

City of Alvin, Texas

Paul Horn, Mayor

Martin Vela, Mayor Pro-tem, District A
Keko Moore, At Large Pos. 1
Joel Castro, At Large Pos. 2
Chris Vaughn, District B



Richard Garivey, District C
Glenn Starkey, District D
Gabe Adame, District E

ALVIN CITY COUNCIL AGENDA

THURSDAY, SEPTEMBER 2, 2021

7:00 P.M.

(Council Chambers)

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

Persons with disabilities who plan to attend this meeting that will require special services please contact the City Secretary's Office at 281-388-4255 or drobotts@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, SEPTEMBER 2, 2021**, at 7:00 p.m. in the Council Chambers at: City Hall, 216 W. Sealy, Alvin, Texas.

REGULAR MEETING AGENDA

1. CALL TO ORDER

2. INVOCATION AND PLEDGE OF ALLEGIANCE

3. PUBLIC COMMENT

4. PUBLIC HEARING

- A. Public hearing to receive comment on the proposed annexation of 59.780 acres of land, more or less, for the Watermark Development located along East House Street across State Highway 35, in Brazoria County, Texas, from D. R. Horton – Texas, LTD. – first public hearing.

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

- A. Consider approval of the August 19, 2021, City Council Regular meeting minutes.
- B. Consider a final plat of Reed Ranch Estates (located at the northwest corner of the intersection of Davis Bend Road and Mamie Ford Road), being all of a 9.66-acre tract as recorded in document number 2006009709, official records of real property, Brazoria County, Texas, situated in the H.T. & B.R.R. Company Survey, Section 17, Abstract 228, Brazoria County, Texas.
- C. Consider a final plat of Mustang Crossing Section 7, (located northeast of the intersection of FM 1462 and Mustang Crossing Boulevard), being a Planned Unit Development subdivision containing 21.16 acres of land, located in the Hooper and Wade Survey, Abstract 488, in the City of Alvin, Brazoria County, Texas, also being a partial replat of Reserve "A" of Mustang

Crossing Sections One and Two, a PUD subdivision recorded in clerk file no. 2006012906, of the Brazoria County Map Records.

6. OTHER BUSINESS

- A. Consider Ordinance 21-M, adopting the annual budget for the City of Alvin, Texas, for Fiscal Year 2021-2022; directing the City Secretary to post a copy of the budget on the City of Alvin website; and setting forth other provisions related thereto.
- B. Consider Ordinance 21-N, adopting the proposed tax rate of \$0.7680 (per \$100 of taxable assessed value), which is 1.65 percent greater than the No New Revenue tax rate for the City of Alvin.
- 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 meeting¹

7. REPORTS FROM CITY MANAGER

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

8. ITEMS OF COMMUNITY INTEREST

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

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

9. 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, AUGUST 30, 2021 at 5:30 P.M.



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

Dixie Roberts, City Secretary

Removal Date: _____

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



AGENDA COMMENTARY

Meeting Date: 9/2/2021

Department: Legal

Contact: Suzanne Hanneman, City Attorney

Agenda Item: Public hearing to receive comment on the proposed annexation of 59.780 acres of land, more or less, for the Watermark Development located along East House Street across State Highway 35, in Brazoria County, Texas, from D. R. Horton – Texas, LTD. – first public hearing.

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

Summary: This is the first of two required public hearings for this annexation requested by D.R. Horton – Texas, LTD. The land being petitioned for annexation is contiguous and adjacent to the corporate limits of the city along the stretch of State Highway 35 between East South Street and East House Street.

This public hearing is a time for public comment on said annexation. The next public hearing is scheduled for September 16th. Notices have been published in *The Alvin Sun*, and on the City's website. Final reading of the annexation ordinance will be at a special City Council meeting scheduled for October 11, 2021.

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:** 8/30/2021 SLH _____

Supporting documents attached:

- Resolution 21-R-17 with exhibits
 - Request & Petition to Annex to the City Council of the City of Alvin For Annexation of Property
 - Annexation Schedule
-

Recommendation: Announce that the next public hearing is scheduled for Thursday, September 16th at 7:00 p.m.

Reviewed by Department Head, if applicable ☐
Reviewed by City Attorney, if applicable ☒

Reviewed by Chief Financial Officer, if applicable ☐
Reviewed by City Manager ☒

SCHEDULE FOR VOLUNTARY ANNEXATION – MUD 81

DATE	ACTION/EVENT	LEGAL AUTHORITY
August 5, 2021	COUNCIL BY WRITTEN RESOLUTION Directs notification to landowners; and sets two (2) Public Hearings September 2, 2021 , and September 16, 2021 ; Council directs development of service plan for area to be annexed.	Loc. Gov't Code, §§ 43.063 & 43.065; Public Hearings – on or after the 40th day but before 20th day before Reading of Ordinance
August 9, 2021	NOTICE TO PROPERTY OWNERS & utility providers	Loc. Gov't Code § 43.062
August 15, 2021 Publish notice of First Public Hearing Send School District Notice	NEWSPAPER NOTICE RE: FIRST PUBLIC HEARING ; (If applicable Notice to Railroad) SCHOOL DISTRICT NOTICE (notify each school district of possible impact) POST NOTICE ON WEB SITE and MAINTAIN UNTIL COMPLETE	Not less than 10 days nor more than 20 days before 1st public hearing. Loc. Gov't Code, §43.063 (c).
August 29, 2021 Publish notice of Second Public Hearing	NEWSPAPER NOTICE RE: SECOND PUBLIC HEARING	Not less than 10 days nor more than 20 days before 2nd public hearing. Loc. Gov't Code, § 43.063 (c).
Ten days after the date the first notice of Public Hearing is published	LAST DAY FOR SUBMISSION OF WRITTEN PROTEST BY RESIDENTS (10 days after first newspaper notice)	Site hearing required if 20 adult residents of tracts protest within 10 days after 1st newspaper notice. Loc. Gov't Code, § 43.063 (b)
September 2, 2021	1st PUBLIC HEARING AND PRESENT SERVICE PLAN (Not more than 40 days before the reading of ordinance) <i>Regular Meeting</i>	Not less than 20 days nor more than 40 days before reading of ordinance. Loc. Gov't Code, §§ 43.065 & 43.063(a).
September 16, 2021	2nd PUBLIC HEARING AND PRESENT SERVICE PLAN (At least 20 days before reading of ordinance.) <i>Regular Meeting</i>	Not less than 20 days nor more than 40 days before reading of ordinance. Loc. Gov't Code, §§ 43.065 & 43.063 (a).
Institution Date October 11, 2021	READING OF ORDINANCE <i>Special meeting</i>	Date of institution of proceedings. Not less than 20 days from the second public hearing nor more than 40 days from the first public hearing.
Within 30 days of Reading	CITY SENDS COPY OF MAP showing boundary changes to County Voter Registrar in a format that is compatible with mapping format used by registrar	Elec. Code §42.0615
Within 60 days of Reading	CITY PROVIDES CERTIFIED COPY OF ORDINANCE AND MAPS TO: 1. County Clerk 2. County Appraisal District 3. County Tax Assessor Collector 4. 911 Addressing 5. Sheriff's Office 6. City Department Heads	

