

**MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
REGULAR CITY COUNCIL MEETING
THURSDAY MARCH 7, 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: Paul A. Horn, Mayor; Keith Thompson, Mayor Pro-Tem and Councilmembers: Gabe Adame, Joel Castro, Brad Richards, Scott Reed and Glen Starkey.

Staff members present: Junru Roland, City Manager; Suzanne Hanneman, City Attorney; Dixie Roberts, City Secretary; Michelle Segovia, City Engineer; Dan Kelinske, Director of Parks and Recreation; and Robert E. Lee, Police Chief.

INVOCATION AND PLEDGE OF ALLEGIANCE

Reverend John Taolson, St. John the Baptist Church gave the invocation.

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

Council member Reed led the Pledge to the Texas Flag.

PUBLIC COMMENT

No public comment received.

CONSENT AGENDA

- A. Consider approval of the February 12, 2019 City Council workshop minutes.
- B. Consider approval of the February 21, 2019 City Council meeting minutes.
- C. Consider an amending plat number 2 of Cline Crossing No. 2 (located near the southeast corner of Bypass 35 and Highway 6), being a subdivision of a 21.5083 acre tract located in the I. & G. N. Railroad Company Survey, Abstract No. 400, City of Alvin, Brazoria County, Texas, and being all of Reserves A, B, C, D, E, F, G and H, Block 1, Cline Crossing No. 2 Amending Plat, according to the map or plat thereof recorded in Brazoria County Clerk's File No. 2018019058 of the official records of Brazoria County, Texas.
On January 31, 2019, the Engineering Department received the amending plat no. 2 of Cline Crossing No. 2 for review. The property is located near the southeast corner of Bypass 35 and Highway 6 and is being platted in order to enlarge Reserve A to accommodate future 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 February 19, 2019. Staff recommended approval.
- D. Consider a final plat of O'Reilly Alvin Addition (located at 1042 South Gordon), being a replat of Alvin / Hi-Lo Addition, an addition to the City of Alvin, Brazoria County, Texas, situated in the H.T. & B.R.R. Company Survey, Section 14, Abstract No. 449, as recorded in Volume 22, page 295, of the Plat Records of Brazoria County, Texas.
On January 31, 2019, the Engineering Department received the final plat of O'Reilly Alvin Addition for review. The property is located at 1042 South Gordon and consists of 1 lot and 1 block. The property is being replatted from two lots into one lot in order to build an addition to the north side of the existing O'Reilly Auto Parts building. This plat complies with all requirements of the City's Subdivision Ordinance. The City Planning Commission unanimously approved the plat at their meeting on February 19, 2019. Staff recommended approval.
- E. Consider a final plat of Lenamon Grove Addition (located at the northeast corner of the intersection of Highway 35 and Moore Road), being a 3.36 acre tract of land situated in the Hennell Stevens Survey, Abstract No. 595, Brazoria County, Texas, being all that certain called 3.64 acre tract of land

described in deed to Barbara Jule Lenamon, as recorded in Document No. 2014027766, official public records of Brazoria County, Texas.

On January 31, 2019, the Engineering Department received the final plat of Lenamon Grove Addition for review. The property is located in the City of Alvin Extraterritorial Jurisdiction (ETJ) at the northeast corner of the intersection of Highway 35 and Moore Road. The plat consists of 2 lots and 1 block and is being platted for future 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 February 19, 2019. Staff recommended approval.

F. Consider a final plat of Huntington Place Section 3 (located in the City of Alvin's ETJ at the northeast corner of FM 521 and Juliff Manvel Road), being a planned unit development subdivision of 17.638 acres of land situated in the William Pettus League Survey, Abstract 68, Fort Bend County, Texas.

On January 31, 2019, the Engineering Department received the final plat of Huntington Place Section 3 for review. This section consists of sixty-three (63) single-family residential lots, three (3) blocks, and four (4) reserves, and is located northeast of the intersection of FM 521 and Juliff Manvel Road in the City of Alvin's Extraterritorial Jurisdiction (ETJ) within Fort Bend County. The Master Preliminary Plat of Huntington Place was approved by City Council on June 6, 2017. The property is being subdivided for a new single family residential planned unit development subdivision. This plat complies with all requirements of the City's Subdivision Ordinance. The Planning Commission unanimously approved the plat at their meeting on February 19, 2019. Staff recommended approval.

G. Consider a preliminary plat of Southern Colony Section 5 (located in the City of Alvin's ETJ along the east side of FM 521 and north of Juliff-Manvel Road), being a planned unit development, subdivision of 2.598 acres of land situated in the William Hall League, Abstract 31, Fort Bend County, Texas.

