will do all the work and furnish all the materials necessary to accomplish the work called for in the Plans and Specifications in the manner prescribed therein and according to the requirements of the Engineer as therein set forth.

In submitting this bid, the undersigned Bidder does hereby certify that the bid is not made in the interest of other firms, corporations or on behalf of any undisclosed person or interest other than sole bidder submitting this bid by signatures. The Bidder also certifies that he is not solicited or being induced by any other firms to submit a false or sham bid for obtaining advantage over any other bidder that is submitting a bid on this project.

The five percent (5%) bid security accompanying this Proposal shall be returned to the Bidder, unless in case of the acceptance of the Proposal the successful Bidder shall fail to execute a Contract and file a Performance Bond and a Payment Bond within fifteen (15) days after its acceptance in which case the bid security will become the property of the Owner, and shall be considered as payment for damages due to delay and other inconveniences suffered by the Owner. The Bidder will also furnish the Owner with a satisfactory Maintenance Bond indemnifying the City against defective workmanship and material for a period of one year.

The undersigned certifies that the bid prices quoted on the Proposal have been carefully checked and are submitted as correct and final.

The undersigned proposal is to complete the work quoted above on or before **300 Calendar days** after the effective date of the work order. The undersigned further agrees that the Owner will suffer damages if the above quoted work is not finished and completed within the time allotted for such work and that these damages will accrue to the Owner as liquidated in the amount of **\$500.00 Per Calendar Day**.

The following unit prices are bid and shall be complete compensation as measured in place for all materials, labor, overhead, profits and any other cost that is necessary to complete the job to the Engineers specifications and satisfaction. It is also understood that the quantities shown are only an estimate of the work to be done.

No renegotiation of bid prices will be made for over runs or under runs of quantities.

PROPOSAL

Water Plant No. 6 Ground Storage Tank Replacement

Contractor T & C Construction, Ltd

Base Bid Items

1	Mobilization (Not More than 5% of Overall Bid Amount), Including Obtaining Permits, Installation, Maintenance, and Removal of Project Sign, Complete in Place	LS	1	\$20,000.00	\$20,000.00	Twenty Thousand Dollars and Zero Cents
2	Site Demolition, Including the Removal of 3 Existing 0.5MG Bolted Steel Ground Storage Tanks, Existing Generator and Foundation, Existing Electrical Components, Existing Chemical Feed Facility, Existing Yard Piping, Existing Asphalt and Gravel Pavement, Existing Fence as Necessary, Phased in Such a Way as to Allow the Owner Continued Use of the Water Plant Throughout Construction, Complete in Place	LS	1	\$50,000.00	\$50,000.00	Fifty Thousand Dollars and Zero Cents
3	Furnish and Install New 1,500,000 Gallon Wire-Wound, Prestressed Concrete Ground Storage Tank, Including Foundation, Tank, Coating, Splash Pad and all Accessories Shown on Plans and Outlined in Specifications, Installation, Maintenance, and Removal of all Temporary Construction Items Required to Complete the Work, and all Appurtenances, Complete in Place	LS	1	1,420,000 ⁰⁰	1,420,000 ⁰⁰	One million and four hundred and twenty thousand dollars and zero cents
4	Furnish and Install New 300kW Emergency Stand By Diesel Generator with Automatic Transfer Switch and Double Wall Sub-Base Fuel Tank with Capacity of 72 Hours Run Time at Full Load, Including Fuel Transfer System, Foundation, Access Platforms, Coordination with Electric Company for Approval of Automatic Transfer Switch if Required, all Accessories Shown on Plans and Outlined in Specifications, and all Appurtenances, Complete in Place	LS	1	100,000 ⁰⁰	100,000 ⁰⁰	one hundred thousand dollars and zero cents
5	Furnish and Install New Chemical Feed Facility, Including Foundation, Fiberglass Building, Polyphosphate Tanks and Feed Equipment, Chlorine Cylinders, Scales, and Feed Equipment, Water Supply Line (Field Routed to Discharge Line), Chemical Feed Lines (Field Routed to Existing Injection Points), all Accessories Shown on Plans and Outlined in Specifications, and all Appurtenances, Complete in Place	LS	1	\$50,000.00	\$50,000.00	Fifty Thousand Dollars and Zero Cents