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

SCHWARTZ, PAGE & HARDING, L.L.P.

ATTORNEYS AT LAW

1300 POST OAK BOULEVARD

SUITE 1400

HOUSTON, TEXAS 77056

WWW.SPHELL.COM

TELEPHONE (713) 623-4631

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JOSEPH M. SCHWARTZ
ABRAHAM I. RUBINSKY
HOWARD M. COHEN
SPENCER W. CREED
CHRISTOPHER T. SKINNER
DANIEL S. RINGOLD
MITCHELL G. PAGE
BRYAN T. YEATES
CHRISTINA J. COLE
MATTHEW H. REED

GINA FREE
JOHN H. EICHELBERGER
DIANA MILLER
RICK L. DARRIN
KEVIN S. GIESERS
EMILY C. NICH
KATE H. HENDERSON

March 31, 2021

VIA ELECTRONIC MAIL

shanneman@cityhall.cityofalvin.com

Ms. Suzanne Hanneman
City Attorney
City of Alvin Legal Department
216 West Sealy Street
Alvin, Texas 77511

Re: Proposed Brazoria County Municipal Utility District No. 81 (the "District")

Dear Ms. Hanneman:

In connection with the creation of the above-referenced District, enclosed please find the following documents:

1. Petition for Consent to Creation of the District; and
2. Petition for Voluntary Annexation for an approximately 59.780 acre tract.

Should you have any questions regarding the enclosed documents, please do not hesitate to contact me.

Sincerely,

SCHWARTZ, PAGE & HARDING, L.L.P.

By: Bryan T. Yeates by SDI
Bryan T. Yeates
Attorney for the District

Enclosures
583703 1

PETITION FOR VOLUNTARY ANNEXATION

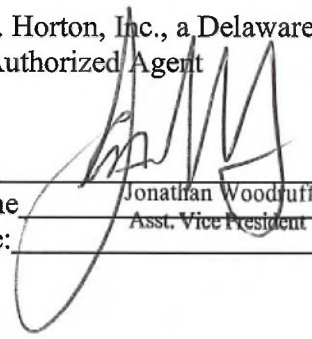
TO: THE MAYOR AND GOVERNING BODY OF THE CITY OF ALVIN, BRAZORIA COUNTY, TEXAS:

The undersigned owner of the hereinafter described 59.780 acre tract of land ("Tract"), which is vacant and without residents or on which less than three qualified voters reside, hereby petitions your honorable body to extend the present municipal limits so as to include and annex as a part of the City of Alvin, Brazoria County, Texas, the property described by metes and bounds on the attached Exhibit "A", which is incorporated herein for all purposes. I certify that this Petition is signed and acknowledged by each and every corporation and person owning said land or having an interest in any part thereof.

OWNER:

D.R. HORTON – TEXAS, LTD., a Texas limited partnership

By: D.R. Horton, Inc., a Delaware corporation,
its Authorized Agent

By: 
Name: Jonathan Woodruff
Title: Asst. Vice President

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

This instrument was acknowledged before me on this the 27 day of MAY, 2021, by JONATHAN WOODRUFF, ASSISTANT VP of D.R. Horton, Inc., a Delaware corporation, in its capacity as Authorized Agent of D.R. Horton – Texas, Ltd., a Texas limited partnership, on behalf of said entities.





Notary Public in and for
the State of T E X A S

County: Brazoria
Project: Alvin 105
Job No. 209101
MBS No. 20-544

FIELD NOTES FOR 59.780 ACRES

Being a tract containing 59.780 acres of land, located in the I&G.N.R.R. Co. Survey, Abstract Number 400, in Brazoria County, Texas; Said 59.780 acre tract being a portion of a call 15.560 acre tract styled Tract 6, recorded in the name of Larry D. Smith, M.D. in File Number 1977023758 of the Official Public Records of Brazoria County (O.P.R.B.C.) and described in File Number 1973005270 of the O.P.R.B.C., a portion of a call 15.76 acre tract recorded in the name of Larry D. Smith, M.D. in File Number 1984030953 of the O.P.R.B.C. and a portion of a call 39.6486 acre tract recorded in the name of Lopeholt Properties I, L.P. in File Number 2010048601 of the O.P.R.B.C.; Said 59.780 acre tract being more particularly described by metes and bounds as follows (bearings being based on the Texas Coordinate System, South Central Zone, NAD 83, as derived from GPS observations);