On January 31, 2019, the Engineering Department received the Preliminary Plat of Southern Colony Sections 5 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 Preliminary Plat consists of 8 lots, 4 reserves, and 1 block. This plat complies with all requirements of the Planned Unit Development Section of the City's Subdivision Ordinance. The Southern Colony Subdivision currently consists of four previously platted sections. The City Planning Commission unanimously approved the plat at their meeting on February 19, 2019. Staff recommended approval.

H. Consider a master preliminary plat of Southern Colony Expansion Phase 1 (located in the City of Alvin's ETJ along the east side of FM 521 and north of Juliff-Manvel Road), being a planned unit development, subdivision of 83.1 acres of land out of the W.M. Hall Survey, Abstract Group 3, Fort Bend County, Texas.

On January 31, 2019, the Engineering Department received the Master Preliminary Plat of Southern Colony Expansion Phase 1 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 Preliminary Plat consists of 379 lots, 16 reserves, and 15 blocks. This plat complies with all requirements of the Planned Unit Development Section of the City's Subdivision Ordinance. The Southern Colony Subdivision currently consists of four previously platted sections. The City Planning Commission unanimously approved the plat at their meeting on February 19, 2019. Staff recommended approval.

I. Consider a final plat of Fairway Lake (located along Nelson Road to the north of the lake property owned by Brazoria County Conservation and Reclamation District #3), being a planned unit development, subdivision of 9.759 acres, being a replat of Reserve "A," final plat of Fairway Lake property, File No. 2018038022, O.P.R.B.C. situated in the H.T. & B.R.R. Co. survey, Abstract No. 225, City of Alvin, Brazoria County, Texas.

On January 31, 2019, the Engineering Department received the final plat of Fairway Lake for review. The property is located along the south side of Nelson Road north of the lake property owned by the Brazoria County Conservation and Reclamation District #3. This final plat consists of fifty (50) single-family lots, four (4) reserves, and two (2) blocks. This plat complies with all requirements of the City's Subdivision Ordinance. The City Planning Commission voted 8 votes to 1 vote to approve the final plat of Fairway Lake at their meeting on February 19, 2019. The Commission Member that voted against approval of the plat did not state a reason for their denial of the plat. Staff recommended approval.

Council member Reed removed Item D from the consent agenda: Consider a final plat of O'Reilly Alvin Addition (located at 1042 South Gordon).

Council member Adame moved to approve the remaining items of the consent agenda. Seconded by Council member Thompson; motion carried on a vote of 6 Ayes.

OTHER BUSINESS

Item removed from the consent agenda by Council member Reed: Consider a final plat of O'Reilly Alvin Addition (located at 1042 South Gordon), being a replat of Alvin / Hi-Lo Addition, an addition to the City of Alvin, Brazoria County, Texas, situated in the H.T. & B.R.R. Company Survey, Section 14, Abstract No. 449, as recorded in Volume 22, page 295, of the Plat Records of Brazoria County, Texas.

Council member Reed stated that a variance request was previously denied for this location and therefore must adhere to the ordinance. He asked if O'Reilly's was going to redo the whole frontage, or just the add-on. Ms. Segovia stated that this plat includes the 30x80 addition, 30 ft. across the front and 80 ft. across the north side of the building will be CMU block; nothing will be done to the existing part of the building. Brief discussion continued.

Council member Reed moved to approve a final plat of O'Reilly Alvin Addition (located at 1042 South Gordon), being a replat of Alvin / Hi-Lo Addition, an addition to the City of Alvin, Brazoria County, Texas, situated in the H.T. & B.R.R. Company Survey, Section 14, Abstract No. 449, as recorded in Volume 22, page 295, of the Plat Records of Brazoria County, Texas. Seconded by Council member Castro; motion carried on a vote of 6 Ayes.

Consider a variance request to the building façade requirement of Chapter 35, Section 35-19 of the City of Alvin Code of Ordinances, for Southwest Refractory of Texas, located at 2443 N. Gordon Street.

On January 31, 2019, the Engineering Department received a variance request from Rodney Rudell of Southwest Refractory of Texas (2443 N. Gordon St.), for a waiver to the façade requirement of Section 35-19 of the City Code of Ordinances. Mr. Rudell is proposing to construct building #4 on the property and has requested a variance to allow the proposed building to be constructed with an Exterior Insulation and Finish System (EISF) façade on the front elevation and 75 feet down the north and south elevations. Mr. Rudell was granted a similar variance several years ago when building #3 was constructed. Section 35-19 requires that the exterior façade on all sides of the building that are visible from the corridor (Gordon Street) to be constructed of brick, stone, stucco, EISF, or masonry. The City Planning Commission voted unanimously to approve this variance request at their meeting on February 19, 2019. Staff recommended approval.

