

City of Alvin, Texas

Paul Horn, Mayor

Glenn Starkey, Mayor Pro-tem, District D
Brad Richards, At Large Pos. 1
Joel Castro, At Large Pos. 2
Martin Vela, District A



Adam Arendell, District B
Keith Thompson, District C
Gabe Adame, District E

ALVIN CITY COUNCIL AGENDA THURSDAY, DECEMBER 5, 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 Secretary'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 front east entrance 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, DECEMBER 5, 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. First of two required public hearings to receive comment on the proposed voluntary annexation of a piece of land described as a tract containing 5.058 acres out of lot number twenty-nine (29) of the Willdford and Arnim Subdivision of Section 10 H.T.& B.R.R. Survey, Abstract 478, Brazoria County, Texas. Along with that certain portion of County Road 161 (right-of-way 60 feet in width) recorded in volume 1069 page 371 of the Brazoria County Deed Records adjoining said 4.678-acre tract.

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 November 21, 2019 City Council meeting minutes.
- B. Consider award of bid to Sprint Waste Services, Inc. for Biosolids Disposal in an amount not to exceed \$674.89 per haul at an estimated annual cost of \$85,000 for two (2) years, with an option to extend for two (2) years with the same terms and conditions; and authorize the City Manager to sign the contract upon legal review.
- C. Consider award of bid to Petroleum Traders, for the purchase of fuel for City vehicles and equipment for FY20, with the option to extend for one (1) year with the same terms and conditions; and authorize the City Manager to sign the contract upon legal review.
- D. Consider a final plat of Alvin Express RV Park, LLC (located at 546 County Road 281), being a subdivision of 23.6261 acres of land situated in the H.T. & B. R. R. Co. Survey, Abstract 295, Brazoria County, Texas.

- E. Consider a final plat of Mustang Crossing Landscape/Recreation Reserve A, being a subdivision containing 2.2031 acres of land located in the Hooper and Wade Survey, Abstract 488, in the City of Alvin, Brazoria County, Texas.
- F. Consider a final plat of Mustang Crossing Section 6 (located northwest of the intersection of FM 1462 and Mustang Crossing Boulevard), being a PUD subdivision containing 15.68 acres of land, being a partial replat of lots 25, 26, 27, and 28 of section 18, Hooper & Wade Survey, Abstract 488, in the City of Alvin, Brazoria County, Texas.
- G. Consider a final plat of Mustang Ridge Section 1 (located along the east side of Mustang Road and south of the Nelson Road intersection), being a PUD subdivision containing 19.437 acres of land located in the H.T. & B.R.R. Company Survey, Abstract 225, in the City of Alvin, Brazoria County, Texas.
- H. Consider a final plat of Southern Colony Plaza (located in the City of Alvin's ETJ along the east side of FM 521 and north of Juliff-Manvel Road), being a subdivision of a 4.9950 acre tract of land in the William Hall League, Abstract 31, Fort Bend County, Texas.

6. OTHER BUSINESS

- A. Consider a variance request to Chapter 30 ½ - Regulation of Sex Offender Residency, of the City of Alvin Code of Ordinances, from Joshua Andrews residing at 117 South Johnson Street, Alvin, Texas.
- B. Consider Ordinance 19-CC, an ordinance amending Appendix A, Flood Damage Prevention, of the Code of Ordinances, City of Alvin, Texas; updating a section title and updating the Coordinating Agency; and setting forth other provisions related thereto.
- C. Consider various appointments to Boards and Commissions.

7. REPORTS FROM CITY MANAGER

- A. Items of Community Interest and 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:

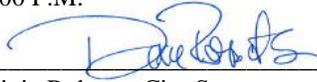
- A. **Section 551.072** of the Local Government Code: Deliberation regarding the purchase, exchange, lease or value of real property described as a 3.55 acre tract of land adjacent to the disc golf course south of Briscoe Park.
- B. **Section 551.074** of the Local Government Code: Deliberation on the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.
 - 1. Alvin Municipal Court Judge Employment Contract.
 - 2. Director of Public Services.

10. RECONVENE TO OPEN SESSION

A. Take action on Executive Session item(s) 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 MONDAY, DECEMBER 2, 2019 at 5:00 P.M.



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
October 15, 2019**

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, Jake Starkey, Chair; Ashley Davis, Vice Chair; Nicole Kelinske, Secretary; Santos Garza; Chris Hartman; and Randy Reed. Also present were staff members Michelle Segovia, City Engineer and Shana Church, Executive Secretary. Richard Garivey and Carrie Parker were absent.

Call To Order

Call to order at 6:00 p.m.

Petition and Requests from the Public

There were no petitions or requests from the public.

Approve the Minutes of the Planning Commission meeting of September 17, 2019.

Commission Member Randy Reed motioned to approve the minutes of the regular Planning Commission meeting of September 17, 2019. Seconded by Santos Garza, the motion carried on a vote of 6 ayes and 0 nays.

Consider Ordinance 19-Y amending Chapter 24 ½, Manufactured Homes and Manufactured Home Parks, Article V, Recreational Vehicle Resorts and Parks, in the City of Alvin Code of Ordinances.

Commission Member Nicole Kelinske motioned to recommend for approval to City Council. Seconded by Ashley Davis, the motion carried on a vote of 5 ayes and 1 nay, cast by Chris Hartman.

Items of Community Interest

Chris Hartman asked if the Durant Detention Pond is in budget. Michelle Segovia stated the project is in budget, although it has been delayed because of the weather. Santos Garza mentioned Emmanuel Worship Center will have a Light the Night Celebration that is open to the public on October 31st from 6:30-8:30. Randy Reed mentioned the Trick or Treat Trail will be at National Oak Park on October 31st. Nicole Kelinske mentioned Alvin Community College will have the Fall Festival on October 26th. Chris Hartman mentioned the State of the City Address is on the City website and is impressive.

Staff report and update.

Michelle Segovia stated the Planning Commission should see the proposed amendments to the Subdivision Ordinance in November or December.

Items for the next meeting.

Michelle Segovia stated the Planning Commission may see a final plat for Mustang Crossing Section 6 at the meeting next month.

Adjournment

Commission Member Hartman motioned to adjourn the meeting, seconded by Member Reed. The motion carried on a vote of 6 ayes. The meeting ended at 6:08 p.m.

Passed and Approved the 19th day of November 2019.

/s/ Jake Starkey, Chair

/s/ Nicole Kelinske, Secretary



AGENDA COMMENTARY

Meeting Date: 12/5/2019

Department: City Attorney

Contact: Suzanne L. Hanneman, City Attorney

Agenda Item: First of two required public hearings to receive comment on the proposed voluntary annexation of a piece of land described as a tract containing 5.058 acres out of lot number twenty-nine (29) of the Willdford and Arnim Subdivision of Section 10 H.T.& B.R.R. Survey, Abstract 478, Brazoria County, Texas. Along with that certain portion of County Road 161 (right-of-way 60 feet in width) recorded in volume 1069 page 371 of the Brazoria County Deed Records adjoining said 4.678-acre tract.

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

Summary: Blake and Kelley Lacy are petitioning the City to annex approximately 5.058 acres of land, located at 3513 County Road 161, for the purpose of developing the tract by constructing a multi-phase business park.

Resolution 19-R-40 adopted by City Council on November 7th set two public hearings for December 5, 2019, and December 19, 2019. This is the first of the two required public hearings.

A special meeting will be held on January 9, 2020 for the final approval of this voluntary annexation.

A *Notice of Public Hearing* advertisement ran in the Alvin Sun on November 17th and December 1st, and also placed 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:** _____

Supporting documents attached:

Recommendation: N/A

Reviewed by Department Head, if applicable

Reviewed by City Attorney, if applicable

Reviewed by Chief Financial Officer, if applicable

Reviewed by City Manager

**MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
REGULAR CITY COUNCIL MEETING AND
EXECUTIVE SESSION
THURSDAY NOVEMBER 21, 2019
7:00 P.M.**

CALL TO ORDER

BE IT REMEMBERED that, on the above date, the City Council of the City of Alvin, Texas, met in Regular Session at 7:00 P.M. in the Council Chambers at City Hall, with the following members present: Mayor Paul A. Horn, and City Councilmembers: Gabe Adame, Adam Arendell, Joel Castro, Keith Thompson and Martin Vela.