Beginning at a concrete monument found at the southeasterly corner of a call 37.368 acre tract styled as Tract 2 and recorded in the name of Larry D. Smith, M.D. in File Number 1977023758 of the O.P.R.B.C., the northeasterly corner of a call 3.322 acre tract recorded in the name of QBIK Foot TX, LLC in File Number 2016044971 of the O.P.R.B.C., the southeasterly corner of Lot 4, Fox Subdivision, a subdivision recorded in Volume 2, Page 88 of the Brazoria County Map Records (B.C.M.R.) and being on the common line of aforesaid B.B.B.&C.R.R. Co. and I&G.N.R.R. Co. Surveys;

Thence, with the easterly line of the City of Alvin's City Limit Line, the following three (3) courses:

- 1) North 02 degrees 54 minutes 54 seconds West, a distance of 1731.26 feet;
- 2) North 86 degrees 29 minutes 45 seconds East, a distance of 538.57 feet;
- 3) North 03 degrees 01 minute 03 seconds West, a distance of 81.30 feet to the southerly Right-of-Way (R.O.W.) line of East House Street (aka County Road 719, 80-foot wide);

Thence, with said southerly R.O.W. line, South 70 degrees 26 minutes 03 seconds East, a distance of 843.84 feet to a 1/2-inch iron rod found at the northwesterly corner of Lot 1, Block 5, East Bend, a subdivision recorded in Volume 8, Pages 129 and 130 of the B.C.M.R.;

Thence, with the westerly line of said Block 5, South 03 degrees 30 minutes 15 seconds East, a distance of 562.03 feet to a 1/2-inch iron rod found at the southwesterly corner of said East Bend subdivision;

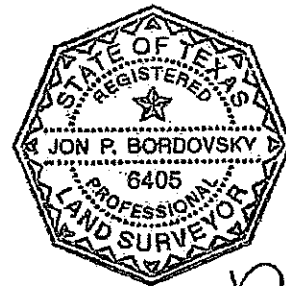
Thence, with the southerly line of said East Bend subdivision, North 86 degrees 29 minutes 45 seconds East, a distance of 835.37 feet to a PK Nail set in the centerline of aforesaid East House Street and being on the westerly line of a call 17.47 acre tract recorded in the name of SPS Properties LLC in File Number 2010032740 of the O.P.R.B.C.;

Thence, with said westerly line, South 03 degrees 30 minutes 00 seconds East, a distance of 390.49 feet to a PK Nail set in the centerline of aforesaid County Road 719 and being the southeasterly corner of aforesaid 39.6486 acre Lopeholt Properties I, LLC tract;

Thence, with the southerly line of said 39.6486 acre tract, the northerly line of a call 1.667 acre tract styled Tract II and a call 9.992 acre tract styled as Tract I, both recorded in the name of T&L Lease Service in File Number 1974011036 of the O.P.R.B.C., the northerly line of a call 10 acre tract recorded in the name of A.L. Martin, III and Charlene Martin in File Number 1965008470 of the O.P.R.B.C., the northerly line of a call 19.992 acre tract recorded in the name of A.L. Martin, III in File Number 1991028068 of the O.P.R.B.C. and the northerly line of a call 3.30 acre tract recorded in the name of A.L. Martin, III in File Number 2012042678 of the O.P.R.B.C., South 68 degrees 40 minutes 51 seconds West, a distance of 2279.03 feet to a 5/8-inch iron rod set on the easterly line of aforesaid 3.322 acre tract and being on the aforesaid common line of the B.B.B.&C.R.R. Co. and I&G.N.R.R. Co. Surveys;

Thence, with said easterly line, North 03 degrees 10 minutes 07 seconds West, a distance of 167.98 feet to the **Point of Beginning** and containing 59.780 acres of land.