6	Modify Yard Piping, Including the Cut and Plug of Existing Lines, Installation of New 12-Inch Yard Piping, Gate Valves and Boxes, Coatings, Connections to Existing Piping, Tapping Sleeve and Valves and Boxes, all Accessories Shown on Plans and Outlined in Specifications, Bedding and Backfill, and all Appurtenances, Complete in Place	LS	1	\$60,000.00	\$60,000.00	Sixty Thousand Dollars and Zero Cents
7	Electrical System Installation, Provide and Install All Work Shown on Plans and Described in the Specifications, Including, But Not Limited to, As Follows: Underground Duct Bank to Transformer Pole, New Motor Control Center with Foundation, New Duct Banks to Generator, Chemical Feed Facility, Ground Storage Tank, Lighting and Receptacles. Electrical Service Equipment, Integration with Existing SCADA Equipment, Coordination with the Electric Company for New Service and Demolition of Old Service, and All Appurtenances, in Accordance with Details on Plans and Specifications, Complete in Place	LS	1	326,000 ⁰⁰	326,000 ⁰⁰	Three hundred and twenty six thousand dollars and zero cents
8	Coating of Existing Above Ground Yard Piping, Valves, and All Appurtenances, Including Removal of Existing Coatings. In Accordance with Specifications, Complete in Place	LS	1	\$20,000.00	\$20,000.00	Twenty Thousand Dollars and Zero Cents
9	Site Work, Including But Not Limited to Site Grading to Establish Positive Site Drainage Away from Structures and To Roadside Ditches, Concrete Rip-Rap at Splash Box, Regrading of Swale Along North Property Line, Turf Establishment by Hydromulch Seeding, Complete in Place	LS	1	\$15,000.00	\$15,000.00	Fifteen Thousand Dollars and Zero Cents
10	Concrete Access Pavement, 6-Inches Thick, Including Paving Header at Tie-In to Existing Pavement, Subgrade Material, Installation, and Manipulation, in Accordance with Details on Plans and Specifications, Complete in Place	SY	330	\$80.00	\$26,400.00	Twenty Six Thousand Four Hundred Dollars and Zero Cents
11	Crushed Concrete Access Pavement, 4-Inches Thick, Including Subgrade Material, Installation, and Manipulation, in Accordance with Details on Plans and Specifications. Complete in Place	SY	165	\$50.00	\$8,250.00	Eight Thousand Two Hundred Fifty Dollars and Zero Cents
12	Concrete Pedestrian Sidewalk Ramps, Single, in Accordance with Details on Plans and Specifications, Complete in Place	EA	3	\$1,000.00	\$3,000.00	Three Thousand Dollars and Zero Cents
13	Concrete Sidewalk, 4-Inches Thick, in Accordance with Details on Plans and Specifications, Complete in Place	SY	20	\$1,000.00	\$ 20,000.00	Twenty Thousand Dollars and Zero Cents

14	Chain-Link Fence, 6-Foot Tall, with 3-Strand Barbed Wire, Including Roller Gates (Cantilever) and All Appurtenances, in Accordance with Details on Plans and Specifications, Complete in Place	LF	225	\$50.00	\$11,250.00	Eleven Thousand Two Hundred Fifty Dollars and Zero Cents
15	Wood Fence, 8-Foot Tall, with Galvanized Steel Posts, Cedar Pickets, Cedar Rot Board, and Cedar Top Board, Including All Appurtenances, in Accordance with Details on Plans and Specifications, Complete in Place	LF	250	\$ 80.00	\$20,000.00	Twenty Thousand Dollars and Zero Cents
16	Trench Safety System, Complete in Place	LF	225	\$1.00	\$225.00	Two Hundred Twenty Five Dollars and Zero Cents
17	Traffic Control, as Necessary, Includes Acquiring Permits, Flaggers as Necessary, Installation, Maintenance, and Removal of All Traffic Control Devices Required by Permit, Complete in Place	LS	1	\$2,000.00	\$2,000.00	Two Thousand Dollars and Zero Cents
18	SWPPP System, Including Reinforced Filter Fabric Fence, Stabilized Construction Exit, Rock Filter Dams, Concrete Truck Washout Area, and All Appurtenances, Complete in Place	LS	1	\$6,000.00	\$6,000.00	Six Thousand Dollars and Zero Cents
Subtotal:				Base Bid Items	\$ 2,158,125 (Items 1 thru 18)	
Supplementary Bid Items						
19	Asphalt Surface Restoration, Including 8-Inch Thick Asphalt Base, Gr. 2, PG-64, Per TXDOT Item 292, and 2-1/2-Inch Thick HMHL Surface Course, Type "D" Per TXDOT Item 340, Includes Saw-Cut and Removal of Existing Pavement, As Directed by Owner's Representative, Complete in Place	SY	100	(Minimum Bid \$55.00 Per Square Yard) \$80.00	\$8,000.00	Eight Thousand Dollars and Zero Cents
20	"Extra" Turf Establishment, Full Sodding, As Directed by the Owner's Representative, Complete in Place	SY	2,000	(Minimum Bid \$3.00 Per Square Yard) \$3.00	\$6,000.00	Six Thousand Dollars and Zero Cents
21	"Extra" 4,000 PSI Structural Concrete, As Directed by the Owner's Representative, Complete in Place	CY	60	(Minimum Bid \$120.00 Per Cubic Yard) \$150.00	\$9,000.00	Nine Thousand Dollars and Zero Cents

