

City of Alvin, Texas

Gabe Adame, Mayor

Keko Moore, Mayor Pro-tem, At-Lg P1
Joel Castro, At-Lg P2
Martin Vela, District A
Chris Vaughn, District B



Richard Garivey, District C
Glenn Starkey, District D
Meagan DeKeyzer, District E

Alvin City Council Agenda Thursday, December 5, 2024

7:00 PM

(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 droberts@cityofalvin.com 48 hours prior to the meeting time. City Hall is wheelchair accessible, and a sloped curb entry is available at the south entrance to City Hall.

NOTICE is hereby given of a Regular Meeting of the City Council of the City of Alvin, Texas, to be held on Thursday, **DECEMBER 5, 2024**, at 7:00 PM in the Council Chambers at: City Hall, 216 W. Sealy, Alvin, Texas.

1. CALL TO ORDER

2. INVOCATION AND PLEDGE OF ALLEGIANCE

3. PRESENTATIONS

- A. Recognition of members of the Downtown Grant Committee.
- B. Presentation of Downtown Business Grant Check to Mega Mart.

4. PUBLIC COMMENT

5. CONSENT AGENDA

- A. Consider approval of the November 21, 2024, City Council Workshop minutes.
- B. Consider approval of the November 21, 2024, City Council meeting minutes.
- C. Consider an Interlocal Agreement between the City of Alvin and the Angleton Area Emergency Medical Corps (AAEMC) for AAEMC to provide Emergency Medical Services for the Preservation Creek Subdivision Development Area at no cost to the City; and authorize the Mayor to sign the Agreement upon legal review.
- D. Consider an expenditure for the replacement of the water well #3 pump and motor by Alsay Incorporated through the Buy Board Purchasing Cooperative in the amount of \$142,797.00; and authorize the City Manager to sign related documents upon legal review.
- E. Consider Resolution 24-R-36, authorizing the allocation of American Rescue Plan Act (ARPA) Funds as specified in Exhibit A; and setting forth other related matters thereto.
- F. Consider a final plat of Franklin's Reserve (located along the east side of S. Highway 35

just south of Briscoe Park) being a subdivision of 28.153 acres of land in the Hooper & Wade Survey, Section 17, Abstract No. 423, City of Alvin, Brazoria County, Texas.

6. OTHER BUSINESS

- A. Consider a request for a variance to the Alvin Code of Ordinances, Chapter 3 - Alcoholic Beverages, to allow a bar located at 319 W. Willis to operate within 300 feet of a residence.
- B. Consider various appointments to boards and commissions.
- C. Consider, if any, requests from individual council members for an item or items to be placed on the upcoming agenda for the next regularly scheduled meeting.

7. REPORTS FROM THE CITY MANAGER

- A. Items of Community Interest and/or 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. 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, 2024, at 4:00 p.m.**



/s/ Dixie Roberts

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
216 W. SEALY STREET
CITY COUNCIL WORKSHOP MEETING
THURSDAY, NOVEMBER 21, 2024
6:00 PM**

CALL TO ORDER

BE IT REMEMBERED that, on the above date, the City Council of the City of Alvin, Texas, met in Workshop Session at 6:00 PM in the First Floor Conference Room at City Hall, with the following members present: Mayor Gabe Adame; Mayor Pro-Tem Keko Moore; Council members: Martin Vela, Chris Vaughn, Joel Castro, Glenn Starkey, Richard Garivey and Meagan DeKeyzer.

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

WORKSHOP BUSINESS

Discuss the assessment and future use of old EMS building (709 E. House St).

Dan Keinske, Director of Parks and Recreation, introduced Brent Bowles with iAD Architects, who presented this item before City Council with explanation. Mr. Bowles provided an overview of the building's current condition, addressing accessibility, finishes, required repairs, and three potential renovation options. Option one, which provided basic renovation services, had a total cost estimate of \$393,237. Option two involved more extensive renovations to the ambulance bays for office use and was estimated to cost \$567,358. Option three proposed the most renovations to interior and exterior structures, estimating a cost of \$721,798. Discussion was had about retaining the building for use as an additional city facility versus leasing the space to an outside party. The consensus was to retain the building for City use, with City Council directing staff to recommend a specific purpose for the space.

ADJOURNMENT

Mayor Adame adjourned the meeting at 6:45 p.m.

PASSED and APPROVED the 5th of December 2024.

ATTEST:

Gabe Adame, Mayor

Dixie Roberts, City Secretary

**MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
CITY COUNCIL REGULAR MEETING
THURSDAY, NOVEMBER 21, 2024
7:00 PM**

CALL TO ORDER

BE IT REMEMBERED that, on the above date, the City Council of the City of Alvin, Texas, met in Regular Session at 7:00 PM in the Council Chambers at City Hall, with the following members present: Mayor Gabe Adame; Mayor Pro-Tem Keko Moore; Council members: Martin Vela, Chris Vaughn, Joel Castro, Glenn Starkey, Richard Garivey and Meagan DeKeyzer.

Staff members present: Junru Roland, City Manager; Suzanne Hanneman, City Attorney; Dixie Roberts, Assistant City Manager/City Secretary; Chris Thomas, Director of Finance; Dan Kelinske, Parks and Recreation Director; Brandon Moody, Director of Public Services; Paul Chavez, Economic Development Director; Kendall Hunting, Fire Chief, and Robert E. Lee, Police Chief.

INVOCATION AND PLEDGE OF ALLEGIANCE

Council member Castro gave the invocation. Council member DeKeyzer led the Pledge of Allegiance to the American Flag. Council member Garivey led the Pledge to the Texas Flag.

PRESENTATIONS

Fire Department - Annual Departmental Presentation.

Kendall Hunting, Fire Chief, delivered the annual departmental update before City Council.

Presentation of GFOA Certificate of Achievement of Excellence in Financial Reporting for Fiscal Year ending September 30, 2023.

Chris Thomas, Director of Finance, presented this award to the City Council, providing an explanation of its significance and expressing gratitude to the Finance Department staff for their hard work and dedication.

PUBLIC COMMENT

There were no comments from the public.

CONSENT AGENDA

Consider approval of the October 17, 2024, City Council Workshop minutes.

Consider approval of the November 7, 2024, City Council meeting minutes.

Consider approval of the November 14, 2024, City Council Workshop minutes.

Acknowledge receipt of the 2023 Kendall Lakes 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 works closely with staff and a Zone Administrator to conduct and record all the business activity. The annual report shows the budget, revenues, expenditures, and development activity. The Board approved the report at their meeting held on October 30, 2024. Staff recommends the acknowledgment of the 2023 Kendall Lakes TIRZ Report.

Consider the 2025 Interlocal Agreement for Emergency Services and Amendment with Brazoria County Emergency Services District #3 (ESD); and authorize the Mayor to sign upon legal review.

The Brazoria County Emergency Services District #3 was first formed in 2004. Brazoria County Commissioners appoint five (5) ESD #3 Board of Directors to authorize and appropriate funding for Fire and Emergency Medical Services (EMS) to the approximately 120 square miles surrounding the city limits of Alvin. Each entity/provider is allowed to submit a budget to the five (5) member ESD #3 Board of Directors each year. The ESD #3 Board of Directors then review the budget requests and allows each entity/provider the opportunity to give a short presentation on their budget requests. Upon approval, the Board of Directors allocates the funds to each entity/provider accordingly.

BRAZORIA COUNTY EMERGENCY SERVICES DISTRICT #3 ANNUAL CONTRIBUTIONS TO THE CITY OF ALVIN				
Calendar Year	Emergency Medical Services	Fire & Rescue Services	Fire & Rescue Services (Liverpool)	Total
2022	\$408,000	\$399,240	\$12,000	\$819,240
2023	\$420,000	\$419,202	\$12,000	\$851,202
2024	\$445,000	\$431,778	\$12,000	\$888,778
2025 (Proposed)	\$463,000	\$453,367	\$12,000	\$928,367

Consider Resolution 24-R-35, adopting a TikTok Usage policy prohibiting the use of TikTok on city-owned devices and accounts due to cybersecurity concerns; and setting other provisions related thereto.

The proposed resolution emphasizes the City Council's commitment to cybersecurity best practices and its adherence to state and federal guidelines. Specifically, it adopts a TikTok Usage Policy (Exhibit A), which provides clear guidelines and enforcement mechanisms for prohibiting the use of TikTok on City-owned devices issued to City officials, employees, contractors, and agents. The policy aligns with state recommendations, underscoring the City's dedication to protecting its data, networks, and systems. Last session, the Texas legislature passed S.B. 1893, which prohibits the use of TikTok and certain other social media applications and services on governmental devices. The bill specifically requires cities and other political subdivisions to adopt a policy: (1) prohibiting the installation of TikTok or another covered application on any device owned or leased by the governmental entity; and (2) requiring the removal of covered applications from those devices.

Key Points of the TikTok Usage Policy:

- Prohibits installing or using TikTok on all City-owned devices, including computers, tablets, smartphones, and any other internet-enabled devices.
- Includes procedures for monitoring and ensuring compliance, outlining steps for addressing any policy violations.
- Ensures that the City of Alvin is in full compliance with the latest state cybersecurity recommendations regarding government devices, meeting the November 20 deadline for policy adoption.
- Exception provided for police investigations, etc.

Staff recommends approval of Resolution 24-R-35 to strengthen the City's cybersecurity framework and to align with state-mandated standards.

Consider Addendum No.1 for an additional one (1) year renewal Agreement with American Allwaste, LLC, for the City's bio-solids disposal services provider, in an amount not to exceed \$807.36 per haul, at an estimated annual cost of \$120,000; and authorize the City Manager to sign the Agreement upon legal review.

Bio-solids are a product of the wastewater treatment process. During wastewater treatment, all the liquids are removed from the solids. The solids are then treated physically and chemically to produce what is called "sludge". The agreement is for the removal of the sludge byproduct from the wastewater treatment plant. The agreement was originally approved in the amount of \$807.36 per haul of 20 cubic yard roll off container with American Allwaste, LLC, by City Council on November 16, 2023, utilizing the public bid process, Bid # B-23-08. Bio-Solids Disposal Bid # B-23-08 was advertised on October 1, 2023, and October 8, 2023. The bids were opened on October 17, 2023. The first term of service under this agreement began on December 5, 2023, through December 5, 2024. This addendum is for the first one (1) year term to run from December 5, 2024, through December 5, 2025. Staff is recommending this renewal for one (1) additional year of the current bio-solids disposal services agreement in the amount of \$807.36 per haul at an estimated annual cost of \$120,000 with American Allwaste LLC as their performance continues to provide a good value to the City of Alvin.

Consider approval and renewal of lease agreements with Enterprise Fleet Management for the replacement of (12) twelve currently leased vehicles and the leasing of four (4) additional vehicles for the Alvin Police Department for an amount not to exceed \$418,348.80 from the FY25 budget; and authorize the City Manager to sign the Lease Agreements upon legal review.

In the FY25 budget, the City Council approved the leasing of sixteen (16) new Chevrolet Tahoes for the Alvin Police Department. Twelve (12) of the new vehicles are replacing outgoing lease vehicles which will be returned to Enterprise Lease. The remaining four (4) are new additions to the fleet to meet the needs of increasing staff. These vehicles are all 2024 models and are available at this time. Waiting to purchase 2025 models would greatly increase cost and would affect availability, possibly beyond FY25. Once approved, the vehicles will be shipped to Siddons-Martin in Houston, to be outfitted with our standard equipment upon execution of the lease agreement. It is anticipated that it will take 7 to 8 months to receive and outfit all requested vehicles. The actual budgeted amount for FY25 does not include the equity the City will receive upon the return of the outgoing leased vehicles. This amount is projected to be a minimum of approximately \$70,000. The equity amount will be credited and reduce our actual expenditure. Staff recommends approval of the expenditure of FY25 funds not to exceed \$418,348.80 for sixteen (16) Chevrolet Tahoes for the Police Department.

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

OTHER BUSINESS

Consider Ordinance 24-FF, releasing approximately 1,911.376 acres of land from the Extraterritorial Jurisdiction of the City of Alvin, Texas; providing findings of fact; containing a severability clause; and providing for other matters related thereto.

On or about October 15, 2024, the City received a Petition for Release from the Extraterritorial Jurisdiction of the City from Founder's Way, LP, the owner of approximately 1,911.376 acres of land near the city limits of Bonney, as reflected in the attached map. Section 42.105(d) of the Texas Local Government Code provides that a City shall take action on a Petition for Release before either the 45th day after receiving the petition, or the next meeting that occurs after the 30th day after receiving the petition, whichever is later. This Ordinance is being presented within 45 days of receiving the Petition.

Suzanne Hanneman, City Attorney, presented this item before City Council with explanation. The consensus of the City Council was in opposition to the state-mandated release of land within the City of Alvin's Extraterritorial Jurisdiction, and they expressed their intent to vote against the proposed ordinance.