Staff members present: Junru Roland, City Manager; Suzanne Hanneman, City Attorney; Dixie Roberts, City Secretary; Michael Higgins, Chief Financial Officer; Dan Kelinske, Parks and Recreation Director; Larry Buehler, Economic Development Director; and Robert E. Lee, Police Chief.

INVOCATION AND PLEDGE OF ALLEGIANCE

Matt Hogan with Heights Baptist Church gave the invocation.

Council member Thompson led the Pledge of Allegiance to the American Flag, and Council member Vela led the Pledge to the Texas Flag.

PRESENTATIONS

Alvin Animal Adoption Center Departmental Update.

Autumn miller, Shelter Manager, gave a departmental update on the Alvin Animal Adoption Center.

PUBLIC COMMENT

There were no petitions or request from the public.

CONSENT AGENDA

Consider approval of the October 17, 2019 City Council Workshop meeting minutes.

Consider approval of the November 7, 2019 City Council meeting minutes.

Acknowledge receipt of the Quarterly Investment Report ending September 30, 2019.

In 2013, the City of Alvin adopted the Public Funds Investment Act pursuant to Chapter 2256 of the Texas Government Code. The Code contains certain requirements for investing public funds and how those funds are to be administered. These requirements include annual reviews of the policy, training, internal controls, prudence, ethics, and reporting.

The City's investment policy states that the investment officer shall generate quarterly (investment) reports to the City Manager, Mayor, and City council.

*In summary, as of September 30, 2019, the City of Alvin's investment portfolio totaled **\$83.7 million**, which consists of \$62.2 million invested in the Local Government Investment Pools, \$750,000 in Certificates of Deposits, and \$20 million in the City's bank depository accounts (i.e. checking accounts). Interest earned during the quarter was \$398,375.*

Acknowledge receipt of the 2018 Tax Increment Reinvestment Zone Number Two Annual Report.

The Kendall Lakes development has a Tax Increment Investment Zone (TIRZ) covering the entire development. A TIRZ is utilized by cities and developers as a way to fund infrastructure inside a development. A TIRZ issues bonds to cover the costs and is reimbursed by the ad valorem (property) taxes collected. Currently no bonds have been issued as the developer is covering infrastructure costs until sufficient development is on the ground to support bond financing. The TIRZ is governed by a board appointed by city council. The board engages a zone administrator to conduct and record all the business activity. The annual report shows the budget, revenues, expenditures, and development activity. The State of

Texas requires the city council to formally receive and acknowledge the report and then the zone administrator files all necessary documents with the State of Texas. Staff recommends approval.

Council member Adame moved to approve the consent agenda as presented. Seconded by Council member Thompson; motion carried on a vote of 5 Ayes.

OTHER BUSINESS

Accept the resignation of Municipal Court Judge Deanie King effective December 1, 2019.

On November 11, 2019, Deanie King, the Presiding Municipal Court Judge, submitted her letter of resignation effective December 1, 2019.

Council member Castro moved to accept the resignation from the Presiding Municipal Court Judge, Deanie King, effective December 1, 2019. Seconded by Council member Thompson; motion carried on a vote of 5 Ayes.

Consider the appointment of Mohamad Ghuneim as Interim Presiding Municipal Court Judge of the Alvin Municipal Court.

The resignation of Deanie King as the Presiding Municipal Court Judge leaves the Court without a presiding judge. It is imperative that the Court has a presiding judge, who has the authority to approve and sign standing orders for the Court. Judge Ghuneim, who is currently an Associate Judge for Alvin, has agreed to assume the interim role until such time as Council appoints a Presiding Municipal Court Judge.

Council member Arendell Move to appoint Mohamad Ghuneim as the Interim Presiding Municipal Court Judge of the Alvin Municipal Court, effective December 1, 2019, and shall continue until such time as Council appoints a Presiding Municipal Court Judge. Seconded by Council member Adame; motion carried on a vote of 5 Ayes.

Consider a Memorandum of Understanding between the City of Alvin and Mike Merkel for service as an Associate Municipal Court Judge of the Alvin Municipal Court; and authorize the Mayor to sign.

Mike Merkel was appointed as an Associate Judge in 2013, and he continued to volunteer his time serving the City, handling the City's magistrations in the Alvin City Jail. Council accepted Merkel's resignation on September 17, 2019.

With the resignation of Judge Deanie King, Judge Merkel has agreed to continue serving the City of Alvin, handling the magistrations at the Alvin City Jail. Judge Merkel has agreed to continue in this capacity until such time as City Council appoints a new Presiding Municipal Court Judge, but in no event later than February 28, 2020, unless agreed to in writing by the parties.

Council member Castro moved to approve a Memorandum of Understanding between the City of Alvin and Mike Merkel for service as an Associate Municipal Judge of the Alvin Municipal Court; compensating Judge Merkel \$450 a month; and authorize the Mayor to sign. Seconded by Council member Adame; motion carried on a vote of 5 Ayes.

Consider Ordinance 19-AA, amending Chapter 8 1/2, Emergency Medical Services of the Code of Ordinances, City of Alvin, Texas for the purpose of revising certain Emergency Medical Services fees; providing for certain exemptions to fees for Emergency Medical Services to be effective November 2019; and setting forth other provisions related thereto.

In order to partially defray the costs incurred by the City in providing ambulance service, a user fee was set for any transport of a resident and nonresident of the city via the emergency medical service department ambulance system. Prior to October 1, 2019, the fee was voluntary. Effective October 1, 2019, the fee became required for every City resident transported by the City of Alvin emergency medical service department, with the exception of EMS employees and their immediate families, City fire department employees and their immediate families, and fire volunteers. The fee is \$6 per month for residents in residential houses and those living in apartments or mobile home parks serviced by a master meter, \$144 annually for nonresidents, and \$10 per month for commercial businesses.

Staff is recommending waivers of the fees for 100% Disabled Veterans and Volunteer Fire Fighters. The waiver for the EMS and Fire Department employees and their families are being recommended for removal.

The following items are recommended in the application process for the waiver of the fees for Disabled Veterans application:

- 1) *An application must be submitted by the account holder who is a 100% disabled veteran with a rating designated as such;*
- 2) *A qualified account holder is entitled to the EMS fee waiver of one property the account holder applicant owns or resides at;*
- 3) *The exemption will apply to all members who have verification that they reside at the address;*
- 4) *The application is effective the day it is submitted and cannot be retroactively backdated;*
- 5) *For mailed in, emailed, and faxed applications, the date sent or submitted shall be used as the application date. If that day is on a holiday, or a non-City business day, then the date used for the application will be the next business day;*
- 6) *The application must be furnished with all information and documentation required so the City staff can determine whether the exemption requirements have been met. This information must be submitted with the application to the City of Alvin Utility Billing Department;*
- 7) *Exemption forms that are incomplete must be resubmitted. Missing, incomplete or inaccurate forms will delay the processing and a new date will be used when all of the required documentation has been received;*
- 8) *Once this exemption is allowed, an application does not have to be filed again unless the account holder changes or the qualifications for the exemption change;*
- 9) *The City of Alvin may require a new application to be filed to confirm current eligibility;*
- 10) *If eligibility ends or changes, the account holder must notify the City of Alvin in writing as soon as possible. The City may retroactively adjust the waiver in the event the account owner fails to notify the City and the change has occurred from more than 30 days.*

A discussion was had on Ordinance 19-AA. Council member Vela recommended that a follow-up application procedure be in place.

Council member Thompson moved to approve Ordinance 19-AA, amending Chapter 8 1/2, Emergency Medical Services of the Code of Ordinances, City of Alvin, Texas, for the purpose of revising certain Emergency Medical Services fees; providing for certain exemptions to fees for Emergency Medical Services to be effective November 2019; and setting forth other provisions related thereto. Seconded by Council member Adame; motion carried on a vote of 5 Ayes.

Consider Ordinance 19-BB, amending Chapter 28, Comprehensive Fee Ordinance of the Code of Ordinances of the City of Alvin, Texas for the purpose of setting a rental fee for the use of Audio Visual Equipment at the Alvin Senior; providing for publication; providing for an effective date; and setting forth other provisions related thereto.

At the regular Senior Citizen Board meeting on May 13, 2019, the Board unanimously approved the purchase of an Optoma 1080p projector and automated projector mount, which retracts from the ceiling allowing use of the projector when needed and concealing it when not in use. Both items were purchased using funds from the Senior Center donation account and installed by Parks Department staff in the West Assembly Room of the Senior Citizen Center. A small sound bar was later installed and connected to the projector to allow for audio.

