

**MINUTES
REGULAR CITY COUNCIL MEETING
VIA TELECONFERENCE
THURSDAY, MAY 7, 2020
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. by telephone/video conference, in accordance with order of the Office of the Governor issued March 16, 2020 in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19) The following members were present: Mayor Paul A. Horn; Mayor Pro-Tem Glenn Starkey; 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, Larry Buehler, Economic Development Director; Michelle Segovia, City Engineer; and Robert E. Lee, Police Chief.

The public was provided a login link and telephone number to participate in this meeting.

INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Paul Horn gave the invocation.

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

PUBLIC HEARINGS

CONSENT AGENDA

Consider approval of the April 16, 2020 City Council meeting minutes.

Consider approval of the April 24, 2020 City Council Special meeting minutes.

Proclaim May 17-23 as Public Works Week.

Consider Ordinance 20-L, annexing 18.2173 acres, more or less, a commercial parcel of land within Municipal Utility District No. 24 (Martha’s Vineyard) situated along State Highway 6 in Brazoria County, Texas, for a limited purpose; making findings of fact; providing a severability clause; and providing an effective date.

This tract of land was annexed into Municipal Utility District (MUD) No. 24 on February 21, 2019 as part of the Martha’s Vineyard Development for the purpose of providing commercial development to the overall project. The MUD will be delivering water and sewer services to this tract. A Strategic Partnership Agreement (SPA) was entered into on June 20, 2019 between the City of Alvin and MUD No. 24. Section 2.02 of the SPA allows the commercial tract to be annexed into the city in a Limited Purpose Annexation for the collection of its sales and use taxes. Council authorized the commencement of annexation procedures on March 5, 2020, in Resolution 20-R-11.

Public hearings were held on April 2, 2020 and April 16, 2020. This Ordinance will finalize the annexation of approximately 18.2173 acres, more or less, a commercial parcel of land within Municipal Utility District No. 24 (Martha’s Vineyard) situated along State Highway 6 in Brazoria County, Texas. The Ordinance includes the Limited Purpose Plan to collect sales and use taxes only. Staff recommended approval.

Consider a final plat of Alvin Self Storage (located along the east side of Bypass 35, north of Steele Road), being a subdivision of a 8.7865 acre tract of land, a replat of lot 15 and lot 16, subdivision of south half of section no. 21, (vol.5, pg. 442; B.C.D.R.) in the Hooper and Wade Survey, abstract no. 421, City of Alvin, Brazoria County, Texas.

On February 27, 2020, the Engineering Department received the final plat of Alvin Self Storage for review. The property is located on the east side of Bypass 35, north of Steele Road in the City of Alvin. The property is being platted for development of a storage facility on Reserve A and future development on Reserve B. This plat complies with all requirements of the City's Subdivision Ordinance. The City Planning Commission unanimously approved the plat at their meeting on April 21, 2020. Staff recommended approval.

Consider a final plat of Burger King of Alvin (located on FM 1462, just west of Advance Auto), being a subdivision of 0.9075 acres located in the Newson and Swickle Subdivision, located in the Hooper and Wade Survey No. 17, Abstract 423, City of Alvin, Brazoria County, Texas.

On April 1, 2020, the Engineering Department received the final plat of Burger King of Alvin for review. The property is located on FM 1462, just west of Advance Auto in the City of Alvin. The property is being platted for the development of a Burger King restaurant. This plat complies with all requirements of the City's Subdivision Ordinance. The City Planning Commission unanimously approved the plat at their meeting on April 21, 2020. Staff recommended approval.

Consider a final plat of Huntington Place Section 4 (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 15.672 acres of land situated in the William Pettus League Survey, Abstract 68, Fort Bend County, Texas.

On February 27, 2020, the Engineering Department received the final plat of Huntington Place Section 4 for review. This section consists of sixty-seven (67) single-family residential lots, four (4) blocks, and five (5) 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 1, 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 April 21, 2020. Staff recommended approval.

Consider a final plat of Iglesia Gethsemani (located at 1508 Texas Street), being a subdivision of 0.2296 acres in the Hooper and Wade Survey, Section 21, A-421, also being a partial replat of tract 24, of the south half of Section 21 as recorded in volume 5, page 442, deed records, Brazoria County, Texas.