Council member Starkey moved to approve Ordinance 24-FF, releasing approximately 1,911.376 acres of land from the Extraterritorial Jurisdiction of the City of Alvin, Texas; providing findings of fact; containing a severability clause; and providing for other matters related thereto. Seconded by Council member Castro; motion to approve failed with all members present voting No, and Council member Castro voting Aye.

Consider Ordinance 24-GG, releasing approximately 340 acres of land from the Extraterritorial Jurisdiction of the City of Alvin, Texas; providing findings of fact; containing a severability clause; and providing for other matters related thereto.

On or about October 15, 2024, the City received a Petition for Release from the Extraterritorial Jurisdiction of the City from Joseph L. Wilburn, Sr., the owner of approximately 340 acres of land near the city limits of Liverpool, as reflected in the attached map. Section 42.105(d) of the Texas Local Government Code provides that a City shall take action on a Petition for Release before either the 45th day after receiving the petition, or the next meeting that occurs after the 30th day after receiving the petition, whichever is later. This Ordinance is being presented within 45 days of receiving the Petition.

Suzanne Hanneman, City Attorney, presented this item before City Council with explanation. The general consensus of the City Council was in opposition to the state-mandated release of land within the City of Alvin's Extraterritorial Jurisdiction, and they expressed their intent to vote against the proposed ordinance.

Council member Castro moved to approve Ordinance 24-GG, releasing approximately 340 acres of land from the Extraterritorial Jurisdiction of the City of Alvin, Texas; providing findings of fact; containing a severability clause; and providing for other matters related thereto. Seconded by Council member Moore; motion to approve failed with all members present voting No and Council members Castro and Vaughn voting Aye.

Consider Ordinance 24-HH, releasing approximately 50.665 acres of land from the Extraterritorial Jurisdiction of the City of Alvin, Texas; providing findings of fact; containing a severability clause; and providing for other matters related thereto.

On or about October 15, 2024, the City received a Petition for Release from the Extraterritorial Jurisdiction of the City from SF Brazoria, LLC, the owner of two (2) tracts of land totaling approximately 50.665 acres of land, located east of the city of Liverpool and north of the city of Angleton, as reflected in the attached map. Section 42.105(d) of the Texas Local Government Code provides that a City shall take action on a Petition for Release before either the 45th day after receiving the petition, or the next meeting that occurs after the 30th day after receiving the petition, whichever is later. This Ordinance is being presented within 45 days of receiving the Petition.

Suzanne Hanneman, City Attorney, presented this item before City Council with explanation. The general consensus of the City Council was in opposition to the state-mandated release of land within the City of Alvin's Extraterritorial Jurisdiction, and they expressed their intent to vote against the proposed ordinance.

Council member Castro moved to approve Ordinance 24-HH, releasing approximately 50.665 acres of land from the Extraterritorial Jurisdiction of the City of Alvin, Texas; providing findings of fact; containing a severability clause; and providing for other matters related thereto. Seconded by Council member Vaughn; motion to approve failed with all members present voting No and Council member Castro voting Aye.

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

Council Member Vela will present annexation strategies and timelines at a future Council workshop.

Council member Garivey recommended a change to the City of Alvin Personnel Policy to add Veterans Day as an observed City holiday.

REPORTS FROM THE CITY MANAGER

Items of Community Interest and/or 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.

No items were presented by Council members.

ADJOURNMENT

Mayor Adame adjourned the meeting at 7:40 p.m.

PASSED and APPROVED the 5th of December 2024.

ATTEST:

Gabe Adame, Mayor

Dixie Roberts, City Secretary



AGENDA COMMENTARY

Meeting Date: 12/5/2024

Department: EMS/Emergency Management **Contact:** Ron Schmitz, EMS and Emergency Management Director

Agenda Item: Consider an Interlocal Agreement between the City of Alvin and the Angleton Area Emergency Medical Corps (AAEMC) for AAEMC to provide Emergency Medical Services for the Preservation Creek Subdivision Development Area at no cost to the City; and authorize the Mayor to sign the Agreement upon legal review.

Type of Item: Contract/Agreement

Summary: The Angleton Area Emergency Medical Corps has agreed to assist the City in providing Emergency Medical Services to the Preservation Creek Development Area at no cost to the City. The Preservation Creek Subdivision Development Area consists of approximately 2,962 acres in the city limits, east of State Highway 288, between FM 1462 on the north and County Road 51 on the south.

The Angleton Area Emergency Medical Corps has approved the agreement. Staff recommends approval.

Funding Expected: Revenue ☐ Expenditure ☐ N/A ☒	Budgeted Item: Yes ☐ No ☐ N/A ☒
Funding Account: ☐	1295 Form Required? Yes ☐ No ☒
Legal Review Required: N/A ☐ Required ☐	Date Completed: <u>11/20/2024 SLH</u>
Finance Review Required: N/A ☐ Required ☐	Date Completed: <u>CT 12/2/24</u>

Supporting documents attached:

1. AAEMC Agreement for Preservation Creek Development Coverage 2024
-

Recommendation: Move to approve an Interlocal Agreement between the City of Alvin and the Angleton Area Emergency Medical Corps (AAEMC) for AAEMC to provide Emergency Medical Services for the Preservation Creek Subdivision Development Area at no cost to the City; and authorize the Mayor to sign the Agreement 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, if applicable: ☒

**Interlocal Agreement for Providing Emergency Medical Services
Between
Angleton Area Emergency Medical Corps
and City of Alvin
Effective for Fiscal Year 2024**

ANGLETON AREA EMERGENCY MEDICAL CORPS ("Angleton AEMC"), and **CITY OF ALVIN** ("CITY") have entered into an Interlocal Agreement for providing Emergency Medical Services (the "Contract") in the Preservation Creek Development Area which was entered into and effective as of January 1, 2024. The Parties agree to the following terms to the Contract.

Article I - Coverage of The Preservation Creek

1. Angleton AEMC and City agree that Angleton AEMC will continue to provide emergency medical service for the Preservation Creek Development Area.
2. Either Party may cancel this Agreement and terminate Angleton AEMC's operations as Provider for the Preservation Creek Development Area upon 30 days written notice to the other Party. Upon cancellation of this Agreement, the remaining portion of the Agreement shall remain in full force and effect.

Article II - All other Terms Unchanged

All other terms of the Agreement remain in full effect for the duration of the Agreement including sections concerning the Term of the Agreement and any applicable Renewal Term(s).

[Remainder of this page is left intentionally blank. Signatures are found on the following page.]

This amendment is effective January 1, 2024.

ANGLETON AREA EMERGENCY CORPS

By: 

Print Name: Lloyd Ayers

Title: Chief of EMS

Address for Notice :

600 E. Orange St

Angleton, TX 77515

Date: 11/11/2024

Acknowledged:

CITY OF ALVIN, TEXAS

By: _____

Print Name: _____

Title: _____

Address for Notice :



AGENDA COMMENTARY

Meeting Date: 12/5/2024

Department: Public Services

Contact: Brandon Moody, Director of Public Services

Agenda Item: Consider an expenditure for the replacement of the water well #3 pump and motor by Alsay Incorporated through the Buy Board Purchasing Cooperative in the amount of \$142,797.00; and authorize the City Manager to sign related documents upon legal review.

Type of Item: Action Item

Summary: The City of Alvin sources groundwater from an aquifer to provide 100% of the community's drinking water, utilizing 5 water wells to fill water storage tanks. Maintaining the wells in operable condition is essential and vital to providing reliable water service. Every year, staff contracts with a well inspection company to inspect our wells to ensure they are performing optimally and are meeting the TCEQ requirements. The results of the annual inspection in November 2023, showed a minor decrease in water well #3's production -- which generally indicates that the service/production capacity of a well may be compromised in the future. As a result, staff budgeted funds for FY25 to rehab the well in the event the well continued to decline in capacity.

In November 2024, staff discovered this well's production continued to significantly decline from 1,250 gallons per minute (gpm) down to 300 gpm. Alsay Incorporated, upon inspection of the well, determined that components of the well, including but limited to the well's motor and pump, needed to be replaced.

Alsay Incorporated's Buy Board total replacement cost is \$142,797.00 with an estimated completion time of 4 to 6 weeks. To expedite the repair, a purchase order was issued to have the pump procured in advance of having well #3 taken out of service for rehab.

Alsay Incorporated is a reputable public water well drilling, repair, replacement, and installation company that has performed water well work for Alvin in the past. Staff recommends approving the expenditure for the replacement of the water well #3 pump and motor.

Funding Expected: Revenue ☐ Expenditure ☒ N/A ☐

Budgeted Item: Yes ☒ No ☐ N/A ☐

Funding Account: 220-6001-00-9069 **Amount:** \$142,797

1295 Form Required? Yes ☒ No ☐

Legal Review Required: N/A ☐ Required ☒

Date Completed: _____

Finance Review Required: N/A ☐ Required ☒

Date Completed: CT 12/2/24

Supporting documents attached:

1. Well #3 Rehab and New Equipment
-

Recommendation: Move to approve the expenditure for the replacement of the water well #3 pump and motor by Alsay Incorporated through the Buy Board Purchasing Cooperative in the amount of \$142,797.00; and authorize the City Manager to sign related documents upon legal review.

Reviewed by Department Head, if applicable: __

Reviewed by City Attorney, if applicable: __

Reviewed by Chief Financial Officer, if applicable: X

Reviewed by City Manager, if applicable: x



Quotation

Quote Prepared by: Brandon Upton
brandon.upton@alsaywater.com
www.alsaywater.com
Office 281-444-6960
Cell 832-799-0812

IT'S ALL ABOUT THE WATER.

6615 Gant Road
Houston, TX 77066

Quoted To:	Site Address:	Quote Info
City of Alvin	1080 North Snyder St.	Date: 12/2/24
ATTN: Brandon Moody	Alvin, Texas 77511	Quote# : 120224BU
1100 W State Hwy 6, Alvin, Texas 77511	Contact Information: Email: bmoody@psf.cityofalvin.co Phone: 832-398-0180	Well #3 Rehab and New Equipment

LINE ITEM SUMMARY

LINE	QTY	DESCRIPTION	NET PRICE	EXT. PRICE
1	1	Mobilize and Demobilize	\$ 10,750.00	\$ 10,750.00
2	1	Wire Brush and Jet Fill	\$ 12,000.00	\$ 12,000.00
3	1	Chemical Clean (Chlorine Treatment)	\$ 8,250.00	\$ 8,250.00
4	1	Install New Pumping Equipment	\$ 10,000.00	\$ 10,000.00
5	18	10" X 2-1/2" X 1-11/16" X 20' Complete	\$ 3,100.00	\$ 55,800.00
6		Column Assembly		
7	1	10" X 2-1/2" X 1-11/16" X 10' Complete	\$ 2,200.00	\$ 2,200.00
8		Column Assembly		
9	1	Top Special Assembly	\$ 2,625.00	\$ 2,625.00
10	18	Rubber Stabilizers	\$ 24.00	\$ 432.00
11	1	370' of 1" PVC	\$ 2,000.00	\$ 2,000.00
12	1	400' of 1/4" SS Airline	\$ 1,600.00	\$ 1,600.00
13	1	TBE Suction Pipe	\$ 1,650.00	\$ 1,650.00
14	1	New 150 HP Motor	\$ 23,715.00	\$ 23,715.00
15	1	Mobilize and Demobilize Fishing Rig & Haul drill Pipe	\$ 4,500.00	\$ 4,500.00
16	1	Fishing (Per Trip)	\$ 3,000.00	\$ 3,000.00
17	1	Custom Fishing Tool	\$ 2,475.00	\$ 2,475.00
18	1	Camera Survey (Per)	\$ 1,800.00	\$ 1,800.00
		 : Alsay Inc. # 672-22	\$ -	\$ -
			\$ -	\$ -

QUOTE VALID FOR 30 DAYS - SALES TAX TO BE ADDED IF TAX EXEMPT CERT IS NOT SUPPLIED



Total: \$ 142,797.00



AGENDA COMMENTARY

Meeting Date: 12/5/2024

Department: Finance

Contact: Chris Thomas, Director of
Administrative Services

Agenda Item: Consider Resolution 24-R-36, authorizing the allocation of American Rescue Plan Act (ARPA) Funds as specified in Exhibit A; and setting forth other related matters thereto.

Type of Item: Resolution

Summary: The American Rescue Plan Act allocated \$350 billion in Coronavirus State and Local Fiscal Recovery Funds to help local governments address immediate needs and establish a foundation for long-term recovery. These funds were distributed by the U.S. Department of Treasury through the Texas Department of Emergency Management (TDEM) to local governments. Under this program, the City of Alvin received \$6,621,583.91 in federal funding. Per grant stipulations, all funds must be allocated by December 31, 2024, and fully expended by December 31, 2026. Many projects have been completed. However, some adjustments in funding were necessary due to changes in the scope of a few projects. To promote transparency, accountability, and accurate documentation, the proposed resolution approves the final allocation of ARPA funds as outlined in Exhibit A.