At the regular Senior Citizen Board meeting on November 11, 2019, the Board unanimously recommended adding a \$40 flat fee for the use of the audio / visual equipment provided by the City at the Senior Center as part of the Senior Citizen Center section of Chapter 28 Comprehensive Fee Ordinance.

Staff and the Senior Citizen Board recommend approval of the \$40 flat fee for usage of audio/visual equipment provided by the City at the Senior Citizen Center.

Council member Castro moved to approve Ordinance 19-BB, amending Chapter 28, Comprehensive Fee Ordinance, of the Code of Ordinances, City of Alvin, Texas, for the purpose of setting a rental fee for the use of audio/visual equipment at the Alvin Senior Center; providing for an effective date; and setting forth other provisions related thereto. Seconded by Council member Adame; motion carried on a vote of 5 Ayes.

Consider Resolution 19-R-42, adopting the 2019 Alvin Senior Center rules and Regulations and setting forth other matters related thereto.

The Alvin Senior Center Rules and Regulations is a document which identifies the mission, participant eligibility, management, reservations, and overall operational guidelines related to the Alvin Senior Center. Staff along with the Senior Citizen Board collectively reviewed and recommended revisions to the current Senior Center Rules and Regulations, which were originally adopted by Resolution 16-R-18 on October 20, 2016.

Changes include:

- 1. **Code of Conduct** – added additional descriptions of behavior and clothing that would constitute a violation of the policy.*
- 2. **Senior Group Benefits**, Section 5-C – added language to include access to audio/visual equipment.*
- 3. **Rental of Audio / Visual Equipment** – listing \$40 fee per fee ordinance (fee waived for Senior Groups per Section 5-C of policy).*

Council member Arendell moved to approve Resolution 19-R-42, adopting the 2019 Alvin Senior Center Rules and Regulations; and setting forth other matters related thereto. Seconded by Council member Adame; motion carried on a vote of 5 Ayes.

Consider Resolution 19-R-41, casting votes for the Board of Directors of the Brazoria County Appraisal District.

This resolution is to cast votes for candidates to serve on the Board of Directors of the Brazoria County Appraisal District. This board of directors is an authoritative body of individuals that govern our local appraisal district and serves as part of the local property tax system equation of checks and balances.

The directors have no authority to set values or appraisal methods. The chief appraiser is appointed by and serves at the pleasure of the appraisal district board of directors. It is the responsibility of the chief appraiser to carry out the appraisal district's legal duties, hire staff, administer the annual appraisal process, and operate the appraisal office.

*Every other year each governing body within Brazoria County is allotted a certain number of votes to cast toward the nominated candidates on the ballot. The City of Alvin is allotted **66 votes**. City Council may cast all 66 votes for one candidate or distribute the votes among any number of the nominated candidates. Each governing body must vote by written resolution and submit to the Chief Appraiser before December 15, 2019.*

Candidates: Tommy King (Alvin Representative), Ro'Vin Garrett, Timothy Hardesty, A J Jenkins, Gail Robinson, Glenn Salyer, George Sandars, Susan Spoor, and Angie Taylor.

In 2015 and 2017 City Council cast all the City's votes for Tommy King.

Council member Castro moved to approve Resolution 19-R-41, casting 66 votes for Tommy King to serve on the Board of Directors of the Brazoria County Appraisal District Board. Seconded by Council member Adame; motion carried on a vote of 5 Ayes.

Comments from Council

Council member Vela wished all a Happy Thanksgiving.

Council member Arendell wished all a happy and safe Thanksgiving. He thanked the Animal Shelter staff for the departmental update presentation.

Council member Castro wished all a happy and safe Thanksgiving. He expressed his appreciation to the Senior Citizen's Center staff for hosting the Senior's Thanksgiving luncheon.

Council member Adame thanked the Senior staff for hosting the Thanksgiving Luncheon. He expressed concern about the oak tree not being lit and the condition of the train depot. He wished all a Happy Thanksgiving.

Report from City Manager

Mr. Roland reported on items of community interest; and reviewed the preliminary list for the December 5th council meeting.

Report from Staff

Dixie Roberts, City Secretary, announced the Home for the Holiday event on December 6th and 7th.

EXECUTIVE SESSION

Mayor Horn called for an executive session at 7:38 p.m. in accordance to the following:

Section 551.074 of the Local Government Code: Deliberation on the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

1. City Attorney Evaluation.

RECONVENE TO OPEN SESSION

Mayor Horn reconvened the meeting into open session at 8:14 p.m.

Take action on Executive Session item(s) if necessary.

Council member Castro moved to approve Amendment 3 to the City Attorney's, Suzanne Hanneman, contract and authorize the Mayor to sign. Seconded by Council member Thompson; motion carried on a vote of 5 Ayes.

ADJOURNMENT

Mayor Horn adjourned the meeting at 8:15 p.m.

PASSED and APPROVED the 5th day of December 2019.

Paul A. Horn, Mayor

ATTEST: _____
Dixie Roberts, City Secretary



AGENDA COMMENTARY

Meeting Date: 12/5/2019

Department: Public Services

Contact: Brandon Moody, Interim Director

Agenda Item: Consider award of bid to Sprint Waste Services, Inc. for Biosolids Disposal in an amount not to exceed \$674.89 per haul at an estimated annual cost of \$85,000 for two (2) years, with an option to extend for two (2) years with same terms and conditions; 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: Biosolids Disposal is the final process of the wastewater treatment. Biosolids are a byproduct of the wastewater treatment process. Raw wastewater enters the treatment process in three mixed components and then are separated for treatment. Biosolids are one component of the process and contain all settleable product in wastewater treatment that is removed and dewatered during the process. The byproduct is referred to as Biosolids, which by state and federal regulations is required to be hauled to an approved landfill. Sprint Waste Services has been used by the City in the past for additional services other than Biosolids and has always provided quality service. References have been checked and meet all requirements.

Bid advertisements ran as required in the Alvin Sun and on the City's website. On October 22, 2019, bids were opened, and Sprint Waste Services was the only bidder.

Upon Council approval, an award letter will be sent to the vendor and city departments.

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

Funding Account: 211-6003-00-3500 **Amount:** \$85,000 **1295 Form Required?** Yes No

Legal Review Required: N/A Required **Date Completed:** 11/26/2019 SLH

Supporting documents attached:

- Bid Tabulation

Recommendation: Move to award of bid to Sprint Waste Services, Inc. for Biosolids Disposal in an amount not to exceed \$674.89 per haul at an estimated annual cost of \$85,000 for two (2) years, with an option to extend for two (2) years with same terms and conditions; 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

**CITY OF ALVIN BID TABULATION
 BIOSOLIDS DISPOSAL
 B-20-02**

DATE OF BID OPENING TUESDAY, October 22, 2019 2:15PM	BIDDER'S NAME	Sprint Waste Services, Inc
		16011 West Bellfort
		Sugarland, Texas 77498
	QUOTED BY	Jonathan Hill
	CONTACT	Jonathan Hill
	TELEPHONE	713-316-5050
	FAX	281-277-1832
BID PRICE TOTAL		\$674.89



AGENDA COMMENTARY

Meeting Date: 12/5/2019

Department: Public Services

Contact: Brandon Moody, Interim Director

Agenda Item: Consider award of bid to Petroleum Traders, for the purchase of fuel for City vehicles and equipment for FY20, with the option to extend for one (1) year with the same terms and conditions; 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: Motor Vehicle & Equipment Fuel bid is used to supply the City of Alvin personnel fuel for City vehicles and equipment. Petroleum Traders in the past has been awarded the City's fuel bid and provided excellent service. Petroleum Traders during the last bid award fulfilled all requirements set forth in the contract and all references have been checked and meet industry standards.

Pricing will be based on daily rack pricing of when the fuel is ordered and will be supplied to the City for plus or minus rack pricing for that day. How rack pricing works:

Oil Price Information Service (OPIS) "freezes" supplier prices and averages by rack at key time intervals throughout the day so buyers and sellers of fuel can index their purchases to an unbiased, third-party price frozen at a fixed point in time. The averages are stored in OPIS's TimeSeries database so customers can easily settle disputes any time by retroactively looking up the frozen averages. These averages are in gross and net formats and appear daily in the various OPIS email, FTP, and WebRack reports. The benchmarks include lows, highs and averages for all suppliers as well as branded and unbranded lows, highs and averages

On October 22, 2019, bids were opened, and Petroleum Traders was the lowest bidder.