On April 1, 2020, the Engineering Department received the final plat of Iglesia Gethsemani for review. The property is located at 1508 Texas Street in the City of Alvin. The property is being platted to consolidate the two existing lots into one lot for the expansion of the existing church. This plat complies with all requirements of the City's Subdivision Ordinance. The City Planning Commission unanimously approved the plat at their meeting on April 21, 2020. Staff recommended approval.

Consider a final plat of Kendall Lakes Section 10, being a planned unit development subdivision of 31.59 acres of land located in the H.T. and B.R.R. Company Survey, Section 40, A-482, City of Alvin, Brazoria County, Texas.

On February 27, 2020, the Engineering Department received the final plat of Kendall Lakes Section 10 for review. This section consists of ninety-three (93) single-family residential lots, one (1) block, and six (6) reserves, and is located north of Kendall Lakes Section 5 in the City of Alvin. The Master Preliminary Plat of Kendall Lakes, which contains this section, was approved by City Council on August 21, 2014. This plat complies with all requirements of the City's Subdivision Ordinance. The Planning Commission unanimously approved the plat at their meeting on April 21, 2020. Staff recommended approval.

Consider a final plat of Moritz Square (located at 2870 County Road 180), being a subdivision of 1.0733 acres in the J.M. O'Donnell Survey, A-472, also being a partial replat of lot 3 of the Jonas H. Baer Subdivision as recorded in volume 2, page 19, of the Plat Records, Brazoria County, Texas.

On February 27, 2020, the Engineering Department received the final plat of Moritz Square for review. The property is located at 2870 County Road 180 in the City of Alvin's Extraterritorial Jurisdiction (ETJ) and is being platted for conveyance. This plat

complies with all requirements of the City's Subdivision Ordinance. The City Planning Commission unanimously approved the plat at their meeting on April 21, 2020. Staff recommended approval.

Consider a final plat of Raintree Station (located on FM 2403 north of FM 2917), being a subdivision of 15.9458 acres in the Hooper and Wade Survey, A-429, Section 5, also being a partial replat of lot 5 of the John A. Owens Subdivision as recorded in volume 2, page 42, of the Plat Records, Brazoria County, Texas.

On February 27, 2020, the Engineering Department received the final plat of Raintree Station for review. The property is located on FM 2403, north of FM 2917 and is in the City of Alvin's Extraterritorial Jurisdiction (ETJ) and is being platted into three lots for conveyance. This plat complies with all requirements of the City's Subdivision Ordinance. The City Planning Commission unanimously approved the plat at their meeting on April 21, 2020. Staff recommended approval.

Consider a final plat of Southern Colony Expansion Phase 1 Section 1A (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 11.655 acres of land situated in the William Hall League, Abstract 31, Fort Bend County, Texas; also being a partial replat of lot 12 of the T.W. and J.W.B. House Subdivision, as recorded in volume 7, page 301 of the Fort Bend County Deed Records.

December 23, 2019, the Engineering Department received the Final Plat of Southern Colony Expansion Phase 1 Sections 1A 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 55 lots, 5 reserves, and 3 blocks. This plat complies with all requirements of the Planned Unit Development Section of the City's Subdivision Ordinance. The Master Preliminary Plat of Southern Colony Expansion Phase 1, which contains this section, was approved by Council March 7, 2019. The City Planning Commission unanimously approved the plat at their meeting on April 21, 2020. Staff recommended approval.

Consider a final plat of Southern Colony Expansion Phase 1 Section 1B (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 18.675 acres of land situated in the William Hall League, Abstract 31, Fort Bend County, Texas; also being a partial replat of lot 12 of the T.W. and J.W.B. House Subdivision, as recorded in volume 7, page 301 of the Fort Bend County Deed Records.

On December 23, 2019, the Engineering Department received the Final Plat of Southern Colony Expansion Phase 1 Sections 1B 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 84 lots, 5 reserves, and 5 blocks. This plat complies with all requirements of the Planned Unit Development Section of the City's Subdivision Ordinance. The Master Preliminary Plat of Southern Colony Expansion Phase 1, which contains this section, was approved by Council March 7, 2019. The City Planning Commission unanimously approved the plat at their meeting on April 21, 2020. Staff recommended approval.

Consider a final plat of Southern Colony Expansion Phase 1 Section 2 (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 26.776 acres of land situated in the William Hall League, Abstract 31, Fort Bend County, Texas; also being a partial replat of lots 11 and 12 of the T.W. and J.W.B. House Subdivision, as recorded in volume 7, page 301 of the Fort Bend County Deed Records.