Funding Expected: Revenue ☐ Expenditure ☒ N/A ☐

Budgeted Item: Yes ☒ No ☐ N/A ☐

Funding Account: **Amount:**

1295 Form Required? Yes ☐ No ☒

Legal Review Required: N/A ☐ Required ☒

Date Completed: 12/2/2024 SLH

Finance Review Required: N/A ☐ Required ☒

Date Completed: CT 12/2/24

Supporting documents attached:

1. Res 24-R-36; Final ARPA Allocations
 2. Exhibit A
-

Recommendation: Move to approve Resolution 24-R-36, authorizing the allocation of American Rescue Plan Act (ARPA) Funds as specified in Exhibit A; and setting forth other related matters thereto.

Reviewed by Department Head, if applicable: ☐

Reviewed by City Attorney, if applicable: ☒

Reviewed by Chief Financial Officer, if applicable: ☒

Reviewed by City Manager, if applicable: ☒

RESOLUTION NO. 24-R-36

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ALVIN, TEXAS, AUTHORIZING THE ALLOCATION OF AMERICAN RESCUE PLAN ACT (ARPA) FUNDS AS SPECIFIED IN EXHIBIT A; AND SETTING FORTH OTHER RELATED MATTERS THERETO.

WHEREAS, the City of Alvin received funding from the American Rescue Plan Act (ARPA) to address the public health and economic impacts of the COVID-19 pandemic; and

WHEREAS, the City Council has identified and prioritized projects and initiatives that align with the allowable uses of ARPA funds, as set forth in guidance by the U.S. Department of the Treasury; and

WHEREAS, the allocations align with ARPA-eligible uses, including but not limited to water and sewer infrastructure, technology upgrades, revenue replacement, or economic recovery; and

WHEREAS, the allocation of ARPA funds in the amount of \$6,621,584.00 to these projects and initiatives as described in Exhibit A attached to this resolution align with ARPA-eligible uses, including but not limited to water and sewer infrastructure, technology upgrades, revenue replacement, or economic recovery.

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

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

Section 2. That the City Council of the City of Alvin, Texas, hereby approves the allocation of ARPA funds in the amount of \$6,621,584.00 and designates all ARPA funds received by the City of Alvin to be allocated and expended on projects, programs, and initiatives that meet the eligibility criteria established by the U.S. Department of the Treasury for ARPA funding. Specific allocations of ARPA funds for eligible projects and initiatives are outlined in **Exhibit A**, attached hereto and incorporated herein by reference.

Section 3. The City Manager is authorized to take all necessary actions to implement this Resolution, including the execution of contracts, agreements, or procurement processes, in accordance with federal, state, and local guidelines.

Section 4. The City of Alvin will ensure compliance with all ARPA requirements, including proper documentation, reporting, and audits as prescribed by the U.S. Department of the Treasury.

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

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

Section 6. Effective Date. This Resolution shall take effect immediately upon its passage.

PASSED AND APPROVED this the 5th day of December 2024.

THE CITY OF ALVIN, TEXAS

ATTEST

Gabe Adame, Mayor

Dixie Roberts, City Secretary

City of Alvin
ARPA Project Summary As of October 31, 2024

Account Line Item	Description	Estimated Expenditure	Updated Estimate	Expenditures Made	Future Expenditures
103-1002-00-4150	Video Broadcast Upgrade	\$ 50,075.00	\$ -	\$ -	\$ -
103-1002-00-4150	Upgrade to City Website & Rebranding	\$ 50,000.00	\$ 52,355.16	\$ 37,755.16	\$ 14,600.00
103-1002-00-4150	Agenda Management Software Upgrade	\$ 50,000.00	\$ 39,097.79	\$ 29,497.79	\$ 9,600.00
103-1002-00-4150	Consultant Services	\$ 223,800.00	\$ 68,712.50	\$ 28,712.50	\$ 40,000.00
103-2505-00-4150	Citywide Landline Phone Upgrades	\$ 200,000.00	\$ 171,360.91	\$ 171,360.91	\$ -
103-2505-00-4150	Technology Infrastructure Upgrades	\$ 221,840.00	\$ 210,963.48	\$ -	\$ 210,963.48
103-3501-00-4150	Repl. of CAD/Records Mngt System	\$ 514,094.00	\$ 436,061.07	\$ 436,061.07	\$ -
103-3501-00-4150	Dispatch Upgrades	\$ 140,000.00	\$ 42,839.51	\$ 42,839.51	\$ -
103-3501-00-4150	2024 UTV (Mule) x2	\$ -	\$ 49,608.51	\$ 49,608.51	\$ -
103-3501-00-4150	Body Cameras	\$ -	\$ 41,340.54	\$ 21,101.78	\$ 20,238.76
103-3501-00-4150	Dispatch Console Replacement	\$ 276,775.00	\$ 271,441.70	\$ 271,441.70	\$ -
103-3502-00-4150	Voice Pagers for VFD	\$ -	\$ 65,064.00	\$ 65,064.00	\$ -
103-3503-00-4150	Self-Contained Breathing Apparatus	\$ 540,000.00	\$ 537,672.00	\$ 537,672.00	\$ -
103-3503-00-4150	3 Cardiac Monitors/Defibrillators	\$ 105,000.00	\$ 115,166.85	\$ 115,166.85	\$ -
103-3503-00-4250	Ambulance	\$ 210,000.00	\$ 350,000.00	\$ 53,315.00	\$ 296,685.00
103-3505-00-4150	Emerg Mgmt Communication Upgrade	\$ 170,000.00	\$ 169,165.33	\$ 169,165.33	\$ -
103-3505-00-4150	Emerg Mgmt - Utility Terrain Vehicle	\$ 20,000.00	\$ 24,003.96	\$ 24,003.96	\$ -
103-3505-00-4150	Emerg Operations Center Upgrades	\$ 50,000.00	\$ 43,996.90	\$ 43,996.90	\$ -
103-6001-00-4150	Ground Storage Tank Replacement	\$ 3,800,000.00	\$ 3,800,000.00	\$ 3,800,000.00	\$ -
103-7001-00-3270	Roof Repair - Parks & Rec	\$ -	\$ 114,904.00	\$ 108,400.00	\$ -
103-7001-00-4150	AED	\$ -	\$ 5,000.00	\$ 5,012.00	\$ -
103-9001-00-3100	Generator Repair - City Hall	\$ -	\$ 25,927.00	\$ 25,927.00	\$ -
103-9001-00-3100	Tyler Motorola Interface - Court	\$ -	\$ 3,750.00	\$ -	\$ 3,750.00
Project Totals		\$ 6,621,584.00	\$ 6,638,431.21	\$ 6,036,101.97	\$ 595,837.24

Grant Totals

Revenue

6,628,127.09

Expenses

\$ 6,631,939.21



AGENDA COMMENTARY

Meeting Date: 12/5/2024

Department: Engineering

Contact: Michelle Segovia, City Engineer

Agenda Item: Consider a final plat of Franklin's Reserve (located along the east side of S. Highway 35 just south of Briscoe Park) being a subdivision of 28.153 acres of land in the Hooper & Wade Survey, Section 17, Abstract No. 423, City of Alvin, Brazoria County, Texas.

Type of Item: Plat

Summary: On May 20, 2024, the Engineering Department received a final plat of Franklin's Reserve for review. The property is located along the east side of S. Highway 35 just south of the Briscoe Park. This final plat consists of 104 lots, 3 reserves, and 7 blocks. This plat complies with the City's Subdivision Ordinance.

The City Planning Commission unanimously approved the plat at their meeting on June 18, 2024.

Staff recommends approval of the plat.

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:** 12/2/2024 SLH

Finance Review Required: N/A ☒ Required ☐ **Date Completed:**

Supporting documents attached:

1. Franklin's Reserve Final Plat; Pg. 1
 2. Franklin's Reserve Final Plat; Pg. 2
-

Recommendation: Move to approve a final plat of Franklin's Reserve (located along the east side of Highway 35 just south of Briscoe Park) being a subdivision of 28.153 acres of land in the Hooper & Wade Survey, Section 17, Abstract No. 423, 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, if applicable: ☐

STATE OF TEXAS
COUNTY OF BRAZORIA

I, CHANDRA WOMACK, OWNER OF RIVER BEND HOLDINGS, LLC. AND OWNER OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAME IS SUBSCRIBED THERETO AND IN PERSON OR THROUGH A DULY AUTHORIZED AGENT DEDICATED TO THE PUBLIC FOREVER, ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION HEREIN EXPRESSED. THE OWNER DOES HEREBY WAIVE ALL CLAIMS FOR DAMAGES OCCASIONED BY THE ESTABLISHMENT OF GRADES AS APPROVED FOR THE STREETS AND DRAINAGE EASEMENTS DEDICATED OR OCCASIONED BY US THE ALTERATION ON THE SURFACE, OR ANY PORTION OF THE STREETS OR DRAINAGE EASEMENTS TO CONFORM TO SUCH GRADES, AND DO HEREBY BIND MYSELF, MY HEIRS, SUCCESSORS AND ASSIGNS, TO WARRANT AND DEFEND THE TITLE TO THE LAND SO DEDICATED.

WITNESS OUR HAND IN _____ COUNTY, TEXAS, THIS _____ DAY OF _____, 20____

RIVER BEND HOLDINGS, LLC
CHANDRA WOMACK, OWNER

STATE OF TEXAS
COUNTY OF _____

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED CHANDRA WOMACK, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED

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

NOTARY PUBLIC IN AND FOR THE STATE OF _____
MY COMMISSION EXPIRES ON _____

THIS IS TO CERTIFY THAT I, RICHARD FUSSELL, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4148, OF THE STATE OF TEXAS, HAVE PLATTED THE ABOVE SUBDIVISION FROM AN ACTUAL SURVEY ON THE GROUND; AND THAT ALL BLOCK CORNERS, LOT CORNERS, AND PERMANENT REFERENCED MONUMENTS HAVE BEEN SET, THAT PERMANENT CONTROL POINTS WILL BE SET AT THE COMPLETION OF CONSTRUCTION AND THAT THIS PLAT CORRECTLY REPRESENTS THAT SURVEY MADE BY ME.

RICHARD FUSSELL
REGISTERED PROFESSIONAL LAND SURVEYOR #4148

SUBDIVISION APPROVED THIS _____ OF _____, 20____.

MAYOR _____ GABE ADAME

CITY ENGINEER _____ MICHELLE H. SEGOVIA, P.E., CFM

CITY SECRETARY _____ DIXIE ROBERTS, TRMC

WE, CENTRAL BANK, OWNER AND HOLDER (OR OWNERS AND HOLDERS) OF A LIEN (OR LIENS) AGAINST THE ABOVE-DESCRIBED PROPERTY, SAID LIEN (OR LIENS), BEING EVIDENCED BY AN INSTRUMENT OF RECORD UNDER CLERK FILE NO. 2023012930 AND 2023014523, FILED IN THE OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS, DO HEREBY IN ALL THINGS SUBORDINATE TO SAID SUBDIVISION AND DEDICATION SAID LIEN (OR LIENS), AND I (OR WE) HEREBY CONFIRM THAT I AM (OR WE ARE) THE PRESENT OWNER (OR OWNERS) OF SAID LIEN (OR LIENS) AND HAVE NOT ASSIGNED THE SAME, NOR ANY PART THEREOF.

STATE OF _____
COUNTY OF _____

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT (HE OR SHE) EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN AND HEREIN STATED.