Council member Reed moved to approve a variance request to the building façade requirement of Chapter 35, Section 35-19 of the City of Alvin Code of Ordinances, for Southwest Refractory of Texas, located at 2443 N. Gordon Street. Seconded by Council member Thompson; motion carried on a vote of 6 Ayes.

Consider a variance request for the property owner of the vacant lot located at 113 W. Lang Street, to reduce the street side building setback requirement of Chapter 21, Section 37(a) of the City of Alvin Code of Ordinances, from 25 feet to 10 feet, for the construction of a single-family residence or duplex.

On February 19, 2019, the Engineering Department received a variance request from the property owner of the vacant lot located at 113 W. Lang Street, to reduce the street side building setback along Hardie Street from 25 feet to 10 feet for the construction of a single-family home or duplex. The construction of a home/duplex with a street side building setback of 10 feet will not cause any traffic safety concerns and will blend with the existing structures in the area. If the variance is granted the new structure would be 28 feet from the edge of the Hardie Street pavement.

The City Planning Commission voted unanimously to deny this variance request at their meeting on February 19, 2019. The consensus of the Commission was that approval of the variance would allow for a denser development of the property in an already congested area of town near a major thoroughfare (Gordon Street).

Council member Reed moved to approve a variance request for the property owner of the vacant lot located at 113 W. Lang Street, to reduce the street side building setback requirement of Chapter 21,

Section 37(a) of the City of Alvin Code of Ordinances, from 25 feet to 10 feet, for the construction of a single-family residence or duplex. Seconded by Council member Castro; motion carried on a vote of 4 Ayes, with City Council member's Richards and Starkey voting No.

Consider Resolution 19-R-10, granting a blanket easement to CenterPoint Energy Houston Electric, LLC., for the installation of 3-Phase electrical power to the Wastewater Treatment Plant, and authorize the Mayor to sign the easement agreement upon legal review.

Resolution 19-R-10 grants a blanket easement across the Wastewater Treatment Plant property to CenterPoint Energy for the installation of 3-phase electrical power with associated equipment to the plant. This work is part of the ongoing Wastewater Treatment Plant Optimization Improvements Phase II Project. Once the installation is complete and energized a defined 10' wide ground easement and 30' aerial easement along the overhead lines will be requested and once granted CenterPoint will release this blanket easement. Staff recommended approval of Resolution 19-R-10.

Council member Castro moved to approve Resolution 19-R-10, granting a blanket easement to CenterPoint Energy Houston Electric, LLC., for the installation of 3-Phase electrical power to the Wastewater Treatment Plant, and authorize the Mayor to sign the easement agreement upon legal review. Seconded by Council member Richards; motion carried on a vote of 6 Ayes.

Consider Ordinance 19-E, amending Chapter 24, Traffic, of the Code of Ordinances, City of Alvin, Texas, for the purpose of designating the prima facie speed limit of 20 miles per hour within the Forest Heights Subdivision; authorizing and directing the placement and installation of speed control signage; providing for a penalty and publication; and setting forth other provisions related thereto.

In January 2019, it was brought to the Engineering Department's attention that the speed limit signs at the entrance to the Forest Heights Subdivision state 20 miles per hour (MPH) for the entire subdivision, and that the recently constructed Forest Heights Section 7 has speed limit signs showing 30 MPH. After reviewing Chapter 24 of the City Code of Ordinances, it was discovered that Barras Street was the only street within Forest Heights that was included in the ordinance to be posted at 20 MPH. In order for the 20 MPH speed limit to be enforceable, the City must approve an ordinance to amend Chapter 24 Traffic to incorporate the speed limit. Ordinance 19-E establishes a posted speed limit of 20 MPH within the entire Forest Heights Subdivision; authorizes Staff to install the appropriate signage and provides for enforcement of the designated speed limit. Staff recommended approval of Ordinance 19-E.

Council member Castro moved to approve Ordinance 19-E, amending Chapter 24, Traffic, of the Code of Ordinances, City of Alvin, Texas, for the purpose of designating the prima facie speed limit of 20 miles per hour within the Forest Heights Subdivision; authorizing and directing the placement and installation of speed control signage; providing for a penalty and publication; and setting forth other provisions related thereto. Seconded by Council member Richards; motion carried on a vote of 6 Ayes.