GBI PARTNERS
TBEPLS Firm No. 10130300
Ph: 281.499.4539
November 17, 2020



J. P. B.
11/17/2020

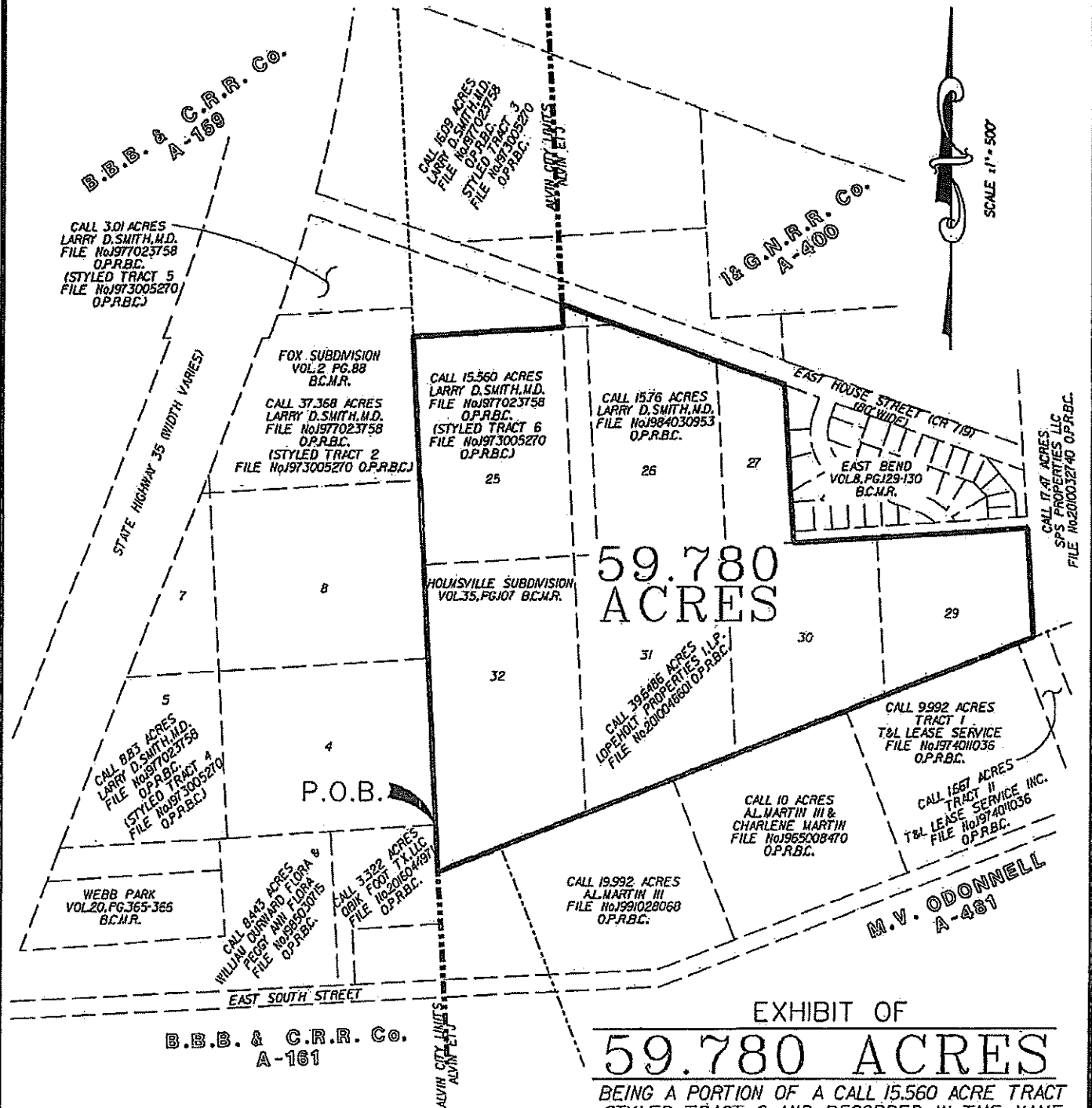


EXHIBIT OF 59.780 ACRES

BEING A PORTION OF A CALL 15.560 ACRE TRACT STYLED TRACT 6 AND RECORDED IN THE NAME OF LARRY D. SMITH, M.D. IN FILE NUMBER 1977023758 OF THE O.P.R.B.C. AND DESCRIBED IN FILE NUMBER 1973005270 OF THE O.P.R.B.C., A PORTION OF A CALL 15.76 ACRE TRACT RECORDED IN THE NAME OF LARRY D. SMITH, M.D. IN FILE NUMBER 1984030953 OF THE O.P.R.B.C. AND A PORTION OF A CALL 39.6486 ACRE TRACT RECORDED IN THE NAME OF LOPEHOLT PROPERTIES, L.P. IN FILE NUMBER 2010048601 OF THE O.P.R.B.C.

LOCATED IN THE
I.G.N.R.R. Co. SURVEY, A-400
BRAZORIA COUNTY, TEXAS
NOVEMBER 2020



GBI PARTNERS

LAND SURVEYING CONSULTANTS

TBPELS FIRM No. 10130300
4724 Vista Road Pasadena, Texas 77505
Phone: 281-499-4539 • www.gbisurvey.com

JOB NO: 209101
SCALE: 1"=500'
DATE: 11/17/2020
MBS No.: 20-544

RESOLUTION NO. 21-R-17

A RESOLUTION OF THE CITY OF ALVIN, TEXAS, ACCEPTING THE PETITION FOR ANNEXATION OF A 59.780 ACRES, MORE OR LESS, PARCEL OF LAND LOCATED ALONG EAST HOUSE STREET ACROSS STATE HIGHWAY 35, IN BRAZORIA COUNTY, TEXAS; SETTING AN ANNEXATION SCHEDULE THAT INCLUDES PUBLIC HEARINGS ON SEPTEMBER 2, 2021, AND SEPTEMBER 16, 2021; PROVIDING FOR OPEN MEETINGS AND OTHER RELATED MATTERS.

WHEREAS, D.R. HORTON – Texas, LTD., the owner of certain property located within Brazoria County, Texas (the “Petitioner”), has petitioned the City of Alvin, Texas (herein the “City”), a home-rule City, for annexation of said property, more particularly described herein (the “subject property”), into the City limits;

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

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

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

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

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

Section 2. Proceedings. The petition for annexation of all portions of the following property not previously annexed into the City, and the draft services plan shown in Exhibit “B,” submitted by Petitioner, are hereby accepted:

Being a tract containing 59.780 acres of land, located in the I&G.N.R.R. Co. Survey, Abstract Number 400, in Brazoria County, Texas; Said 59.780 acre tract being a portion of a call 15.560 acre tract styled Tract 6, recorded in the name of Larry D. Smith, M.D. in File Number 1977023758 of the Official Public Records of Brazoria County (O.P.R.B.C.) and described in File Number 1973005270 of the O.P.R.B.C., a portion of a call 15.76 acre tract recorded in the name of Larry D. Smith, M.D. in File Number 1984030953 of the O.P.R.B.C., and a portion of a call 39.6486 acre tract recorded in the name of Lopeholt Properties I, L.P. in File Number 2010048601 of the O.P.R.B.C., and being more particularly shown and described in the Exhibit “A” attached hereto and incorporated herein for all purposes.

Two public hearings are set for the dates of September 2, 2021, and September 16, 2021. Notice of such hearings shall be posted and the hearings shall be open to the public to accept public comment on the annexation request.

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

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

PASSED AND APPROVED this the 5th day of August 2021.

THE CITY OF ALVIN, TEXAS

ATTEST

Paul A. Horn, Mayor

Dixie Roberts, City Secretary

Exhibit “A”

PROPERTY DESCRIPTION

Being a tract containing 59.780 acres of land, located in the I&G.N.R.R. Co. Survey, Abstract Number 400, in Brazoria County, Texas; Said 59.780 acre tract being a portion of a call 15.560 acre tract styled Tract 6, recorded in the name of Larry D. Smith, M.D. in File Number 1977023758 of the Official Public Records of Brazoria County (O.P.R.B.C.) and described in File Number 1973005270 of the O.P.R.B.C., a portion of a call 15.76 acre tract recorded in the name of Larry D. Smith, M.D. in File Number 1984030953 of the O.P.R.B.C., and a portion of a call 39.6486 acre tract recorded in the name of Lopeholt Properties I, L.P. in File Number 2010048601 of the O.P.R.B.C., and being more particularly shown and described in the Exhibit “A” attached hereto and incorporated herein for all purposes.