Upon Council approval, an award letter will be sent to the vendor and city departments.

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

Funding Account: 66 611-103205 **Amount:** _____ **1295 Form Required?** Yes No

Legal Review Required: N/A Required **Date Completed:** 11/26/2019 SLH

Supporting documents attached:

- Bid tabulation

Recommendation: Move to award bid to Petroleum Traders, for the purchase of fuel for city vehicles and equipment for FY20, with the option to extend for one (1) year with the same terms and conditions; 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

**CITY OF ALVIN BID TABULATION
FUEL BID
B-20-01**

DATE OF BID OPENING Tuesday, October 22, 2019 2:15PM	BIDDER'S NAME	Petroleum Traders	Gold Star Petroleum
		7120 Pointe Inverness Way Fort Wayne, IN 46804	PO Box 11151 Spring, TX 77391
	QUOTED BY	Gayle Newton	JJ Rodriguez
	CONTACT	Gayle Newton	JJ Rodriguez
	TELEPHONE	888-637-7661	281-379-5928
	FAX	260-203-3820	281-379-5828
BID PRICE PER GALLON			
	Unleaded Gasoline (89 Octane or higher)	-0.0189	+.02000
	#2 Diesel Fuel – Ultra low sulfer	+0.0018	+0.2000



AGENDA COMMENTARY

Meeting Date: 12/5/2019

Department: Engineering

Contact: Michelle Segovia, City Engineer

Agenda Item: Consider a final plat of Alvin Express RV Park, LLC (located at 546 County Road 281), being a subdivision of 23.6261 acres of land situated in the H.T. & B. R. R. Co. Survey, Abstract 295, Brazoria County, Texas.

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

Summary: On October 31, 2019, the Engineering Department received the final plat of Alvin Express RV Park, LLC for review. The property is located at 546 County Road 281 (off of SH35 across from Resoft Park) in the City of Alvin's Extraterritorial Jurisdiction (ETJ) and is being platted for the future development of an RV Park. This plat complies with all requirements of the City's Subdivision Ordinance.

The City Planning Commission unanimously approved the plat at their meeting on November 19, 2019. 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:** 11/26/2019 SLH _____

Supporting documents attached:

- [Click Here to View - Final Plat of Alvin Express RV Park, LLC](#)

Recommendation: Move to approve the final plat of Alvin Express RV Park, LLC (located at 546 County Road 281), being a subdivision of 23.6261 acres of land situated in the H.T. & B. R. R. Co. Survey, Abstract 295, Brazoria County, Texas.

Reviewed by Department Head, if applicable

Reviewed by Chief Financial Officer, if applicable

Reviewed by City Attorney, if applicable

Reviewed by City Manager



AGENDA COMMENTARY

Meeting Date: 12/5/2019

Department: Engineering

Contact: Michelle Segovia, City Engineer

Agenda Item: Consider a final plat of Mustang Crossing Landscape/Recreation Reserve A, being a subdivision containing 2.2031 acres of land located in the Hooper and Wade Survey, Abstract 488, in the City of Alvin, Brazoria County, Texas.

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

Summary: On October 31, 2019, the Engineering Department received the final plat of Mustang Crossing Landscape/Recreation Reserve A for review. The property is located in the Mustang Crossing Subdivision north of Colt Canyon Drive and is being platted in order to construct a splash pad. This plat complies with all requirements of the City's Subdivision Ordinance.

The City Planning Commission unanimously approved the plat at their meeting on November 19, 2019. 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:** 11/26/2019 SLH _____

Supporting documents attached:

- [Click Here to View - Final Plat of Mustang Crossing Landscape/Recreation Reserve A](#)

Recommendation: Move to approve the final plat of Mustang Crossing Landscape/Recreation Reserve A, being a subdivision containing 2.2031 acres of land located in the Hooper and Wade Survey, Abstract 488, in the City of Alvin, Brazoria County, Texas.

Reviewed by Department Head, if applicable

Reviewed by Chief Financial Officer, if applicable

Reviewed by City Attorney, if applicable

Reviewed by City Manager



AGENDA COMMENTARY

Meeting Date: 12/5/2019

Department: Engineering

Contact: Michelle Segovia, City Engineer

Agenda Item: Consider a final plat of Mustang Crossing Section 6 (located northwest of the intersection of FM 1462 and Mustang Crossing Boulevard), being a PUD subdivision containing 15.68 acres of land, being a partial replat of lots 25, 26, 27, and 28 of section 18, Hooper & Wade Survey, Abstract 488, in the City of Alvin, Brazoria County, Texas.

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

Summary: On October 31, 2019, the Engineering Department received the final plat of Mustang Crossing Section 6 for review. The property is located at the northwest corner of the intersection of FM 1462 and Mustang Crossing Boulevard. This section consists of sixty-five (65) single-family lots, six (6) reserves, and three (3) blocks. The Mustang Crossing Subdivision currently consists of four previously platted sections containing 280 single-family residential lots of which approximately 218 have homes on them. This plat complies with all requirements of the City's Subdivision Ordinance.

The Planning Commission unanimously approved the plat at their meeting on November 19, 2019. 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:** 11/26/2019 SLH

Supporting documents attached:

- [Click Here to View - Final Plat of Mustang Crossing Section 6](#)

Recommendation: Move to approve the final plat of Mustang Crossing Section 6 (located northwest of the intersection of FM 1462 and Mustang Crossing Boulevard), being a PUD subdivision containing 15.68 acres of land, being a partial replat of lots 25, 26, 27, and 28 of section 18, Hooper & Wade Survey, Abstract 488, in the City of Alvin, Brazoria County, Texas.

Reviewed by Department Head, if applicable

Reviewed by Chief Financial Officer, if applicable

Reviewed by City Attorney, if applicable

Reviewed by City Manager



AGENDA COMMENTARY

Meeting Date: 12/5/2019

Department: Engineering

Contact: Michelle Segovia, City Engineer

Agenda Item: Consider a final plat of Mustang Ridge Section 1 (located along the east side of Mustang Road and south of the Nelson Road intersection), being a PUD subdivision containing 19.437 acres of land located in the H.T. & B.R.R. Company Survey, Abstract 225, in the City of Alvin, Brazoria County, Texas.

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

Summary: On October 31, 2019, the Engineering Department received the final plat of Mustang Ridge Section 1 for review. The property is located along the east side of Mustang Road and south of the Nelson Road intersection. This section consists of ninety-six (96) single-family lots, twelve (12) reserves, and four (4) blocks. This plat complies with all requirements of the City's Subdivision Ordinance.

The Planning Commission unanimously approved the plat at their meeting on November 19, 2019. 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:** 11/26/2019 SLH

Supporting documents attached:

- [Click Here to View - Final Plat of Mustang Ridge Section 1](#)

Recommendation: Move to approve the final plat of Mustang Ridge Section 1 (located along the east side of Mustang Road and south of the Nelson Road intersection), being a PUD subdivision containing 19.437 acres of land located in the H.T. & B.R.R. Company Survey, Abstract 225, in the City of Alvin, Brazoria County, Texas.

Reviewed by Department Head, if applicable

Reviewed by City Attorney, if applicable

Reviewed by Chief Financial Officer, if applicable

Reviewed by City Manager



AGENDA COMMENTARY

Meeting Date: 12/5/2019

Department: Engineering

Contact: Michelle H. Segovia, City Engineer

Agenda Item: Consider a final plat of Southern Colony Plaza (located in the City of Alvin's ETJ along the east side of FM 521 and north of Juliff-Manvel Road), being a subdivision of a 4.9950 acre tract of land in the William Hall League, Abstract 31, Fort Bend County, Texas.

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

Summary: On October 31, 2019, the Engineering Department received the Final Plat of Southern Colony Plaza for review. This subdivision is in the City of Alvin's Extraterritorial Jurisdiction (ETJ) located along the east side of FM 521 and north of Juliff-Manvel Road. This Final Plat consists of 4 reserves, and 1 block and is being platted for future commercial development. This plat complies with all requirements of the City's Subdivision Ordinance.