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

NOTARY PUBLIC IN AND FOR THE STATE OF _____

BRAZORIA COUNTY CONSERVATION AND RECLAMATION DISTRICT NO. 3 NOTES:

1. DRAINAGE EASEMENTS MAY BE USED BY ANY GOVERNMENT BODY FOR THE PURPOSES OF DRAINAGE WORK, PROVIDED BRAZORIA COUNTY CONSERVATION AND RECLAMATION DISTRICT NO. 3 (B.C.C.R.D. #3) IS PROPERLY NOTIFIED.
2. ALL DRAINAGE EASEMENTS SHOWN HEREON SHALL BE KEPT CLEAR OF FENCES, BUILDING, FOUNDATIONS, PLANTINGS AND OTHER OBSTRUCTIONS TO THE OPERATION AND MAINTENANCE OF DRAINAGE FACILITIES, LANDSCAPING SHALL BE PERMITTED WITHIN THE DETENTION PONDS LOCATED WITHIN THIS SUBDIVISION.
3. MAINTENANCE OF DETENTION FACILITIES SHALL BE THE SOLE RESPONSIBILITY OF THE OWNER OF THE PROPERTY. B.C.C.R.D. #3 SHALL PROVIDE MAINTENANCE OF REGIONAL FACILITIES OWNED AND CONSTRUCTED BY B.C.C.R.D. #3 OR SUB-REGIONAL FACILITIES CONSTRUCTED BY DEVELOPER(S) FOR WHICH OWNERSHIP HAS BEEN TRANSFERRED TO B.C.C.R.D. #3 WITH THEIR APPROVAL. B.C.C.R.D. #3 SHALL BE RESPONSIBLE ONLY FOR THE MAINTENANCE OF FACILITIES OWNED BY THEM, UNLESS B.C.C.R.D. #3 SPECIFICALLY CONTACTS OR AGREES TO MAINTAIN OTHER FACILITIES.
4. THE SIDES OF DRAINAGE CHANNELS AND DETENTION FACILITIES SHALL BE HYDOMULCH SEEDDED.
5. OUTFALL STRUCTURES AND CULVERTS SHALL COMPLY WITH SECTION LLL S. 2 OF THE BRAZORIA COUNTY CONSERVATION AND RECLAMATION DISTRICT NO. 3 REGULATIONS. BRAZORIA COUNTY CONSERVATION AND RECLAMATION DISTRICT NO. 3 HAS ADOPTED THE BRAZORIA COUNTY DRAINAGE DISTRICT CRITERIA MANUAL AS ITS GUIDE. EROSION PROTECTION FOR OUTFALL STRUCTURES MUST BE REINFORCED CONCRETE. CONCRETE RUBBLE IS NOT ALLOWED.
6. B.C.C.R.D. #3 APPROVAL OF THE FINAL DRAINAGE PLANS AND FINAL PLAT (IF REQUIRED) DOES NOT AFFECT THE PROPERTY RIGHTS OF THIRD PARTIES. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING AND MAINTAINING ANY AND ALL EASEMENTS, FEE STRIPS AND/OR ANY OTHER RIGHT-OF-WAY ACROSS THIRD PARTY DRAINAGE FACILITIES AS CONTEMPLATED BY THE FINAL DRAINAGE PLANS AND THE FINAL PLAT.
7. B.C.C.R.D. #3 PERSONNEL SHALL HAVE THE RIGHT TO ENTER UPON THE PROPERTY FOR INSPECTION AT ANY TIME DURING CONSTRUCTION OR AS MAY BE WARRANTED TO ENSURE THE DETENTION FACILITIES OPERATING PROPERLY.
8. DETENTION IS REQUIRED BY BRAZORIA COUNTY CONSERVATION AND RECLAMATION DISTRICT NO. 3 IN ORDER TO OFFSET ADDITIONAL STORM RUNOFF DUE TO TEH INCREASED IMPERVIOUS COVER FROM THE DEVELOPMENT.

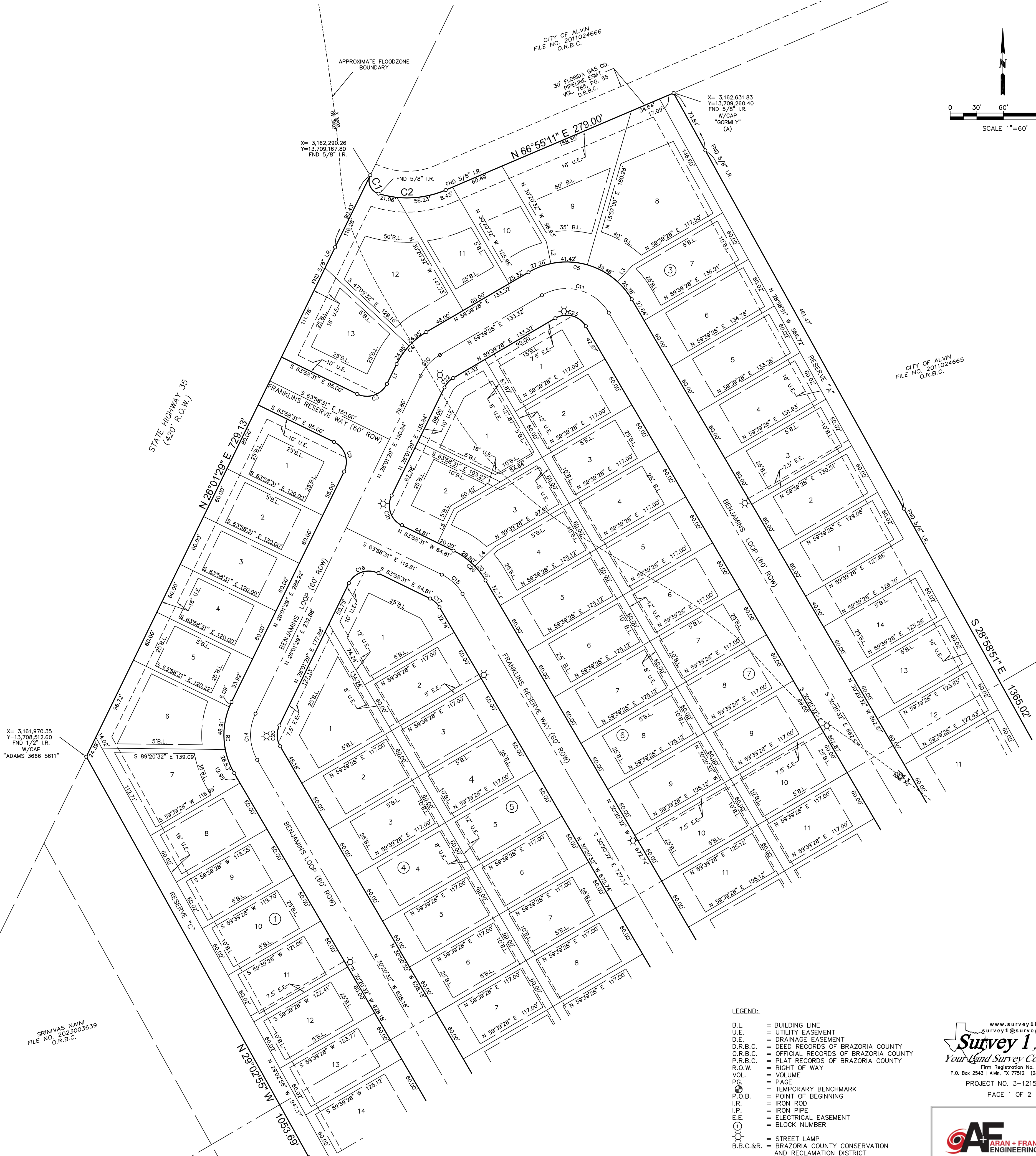
THIS IS TO CERTIFY THAT BRAZORIA COUNTY CONSERVATION AND RECLAMATION DISTRICT NO. 3 HAS APPROVED THE PLAT OF FRANKLIN'S RESERVE AS SHOWN HEREON ON THE _____ DAY OF _____, 20____.

RICKY KUBECZKA
COMMISSIONER

JODY SCHIBI
COMMISSIONER

ALFRED FROBERG, JR.
COMMISSIONER

DONG NGUYEN, P.E., C.F.M.
DISTRICT ENGINEER



GENERAL NOTES

1. THE BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON TEXAS SOUTH CENTRAL ZONE 4204 (NAD 83). POINTS (A) & (B) WERE HELD FOR HORIZONTAL CONTROL.
2. SIDEWALKS SHALL BE CONSTRUCTED AS PART OF THE ISSUANCE OF A BUILDING PERMIT FOR EACH TRACT, IF REQUIRED.
3. STORM DRAINAGE IMPROVEMENTS, WHICH MAY INCLUDE DETENTION, SHALL BE PROVIDED AT THE TIME OF BUILDING PERMIT, IF APPLICABLE.
4. ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) MAP NO. 48039C 0165K AND 48039C 0145K, WITH THE EFFECTIVE DATE OF 12-30-2020, THE PROPERTY IS LOCATED IN ZONE "X" AREAS DETERMINED TO BE OUTSIDE OF THE 100 YEAR FLOODPLAIN. THE PROPERTY IS LOCATED IN ZONE "AO" AREAS DETERMINED TO BE WITHIN THE 100 YEAR FLOODPLAIN.
5. ALL FLOODPLAIN INFORMATION NOTED IN THE PLAT REFLECTS THE STATUS PER THE FEMA FIRM MAP THAT IS EFFECTIVE AT THE TIME THAT THE PLAT IS RECORDED. FLOODPLAIN STATUS IS SUBJECT TO CHANGE AS FEMA FIRM MAPS ARE UPDATED.
6. THIS PLAT WAS PREPARED FROM INFORMATION PROVIDED BY STEWART TITLE, (GUARANTEE FILE) G.F. NO. 2004004, EFFECTIVE DATE JUNE 29, 2023.

FINAL PLAT OF:

FRANKLIN'S RESERVE

A SUBDIVISION OF 28.153 ACRES (1,226,383 SQ FT)
IN THE HOOPER AND WADE SURVEY, SECTION 17,
A-423, IN THE CITY OF ALVIN,
BRAZORIA COUNTY, TEXAS

7 BLOCKS 104 LOTS 3 RESERVES
APRIL 15, 2024

OWNER:

RIVER BEND HOLDINGS LLC
13226 LYNN LANE
SANTA FE, TX, 77510
281-299-1864

www.survey1inc.com
survey1@survey1inc.com
Survey 1, Inc.
Your Land Survey Company
P.O. Box 2543 | Alvin, TX 77512 | (281)393-1382
Firm Registration No. 100758-00
PROJECT NO. 3-121540-23

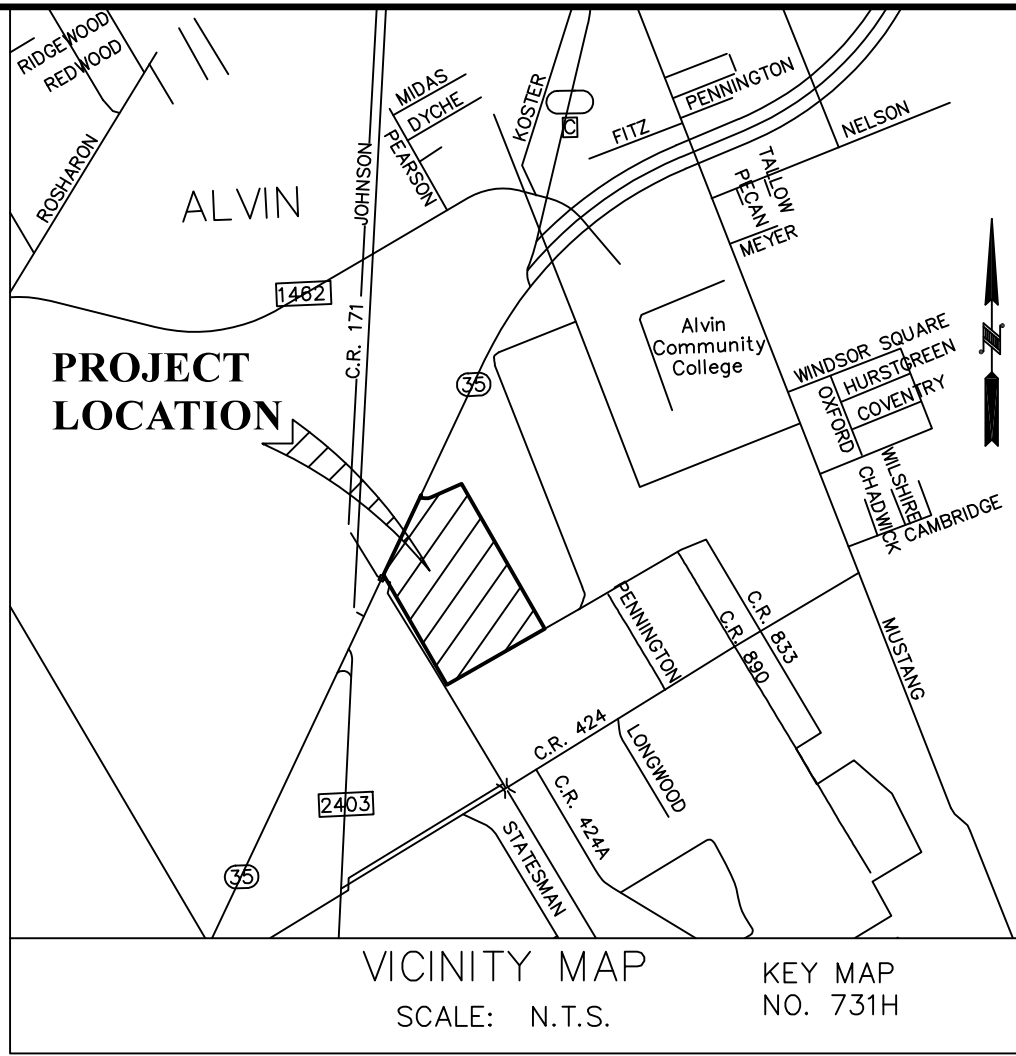
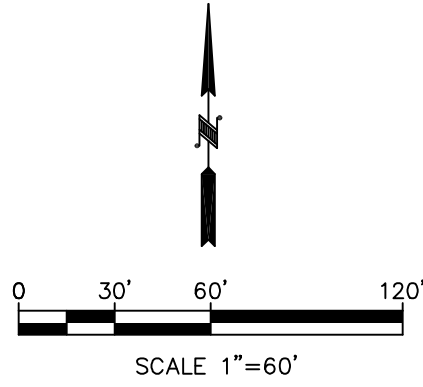
PAGE 1 OF 2

AF
ARAN + FRANKLIN
ENGINEERING INC.