Exhibit “B”

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

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

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

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

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

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

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

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

A. Police protection as follows:

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

B. Fire protection and Emergency Medical Services as follows:

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

C. Solid waste collection services as follows:

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

D. Animal control as follows:

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

E. Maintenance of parks and playgrounds within the City.

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

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

H. Land use regulation as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
REGULAR CITY COUNCIL MEETING
THURSDAY AUGUST 19, 2021
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 at 7:00 P.M. in the Council Chambers at City Hall, with the following members present: Mayor Paul A. Horn; Mayor Pro-Tem Martin Vela; Councilmembers: Gabe Adame, Joel Castro, Glenn Starkey, Richard Garivey, and Chris Vaughn.

Staff members present: Junru Roland, City Manager; Suzanne Hanneman, City Attorney; Dixie Roberts, City Secretary; Michael Higgins, Chief Financial Officer; Dan Kelinske, Parks and Recreation Director; Ron Schmitz, EMS Director/EM Coordinator; and Robert E. Lee, Police Chief.

INVOCATION AND PLEDGE OF ALLEGIANCE

Chad Bertrand from South Park Baptist Church gave the invocation.
Council member Vaughn led the Pledge of Allegiance to the American Flag.
Council member Garivey led the Pledge to the Texas Flag.

PUBLIC HEARING

Public hearing to receive comment on the proposed Fiscal Year 2021-22 Annual Budget. This proposed budget is estimated to raise more total property taxes than last year's budget by \$501,433 which is a 4.21% increase from last year's budget. The estimated property tax revenue to be raised from new property added to the tax roll this year is \$369,353. Mayor opened at 7:03 p.m., no comments were made, Mayor closed at 7:03 p.m.

Public hearing to receive comment on the proposed tax rate of \$0.7680 per \$100 of valuation for the Fiscal Year 2021-2022 (2021 tax year), which is a tax increase of 1.65% above the No New Revenue Rate for the City of Alvin Fiscal Year 2021-22. Mayor opened at 7:04 p.m., no comments were made, Mayor closed at 7:04 p.m.

PUBLIC COMMENT

No public comments were made at this meeting.

CONSENT AGENDA: CONSIDERATION AND POSSIBLE ACTION

Consider approval of the August 5, 2021, City Council Workshop meeting minutes.

Consider approval of the August 5, 2021, City Council Regular meeting minutes.

Consider Approval of the August 10, 2021, City Council Workshop meeting minutes.

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

OTHER BUSINESS

Consider adopting a Mental Health Leave policy for City of Alvin First Responders who experience a traumatic event in the scope of employment with the City of Alvin.

During the regular session of the 87th Legislature, S.B. 1359 was passed and becomes effective September 1, 2021. S.B. 1359 creates 614.015 of the Texas Government Code, Mental Health Leave for Peace Officers, which requires:

- 1) that each law enforcement agency develop and adopt a policy (as soon as practical after the effective date of the act) allowing the use of mental health leave by peace officers;*
- 2) that the policy provide clear guidelines for granting mental health leave;*
- 3) that the mental health leave be granted without deduction of salary or other compensation;*
- 4) that the policy enumerates the number of days available; and*
- 5) details a level of anonymity for a peace officer who takes mental health leave.*

After consideration that other departments (other than peace officers) are likely to also experience trauma during the scope of their service to the City of Alvin, it is the recommendation of staff to include mental health leave to emergency medical services personnel, firefighters, emergency management personnel, communication officers and detention officers.

While meeting the specifics required in S.B. 1359, this policy allows for up to 40 hours of leave time available for use during a fiscal year. This time will not be deducted from the employee's accrued benefits (sick, vacation, compensatory time) or salary, and may be taken incrementally in full shift (one workday) blocks as needed for the employee to seek assistance as needed.

Should council approve this policy, it will be incorporated into the City's Personnel Policy.

Council member Castro moved to adopt a Mental Health Leave policy for City of Alvin First Responders who experience a traumatic event in the scope of employment with the City of Alvin. Seconded by Council member Adame; motion carried by all members present voting Aye.

Consider additional funding for Engineering Services with Alpha Testing, Inc. in an amount not to exceed \$9,905 for Construction Materials Testing services for the EMS/Fire Station Project; and authorize the City Manager to approve the added costs up to \$89,868 and final payment.

A Request for Qualifications (RFQ) for engineering design services was advertised 2019. The Engineering Services Agreement provides geotechnical and construction materials testing for the EMS and Fire Station project. Following staff's review of the submitted RFQs, Alpha Testing, Inc. was selected and subsequently began geotechnical testing related to the Fire/EMS station.

The Engineering Services Agreement was originally for \$49,956. In August of 2020, council approved additional funding of \$14,018 as an alternate scope outlined in the contract, totaling \$63,974. Change order #1 was subsequently submitted in September 2020 for an amount of \$15,989, for a grand total of \$79,963. Due to unexpected delays and

field conditions for project inspections, Alpha Testing has submitted additional costs totaling \$9,905, which will bring the project total to \$89,868. This will complete the contract and close this project.

Staff recommended approval of the additional funding request of \$25,894 which represents the initial amount approved plus change order #1 and all remaining invoices.

Council member Starkey moved to approve the additional funding for Engineering Services with Alpha Testing, Inc. in an amount not to exceed \$25,894 for Construction Materials Testing services for the new EMS/Fire Station Project; and authorize the City Manager to approve the added costs up to \$89,868. Seconded by Council member Garivey; motion carried by all members present 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.