The City Planning Commission unanimously approved the plat at their meeting on November 19, 2019. 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:** 11/26/2019 SLH

Supporting documents attached:

- [Click to View Final Plat of Southern Colony Plaza](#)

Recommendation: Move to approve the final plat of Southern Colony Plaza (located in the City of Alvin's ETJ along the east side of FM 521 and north of Juliff-Manvel Road), being a subdivision of a 4.9950 acre tract of land in the William Hall League, Abstract 31, Fort Bend County, Texas.

Reviewed by Department Head, if applicable

Reviewed by Chief Financial Officer, if applicable

Reviewed by City Attorney, if applicable

Reviewed by City Manager



AGENDA COMMENTARY

Meeting Date: 12/5/2019

Department: Legal

Contact: Suzanne Hanneman, City Attorney

Agenda Item: Consider a variance request to Chapter 30 ½ - Regulation of Sex Offender Residency, of the City of Alvin Code of Ordinances, from Joshua Andrews residing at 117 South Johnson Street, Alvin, Texas.

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

Summary: On November 14, 2019, the City received a written request for a variance from Joshua Andrews, who resides at 117 South Johnson Street. Mr. Andrews’ request is based upon the Sex Offender Residency Requirements, or prohibitions, in Chapter 30 ½ of the City’s Code of Ordinances.

The Code of Ordinances, Chapter 30 ½ -3 provides if a person is required to register on the Department of Public Safety's Sex Offender Database because of a violation involving a victim who was less than seventeen (17) years of age, it is unlawful for that person to establish a permanent residence or temporary residence within one thousand (1,000) feet of any premise where children commonly gather. Premise where children commonly gather includes parks and playgrounds. For purposes of determining distance, the requirement is measured by following a straight line from the outer property line of the permanent or temporary residence to the nearest property line of the premises where children commonly gather.

Mr. Andrews’ residence is within 1,000 feet of Sealy Park.

Mr. Andrews is required to register for life as a Sex Offender, based upon his following convictions:

<u>Offense</u>	<u>Victim</u>	<u>Sentence and Date of Sentence</u>
Sexual Assault of a Child	16-yo female	3 years Texas Department of Criminal Justice – Institutional Division, 8-14-2017

Mr. Andrews’ mother purchased the home located at 117 South Johnson Street while Mr. Andrews was incarcerated. Mr. Andrews now resides in the home with his mother, step-father, his common law wife and their 3-year-old Autistic daughter. The family has been able to set up in-home physical, speech and occupational therapy, and this continued therapy and stable home is imperative to her continued improvement. Mr. Andrews’ family, common law wife, and friends have provided letters in support of Mr. Andrews and this variance request.

Mr. Andrews was released from incarceration in October 2019.

Staff does not recommend approval of the variance.

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:** 12/2/2019 SLH

Supporting documents attached:

- Variance Request
-

Recommendation: Move to approve/deny the variance request submitted by Joshua Andrews, for the residence located at 117 South Johnson Street, Alvin, Texas.

Reviewed by Department Head, if applicable

Reviewed by City Attorney, if applicable

Reviewed by Chief Financial Officer, if applicable

Reviewed by City Manager

Recd
11/14/19
City Sec's Office

Dear City Council,

My name is Joshua Benjamin Andrews, and the reason I am writing this petition is due to the fact that there is a city ordinance here in Alvin. As you are aware ordinance states that I cannot reside 1000 Feet near anywhere children may gather. Unfortunately while I was incarcerated my mother bought the property at 117 S Johnson Street because she was told by TDCJ that I could not be 500 Feet from anywhere children may gather. We were not aware of the city ordinance at the time. And since my incarceration my daughter Ivy Andrews has been living here with my mother and stepdad and common law wife. My daughter is diagnosed with Moderate Autism. So there for she has to do the same things wake up in the same place and keep the same schedule. And all of her Therapy's are here such as physical therapy, occupational therapy, and speech therapy. As of the last six months, My mother has been falling out and having seizure's. Because of this she has just got her license taken away from her. As a result of this she needs some one here to help take care of her. As Samuel Herrera (my father) her husband is at work as well as Kristen Kenworthy my common law wife. I have lived here in Alvin and been in Alvin most my life. I love the city and my Grandparents Gaines (recently passed away) and Janet Andrews have been running Alvin antique center in this city for the past 20 years and I have helped up there as well as done many hours of community service in this town before. So I ask please have mercy on me and my family and let me stay here so I can continue to help raise my daughter and take care of my mom.

Thank you so much,

Joshua Andrews

J Andrews 0992@gmail.com

Cell# 832 8202215

Dear Alvin City Council,

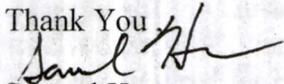
I am writing this letter in the support of the variance request of Joshua Benjamin Andrews for the ordinance of sex offender's residency restrictions. As one of the owner of the house in question and Joshua being my son I am asking for the council to approve him being allowed to live with his family and child. While in jail his mother and I have helped take care of his 3-year-old now autistic child. Based on our address of 117 s Johnson street we have been able to set up treatments of: Physical, Speech, and Occupational that happen 2 times a week at our home. We have also registered her in the Preschool Program for Children with disabilities that she started in October and is making amazing strides in.

While in jail doing his full sentence that was given to him by a state of Texas judge my son has completed a number of programs offered to help rehabilitate him to make it better in the world. These programs are include a drug treatment program, he has received his GED, completed a CHANGES program designed to help him make the changes required for him to stay in the world and not go back, and finally has completed his sex offender class given prior to his release.

The request for variance is not only for him but also his disabled child. She is now 3 years old and is nonverbal autistic. She has all her treatments and her schooling set up to our address and if not approved and if forced to move could possible set her back months of development depending on how long it would take to get new therapist and get in to a new program like the PPCD she is enrolled in through Alvin Schools.

My son Joshua has done all that has been asked of him since receiving his sentence. He has completed his full sentence is not on parole or probation and is reporting to Officer Trent based on his registering is required and advising him of any changes in Joshua's life. He has recently got his drivers license back and his working hard to get his life back on track not only for him but my granddaughter as well and by living with us we can help him when he needs it.

Thank You


Samuel Herrera

117 S Johnson st

117 S Johnson St

Alvin, TX 77511

11/12/2019

Dear Councilman/Councilwoman,

I am writing to you in hopes that you will grant a variance for Joshua Benjamin Andrews.

It is from my understanding, that according to Alvin's Code of Ordinances, Mr. Andrews may not reside within 1000 feet of any premise where children gather. Mr. Andrews' mother, father, fiancé (myself) and our 3-year-old daughter currently live 750 feet away from Sealy Park at 117 S Johnson St. It is also from my understanding, that the City may grant a variance under special circumstances.

It is my hope that you grant Mr. Andrews a variance due to the special circumstances with our 3-year-old daughter Ivy. Ivy is nonverbal and autistic. She sees a physical therapist, occupational therapist and a speech therapist 2 times a week throughout the week at the house after school. She is currently enrolled at Hoodcase Elementary in the PPCD program. The PPCD Program is a self-contained classroom for children ages 3 through 5 with qualifying disabilities that require intense intervention in a smaller staff/student ratio in the areas of communication, academic readiness, self-help, gross and fine motor, and/or social skills. This class provides daily instruction by a special education teacher. Ivy attends the PPCD program Monday – Friday 8:00 AM to 11:00 AM. She takes the bus home where they drop her off right in front of the house. School has been one of the biggest blessings so far with Ivy's journey. Ivy requires a strict schedule and at times of disruption can cause huge meltdowns. Ivy has known 117 S Johnson to be her home for over 2 years. Her home is her safe place and is the only place Ivy can truly be herself without judgement. "It takes a village to raise a child", especially a child with disabilities.

I don't want our family separated. Ivy needs her daddy home, we all do. Our family will benefit having Josh home with us and I can promise you, he will not cause harm. Please consider a variance.

Thank you so much for your consideration.

Sincerely,

Kristen Kenworthy

(713)885-2945

Alvin City Council,

I am writing a letter for a variance request for Joshua Andrews. Kendyll purchased the house at 117 South Johnson from my husband and I. She bought it due to the size of the house. I was asking for more for the house but due to the amount she was approved for I lowered the price.

Josh's grandmother has been a dear friend to me for many years. When I had by Auction house on Hwy 6, his family attended. I have had a booth in their antique store as well. His mom as well as Josh have worked for me in the past.