8490 EMMETT F
LOWMY EXPY
TEXAS CITY, TX 77591
409-935-0200
Firm No. F-4032

GENERAL NOTES

1. THE BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON TEXAS SOUTH CENTRAL ZONE 4204 (NAD 83). POINTS (A) & (B) WERE HELD FOR HORIZONTAL CONTROL.
2. SIDEWALKS SHALL BE CONSTRUCTED AS PART OF THE ISSUANCE OF A BUILDING PERMIT FOR EACH TRACT, IF REQUIRED.
3. STORM DRAINAGE IMPROVEMENTS, WHICH MAY INCLUDE DETENTION, SHALL BE PROVIDED AT THE TIME OF BUILDING PERMIT, IF APPLICABLE.
4. ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) MAP NO. 48039C 0165K AND 48039C 0145K, WITH THE EFFECTIVE DATE OF 12-30-2020, THE PROPERTY IS LOCATED IN ZONE "X" (AREAS DETERMINED TO BE OUTSIDE OF THE 100 YEAR FLOODPLAIN) THE PROPERTY IS LOCATED IN ZONE "AO" (AREAS DETERMINED TO BE WITHIN THE 100 YEAR FLOODPLAIN).
5. ALL FLOODPLAIN INFORMATION NOTED IN THE PLAT REFLECTS THE STATUS PER THE FEMA FIRM MAP THAT IS EFFECTIVE AT THE TIME THAT THE PLAT IS RECORDED. FLOODPLAIN STATUS IS SUBJECT TO CHANGE AS FEMA FIRM MAPS ARE UPDATED.
6. THIS PLAT WAS PREPARED FROM INFORMATION PROVIDED BY STEWART TITLE, (GUARANTEE FILE) G.F. NO. 2004004, EFFECTIVE DATE JUNE 29, 2023.



LOT TABLE									
Block No.	Lot No.	Width at Building Line	Square Footage	Acreage	Block No.	Lot No.	Width at Building Line	Square Footage	Acreage
1	1	80	9465	0.2173	4	1	158	11730	0.26928
1	2	60	7200	0.1653	4	2	60	7020	0.16116
1	3	60	7200	0.1653	4	3	60	7020	0.16116
1	4	60	7200	0.1653	4	4	60	7020	0.16116
1	5	60	7200	0.1653	4	5	60	7020	0.16116
1	6	60	10082	0.2315	4	6	60	7020	0.16116
1	7	60	9155	0.2102	4	7	60	7020	0.16116
1	8	60	7060	0.1621	4	8	60	7020	0.16116
1	9	60	7141	0.1639	4	9	60	7020	0.16116
1	10	60	7222	0.1658	4	10	60	7020	0.16116
1	11	60	7304	0.1677	4	11	65	7470	0.17149
1	12	60	7385	0.1695	5	1	123	10551	0.24222
1	13	60	7466	0.1714	5	2	60	7020	0.16116
1	14	60	7548	0.1733	5	3	60	7020	0.16116
1	15	60	7629	0.1751	5	4	60	7020	0.16116
1	16	60	7710	0.177	5	5	60	7020	0.16116
1	17	60	7791	0.1789	5	6	60	7020	0.16116
1	18	60	9530	0.2188	5	7	60	7020	0.16116
1	19	60	15380	0.3531	5	8	60	7020	0.16116
1	20	60	12400	0.2847	5	9	60	7020	0.16116
1	21	60	7202	0.1653	5	10	60	7020	0.16116
1	22	60	7200	0.1653	5	11	60	7020	0.16116
1	23	60	7200	0.1653	5	12	65	7470	0.17149
1	24	60	7200	0.1653	6	1	110	10517	0.24144
2	1	60	7200	0.1653	6	2	113	7184	0.16492
2	2	60	7200	0.1653	6	3	60	8310	0.19077
2	3	60	7200	0.1653	6	4	60	7427	0.17052
2	4	60	7200	0.1653	6	5	60	7507	0.17234
2	5	63	12185	0.2797	6	6	60	7507	0.17234
2	6	63	13739	0.3154	6	7	60	7507	0.17234
2	7	60	8143	0.1869	6	8	60	7507	0.17234
2	8	60	7046	0.1618	6	9	60	7507	0.17234
2	9	60	7131	0.1637	6	10	60	7507	0.17234
2	10	60	7217	0.1657	6	11	60	7507	0.17234
2	11	60	7302	0.1676	6	12	60	7507	0.17234
2	12	60	7388	0.1696	6	13	60	7507	0.17234
2	13	60	7473	0.1716	6	14	60	7507	0.17234
2	14	60	7559	0.1735	6	15	65	7998	0.18361
3	1	60	7702	0.1768	7	1	68	7806	0.1792
3	2	60	7787	0.1788	7	2	60	7020	0.16116
3	3	60	7873	0.1807	7	3	60	7020	0.16116
3	4	60	7958	0.1827	7	4	60	7020	0.16116
3	5	60	8044	0.1847	7	5	60	7020	0.16116
3	6	60	8129	0.1866	7	6	60	7020	0.16116
3	7	60	8186	0.1879	7	7	60	7020	0.16116
3	8	62	16248	0.373	7	8	60	7020	0.16116
3	9	62	12840	0.2948	7	9	60	7020	0.16116
3	10	60	7307	0.1677	7	10	60	7020	0.16116
3	11	60	8020	0.1841	7	11	60	7020	0.16116
3	12	80	14488	0.3326	7	12	60	7020	0.16116
3	13	82	11132	0.2556	7	13	60	7020	0.16116
					7	14	60	7020	0.16116
					7	15	65	7470	0.17149

LEGEND:

- B.L. = BUILDING LINE
- U.E. = UTILITY EASEMENT
- D.E. = DRAINAGE EASEMENT
- D.R.B.C. = DEED RECORDS OF BRAZORIA COUNTY
- O.R.B.C. = OFFICIAL RECORDS OF BRAZORIA COUNTY
- P.R.B.C. = PLAT RECORDS OF BRAZORIA COUNTY
- R.O.W. = RIGHT OF WAY
- VOL. = VOLUME
 PG. = PAGE | ⊙ = TEMPORARY BENCHMARK | P.O.B. = POINT OF BEGINNING | I.R. = IRON ROD | I.P. = IRON PIPE | E.E. = ELECTRICAL EASEMENT | ⊙ = BLOCK NUMBER | ⊙ = STREET LAMP | B.B.C.&R. = BRAZORIA COUNTY CONSERVATION AND RECLAMATION DISTRICT |

FINAL PLAT OF:
FRANKLIN'S RESERVE

A SUBDIVISION OF 28.153 ACRES (1,226,383 SQ FT)
IN THE HOOPER AND WADE SURVEY, SECTION 17,
A-423, IN THE CITY OF ALVIN,
BRAZORIA COUNTY, TEXAS

7 BLOCKS 104 LOTS 3 RESERVES
APRIL 15, 2024

OWNER:
RIVER BEND HOLDINGS LLC
13226 LYNN LANE
SANTA FE, TX, 77510
281-299-1864

www.survey1inc.com
survey1@survey1inc.com
Survey 1, Inc.
Your Land Survey Company
Firm Registration No. 100758-00
P.O. Box 2543 | Alvin, TX 77512 | (281)393-1392
PROJECT NO. 3-121540-23
PAGE 2 OF 2

AF
ARAN + FRANKLIN
ENGINEERING INC.

8498 EMMETT F
LOWMYER
TEXAS CITY, TX 77591
409-935-5200
Firm No. 1-4932

LINE	BEARING	DISTANCE
L1	N 26°01'29" E	24.80'
L2	S 11°58'00" E	25.00'
L3	S 42°32'54" W	25.00'
L4	S 46°06'33" W	31.34'
L5	N 26°01'29" E	42.47'

RESERVE TABLE		
DESCRIPTION	LAND USE	ACREAGE/SQUARE FOOTAGE
RESERVE A	DRAINAGE	0.6030 AC. / 26,270 SQ. FT.
RESERVE B	DRAINAGE	2.7568 AC. / 120,087 SQ. FT.
RESERVE C	DRAINAGE	0.4317 AC. / 18,808 SQ. FT.

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH	DELTA ANGLE
C1	15.00'	25.86'	S 24°01'28" E	22.77'	98°46'16"
C2	110.76'	77.29'	N 86°57'11" E	75.73'	39°58'58"
C3	25.00'	39.27'	N 71°01'29" E	35.36'	90°00'00"
C4	85.00'	49.90'	S 42°50'28" W	49.18'	33°37'59"
C5	85.00'	133.52'	N 75°20'32" W	120.21'	90°00'00"
C6	85.00'	133.52'	N 14°39'28" E	120.21'	90°00'00"
C7	85.00'	133.52'	S 75°20'32" E	120.21'	90°00'00"
C8	85.00'	83.62'	S 02°09'32" E	80.29'	56°22'01"
C9	25.00'	39.27'	N 18°58'31" W	35.36'	90°00'00"
C10	55.00'	32.29'	S 42°50'28" W	31.82'	33°37'59"
C11	55.00'	86.39'	N 75°20'32" W	77.78'	90°00'00"
C12	55.00'	86.39'	N 14°39'28" E	77.78'	90°00'00"
C13	55.00'	86.39'	S 75°20'32" E	77.78'	90°00'00"
C14	55.00'	54.11'	S 02°09'32" E	51.95'	56°22'01"
C15	55.00'	32.29'	N 47°09'32" W	31.82'	33°37'59"
C16	25.00'	39.27'	S 71°01'29" W	35.36'	90°00'00"
C17	25.00'	14.68'	N 47°09'32" W	14.47'	33°37'59"
C18	25.00'	39.27'	N 14°39'28" E	35.36'	90°00'00"
C19	25.00'	39.27'	S 75°20'32" E	35.36'	90°00'00"
C20	25.00'	24.59'	S 02°09'32" E	23.61'	56°22'01"
C21	25.00'	39.27'	S 18°58'31" E	35.36'	90°00'00"
C22	25.00'	14.68'	S 42°50'28" W	14.47'	33°37'59"
C23	25.00'	39.27'	N 75°20'32" W	35.36'	90°00'00"
C24	25.00'	39.27'	N 14°39'28" E	35.36'	90°00'00"
C25	25.00'	39.27'	S 75°20'32" E	35.36'	90°00'00"
C26	85.00'	49.90'	N 47°09'32" W	49.18'	33°37'59"

X= 3162.48197
Y=13,707,591.46
FND 5/8" I.R.
(B)

DESCRIPTION OF A TRACT OF LAND CONTAINING
28.153 ACRES (1,226,383 SQUARE FEET) SITUATED
IN THE HOOPER AND WADE SURVEY, SECTION 17, ABSTRACT 423
BRAZORIA COUNTY, TEXAS

BEING A TRACT OF LAND CONTAINING 28.153 ACRES (1,226,383 SQUARE FEET), SITUATED IN THE HOOPER AND WADE SURVEY, SECTION 17, ABSTRACT 423, BRAZORIA COUNTY, BEING ALL OF A TRACT OF LAND CONVEYED TO RIVER BEND HOLDINGS, LLC BY DEED RECORDED UNDER COUNTY CLERK'S FILE NO. 2023004759 OF THE OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS. SAID 28.153-ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A FOUND 5/8-INCH IRON ROD*FOR THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO CITY OF ALVIN BY DEED RECORDED UNDER COUNTY CLERK'S FILE NO. 2011024665 OF THE OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS AND THE SOUTHEAST CORNER OF THE SAID TRACT HEREIN DESCRIBED;

THENCE SOUTH 59°38'28" WEST, A DISTANCE OF 939.99 TO FOUND 5/8-INCH IRON FOR THE SOUTHWEST CORNER OF THE SAID TRACT HEREIN DESCRIBED;

THENCE NORTH 29°02'55" WEST, A DISTANCE OF 1053.69 TO A FOUND 1/2-INCH IRON ROD WITH CAP MARKED *ADAMS 3666 5611" IN THE HOOPER AND WADE SURVEY, SECTION 17, ABSTRACT 423 (420.00 FEET WIDE) FOR THE MOST WESTERLY NORTHWEST CORNER OF THE SAID TRACT HEREIN DESCRIBED;

THENCE NORTH 26°01'29" EAST, ALONG THE SOUTHEAST RIGHT-OF-WAY LINE OF STATE HIGHWAY 35, A DISTANCE OF 729.13 FEET TO A FOUND 5/8-INCH IRON ROD FOR THE MOST NORTHERLY NORTHWEST CORNER OF THE SAID TRACT HEREIN DESCRIBED;

THENCE FOLLOWING A CURVE TO THE LEFT, HAVING A RADIUS 15.00 FEET, AN ARC LENGTH OF 25.86 FEET, A CHORD BEARING OF SOUTH 24° 01' 28" EAST AND A CHORD LENGTH OF 22.77 FEET TO A FOUND 5/8-INCH IRON ROD FOR A POINT OF COMPOUND CURVATURE IN THE NORTH LINE OF THE SAID TRACT HEREIN DESCRIBED;

THENCE FOLLOWING A CURVE TO THE LEFT, HAVING A RADIUS 110.76 FEET, AN ARC LENGTH OF 77.29 FEET, A CHORD BEARING OF NORTH 86° 57' 11" EAST AND A CHORD LENGTH OF 75.73 FEET TO A FOUND 5/8-INCH IRON ROD FOR A POINT OF TANGENCY IN THE NORTH LINE OF THE SAID TRACT HEREIN DESCRIBED;

THENCE NORTH 66°55'11" EAST, A DISTANCE OF 279.00 FEET TO A FOUND 5/8-INCH IRON ROD WITH CAP MARKED *GORMLY*THE NORTHEAST CORNER OF THE SAID TRACT HEREIN DESCRIBED

THENCE SOUTH 28°58'51" EAST, A DISTANCE OF 1365.02 FEET TO THE POINT OF BEGINNING AND CONTAINING 28.153 ACRES (1,226,383 SQUARE FEET), MORE OR LESS.