22	"Extra" Cement Stabilized Sand, 2.0 Sacks per Ton, As Directed by the Owner's Representative, Complete in Place	TON	10	(Minimum Bid \$30.00 Per Ton) \$30.00	\$300.00	Three Hundred Dollars and Zero Cents
23	"Extra" Crushed Limestone Bedding, As Directed by the Owner's Representative, Complete in Place	CY	50	(Minimum Bid \$25.00 Per Cubic Yard) \$40.00	\$2,000.00	Two Thousand Dollars and Zero Cents
24	"Extra" Reinforcing Steel, As Directed by the Owner's Representative, Complete in Place	LB	800	(Minimum Bid \$1.00 Per Pound) \$2.00	\$1,600.00	One Thousand Six Hundred Dollars and Zero Cents
25	"Extra" Embankment for Fill Purposes if Required, Placement and Compaction to 95% Standard Proctor Density, As Directed by the Owner's Representative, Complete in Place	CY	500	(Minimum Bid \$10.00 Per Cubic Yard) \$10.00	\$5,000.00	Five Thousand Dollars and Zero Cents
Subtotal:				Supplementary Bid Items	\$ 31,900.00	
					(Items 19 thru 25)	

Allowance Items

26	Costs Incurred (Direct from Electric Provider) Due to New Electrical Service. As Directed by Owner's Representative, Complete in Place	LS	1	\$10,000.00	\$10,000.00	Ten Thousand Dollars
27	Costs Incurred (Direct from Gas Provider) Due to New Gas Service. As Directed by Owner's Representative, Complete in Place	LS	1	\$10,000.00	\$10,000.00	Ten Thousand Dollars

Subtotal: Allowance Items \$20,000.00
(Items 26 and 27)

Alternate "A" Bid Item

28	Increase in in Bid Item No. 4 to Furnish and Install New Emergency Stand By Natural Gas Generator with Automatic Transfer Switch in Lieu of Diesel Generator and Fuel Tank, Including Foundation, Gas Line. Coordination with Electric Company for Approval of Automatic Transfer Switch if Required, Coordination with the Gas Company for Installation of Gas Service and Meter, Complete in Place	LS	1	50,000 ⁰⁰	50,000 ⁰⁰	Fifty thousand dollars and zero cents
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Subtotal: Alternate "A" Bid Item \$ 50,000⁰⁰
(Item 28)

Alternate "B" Bid Item

29	Remove and Replace Existing Booster Pumps in Place in Kind Salvage Existing Booster Pumps and Motors and Deliver to the Owner, Replace with Horizontal, Single Stage, Split Case Pumps with 50 HP Motors and Steel Base Skid, Including Coating and All Appurtenances, Pumps and Motors to be Installed Utilizing the Existing Piping and Electrical Components, in Accordance with Specifications. Complete in Place	EA	4	TR 70,000 ⁰⁰ 60,000	TA 70,000 ⁰⁰ 60,000	TR Seventy sixty thousand dollars and zero cents
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Subtotal: Alternate "B" Bid Item \$ 70,000⁰⁰
(Item 29)

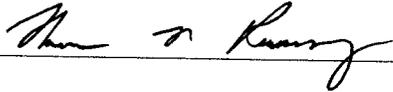
Receipt is hereby acknowledged of the following addendum to the Contract Documents:

Addendum No. 1 Dated 1 Received 12/3/2018

Addendum No. 2 Dated _____ Received _____

Addendum No. 3 Dated _____ Received _____

Accompanying this proposal is a Certified Check, Cashier's Check, or Bid Bond in the amount of five (5%) of the greatest amount bid and payable to the Owner.

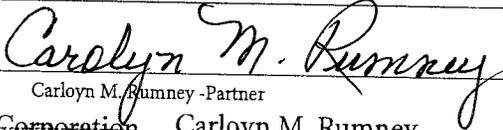
Bidder: T & C Construction, Ltd 

Address: 5411 Killough

Houston, TX 77086

Telephone: 281-445-1828

Date: December 4, 2018

ATTEST: 
Carolyn M. Rumney - Partner

~~Secretary of Corporation~~ Carolyn M. Rumney

Partner
(Seal of Bidder Corporation)



AGENDA COMMENTARY

Meeting Date: 1/3/2019

Department: City Manager's Office

Contact: Junru Roland, City Manager

Agenda Item: Consider Resolution 19-R-02, establishing the City of Alvin's legislative priorities for the 86th Session of the Texas Legislature.

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

Summary: On January 8, 2019, the Texas Legislature will convene for a 140-day session to consider legislation which may impact local governments. As a result, it is important for city council to establish priorities and positions on various issues pertaining to local governments, and to communicate them to the Texas Legislature.