Consider an Interlocal Agreement with the City of League City for use of the Alvin Police Department Gun Range, with a one (1) year automatic renewal; and authorize the City Manager to sign subject to legal review.

This Interlocal Agreement will memorialize an agreement between the Alvin Police Department and the League City Police Department, for the League City Police Department's use of the City of Alvin's gun range for law enforcement training purposes. The League City Police Department has agreed to adhere to the City of Alvin's rules and guidelines for use of the gun range and has agreed to provide its own certified instructors for its law enforcement training purposes.

This Interlocal Agreement will continue until June 30, 2020 and contains a one (1) year automatic renewal. Staff recommended approval of the Interlocal Agreement.

Council member Starkey moved to approve an Interlocal Agreement with the City of League City for use of the Alvin Police Department Gun Range, with a one (1) year automatic renewal; and authorize the City Manager to sign subject to legal review. Seconded by Council member Thompson; motion carried on a vote of 6 Ayes.

Consider Resolution 19-R-11, granting consent to the creation of Brazoria-Fort Bend Counties Municipal Utility District No. 3; and other related matters thereto.

On or about February 5, 2019, the landowners of real property located in Brazoria and Fort Bend Counties petitioned the City for consent to the creation of Brazoria-Fort Bend Counties Municipal Utility District No. 3 to serve approximately 362.666 acres of land in Brazoria and Fort Bend Counties, Texas, all of which is located within the extraterritorial jurisdiction of the City of Alvin. This property is along the east side of FM 521 and north of the Southern Colony Subdivision

This property is located within an area which will experience a substantial and sustained residential growth within the foreseeable future, is urban in nature, and is not supplied with adequate water, sanitary sewer, drainage facilities and services, and roads. The health and welfare of the future inhabitants of the proposed MUD require the provision of adequate water, storm and sanitary sewer facilities and services, and roads. The property cannot be developed without the creation of the District to finance the water, sanitary sewer, drainage facilities and services, and roads; therefore, a public necessity for the creation of a municipal utility exists. The proposed improvements are practicable and feasible, and the terrain of the territory to be included in the proposed District is of such a nature that water, storm and sanitary sewer facilities and services, and roads can be constructed or provided at a reasonable cost; and said District will be rapidly developed primarily for residential purposes with some commercial and retail use. Staff recommended approval of Resolution 19-R-11.

Council member Reed moved to approve Resolution 19-R-11, granting consent to the creation of Brazoria-Fort Bend Counties Municipal Utility District No. 3; and other related matters thereto. Seconded by Council member Thompson; motion carried on a vote of 6 Ayes.

REPORTS FROM CITY MANAGER

Review preliminary list of items for next Council meeting.

Mr. Junru Roland reviewed the preliminary list for the March 21, 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 stated that he has been asked several times about the white sandbags being placed along the inlets on Mustang Road and that this is work prefacing the installation of waterlines, crews will soon be digging in the area for the placement of these lines.

Council member Reed stated that he attended Brazoria County Day in Austin recently, and while he was there attended a Commerce of the Arts meeting. He stated that he was told there are a lot of untapped resources the City could be utilizing for the funding of art related activities and/or festivals in our community.

Council member Castro stated that he attended Brazoria County Day in Austin and was able to attend a meeting of the Texas Workforce Commission. He stated that there are several untapped resources that could be utilized in Brazoria County to help promote and expand the workforce in the area. He also encouraged everyone to head out to the upcoming Alvin Music Festival.

Council member Starkey stated that he recently attended Brazoria County Day in Austin and would like to thank Larry Buehler, Director of Economic Development for his work on this event, and for coordinating various meetings for members of Council to attend. He also stated that he would like the City to look into the possibility of becoming certified by the Texas Film Commission, which could benefit our community economically. The only other certified cities in our area are Pearland, League City and Seabrook. Council member Starkey also congratulated Captain Tim Hubbard of the Alvin Police Department on his recent graduation from the Leadership Command College – The Law Enforcement Management Institute of Texas.

Mayor Horn thanked Larry Buehler for all of his hard work done for Brazoria County Day. He stated that during his meeting with TxDOT one of the first topics of discussion was the City of Alvin Bypass and Grand Parkway B.

ADJOURNMENT

Mayor Horn adjourned the meeting at 7:34 p.m.

PASSED and APPROVED the 21st day of March 2019.

Paul A. Horn, Mayor

ATTEST: _____
Dixie Roberts, City Secretary