AGENDA COMMENTARY

Meeting Date: 12/5/2024

Department: City Secretary

Contact:

Agenda Item: Consider a request for a variance to the Alvin Code of Ordinances, Chapter 3 - Alcoholic Beverages, to allow a bar located at 319 W. Willis to operate within 300 feet of a residence.

Type of Item: Action Item

Summary: The owner of the Chameleon located at 319 W. Willis Street is requesting a variance to sell beer at their establishment. On March 21, 2024, the Alvin City Council amended Chapter 3, Section 3-19, "Location Restrictions," of the Alvin Code of Ordinances to include a variance process for location restrictions related to alcoholic beverage sales.

Sec. 3-19. - Location restrictions of the Alvin Code of Ordinances states that: (a) Churches, schools, hospitals and residences. Except as provided in this subsection, it shall be unlawful for any person or establishment to sell alcoholic beverages within the corporate limits of the city where the place of business of such establishment is within three hundred (300) feet of a church, public or private school, public hospital, or residence. (1) This subsection shall not apply to the holder of a license or permit who also holds a food and beverage certificate (i.e., a restaurant) covering a premise that is located within three hundred (300) feet of a private school.

(f) Variance.

1. A request for a variance from the location restrictions found in this section shall be submitted by written notice to the City Secretary and addressed to the Mayor and City Council asking for a hearing before the City Council. Upon such written request, City Council may authorize a variance from this Section.
2. City Council may authorize a variance if they determine that enforcement of the regulation in a particular instance:
 - a. Is not in the best interest of the public;
 - b. Constitutes waste or inefficient use of land or other resources;
 - c. Creates an undue hardship on an applicant for a license or permit;
 - d. Does not serve its intended purpose;
 - e. Is not effective or necessary; or
 - f. For any other reason the Council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.

The residence at 409 West Sealy is located 238.85 feet from 319 W. Willis Street. The owners are requesting a variance to the ordinance to allow for the sale of beer at their establishment at this location. Their current alcoholic beverage license with the City expires on December 31, 2024, and they do not hold a food and beverage certificate.

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: 12/2/2024 SLH

Finance Review Required: N/A ☒ Required ☐

Date Completed: ☐

Supporting documents attached:

1. Request for Variance Letter
2. Distance Map
3. Chapter 3; Alcoholic Beverages

Recommendation: Move to approve or deny a variance to the Alvin Code of Ordinances, Chapter 3 - Alcoholic Beverages, from the owner of 319 W. Willis, to sell beer within 300 feet of a residence, contingent upon obtaining all required state and city permits.

Reviewed by Department Head, if applicable: ☐

Reviewed by City Attorney, if applicable: ☒

Reviewed by Chief Financial Officer, if applicable: ☐

Reviewed by City Manager, if applicable: ☒

From: **The Chameleon** <enjoy@thechameleontx.com>
Date: Tue, Nov 19, 2024 at 12:57 PM
Subject: REQUEST FOR VARIANCE: 319 W. Willis Street
To: jroland@cityhall.cityofalvin.com <jroland@cityhall.cityofalvin.com>, gadame@cityofalvin.com <gadame@cityofalvin.com>, citysecretary@cityofalvin.com <citysecretary@cityofalvin.com>
CC: Shelley Crist <scrist@psf.cityofalvin.com>

Mayor, City Secretary, and City Manager,

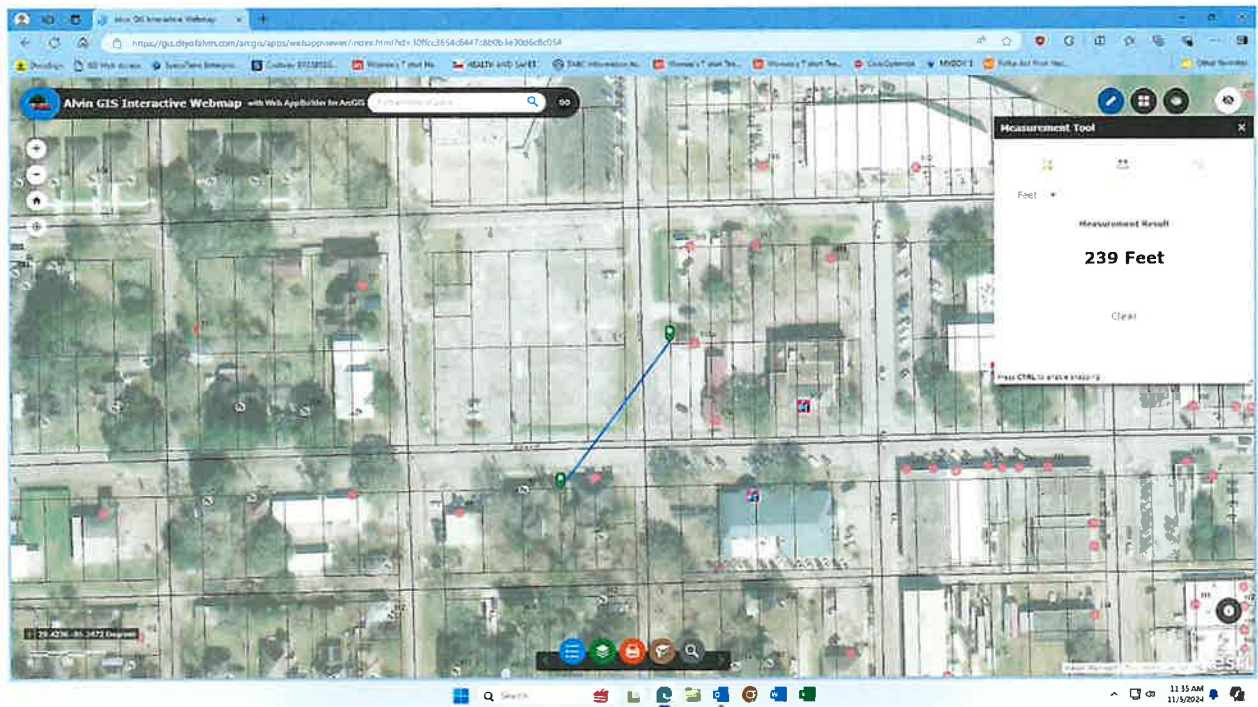
As our license was set to expire in December, and there is not a formal variance request online to print or submit, please accept this email as our formal request for this variance of distance. According to Shelly, "409 West Sealy is 238.8 feet". Please add our address 319 W. Willis Street to the next council meeting for consideration of this variance. Advise back with any questions or concerns. Please confirm receipt of this email.

In Joy,



Vicky Smith
The Mrs. Chameleon

Enjoy@TheChameleonTX.com
(832) 904-0300
319 W. Willis St.
Alvin TX 77511



Distance from the resident at 409 West Sealy.

Chapter 3 ALCOHOLIC BEVERAGES¹

ARTICLE I. IN GENERAL

Sec. 3-1. Sales to minors.

- (a) *Prohibited.* It shall be unlawful for any person, to sell, give, lend or in any way make available any alcoholic beverage to any person under the age of twenty-one (21) years of age, unless authority to do so is permitted by law.
- (b) *Exemption.* This section shall not apply to a licensee, or any other person who may be punished for the offense herein set out under the provisions of the Texas Alcoholic Beverage Code.
- (c) *Penalty.* Any person violating any provision of this section shall be punished as prescribed by section 1-5 of the Code of Ordinances of the city.

(Ord. No. 65-I, §§ 1—4, 5-12-65; Ord. No. 24-H, § 1, 3-21-24)

Editor's note(s)—Ord. No. 65-I, §§ 1—4, which did not expressly amend this Code, enacted the provision codified by the editors as § 3-1.

Secs. 3-2—3-10. Reserved.

Editor's note(s)—Ord. No. 09-I, § 1, adopted March 19, 2009, repealed the former sections 3-2 and 3-3 in their entirety, which pertained to possession or sale in public parks, and consumption and/or possession to consume unlawful in public, respectively, and derived from Ord. No. 73-N, adopted October 18, 1973, and Ord. No. 90-Q, § 1, adopted August 2, 1990. For similar provisions, the user's attention is directed to chapter 16½.

ARTICLE II. LICENSE TO SELL ALCOHOLIC BEVERAGES²

Sec. 3-11. Definitions.

For the purpose of this article, the words used herein, unless expressly stated otherwise, shall have the meanings and definitions prescribed by the Texas Alcoholic Beverage Code.

¹Cross reference(s)—Public drunkenness, § 15-12.

State law reference(s)—Local alcoholic beverage licenses, permits and regulations, V.T.C.A., Alcoholic Beverage Code §§ 11.38, 61.36, 109.31 et seq.

²Editor's note(s)—Ord. No. 68-O, enacted November 21, 1968, repealed former Article II, §§ 3-11—3-22, pertaining to the same subject matter, and derived from Ord. No. 245, §§ 1—7, enacted December 16, 1935. Said Ord. No. 68-O enacted §§ 3-11—3-20 as herein set out. The catchlines were added by the editors.

State law reference(s)—Authority of city to regulate the sale of beer, V.T.C.A., Alcoholic Beverage Code § 109.32.

Alcohol-free school zone means a designated area within one thousand (1,000) feet of a private school.

Alcoholic beverage means alcohol, or any beverage containing more than one-half of one percent of alcohol by volume, which is capable of use for beverage purposes, either alone or when diluted.

Child-care facility means a facility licensed, certified, or registered by the department to provide assessment, care, training, education, custody, treatment, or supervision for a child who is not related by blood, marriage, or adoption to the owner or operator of the facility, for all or part of the 24-hour day, whether or not the facility is operated for profit or charges for the services it offers.

Day-care center means a child-care facility that provides care at a location other than the residence of the director, owner, or operator of the child-care facility for seven (7) or more children under fourteen (14) years of age for less than twenty-four (24) hours a day, but at least two hours a day, three (3) or more days a week.

Distilled spirits means alcohol, spirits of wine, whiskey, rum, brandy, gin, or any liquor produced in whole or in part by the process of distillation, including all dilutions or mixtures of them, and includes spirit coolers that may have an alcoholic content as low as four (4) percent alcohol by volume and that contain plain, sparkling, or carbonated water and may also contain one or more natural or artificial blending or flavoring ingredients.

Malt beverage means a fermented beverage of any name or description containing one-half of one percent or more of alcohol by volume, brewed or produced from malt, in whole or in part, or from any malt substitute.

Mixed beverage means one or more servings of a beverage composed in whole or part of an alcoholic beverage in a sealed or unsealed container of any legal size, including malt beverages, wine, and distilled spirits.

Private school means a private school, including a parochial school, that:

- (1) Offers a course of instruction for students in one or more grades from kindergarten through grade 12; and
- (2) Has more than one hundred (100) students enrolled and attending courses at a single location.

Residence means any structure which, at the time of the application for a permit, is being used as a dwelling place for residential purposes, whether single-family or multifamily, including but not limited to a house, duplex, apartment, townhouse, condominium, manufactured home, or any other building used for residential purposes.

Residential purposes shall include, but not be limited to, property used for houses, duplexes, townhouses, town homes and patio homes; property used for condominiums, apartments, hotels, motels and boarding houses shall not be considered as used for residential purposes.