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; and he reviewed the preliminary list for the September 2, 2021, City Council Meeting

ITEMS OF COMMUNITY INTEREST

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

Council member Garivey Thanked Dan Kelinske, Director of Parks and Recreation Department, for addressing safety issues at Pearson Park quickly and effectively.

Council member Starkey reminded everyone to slow down while driving and be safe.

Mayor Horn commented that TXDOT is moving ahead with the widening of FM 517 to 4 lanes.

ADJOURNMENT

Mayor Horn adjourned the meeting at 7:20 p.m.

PASSED and APPROVED the 2nd day of September 2021.

Paul A. Horn, Mayor

ATTEST: _____
Dixie Roberts, City Secretary



AGENDA COMMENTARY

Meeting Date: 9/2/2021

Department: Engineering

Contact: Michelle Segovia, City Engineer

Agenda Item: Consider a final plat of Reed Ranch Estates (located at the northwest corner of the intersection of Davis Bend Road and Mamie Ford Road), being all of a 9.66 acre tract as recorded in document number 2006009709, official records of real property, Brazoria County, Texas, situated in the H.T. & B.R.R. Company Survey, Section 17, Abstract 228, Brazoria County, Texas.

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

Summary: On July 29, 2021, the Engineering Department received the final plat of Reed Ranch Estates for review. The property is located at the northwest corner of the intersection of Davis Bend Road and Mamie Ford Road. This final plat consists of eleven (11) lots and one (1) block. This plat complies with all requirements of the City's Subdivision Ordinance.

The Planning Commission unanimously approved the plat at their meeting on July 17, 2021. Staff recommends approval.

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

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

Legal Review Required: N/A ☒ Required ☐ **Date Completed:** 8/30/2021 SLH

Supporting documents attached:

- Final Plat of Reed Ranch Estates

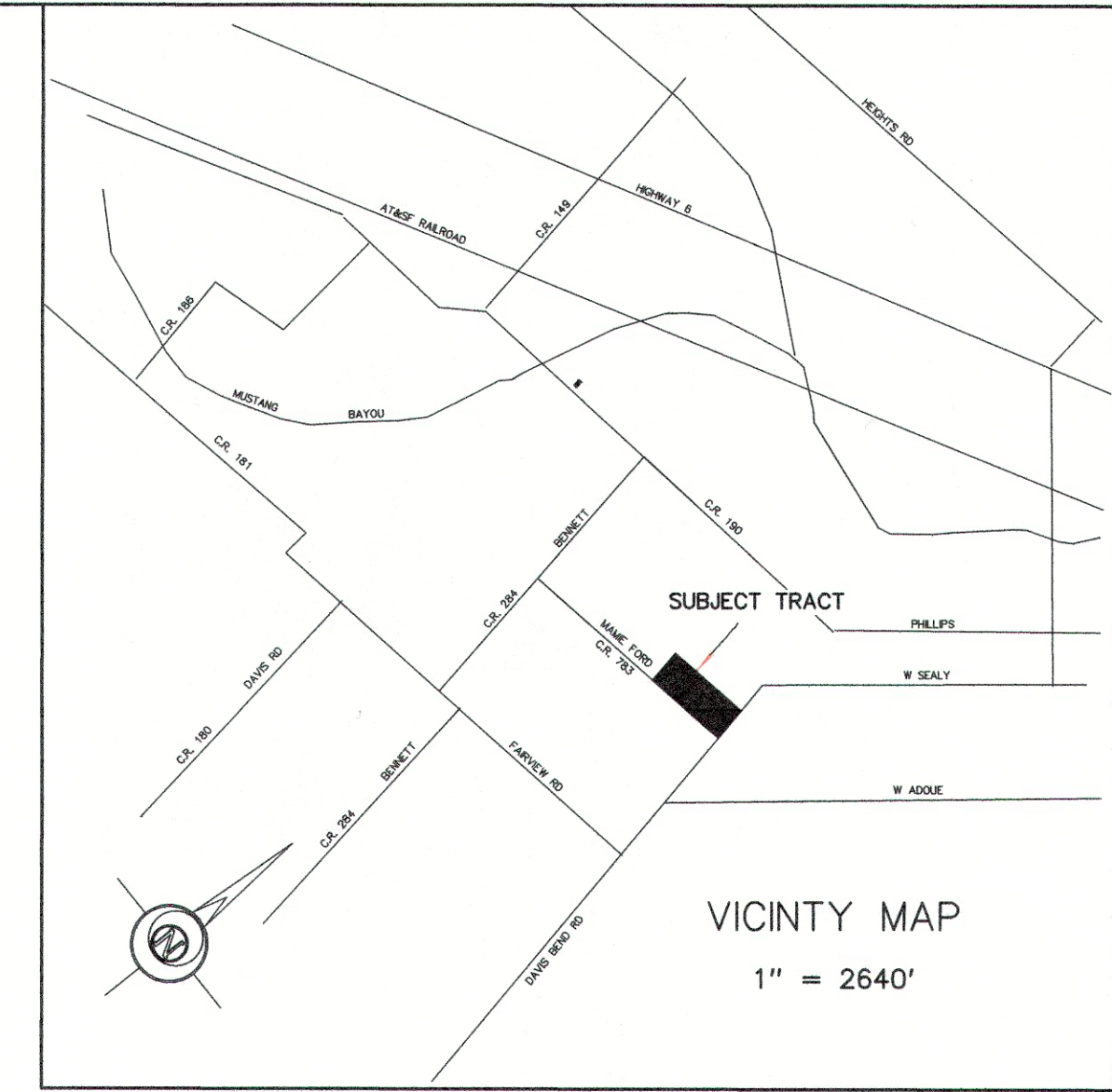
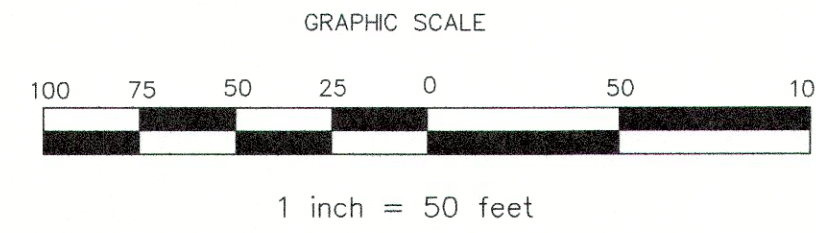
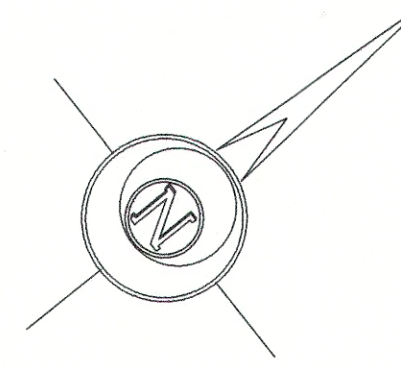
Recommendation: Move to approve the final plat of Reed Ranch Estates (located at the northwest corner of the intersection of Davis Bend Road and Mamie Ford Road), being all of a 9.66 acre tract as recorded in document number 2006009709, official records of real property, Brazoria County, Texas, situated in the H.T. & B.R.R. Company Survey, Section 17, Abstract 228, 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 ☒