The three general priorities included in the recommended resolution include:

- 1.) The preservation of *home rule authority** at the local (city) level
- 2.) The preservation of local options to finance capital projects
- 3.) The preservation of the City's ability to use various economic development tools

Staff recommends that council approve Resolution 19-R-02, a resolution establishing the City of Alvin's legislative priorities for the 86th Session of the Texas Legislature.

**Home rule authority* involves the right to local self-government including the powers to regulate (via resolutions and/or ordinances) the protection of the public health, safety, and welfare; to tax; to incur debt; and to license with limited prevention by the state. When a municipality has the power to decide for itself whether to follow a particular course of action without receiving specific approval from the state, it acts pursuant to *home rule authority*.

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

Funding Account: _____ **Amount:** _____ **1295 Form Required?** Yes No

Legal Review Required: N/A Required **Date Completed:** 12/20/2018 SLH

Supporting documents attached:

- Resolution 19-R-02

Recommendation: Move to approve Resolution 19-R-02, establishing the City of Alvin's Legislative Priorities for the 86th Session of the Texas Legislature.

Reviewed by Department Head, if applicable

Reviewed by Chief Financial Officer, if applicable

Reviewed by City Attorney, if applicable

Reviewed by City Manager

RESOLUTION 19-R-02

A RESOLUTION OF THE CITY OF ALVIN, TEXAS, ESTABLISHING THE CITY'S LEGISLATIVE AGENDA AND PRIORITIES FOR THE 86TH SESSION OF THE TEXAS LEGISLATURE

WHEREAS, on November 12, 2018, Texas state legislators began filing legislation that could potentially impact City operations, finances, and our citizens; and

WHEREAS, beginning January 8, 2019, the Texas legislature will convene for a 140-day session to consider legislation; and

WHEREAS, many significant decisions affecting Texas cities are made by the Texas Legislature; and

WHEREAS, during the 2017 session, more than 2,000 bills were filed that could have affected Texas cities in some substantial way; and

WHEREAS, it is important to establish priorities and positions on various issues pertaining to local governments, and to communicate them to the legislature.

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

Section 1. The City seeks to preserve its current authority to govern the City and its citizens in accordance with the City's strategic goals and interests.

I. PRESERVE BASIC HOME RULE AUTHORITY

The City **supports** legislation that promotes the:

1. principles of local control;
2. City's existing charter or local ordinances,
3. authority of the City to regulate in order to protect the public's health, safety and well-being; and
4. ability of the City to communicate or advocate with the legislature.

II. PRESERVE LOCAL FINANCES

a. The City **supports** legislation that either creates local options to finance or increases state funding for:

1. transportation projects;
2. water projects;
3. flood control projects;
4. public parks, recreation, trails; and

5. general improvements to the City's ability to provide desired public services.
- b. The City supports transparency and legislation that simplifies the property tax adoption process or accurately notifies taxpayers of the property tax rate.
- c. The City opposes legislation that:
 1. reduces the property or sales tax collections;
 2. impairs the City's ability to issue debt;
 3. creates unfunded mandates;
 4. requires the City to generate revenues on behalf of the State; and
 5. causes property to be appraised for less than market value, or creates a tax-exemption that shifts the tax burden to other taxpayers.
- d. The City opposes legislation that lowers the rollback rate or otherwise caps the City's revenue; because a lower rollback cap may not reduce property taxes but could potentially prevent the City from delivering public safety and community services.

III. PRESERVE LOCAL REGULATION OF ECONOMIC DEVELOPMENT

The City **supports** legislation that promotes the City's ability to:

- a. utilize economic development tools including tourism programs;
- b. attract business, recruit or retain employers, or compete for new businesses that grow the local and state economy;
- c. manage the development of land including the City's authority over any special purpose districts formed inside the City or the ETJ;
- d. finance infrastructure; and
- e. manage public rights-of-way including receiving fair market compensation for the use of the public's rights-of-way.

Section 2. The City will monitor legislation that impacts the following:

- a. Emergency Service Districts;
- b. Special purpose districts (such as Municipal Management Districts or Municipal Utility Districts) created within the City's limits or ETJ; and
- c. Regional mobility efforts associated with the Grand Parkway, in particular Section B (from I-45 South (the Gulf Freeway) toward SH 35 in Alvin and on to SH 288).

Section 3. This Resolution shall be in full force and effect from and after its passage and approval and it is accordingly so resolved and that the City's authorized agents may act on it accordingly.

Section 4. Open Meetings. It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED on this the _____ day of _____, 2019.

CITY OF ALVIN, TEXAS

ATTEST

By _____
Paul A. Horn, Mayor

By _____
Dixie Roberts, City Secretary