Restaurant means a business that:

- (1) Operates its own permanent food service facility with commercial cooking equipment on its premises; and
- (2) Prepares and offers to sell multiple entrees for consumption on or off the premises.

Wine and vinous liquor means the product obtained from the alcoholic fermentation of juice of sound ripe grapes, fruits, berries, or honey, and includes wine coolers and saké.

(Ord. No. 68-O, 11-21-68; Ord. No. 24-H, § 1, 3-21-24)

Sec. 3-11.1. Licenses and permits.

In accordance with Brazoria County's local option elections, and in accordance with the Texas Alcoholic Beverage Code, the following licenses and permits are authorized in the City of Alvin, provided all qualifications are met and/or restrictions followed:

- (a) Mixed Beverage Permit (MB) with Food and Beverage Certificate (FB):

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- i. A Food and Beverage Certificate will be issued if the receipts from the sale of alcoholic beverages by the license or permit holder at the location are sixty (60) percent or less; or
 - ii. The facility is a restaurant.
- (b) Private Club Registration Permit (N): Authorizes the storage and service of distilled spirits, wine and malt beverages for club members' on-premises consumption.
 - (c) Retailer Dealer's Off-Premises License (BF): Authorizes the sale of malt beverages for off-premises consumption.
 - (d) Retail Dealer's On-Premises License (BE): Authorizes the sale of malt beverages for on-premises consumption.
 - (e) Retailer Late Hours Certificate (LH): Authorizes the holder of an MB and FB, or BE to sell and/or serve between the hours of midnight and 2:00 a.m.
 - (f) Wine and Malt Beverage Retailer's Off-Premises Permit (BQ): Authorizes the sale of alcoholic beverages for off-premises consumption for grocery stores, gas stations.
 - (g) Wine Only Package Store Permit (Q): Authorizes the sale of malt beverages and wine to consumers for off-premises consumption.

(Ord. No. 24-H, § 1, 3-21-24)

Sec. 3-12. City license fee—Amount.

Any person holding a license issued by the Texas Alcoholic Beverage Commission for the sale of alcoholic beverages who owns or maintains a place of business located within the City of Alvin in connection with which such license has been issued shall pay the license fees set forth in chapter 28 of this Code.

(Ord. No. 68-O, 11-21-68; Ord. no. 84-N, § 1, 9-20-84; Ord. No. 00-PP, § 3, 10-19-00; Ord. No. 22-L, § 1, 3-17-22; Ord. No. 24-H, § 1, 3-21-24)

State law reference(s)—Authority of city to levy a license fee for the sale, distribution, etc., of beer in an amount not exceeding one-half of the state license fee, Texas Alcoholic Beverage Code § 61.36.

Sec. 3-13. Payment, due date.

The license fees herein prescribed, shall be paid to the engineering department at the public service facility, Alvin, Texas, and shall be due on or before the same day every two (2) years that the state license fee for the license held by such person or establishment authorizing the sale of alcoholic beverages.

(Ord. No. 68-O, 11-21-68; Ord. No. 72-M, 11-16-72; Ord. No. 22-L, § 1, 3-17-22; Ord. No. 24-H, § 1, 3-21-24)

Sec. 3-14. Dates of state license to be furnished engineering department.

Upon the effective enactment of this article, each person maintaining a place of business or establishment as referred to in this article, shall furnish to the engineering department the date of expiration of the license such person holds from the State of Texas which authorizes such sale of alcoholic beverages and each person who thereafter obtains a state license, shall furnish the engineering department with information concerning the date of issuance of such license and the date of its expiration. Any person who fails or refuses to furnish the information required in this section, after written request by the engineering department, shall be deemed guilty of a misdemeanor and subject to fine as hereinafter provided.

(Ord. No. 68-O, 11-21-68; Ord. No. 72-M, 11-16-72; Ord. No. 22-L, § 1, 3-17-22; Ord. No. 24-H, § 1, 3-21-24)

Sec. 3-15. Failure to pay fee—Cancellation of license.

Should any person fail or refuse to pay the license fee herein prescribed at the time and in the manner prescribed in this article, the engineering department shall, upon the expiration of three (3) days from the date said license fee was due, notify the Texas Alcoholic Beverage Commission of such person's failure to pay the license fee herein prescribed and request cancellation of the license of such person under the authority of Texas Alcoholic Beverage Code § 61.36(b).

(Ord. No. 68-O, 11-21-68; Ord. No. 72-M, 11-16-72; Ord. No. 22-L, § 1, 3-17-22)

Sec. 3-16. Same—Constitutes misdemeanor.

Failure on the part of any person required to pay the license fee prescribed herein to pay such fee shall constitute a misdemeanor and subject said person to the penalties hereinafter prescribed.

(Ord. No. 68-O, 11-21-68)

Sec. 3-17. Penalty for violation of article.

Any person found guilty of a violation of any provision of this article shall be punished by a fine prescribed by section 1-5. Each day any violation of this article shall continue shall constitute a separate offense.

(Ord. No. 68-O, 11-21-68; Ord. No. 07-E, § 4, 8-2-07)

Sec. 3-18. Engineering department authorized to require information.

The engineering department is hereby authorized and empowered to require from each person holding a license described herein information as to the name and address of such person, the address of the place of business of such person and any other information reasonably necessary for compliance with the provisions of this article. Failure of any such person to furnish such information to the engineering department shall be deemed a misdemeanor and shall subject such person to the penalties prescribed herein.

(Ord. No. 68-O, 11-21-68; Ord. No. 72-M, 11-16-72; Ord. No. 22-L, § 1, 3-17-22)

Sec. 3-19. Location restrictions.

- (a) *Churches, schools, hospitals and residences.* Except as provided in this subsection, it shall be unlawful for any person or establishment to sell alcoholic beverages within the corporate limits of the city where the place of business of such establishment is within three hundred (300) feet of a church, public or private school, public hospital, or residence.
 - (1) This subsection shall not apply to the holder of a license or permit who also holds a food and beverage certificate (i.e., a restaurant) covering a premise that is located within three hundred (300) feet of a private school.
- (b) *Alcohol-free school zone.*

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- (1) Except as provided in this subsection, it shall be unlawful for any person or establishment to sell alcoholic beverages within the corporate limits of the city within 1,000 feet of any area designated as an "alcohol-free school zone" pursuant to this subsection.
 - (2) Following receipt of a written request from the governing body of a public or private school for the designation of an alcohol-free school zone, the City Council may designate areas within one thousand (1,000) feet of the public or private school as an alcohol-free school zone. Requests for designation shall be filed with the City Secretary and shall be presented to City Council as soon as practicable following their filing. Designations under this subsection may be made by City Council motion.
 - (3) The prohibition set forth in this subsection shall not apply to the holder of:
 - a. An establishment that holds an on-premises consumption permit or license if less than fifty (50) percent of the gross receipts for the premises is from the sale or service of alcoholic beverages; or
 - b. A retail off-premises consumption permit or licenses if less than fifty (50) percent of the gross receipts for the premises, excluding the sale of items subject to the motor fuels tax, is from the sale or service of alcoholic beverages.
- (c) *Day-care center or child-care facility.*
- (1) This subsection establishes additional criteria regarding the sale of alcoholic beverages and shall apply only to a permit or license holder under the following chapters of the Texas Alcoholic Beverage Code who does not hold a food and beverage certificate: Chapter 25 (Wine and Beer Retailer's Permit), Chapter 28 (Mixed Beverage Permit), Chapter 32 (Private Club Registration Permit), or Chapter 69 (Retail Dealer's On-Premises License). Except as provided in this subsection, it shall be unlawful for any person or establishment specified in this subsection to sell alcoholic beverages within the corporate limits of the city where the place of business is within three hundred (300) feet of a day-care center or child-care facility.
 - (2) This subsection shall not apply to a permit or license holder who sells alcoholic beverages if:
 - a. The permit or license holder and the day-care center or child-care facility are located on different stories of a multistory building; or
 - b. The permit or license holder and the day-care center or child-care facility are located in separate buildings and either the permit or license holder or the day-care center or child-care facility is located on the second story or higher of a multistory building.
- (d) *Measurements.*
- (1) The measurement of the distance between the place of business where alcoholic beverages are sold and a church or public hospital shall be along the property lines of the street fronts and from front door to front door and in direct line across intersections.
 - (2) The measurement of the distance between the place of business where alcoholic beverages are sold and a public or private school shall be in a direct line from the property line of the public or private school to the property line of the place of business, and in a direct line across intersections.
 - (3) The measurement of the distance between the place of business where alcoholic beverages are sold and a residence shall be in a direct line from the property line of the residence to the property line of the place of business, and in a direct line across intersections.
 - (4) If the permit or license holder is located on or above the fifth story of a multistory building, in a direct line from the property line of the private school to the property line of the place of business, in a direct line across intersections, and vertically up the building at the property line to the base of the floor on which the permit or license holder is located.

-
- (5) Except as provided in subsection (e) below, the measurement of the distance between the place of business where alcoholic beverages are sold and a day-care center or child-care facility shall be along the property lines of the street fronts and from front door to front door and in direct line across intersections.
- (e) *[Measurement of distance.]* As to any person or establishment who held a license or permit on September 1, 1983 in a location where a regulation under Texas Alcoholic Beverage Code § 109.33 was in effect on that date, for purposes of the above subsections,, the measurement of the distance between the place of business of the dealer and a public or private school shall be along the property lines of the street fronts and from front door to front door, and in direct line across intersections.
- (f) *Variance.*
- (1) A request for a variance from the location restrictions found in this section shall be submitted by written notice to the City Secretary and addressed to the Mayor and City Council asking for a hearing before the City Council. Upon such written request, City Council may authorize a variance from this Section.
- (2) City Council may authorize a variance if they determine that enforcement of the regulation in a particular instance:
- Is not in the best interest of the public;
 - Constitutes waste or inefficient use of land or other resources;
 - Creates an undue hardship on an applicant for a license or permit;
 - Does not serve its intended purpose;
 - Is not effective or necessary; or
 - For any other reason the Council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.
- (g) *[Administration of section.]* This section shall be administered in a manner consistent with the Texas Alcoholic Beverage Code. Furthermore, nothing in this section shall be construed to permit or authorize that which is prohibited by the Texas Alcoholic Beverage Code or any other law.

(Ord. No. 24-H, § 1, 3-21-24)

Editor's note(s)—Ord. No. 24-H, adopted March 21, 2024, amended § 3-19 in its entirety to read as herein set out. Former § 3-19 pertained to sales near school, church, hospital, dwelling and day-care/child-care facility, and derived from Ord. No. 02-CC, adopted September 5, 2002; and Ord. No. 22-L, adopted March 17, 2022.

Sec. 3-20. Cancellation of state license or permit.

If a state license or permit is issued that allows the sale of an alcoholic beverage(s) at a location prohibited by this article or other code provision, the city shall forthwith give notice of such violation to the Texas Alcoholic Beverage Commission and request cancellation of the license/permit.

(Ord. No. 02-CC, § 3, 9-5-02; Ord. No. 24-H, § 1, 3-21-24)

Editor's note(s)—Ord. No. 02-CC, § 3, adopted September 5, 2002, repealed § 3-20, in its entirety and enacted new provisions to read as herein set out. Prior to amendment, § 3-20 pertained to cancellation of state license and derived from Ord. No. 68-O, adopted November 21, 1968; and Ord. No. 72-M, adopted November 16, 1972.

Sec. 3-21. Regulation of closing hours.

The hours for the sale and offer for sale or delivery of alcoholic beverages by a holder of a retail dealers on-premises license are extended in accordance with Texas Alcoholic Beverage Code § 105.05(d)(2), so that holders of retail dealers on-premises late hours licenses may sell or offer for sale and deliver alcoholic beverages between midnight and 2:00 a.m. on any day.

(Ord. No. 80-1C, § 1, 8-7-80; Ord. No. 22-L, § 1, 3-17-22; Ord. No. 24-H, § 1, 3-21-24)

Editor's note(s)—Ord. No. 80-K, § 1, adopted August 7, 1980, enacted provisions codified as § 3-21 above. Since said ordinance did not specifically amend the Code, the manner of codification has been at the editor's discretion.



AGENDA COMMENTARY

Meeting Date: 12/5/2024

Department: City Secretary

Contact: Dixie Roberts, Asst. City Manager/City Secretary

Agenda Item: Consider various appointments to boards and commissions.

Type of Item: Action Item

Summary: Board and Commission interviews were held on Thursday, November 14th for applicants wanting to re-serve and for new board and commission applicants.

Various members who currently serve on various boards, committees and commissions are set to expire on December 31, 2024.

All board or commission members with expiring terms were mailed notification letters along with an Application to Reserve on a Board/Commission. Volunteer recruitment ads were published in the Alvin Sun, and notifications were pushed out via the City's social media networks and website. Appointments to the various boards/commissions are set to be made annually at the first City Council meeting held in December. Members appointed during this process will begin service in January 2025. All residency requirements have been verified. A (P) next to the applicant's name below indicates that they were present for the board and commission interview.