JERRY D. PERKINS
9.999 ACRE
VOL. 1308, PG. 162 DRBCT

H.T. & B.R.R. CO. SURVEY SECTION 17 ABSTRACT 228



DONNA HERING LAWRENCE
3 TRACTS
DOC NO 2004066387 ORBCT

LEGEND:
ORRBCT - OFFICIAL RECORDS OF REAL PROPERTY, BRAZORIA COUNTY, TEXAS
ORBCT - OFFICIAL PUBLIC RECORDS, BRAZORIA COUNTY, TEXAS
PRCT - PLAT RECORDS, BRAZORIA COUNTY, TEXAS
DRBCT - DEED RECORDS, BRAZORIA COUNTY, TEXAS
RD - ROAD
I PIPE - IRON PIPE
FND - FOUND
SQ. FT. - SQUARE FEET
AC. TR. - ACRE TRACT

APPROVED BY CITY COUNCIL OF THE CITY OF ALVIN, TEXAS, THIS _____ DAY OF _____, 2021.

PAUL HORN MAYOR

MICHELLE SEGOVIA CITY ENGINEER

DIXIE ROBERTS CITY SECRETARY

OWNER: SCOTT AND PHYLLIS REED

ADDRESS: P.O. BOX 243
ALVIN, TX 77512

STATE OF TEXAS

COUNTY OF BRAZORIA

We, SCOTT AND PHYLLIS REED, owners of the property subdivided in the above and foregoing map of REED RANCH SUBDIVISION, being 9.66 acres, out of the H.T. & B.R.R. Company, Section 17, Abstract 228, Brazoria County, Texas, do hereby make subdivision of said property, according to the lines, streets, lots, alleys, parks, building lines and easements as shown hereon, and dedicate for public use, the streets, alleys, parks and easements shown hereon, forever, and do hereby waive all claims for damages occasioned by the establishment of grades, as approved for the streets and drainage easements indicated, or occasioned by the alteration of the surface, or any portion of the streets or drainage easements to conform to such grades, and do hereby bind myself, my heirs, successors and assigns, to warrant and defend the title to the land so dedicated.

WITNESS my hand in _____ (City), _____ County, Texas, this _____ day of _____, 2021.

SCOTT REED

PHYLLIS REED

STATE OF TEXAS

COUNTY OF BRAZORIA:

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

Given under my hand and seal of Office, this _____ day of _____, 2021.

Notary Public in and for the State of Texas.

My Commission Expires: _____

STATE OF TEXAS

COUNTY OF BRAZORIA:

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

Given under my hand and seal of Office, this _____ day of _____, 2021.

Notary Public in and for the State of Texas.

My Commission Expires: _____

FINAL PLAT

OF

REED RANCH ESTATES

AUGUST 11, 2021

11 LOTS, 1 BLOCK

A PLAT OF 9.66 ACRES, BEING ALL OF A TRACT AS RECORDED IN DOCUMENT NUMBER 2006009709, OFFICIAL RECORDS OF REAL PROPERTY, BRAZORIA COUNTY, TEXAS, SITUATED IN THE H.T. & B.R.R. COMPANY SURVEY, SECTION 17, ABSTRACT 228, BRAZORIA COUNTY, TEXAS.

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

OWNER(S):
SCOTT AND PHYLLIS REED
P.O. BOX 243
ALVIN, TX 77512
713.805.3430

STATE OF TEXAS
COUNTY OF BRAZORIA

I, JOYCE HUDMAN, County Clerk of Brazoria County, Texas, do hereby certify that the written instrument with its authentication was filed for registration in my office on _____, 2021, at _____ o'clock _____ M. in Document Number _____.

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

Deputy _____ County Clerk of Brazoria County, Texas.

METES AND BOUNDS
9.37 acres of land, being all of a called 9.66 acre tract, as described in Document Number 2006009709, Official Records of Real Property, Brazoria County, Texas, out of Lot 9, H. T. & B. R. R. Company Survey, Section 17, Abstract 228, Brazoria County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a point in the West line of County Road 179, for the south corner of aforesaid 9.66 acre tract;

THENCE North 51 deg. 15 min. 04 sec. West, along the southwest line of said 9.66 acre tract, a distance of 980.61 feet to a point for the west corner of the herein described tract of land, the west corner of said 9.66 acres, and the south corner of a 9.999 acre tract of land as recorded in Document Number 2004066387, Official Records of Real Property, Brazoria County, Texas;

THENCE North 51 deg. 15 min. 04 sec. East, along the northeast line of said 9.66 acre tract of land, a distance of 982.12 feet to 1/2 inch iron rod capped GORMLY SURVEYING set for the most east corner of the herein described tract, in the northwest line of Davis Bend Road (County Road 179) and the east corner of said 9.66 acre tract;

THENCE South 38 deg. 47 min. 49 sec. West, along the southeast line of said 9.66 acre tract and the Northwest line of Davis Bend Road (County Road 179), a distance of 415.78 feet to the PLACE OF BEGINNING and containing 9.37 acres of land.