I have know Josh since he was very young. His family loves him and he has a very good support system. His family has been through a lot this past year and it is a blessing that he is home at this time. While in prison is grandfather Gaines Andrews the owner of Alvin Antique Center past away suddenly in June. So I know with pasting of him and the trials of having a daughter with Autism he would really benefit living at home with his family.

So please consider this request for the variance at the location of 117 South Johnson.

Thank you
Sherron Sears

City Council,

I am writing a letter on behalf of my son Joshua Andrews. He is requesting a variance to live at my house with his family at 117 South Johnson Street, Alvin, Tx. We are requesting this due to the fact we live 750 ft. from Sealy Park. I purchased this home while he was incarcerated so it would be big enough for him and his family could live with us. I would hope I would not have to sell this house cause I love my location and the history of this house. I was going by the requirements that TDCJ gave us. We were unaware that the city would have different requirements.

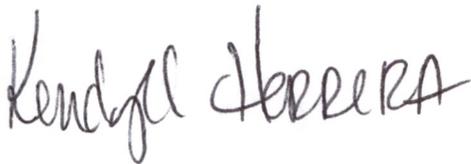
Josh has a daughter that was diagnosed with Autism at the age of 2. She requires multiple therapy sessions per week. We have physical, occupational, and speech therapy twice a week for each. She is also in early education and attends Hood Case half a day.

Joshua turned himself in when she was 10 days old and when he came home she has been attached to him within minutes. This is very uncommon with someone with this diagnosis. I work from home and have watched her by myself due to her mom working as my husband also works away from the house. This has been hard for me lately due to health issues, I have recently been diagnosis with seizures. I have recently had a double mastectomy as well. It is a blessing him being home. He has also applied for financial aid for him to go to college per this address.

He is no threat to anyone even though he has this charge on his record. I am not saying he does not have a past record by no means. However, prison was the best thing for him to set him on the right path. He is a more mature young man and has learned his lesson. As we visited him every month while in prison and saw him grow and become more aware of surroundings. I saw him scared and listen to him tell me very scary stories of situations he experienced while incarcerated. He was granted parole, however declined it so that way he could get out and not ever have to worry about going back there.

I know variance have not been granted before, however I hope you would consider this one. His daughter needs him and I need him home.

Thank you
Kendyll Herrera

A handwritten signature in black ink that reads "Kendyll Herrera". The signature is written in a cursive, slightly slanted style.

To Alvin City Council,

I am writing a letter for a request of a variance for Joshua Andrews. We have been a family friend as well as one of the antique dealer at their family business and Alvin Antique Center.

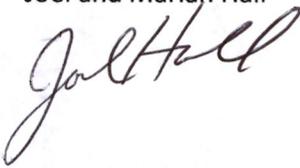
I have seen Josh grow into a fine young man. His family visited him very often while incarcerated and would explain the growth he has made while there.

I have watched his daughter grow while he was incarcerated and seen how much of a handful she can be. Kendyll and Sam, Josh's parents have been helping raise her when he was away.

I know he is not a threat by any means even though this charge is assigned to him.

Please consider this request as it is the best for him and his family.

Thank you
Joel and Marian Hall

A handwritten signature in cursive script that reads "Joel Hall". The signature is written in black ink and is positioned below the typed name "Joel and Marian Hall".

To the City Council,

I am writing a letter to request a variance for my grandson Joshua Andrews. He served his time that was issued to him with no trouble while incarcerated.

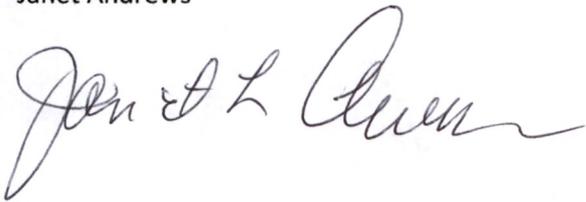
My daughter purchased a house in order for his family to live with her. His daughter Ivy has Autism and has to stay on a strict schedule. He has worked his way back in to her life and it would be devastating for him to be away from her.

His mother is not in the best of health and she is the primary caregiver after school each day. He has been a big help to us all. I recently lost my husband Gaines Andrews and he is helping me while his daughter is in school at Hood Case.

He was matured in great lengths while he was incarcerated and I know for a fact he never wants to go back there.

If you would please grant him this variance for him as well as him family.

Thank you
Janet Andrews

A handwritten signature in cursive script, appearing to read "Janet Andrews". The signature is written in dark ink and is positioned below the typed name.



AGENDA COMMENTARY

Meeting Date: 12/5/2019

Department: Engineering

Contact: Michelle Segovia, City Engineer

Agenda Item: Consider Ordinance 19-CC, amending Appendix A, Flood Damage Prevention, of the Code of Ordinances, City of Alvin, Texas; updating a section title and updating the Coordinating Agency; and setting forth other provisions related thereto.

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

Summary: On October 15 and 16, 2019, representatives from the Texas Water Development Board (TWDB) conducted the City’s Community Assistance Visit (CAV), which is an audit of the City’s Floodplain Development Program that occurs every five (5) years. The CAV is required by FEMA since the City participates in the National Flood Insurance Program (NFIP). During the CAV, it was recommended that the City make two minor revisions to Appendix A Flood Damage Prevention which is the ordinance that governs development within the floodplain. The revisions are as follows:

1. Article 3, Section G: Update the section title to “Warning and Disclaimer of Liability”
2. Article 4, Section B (6): Update the Coordinating agency to the Texas Water Development Board

Approval of Ordinance 19-CC will amend Appendix A Flood Damage Prevention by making both changes as requested.

Staff recommends approval of Ordinance 19-CC.

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:** 11/26/2019 SLH

Supporting documents attached:

- Ordinance 19-CC (Redlined and Clean Versions)

Recommendation: Move to approve Ordinance 19-CC, amending Appendix A, Flood Damage Prevention, of the Code of Ordinances, City of Alvin, Texas, updating a section title and updating the Coordinating Agency; and setting forth other provisions related thereto.

Reviewed by Department Head, if applicable

Reviewed by Chief Financial Officer, if applicable

Reviewed by City Attorney, if applicable

Reviewed by City Manager

ORDINANCE NO. 19-CC

AN ORDINANCE AMENDING APPENDIX A, FLOOD DAMAGE PREVENTION, OF THE CODE OF ORDINANCES, CITY OF ALVIN, TEXAS, UPDATING THE TITLE OF ARTICLE 3 SECTION G AND UPDATING THE COORDINATING AGENCY; PROVIDING FOR AN OPEN MEETINGS AND SEVERABILITY CLAUSE; ESTABLISHING AN EFFECTIVE DATE; AND PROVIDING FOR OTHER RELATED MATTERS.

WHEREAS, the Legislature of the State of Texas has in statutes such as Texas Water Code Chapter 16 delegated the responsibility of local governmental units to adopt regulations designed to minimize flood losses; and

WHEREAS, the flood hazard areas within the City of Alvin, Texas are subject to periodic inundation, which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety and general welfare; and

WHEREAS, these flood losses are created by the cumulative effect of obstructions in floodplains which cause an increase in flood heights and velocities, and by the occupancy of flood hazard areas by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated, flood proofed or otherwise protected from flood damage; and

WHEREAS, the City Council desires to amend previously adopted ordinances; **NOW, THEREFORE,**

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

Section 1. That Appendix A, Flood Damage Prevention, Article 3, General Provisions, of the Code of Ordinances, City of Alvin, Texas is hereby amended to read as follows:

**APPENDIX A
FLOOD DAMAGE PREVENTION**

ARTICLE 3. GENERAL PROVISIONS

Section G. Warning and disclaimer of liability.

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions greater floods can and will occur and flood heights may be increased by manmade or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the city or any official or employee thereof for any flood damages

that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

...

ARTICLE 4. ADMINISTRATION

...

Section B. Authority of the floodplain administrator.

In enforcing the provisions of this ordinance, the floodplain administrator has authority to:

(1) Maintain and hold open for public inspection records pertaining to the provisions of this ordinance.

(2) Review development permit applications to determine whether proposed building site, including the placement of manufactured homes, will be reasonably safe from flooding.

(3) Approve or deny all applications for development permits required by this ordinance.

(4) Review permits for proposed development to determine whether all necessary permits have been obtained from those federal, state or local governmental agencies (including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334) from which prior approval is required.