Current Status of Boards / Commissions (easy to read summary spreadsheet attached)

PLANNING COMMISSION: City Charter calls for 7 members, resident, and qualified voter of the city, and can serve no more than 3 consecutive 3-year terms.

- **No** Termed members = **no vacancies**
- Current Applicants: Larry Davidson, Jeffrey Foley (P), Laudice Martinez, Mark Monio (P)

PARKS AND RECREATION BOARD: Ordinance calls for 7 members, resident and qualified voter of the city, and can serve no more than 3 consecutive 2-year terms

- Board currently comprised of 7 members (including termed members)
- Termed members: *Cathy Fontenot, Justin Gatlin, and Ian McKee (P). Justin Gatlin and Ian McKee submitted a Reserve-Application.* A reserve application was not received from Ms. Fontenot. Mr. McKee attended the interview, and Mr. Gatlin submitted a letter stating that he had a class at ACC to attend that evening and would not be able to attend.
- Current Applicants: Larry Davidson, Kim Dugas, Jerry Persefield, Sylvia Callahan
- City Council is asked to make 3 appointments/re-appointments to the Parks and Recreation Board to meet the 7 member requirement.

SENIOR CITIZENS BOARD: Ordinance calls for 7 members, 3-year terms, may not serve more than 3 consecutive terms.

- Board currently comprised of 7 members (including termed members)
- Termed members: *John Burkey (P), Ron Shepherd (P), and Katherine Ansley (P)*
- No other applicants have applied for this board.

Council is asked to make 3 re-appointments/appointments to the Senior Citizens Board to meet the 7 member requirement.

LIBRARY BOARD: Ordinance calls for at least 5, no more than 7 members, 3-year terms.

- Board currently comprised of 4 members
- Termed members: none
- Vacancy: one vacancy needs to be filled, may make up to two additional appointments to reach the max of 7 members
- Current Applicants: Monica Salter (P), Kim Dugas, Sylvia Callahan (P).

City Council is asked to make at least one appointment to the Library Board to meet the minimum 5-member requirement. However, up to 7 members are allowed.

BUILDING BOARD OF ADJUSTMENTS AND APPEALS: Ordinance calls for 5 members, 5-year terms.(2018 International Building Code)

- Board currently comprised of 4 members (including termed members). There is currently one vacancy on this board.
- Termed members: *Santos Garza and Sussie Sutton*. A reserve application was received from Ms. Sutton and Mr. Garza subbited his application late (after the interviews) Neither applicant attended the interview - Ms. Sutton sent a message saying she was unable to come for health reasons.
- Vacancy: one vacancy needs to be filled, in addition to the 2-termed positions
- Current Applicants: Larry Davidson, Jeffrey Foley (P), Laudice Martinez, and Jerry Persefield (P)

Council is asked to make 3 appointments/re-appointments to the Building Board of Adjustments and Appeals to meet the 5 member requirement.

ANIMAL SHELTER ADVISORY BOARD: Resolution established this board consisting of 6 members. City Official (1), Day to Day Shelter (1), Animal Welfare Org (1), Veterinarian, (1), citizens (2).

- Vacancy: one (1) vacancy for the veterinarian position needs to be filled
- One applicant: Keri Galvin, DVM (P)

ECONOMIC DEVELOPMENT ADVISORY COMMITTEE: Resolution calls for 7 members: (4) Resident/Businessperson positions, (1) Council member, (1) Alvin Manvel Chamber President, and (1) ACC Board/Staff member to serve a staggered 2 year term.

- This is a newly established board. City Council shall make appointments as necessary to fully form and activate the board.
- Current Applicants : Jeffrey Foley (P), Keisha Heck (P), Laudice Martinez, Mark Monio (P), Jake Starkey, Sam Washington (P), Jamie Van Horne (P), Kurt Overby, Kim Dugas, and

Sonya Atkins-Goodman (letter attached regarding her absence at this meeting)

City Council is asked to make 7 appointments to this board. (4) Resident/Businessperson positions (staggered terms = 2 for 1 year term and 2 for 2 for 2 year terms), (1) Council member, (1) Alvin Manvel Chamber President, and (1) ACC Board/Staff member. Mr. Chavez spoke with Stacy Ebert, VP for Workforce & Strategic Initiatives, who indicated that she would enjoy the opportunity to serve as an ACC representative on this board.

The **TIRZ Board Appointments** will be considered in December by separate Resolution. Staff has included this information for you to consider as you review applicants. Those who may not be selected for their first choice, could possibly be considered for appointment on one of the TIRZ Boards. The TIRZ 2 Board members were not invited to the interviews.

TIRZ 1 BOARD: TIRZ 1 Ordinance calls for 11 members, 8 of which must be appointed by the City Council (Positions 1-8); 3 positions are reserved for any other taxing entity levying taxes within the Zone who may wish to make an appointment to the zone board. Appointments to the TIRZ 1 Board will be made by a separate resolution in December.

- Current Applicants: Paul Horn, Mark Monio, Jaime Van Horne, Taylor LeBlanc, Holland DeKeyser. These appointments will be made by a separate resolution in December.

TIRZ 2 BOARD: TIRZ 2 Ordinance calls for 12 members, 8 of which must be appointed by the City Council (Positions 1-8). Appointments to the TIRZ 2 Board will be made by a separate resolution in December.

- Board currently comprised of 8 members (including termed members)
- Termed members: Armando Cespedes, Susie Sutton, Mark Nokelby, Regina Harris and Emily Wicks. (Susie Sutton and Regina Harris do not wish to continue service on this board)
- Current Applicants: no new applicants.
- Vacancy: one vacancy due to Regina Harris non-continuation on the board, one due to Sussie Sutton's non-continuation on the board

INACTIVE BOARDS:

CULTURAL DIVERSITY AWARENESS COMMISSION: Ordinance calls for 8 members

- Board is currently inactive
- Current Applicants: Virginia Pixley, Sylvia Callahan

BOARD OF ETHICS AND COMPLIANCE: Created by Charter

- Board is currently inactive.
- Current Applicants: Laudice Martinez, Jerry Persefield

Funding Expected:	Revenue _ Expenditure _ N/A _	Budgeted Item:	Yes _ No _ N/A <u>X</u>
Funding Account:	_____	Amount:	_____
		1295 Form Required?	Yes _ No _
Legal Review Required:	N/A _ Required _	Date Completed:	_____
Finance Review Required:	N/A _ Required _	Date Completed:	_____

Supporting documents attached:

1. Board Vacancies
 2. Applicants with Notes from Interview
 3. Sign-In Sheet from 11/14/24 Interviews
-

Recommendation:

Reviewed by Department Head, if applicable: __

Reviewed by City Attorney, if applicable: __

Reviewed by Chief Financial Officer, if applicable: __

Reviewed by City Manager, if applicable: X

2025 Board & Commission Appointments

Economic Development Advisory Committee		Parks		Seniors		Library		BBOAA		Animal		Kendall Lakes TIRZ 2 Board Place 2, 4, 5, 6,7, 8		TIRZ 1	
Resident/Businessperson		Position 1	Jamie Van Horne	Position 1	<i>John Burkey R</i>	Position 1	Sandra Curtner	Place 1		City Official	Keith Villaloboz	Place 2	<i>Armando Cespedes R</i>	Place 1	
Resident/Businessperson		Position 2		Position 2	<i>Ron Shepherd R</i>	Position 2	Jason Jones	Place 2	<i>Santos Garza R</i>	Day to Day	Autumn Miller	Place 4	<i>Sussie Sutton - Vacancy</i>	Place 2	
Resident/Businessperson		Position 3	<i>Justin Gatlin R</i>	Position 3	<i>Katherine Ansley R</i>	Position 3	Laura Parker	Place 3	<i>Sussie Sutton R</i>	Animal Welfare Org.	Jennifer Hendricks	Place 5	<i>Mark Nokelby R</i>	Place 3	
Resident/Businessperson		Position 4	<i>Ian McKee R</i>	Position 4	Jancy Altus	Position 4		Place 4	James Thompson	Veterinarian		Place 6	<i>Regina Harris - Vacancy</i>	Place 4	
Council member		Position 5	Milton Morgan	Position 5	Thomas Hockin	Position 5	Denise Stanaland	Place 5	Betsy Grubbs	Citizen	Caiden Anderson	Place 7	<i>Ron Mercer - unexpired term</i>	Place 5	
Chamber member		Position 6	Robyn Moore	Position 6	Michael Green					Citizen	Sandra Curtner	Place 8	<i>Emily Wicks R</i>	Place 6	
ACC member		Position 7	Caiden Anderson	Position 7	Deborah Williams									Place 7	
														Place 8	

= Vacancy *R* = Reserve Applicant

= Applied to Reserve

Board/Commission Applicant Information for Interview					
Name	Boards applying for	Present for Interview	Re-Serve	New Applicant	Interview Notes
Ansley, Katherine	Seniors	Yes	Y		2 yrs on board - secretary for board, Senior Center is a home for her, she leads two classes there as well
Atkins-Goodman, Sonya	EDAC	No, letter attached		Y	
Burkey, John	Seniors	Yes	Y		Got a lot done- a lot of projects in the works.
Callahan, Sylvia	1.Cultural Div, 2. Library, 3.Parks	Yes		Y	Love cultural diversity b/c of her Native American/Hispanic background. Will serve on other boards as needed.
Davidson, Larry	1. Planning, 2. BBOAA, 3. Parks	Yes		Y	20 yrs in construction- Civil/Residential. 25 yrs in the plants. Zoning is good- when used correctly Variance allowed at times.
DeKeyzer, Holland	TIRZ 1	Yes		Y	More involved - interested in development in the city, former CPA - investment co, current lawyer
Dugas, Kim	Library, Parks, EDAC	No		Y	
Foley, Jeffrey	BBOAA, Planning, EDAC	Yes			Business owner - 3 terms on Planning/BBOAA - Comp Plan Committee, Former Planning Chair. No Zoning, No Special Districts.
Galvin, Keri, DVM	Animal	Yes		Y	Vet Hospital of Alvin since 2013
Gatlin, Justin	Parks	No, comment in application	Y		Teaching a college class the night of the interview - unable to attend
Heck, Keisha	EDAC	Yes		Y	2-yr resident. Volunteer - Galveston Econ Dev Partnership. Commercial real estate for 25 yrs (Mitchell Historic Properties) ICSC
Horn, Paul	TIRZ 1	No		Y	
LeBlanc, Taylor	TIRZ 1	Yes		Y	Planning Comm in Colorado - was in he Army - oversaw major construction projects \$150M. Open for other boards.
Mark, Monio	1.TIRZ #1, 2. EDAC, 3. Planning	Yes		Y	Hitchcock Finance Director, works with TIRZ.
Martinez, Laudice	BBOAA, Ethics, Planning, EDAC	No		Y	
*McKee, Ian	Parks	Yes	Y		July of 2023 filled unexpired term on Parks. Will serve on other boards.
Overby, Kurt	EDAC	No		Y	
Persefield, Jerry	1. BBOAA, 2. Parks 3. Ethics	Yes		Y	Code Enforcement for 2 yrs prior.



Board/Commission Applicant Information for Interview						
Name	Boards applying for	Present for Interview	Re-Serve	New Applicant	Interview Notes	
Pixley, Virginia	Cultural Diversity	No		Y		
Salter, Monica	Library	Yes		Y	Loves reading - especially to kids. Library events to improve- social media engagements. AVFD Volunteer. No Other Boards	
Shepherd, Ron	Seniors	Yes	Y		3 yrs - filled an unexpired term.	
Starkey, Jake	EDAC	No		Y		
Sutton, Sussie	BBOAA	No	Y			
Van Horne, Jamie	1. EDAC - 2. TIRZ 1	Yes		Y	No Zoning - Parks Board 7 yrs, Chair. Growth. Disc Golf/Rec Cntr. Will serve on other boards where needed.	
Washington, Sam	EDAC	Yes		Y	Business owner - Hometown feel w/growth - Diversity into city - proactive about who we bring in.	

* = Alvin Upfront Citizens Academy

TIRZ Board Applicants noted in this color

attended interview

Updated 11/21/2024



SIGN-IN SHEET

November 14, 2024

PLEASE PRINT

City Council Board & Commission Interviews

1.	LARRY DAVIDSON
2.	JOHN BURKEY
3.	RON SHEPHERD
4.	JERRY PERSEFIELD
5.	SYLVIA LALLAHAN
6.	Taylor LeBlanc
7.	Tom Hockin
8.	Keisha Heck
9.	Jeff Foley
10.	Monica Salter
11.	Keri Galvin
12.	Jamie Van Home
13.	Ian McKee
14.	Sam Washington
15.	Kathy Ansky
16.	Monie Mark II
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