On April 1, 2020, the Engineering Department received the Final Plat of Southern Colony Expansion Phase 1 Sections 2 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 121 lots, 7 reserves, and 5 blocks. This plat complies with all requirements of the Planned Unit Development Section of the City's Subdivision Ordinance. The Master Preliminary Plat of Southern Colony Expansion Phase 1, which contains this section, was approved by Council March 7, 2019. The City Planning Commission unanimously approved the plat at their meeting on April 21, 2020. Staff recommended approval.

Consider a final plat of Sunset Ranch Section 2, being a planned unit development subdivision of 4.7531 acres of land (1185 Heights Road), being a partial replat of lot 22 of the map of section 23 Hooper and Wade Survey volume 49, page 161, B.C.D.R. and volume 1, page 10, B.C.M.R. situated in the Hooper and Wade Survey, abstract no. 420, Brazoria County, Texas.

On March 9, 2020, the Engineering Department received the final plat of Sunset Ranch Section 2 for review. The property is located at 1185 Heights Road and consists of twenty-three (23) single-family residential lots and one (1) block. The

Master Preliminary Plat of Sunset Ranch, which contains this section, was approved by City Council on March 2, 2017. This plat complies with all requirements of the City's Subdivision Ordinance. The Planning Commission unanimously approved the plat at their meeting on April 21, 2020. Staff recommended approval.

Consider a master preliminary plat of Caldwell Ranch (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 452.3 acres out of the 0031 W. M. Hall Survey, Abstract group 3, Alvin ETJ, Fort Bend County, Texas.

On February 27, 2020, the Engineering Department received the Master Preliminary Plat of Caldwell Ranch 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 Master Preliminary Plat consists of 968 lots, 43 reserves, and 33 blocks. This plat complies with all requirements of the Planned Unit Development Section of the City's Subdivision Ordinance.

This master preliminary plat is essentially a continuation of the Southern Colony development, however, to prevent confusion with previously platted sections of Southern Colony the name has been changed to Caldwell Ranch for these future sections. The City Planning Commission unanimously approved the plat at their meeting on April 21, 2020. Staff recommended approval.

Council member Castro moved to approve the consent agenda as presented. Seconded by Council member Thompson; motion carried on a vote of 6 Ayes.

OTHER BUSINESS

Consider Ordinance 20-N, amending Chapter 34, Public Storage Facilities/Mini-Warehouses, of the Code of Ordinances, City of Alvin, Texas, for the purpose of removing the maximum individual storage unit area requirement for all public storage facilities; providing for a penalty; and setting forth other provisions related thereto.

Ordinance 20-N would remove section 34-8 of Chapter 34 that limits the maximum area of individual storage units within a public storage facility to six hundred (600) square feet. This amendment was proposed following a request from Tri-County Storage located at 2228 FM 528. Tri-County Storage has submitted plans for the expansion of their existing facility on FM 528, as a part of this expansion they are wanting to add fully enclosed boat and RV storage units which would require a unit size of seven hundred (700) square feet (14' x 50') to accommodate the needs of their customers. Staff recommended approval of Ordinance 20-N.

Council member Castro moved to approve Ordinance 20-N, amending Chapter 34, Public Storage Facilities/Mini-Warehouses, of the Code of Ordinances, City of Alvin, Texas, for the purpose of removing the maximum individual storage unit area requirement for all public storage facilities; providing for a penalty; and setting forth other provisions related thereto. Seconded by Council member Arendell; motion carried on a vote of 6 Ayes.

Consider Ordinance 20-O, granting consent to the addition of approximately 35.354 acres of land to Brazoria County Municipal Utility District No. 73; making findings of fact; providing a severability clause; and providing an effective date.

On January 18, 2018, the City consented to the creation of Brazoria County Municipal Utility District No. 73 (the "District") by Ordinance No. 18-E. The District was created by an order of the Texas Commission on Environmental Quality on August 6, 2018 and operates pursuant to Chapters 49 and 54 of the Texas Water Code.

On April 20, 2020, the City of Alvin, Texas, received a Petition for Consent to Include Additional Land from the District and Pulte Homes of Texas, LP, to include approximately 35.354 acres into the District. Section 54.016 of the Texas Water Code provides that no land within the corporate limits of a city or within the extraterritorial jurisdiction of a city, shall be included within a municipal utility district unless such city grants its written consent to the inclusion of the land within the district. Staff recommended approval of Ordinance 20-O.