(5) Make the necessary interpretation of the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions).

(6) Notify, in riverine situations, adjacent communities and the State Coordinating Agency which is the Texas Water Development Board (TWDB), prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.

...

Section 2. Severability Clause. If any section, clause, sentence, or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

Section 3. Proper Notice and Meeting. 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. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

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

PASSED on the 5th day of December 2019.

ATTEST:

CITY OF ALVIN, TEXAS

By: _____
Dixie Roberts, City Secretary

By: _____
Paul A. Horn, Mayor

ORDINANCE NO. 19-CC

AN ORDINANCE AMENDING APPENDIX A, FLOOD DAMAGE PREVENTION, OF THE CODE OF ORDINANCES, CITY OF ALVIN, TEXAS; UPDATING THE TITLE OF ARTICLE 3 SECTION G AND UPDATING THE COORDINATING AGENCY; PROVIDING FOR AN OPEN MEETINGS AND SEVERABILITY CLAUSE; ESTABLISHING AN EFFECTIVE DATE; AND PROVIDING FOR OTHER RELATED MATTERS.

WHEREAS, the Legislature of the State of Texas has, in Chapter 16 of the ~~in statutes~~ ~~such as~~ Texas Water Code ~~Chapter 16~~, delegated the responsibility of local governmental units to adopt regulations designed to minimize flood losses; and

WHEREAS, the flood hazard areas within the City of Alvin, Texas, are subject to periodic inundation, which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety and general welfare; and

WHEREAS, these flood losses are created by the cumulative effect of obstructions in floodplains which cause an increase in flood heights and velocities, and by the occupancy of flood hazard areas by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated, flood proofed or otherwise protected from flood damage; and

WHEREAS, the City Council desires to amend previously adopted ordinances; **NOW, THEREFORE,**

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

Section 1. That Appendix A, Flood Damage Prevention, Article 3, General Provisions, of the Code of Ordinances, City of Alvin, Texas, is hereby amended to read as follows:

**APPENDIX A
FLOOD DAMAGE PREVENTION**

ARTICLE 3. GENERAL PROVISIONS

Section G. Warning and disclaimer of ~~li~~ liability.

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions greater floods can and will occur and flood heights may be increased by manmade or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the city or any official or employee thereof for any flood damages

that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

...

ARTICLE 4. ADMINISTRATION

...

Section B. Authority of the floodplain administrator.

In enforcing the provisions of this ordinance, the floodplain administrator has authority to:

(1) Maintain and hold open for public inspection records pertaining to the provisions of this ordinance.

(2) Review development permit applications to determine whether proposed building site, including the placement of manufactured homes, will be reasonably safe from flooding.

(3) Approve or deny all applications for development permits required by this ordinance.

(4) Review permits for proposed development to determine whether all necessary permits have been obtained from those federal, state or local governmental agencies (including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334) from which prior approval is required.

(5) Make the necessary interpretation of the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions).

(6) Notify, in riverine situations, adjacent communities and the State Coordinating Agency which is the Texas [Water Development Board \(TWDB\)](#) ~~Commission on Environmental Quality (TCEQ)~~, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.

...

Section 2. Severability Clause. If any section, clause, sentence, or phrase of this ~~ordinance~~ [Ordinance](#) is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ~~ordinance~~ [Ordinance](#).

Section 3. Proper Notice and Meeting. 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. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

Section 4. Effective Date. This ordinance shall take effect immediately from and after its passage in accordance with the provisions of ~~Chapter 52, of the Texas Local Government~~ Code and the City of Alvin Charter.

PASSED on the _____ day of _____, 2019.

~~**ATTEST:** _____ **CITY OF ALVIN, TEXAS**~~

~~By: _____ By: _____
Dixie Roberts, City Secretary Paul A. Horn, Mayor~~

CITY OF ALVIN, TEXAS **ATTEST:**

By: _____ By: _____
Paul A. Horn, Mayor Dixie Roberts, City Secretary



AGENDA COMMENTARY

Meeting Date: 12/5/2019

Department: City Secretary

Contact: Dixie Roberts, City Secretary

Agenda Item: Consider various appointments to boards and commissions.

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

Summary: Current terms will expire for various citizen boards committees and commissions on December 31, 2019.

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 beginning in October, and notifications were also pushed out via the City’s social media networks. Members appointed during this process will begin service in January 2020. All residency requirements have been verified.

Staff suggests that City 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.

PLANNING COMMISSION: City Charter calls for 5-11 members, resident, 3 year terms.

- Board currently comprised of eight (8) members (including termed members)
 - Termed members: Jake Starkey, Santos Garza, *Nicole Kelinske*, and Randy Reed. *Nicole does not wish to reserve.*

Re-Serve Applicants	New Applicants
Santos Garza	Janice Burnett
Randy Reed	Abrin Brooks
Jake Starkey	Keko Moore
	Roger Stuksa
	Jamie Vaughn

Jamie Vaughn is currently serving on the Parks and Recreation Board and has submitted an application to serve on the Planning Commission, in addition to his service on the Parks and Recreation Board. He would like to serve on both the Parks Board and the Planning Commission. Carrie Parker currently serves on both.

The Commission needs at least five (5) and can have up to eleven (11) members. Without Nicole and with the re-appointment of Santos, Randy, and Jake, that will leave seven (7) members.

Motion: Move to appoint _____ to serve a 3-year term on the Planning Commission.

PARKS AND RECREATION BOARD: City Charter calls for 7-9 members, 2 year terms, resident, qualified voter with interest in leisure time.

- Board currently comprised of seven (7) members (including termed members)
 - Termed members: Milton Morgan, Carrie Parker, Dwight Rhodes, and Jamie Vaughn.

Re-Serve Applicants	New Applicants
Milton Morgan	Janice Burnett
Carrie Parker	
Dwight Rhodes	
Jamie Vaughn	

The Board needs at least seven (7) and can have up to nine (9) members. With the re-appointment of Milton, Carrie, Dwight, and Jamie that will leave seven (7) members.

Motion: Move to appoint _____ to serve a 2-year term on the Parks and Recreation Board.

SENIOR CITIZENS BOARD: Ordinance calls for 7 members, 2 year terms.

- Board currently comprised of seven (7) members (including termed members)
 - Termed members: Betty Hodges and Loretta Smith; *Betty and Loretta* do not wish to re-serve. Darrell Brady was appointed September 5, 2019 to fill the unexpired term of Judy Zavala and wishes to continue service on the Board.

The Board needs seven (7) members. Without Betty and Loretta and with the re-appointment of Darrell, that will leave five (5) members. Two additional appointments will be needed.

Re-Serve Applicant	New Applicant
Darrell Brady	Betsy Grubbs
	Rafaela Garza
	Roger Stuksa
	Jancy Altus

Motion: Move to appoint _____ to serve a 2-year term on the Senior Citizens Board.

PUBLIC LIBRARY BOARD: Ordinance calls for at least 5 members who must reside within the corporate limits of the City, 2 members **may** be appointed from the Alvin area in Brazoria County, provided that such members have resided within such area for at least 1 year preceding their appointment, 3-year terms.

- Board currently comprised of 6 members (including termed members)
 - Termed members: Shandar Hobbs did not submit an application to re-serve; Carrie Parker does not wish to continue service.

New Applicants
Megan Hairston Janice
Angela Lawson Poole

The Board needs at least five (5) and no more than seven (7) members. Without Shandar or Carrie that leaves four (4) members. At least one additional appointment will be needed.

Motion: Move to appoint _____ to serve a 3-year term on the Alvin Public Library Board.

BUILDING BOARD OF ADJUSTMENTS AND APPEALS: Ordinance calls for 5 members, 2 year terms.

- Board currently comprised of four (4) members (including termed members).
 - Termed member: James Thompson; Martin Vela was elected to Council in May 2019.

The Board needs at least five (5) members. Without Martin and with the re-appointment of James, that leaves four (4) members. One additional appointment will be needed.

Re-Serve Applicants:	New Applicants
James Thompson	Janice Burnett
	Kimberly Dugas
	Betsy Grubbs
	Keko Moore
	Jake Starkey (serves on Planning)

Motion: Move to appoint _____ to serve a 2-year term on the Building Board of Adjustments and Appeals.