Council member Starkey moved to approve Ordinance 20-O, granting consent to the addition of approximately 35.354 acres of land to Brazoria County Municipal Utility District No. 73; making

findings of fact; providing a severability clause; and providing an effective date. Seconded by Council member Arendell; motion carried on a vote of 6 Ayes.

Consider Resolution 20-R-14, confirming and ratifying the Third Amendment to the Utility Services Contract between the City of Alvin, Texas, and Brazoria County Municipal Utility District No. 73 (the “District”); and authorize the Mayor to sign the amended Contract upon legal review.

The City and Rooted Development Group, LLC (“RDG”), on behalf of itself and the Brazoria County Municipal District No. 73 (the “District”), entered into a Utility Services Contract dated September 21, 2017 (the “Original Agreement”), providing for water and sanitary sewer service for approximately 69.728 acres of land situated within the boundaries of the City and the District (the “Original Tract”).

On August 16, 2018, RDG assigned all of its rights, benefits and obligations in and to the Original Agreement to the District, all as contemplated by and in accordance with Section 5.8 of the Original Agreement.

On June 6, 2019, in Ordinance 19-O, the City approved the addition of approximately 18.65 acres of land into the District (the “MC Detention Pond No. 1”), thereby conferring ownership and maintenance of the detention pond currently located thereon.

On June 6, 2019, in Ordinance 19-P, the City approved the addition of approximately 55.90 acres of land into the District (the “Stanton Tract”).

On February 20, 2020, in Ordinance 20-F, the City approved the addition of approximately 9.99 acres of land into the District (the “Planka Tract”).

On May 7, 2020, in Ordinance 20-O, the City approved the addition of approximately 35.354 acres of land into the District.

The District is requesting a Third Amendment to the Utility Services Contract to amend certain provisions of the Original Agreement in connection with the proposed addition of the 35.354 acres to the District. Staff recommended approval of Resolution 20-R-14.

Council member Vela moved to approve Resolution 20-R-14,, confirming and ratifying the Third Amendment to the Utility Services Contract between the City of Alvin, Texas, and Brazoria County Municipal Utility District No. 73 (the “District”); and authorize the Mayor to sign the amended Contract upon legal review. Seconded by Council member Thompson; motion carried on a vote of 6 Ayes.

Consider adoption of the City of Alvin 2021-2025 Capital Improvement Program.

The City of Alvin 2021-2025 Capital Improvement Program (CIP) includes anticipated drainage, street, water, wastewater, parks, and facilities projects planned for the next five years. Each year staff will review / adjust the plan as necessary and present to the Planning Commission, Parks & Recreation Board and City Council as required by the City Charter prior to the start of the budget process for the upcoming fiscal year. Once the CIP is approved each year then the City Council / staff will work to fund the projects through the budget for the upcoming fiscal year. Approval of the CIP does not guarantee that funds will be available in the respective fiscal years for implementation of the projects.

The 2021-2025 CIP was presented previously to the City Council in a workshop meeting on February 11, 2020.

The City Planning Commission unanimously approved the 2021-2025 CIP at their meeting on April 21, 2020. Staff recommended approval.

Council member Castro had concerns as to why there were so many park projects and not more projects dedicated to drainage. Michelle Segovia explained that all items on this list will not be funded, but it is more like a “wish list” of projects that would be of benefit to the City should funding become available.

Council member Starkey moved to approve the adoption of the City of Alvin 2021-2025 Capital Improvement Plan. Seconded by Council member Thompson; motion carried on a vote of 5 Ayes with Council member Castro voting No.

REPORTS FROM CITY MANAGER

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

Mr. Junru Roland announced items of community interest.

ITEMS OF COMMUNITY INTEREST

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

Council member Thompson thanked the Street Department.

Council member Arendell thanked the city staff for their work to keep people safe.

Council member Castro thanked the employees, ActionS, local churches and non-profit groups for their work in helping the community during COVID-19.

Council member Adame thanked city staff and the Chamber for their joint efforts in the re-opening of businesses campaign. He also stated that there is \$124 billion in State fund for small businesses, and encouraged those who could benefit to apply.

Council member Starkey thanked all employees.

ADJOURNMENT

Mayor Horn adjourned the meeting at 7:31 p.m.

PASSED and APPROVED the 21st day of May 2020.

Paul A. Horn, Mayor

ATTEST: _____
Dixie Roberts, City Secretary