ANIMAL SHELTER ADVISORY COMMITTEE: Ordinance calls for 7 members, at least 1 licensed veterinarian, 1 city official, 2 members whose duties include the daily operation of an animal shelter, 1 representative from an animal welfare organization, and 2 citizens who will reside within the city limits of Alvin, 3 year terms.

- Board currently comprised of seven (7) members (including termed member)
- 1 seat vacant for the animal welfare organization position
 - Termed member: Becky Noerr, animal welfare organization, does not wish to re-serve.

Re-Serve Applicant	New Applicant
N/A	Kimberly Vera (animal welfare org).

Motion: Move to appoint _____ to serve a 3-year term fulfilling the animal welfare organization requirement on the Animal Shelter Advisory Committee.

Non-Active Boards

BOARD OF ETHICS AND COMPLIANCE (Created by Charter and Ordinance): For lack of volunteer interest, appointments to this board were last made in 2013. All terms have now expired; the board has not met since 2010. The Board shall consist of five members who shall serve two year staggered terms. Board appointees will not be reappointed for at least two years following the termination of the last appointment. Board members must be residents of the City. No member of the board shall hold elective or appointed office under the city or any other government, hold any other political party office or be a candidate *for any of the aforementioned offices. The board shall meet at least once each calendar quarter.*

CULTURAL DIVERSITY AWARENESS COMMISSION (Created by Ordinance): For lack of volunteer interest, appointments to this board were last made in 2009. All terms have expired; the board has not met since 2010. The Cultural Diversity Awareness Commission was created by Ordinance No 95-HH. The Commission shall be comprised of six (6) voting members and two (2) associate members who shall be appointed by the Mayor and ratified by the City Council. All members of the Commission shall serve staggered three (3) year terms. This Commission was originally created by Resolution 93-R-7 and was known as the Racial Tolerance Commission).

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:** _____

Supporting documents attached:

- Applicant Information Spreadsheet

Recommendation: Make appointments to the Planning Commission, Parks Board, Senior Citizens Board, Library Board and the Building Board of Adjustments/Appeals and Animal Shelter Advisory Board.

Reviewed by Department Head, if applicable

Reviewed by City Attorney, if applicable

Reviewed by Chief Financial Officer, if applicable

Reviewed by City Manager

Board/Commission Re-Serve Applicant Information 12/5/19

First Name	Last Name	Employment	Occupation	Resident of Alvin	Board to Re-Serve/Serve	Past Boards Served on	Attended Citizen's Academy	Notes Provided on Consent and Willingness to Serve Form
Darrell	Brady	Retired	Retired	54 years	Senior Board	Senior Board	No	President of ActionS, President Monsanto Retirement Club, Currently on Senior Board, at the Senior Center daily.
Santos	Garza	Self Employed	Electrician	60 years	Planning Commission	Planning Commission, BBOAA, Land Use Committee, Electrical Board and Charter Review Commission	No	Enjoy giving my input to see our city grow in a positive way. Been on Planning Commission about 12 years.
Milton	Morgan	Halliburton	Sales	38 years	Parks Board	Parks Board	No	I have been on the Parks Board for several years and also work on the baseball fields everyday. I am very involved with our parks daily.
Carrie	Parker	Aetna	Senior Project Manager	38 years	Parks Board	Library Board. Currently serves on the Parks Board and Planning Commission. Term expires on Parks board this year.	Yes	I have served on the Parks and Recreation Board for the last 3 years and have been an active participant in Board decisions and activities.
Randy	Reed	Retired	Retired	56 years	Planning Commission	Charter Review Commission & Electrical Board	No	Current member of the Planning Commission and have served several terms. I have an experienced working knowledge of plats and city ordinances.
Dwight	Rhodes	ACC	Dept. Chair	33 years	Parks Board	Parks Board	No	I have served on the Alvin Parks Board for many years; before being on City Council, 1994-2000 and since leaving City Council. Parks are one of the City's finest attributes. Citizens enjoy visiting City parks for outdoor activities, picnics, events and sports. Many folks from surrounding communities may only visit our Parks and the imagine our Parks portray is a reflection of our Community. I volunteered for 24 years on the Tour de Bras ride. An event that brought folks from all over Texas and surrounding states to the City of Alvin.
Jake	Starkey	Battle Cry Revival, LLC.	Creative Director	33 years	Planning; Would also like to serve on BBOAA	Planning Commission. Would like to be considered for an appointment to the Building Board of Adjustments and Appeals (BBOAA) in addition to his continued service on the Planning Commission.	No	I am currently the chairman for the Planning Commission and would like to continue serving.
James	Thompson	Self Employed	Engineer	30 years	BBOAA	Animal Shelter Advisory Board & Building Board of Adjustment & Appeals	No	Currently serving on both boards. I am familiar with code of ordinances of Alvin. I am very interested in the welfare of the animal population in the Alvin area.
Jamie	Vaughn	Unicast	Warehouse Operations Supervisor	11 years	Parks Board, Planning Commission, Animal Shelter Advisory	Parks Board term expires this year. Would also like to be considered for appointment on the Planning Commission in addition to his continued service on the Parks Board.	No	
								Updated 12/4/19 2:26 p.m.

Board/Commission New Applicant Information 12/5/19

First Name	Last Name	Employment	Occupation	Resident of Alvin	Board to Serve	Past Boards Served on	Attended Citizen's Academy	Notes Provided on Consent and Willingness to Serve Form
Abrin	Brooks	City of LaPorte	GIS Manager	2 years	Planning Commission		No	I have knowledge of code and literature from my experience in the Planning Department from my current occupation in Municipal Government, coupled with the will to serve my community as a citizen of Alvin. I have a Masters Degree in Sociology and am completing my MPA.
Betsy	Grubbs	Tetchy-Grubbs, LLC	Attorney	35 years	BBOAA Senior Board		No	To help the Senior Center any way I can. I am attorney and my focus is on estate planning, probate, and real estate. I have many years of experience working with the elderly. I am interested in serving on the BBOAA to ensure Alvin grows but maintains its presence as a quality place to live.
Janice	Burnett	Acme Truck Line, Inc.	Owner	54 years	BBOAA, Ethics Board, Parks, Planning Commission		No	Long time Alvin resident and owned a business in Alvin since 1988 . Wanting to get more involved with my town .
Kimberly	Dugas	Gotcha Covered Insurance	Insurance Agent	7 years	BBOAA		No	I'm a local business owner and active in the community. Love to see new businesses and growth in this town.
Rafaela	Garza	Retired	Volunteer	62 years	Senior Board		No	I'm a 62 yr.old female widow and I've worked with Senior citizens all my adult life. I worked as a CNA since I was 28 yrs.old and worked in numerous facilities and also in private care. I have retired and still love to volunteer my time in the Senior Center and barely moved into Memorial Garden Apartments where I also volunteer. I am very excited to see if I can aid in any aspect concerning the Seniors here in Alvin.
Megan	Hairston Janise	Houston ISD	Certified dual language and international baccalaureate teacher	13 years	Library		No	At my campus, I am one of our International Baccalaureate chairs, responsible for getting the world renown program approved at our campus. I would like to assist an Alvin campus in applying this as well. I'm also a volunteer for The Bridge Over Troubled Water, a battered women's shelter in Pasadena. I've been volunteering there since my mother took me as a child. I also currently volunteer at Planned Parenthood in Houston. I was also a volunteer for the Beto O'Rourke Senate campaign.
Keno	Moore	Self Employed	Construction	3 years	BBOAA, Planning Commission		No	Interested in volunteering in my hometown. I have been in the construction industry for 22 years. Primarily residential and multifamily.
Angela	Lawson Poole	Kibbe & Poole, P.C.	CPA	3 years	Library		No	I am an avid reader and believe literacy and access to a public library is fundamental to a community's success.
Roger	Stuksa	Retired	Retired	50+	Senior Board Planning	City Council, Eletrical, Planning, Plumbing Appeals,	No	
Kimberly	Vera	City of Alvin	Kennel Tech		Animal Shelter Advisory Committee			I have been employed by the City of Alvin as a kennel technician at the Alvin Animal Adoption Center for nearly two years. I have previously worked for Habitat for Horses and am currently a member of the donkey rescue "Jack & Jill Retreat". The vacant position is required to be a representative for an animal welfare organization.
Jancy	Altus	Retired		50+	Senior Board		No	Very active member of 3 Senior Centers. I participate weekly in 5 centers.