NOTES:
1. CHAD A. GORMLY HAS NOT PERFORMED AN ABSTRACT OF TITLE ON THE ABOVE SURVEYED TRACTS OF LAND.
2. SOURCE OF BEARING BASED UPON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NAD 83 (NA2011) AS COMPUTED FROM THE LEICA TEXAS SMARTNET RTK GPS NETWORK.
3. SIDEWALKS SHALL BE CONSTRUCTED AS PART OF THE ISSUANCE OF A BUILDING PERMIT FOR EACH TRACT, IF REQUIRED.
4. MAINTENANCE OF STORM DRAINAGE IMPROVEMENTS, ARE THE RESPONSIBILITY OF THE PROPERTY OWNER AND NOT THE CITY OF ALVIN OR THE BRAZORIA COUNTY CONSERVATION AND RECLAMATION DISTRICT #3.
5. ALL DRAINAGE EASEMENTS MUST REMAIN FREE OF STRUCTURES, FENCES, AND OBSTRUCTIONS AND SWALES WITHIN THESE EASEMENTS MAY NOT BE FILLED IN.
6. NO BUILDINGS CAN BE LOCATED ANY CLOSER THAN 50 FEET FROM ANY EXISTING PIPELINE, ACCORDING TO CHAPTER 16, OIL AND GAS WELLS AND PIPELINES, IN THE CODE OF ORDINANCES FOR THE CITY OF ALVIN, TEXAS.

WITNESS MY HAND AND SEAL THIS _____ DAY OF _____, 2021.

Chad A. Gormly, Registered Professional Land Surveyor No. 5796
Gormly Surveying, Inc. FIRM# 10095700
P.O. Box 862, Alvin, Texas 77512-0862 Phone (281) 331-0883

JOHN CARL HERING
1.25 ACRE
DOC NO 2004066389 ORBCT

PAUL E. HERING
0.408 ACRE
VOL. 1464, PG. 719 DRBCT

PAUL E. HERING
1.25 ACRE
DOC NO 2004066389 ORBCT

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VOL. 1464, PG. 719 DRBCT

PAUL E. HERING
0.408 ACRE
VOL. 1464, PG. 719 DRBCT

METES AND BOUNDS FOR 21.16 ACRES

Beginning at a 1/2-inch iron rod found at an exterior northerly corner of said call 55.14-acre tract, the south corner of a call 5.00-acre tract of land conveyed to James Day McNeil and wife, Waynetta R. McNeil, recorded in Volume 1420, Page 909, of the Deed Records of Brazoria County (D.R.B.C.) and being on the easterly line of a call 12.32-acre tract of land conveyed to Jorge Costiculueta Rodriguez, recorded in Clerk's File No. 2014043616 of the O.P.R.B.C.;

- Thence, across aforesaid Reserve "A", the following seven (7) courses:

- Thence, with the north line of said Mustang Crossing Section Four, the following four (4) courses:

- Thence, with said northerly right-of-way, the following two (2) courses:

- STATE OF TEXAS
COUNTY OF BRAZORIA

IN TESTIMONY WHEREOF, M/I HOMES OF HOUSTON, LLC, A DELAWARE LIMITED LIABILITY COMPANY, HAS CAUSED THESE PRESENTS TO BE SIGNED BY BRANNON BOOZER, ITS VICE PRESIDENT OF LAND, THEREUNTO AUTHORIZED,

THIS _____ DAY OF _____, 2018.

M/I HOMES OF HOUSTON, LLC,
A DELAWARE LIMITED LIABILITY COMPANY

BY: _____
BRANNON BOOZER, VICE PRESIDENT OF LAND

STATE OF TEXAS
COUNTY OF BRAZORIA

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED
BRANNON BOOZER, VICE PRESIDENT OF LAND, KNOWN TO ME TO BE THE PERSON
WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND
ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND
CONSIDERATIONS THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN AND
HEREIN SET OUT, AND AS THE ACT AND DEED OF SAID LIMITED LIABILITY
COMPANY.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ____ DAY OF _____
2018.

NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

MY COMMISSION EXPIRES: _____

I, ANDREW P. MCCONNELL, AM REGISTERED UNDER THE LAWS OF THE STATE OF TEXAS. TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THE ABOVE SUBDIVISION IS TRUE AND ACCURATE; THAT I WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND; THAT, EXCEPT AS SHOWN ALL BOUNDARY CORNERS, ANGLE POINTS, POINTS OF CURVATURE AND OTHER POINTS OF REFERENCE HAVE BEEN MARKED WITH IRON (OR OTHER OBJECTS OF A PERMANENT NATURE) PIPES OR RODS HAVING AN OUTSIDE DIAMETER OF NOT LESS THAN FIVE EIGHTHS (5/8) INCH AND AN INSIDE DIAMETER OF NOT LESS THAN THIRTY FEET. THAT ALL PLAY BOUNDARY CORNERS HAVE BEEN TIED TO THE TEXAS COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE.

ANDREW P. McCONNELL
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 5651

CITY OF ALVIN APPROVALS:

MAYOR, PAUL HORN

CITY SECRETARY, DIXIE ROBERTS

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



1. DRAINAGE EASEMENTS MAY BE USED BY ANY GOVERNMENT BODY FOR THE PURPOSES OF DRAINAGE WORK, PROVIDED BRAZORIA COUNTY CONSERVATIVE AND RECLAMATION DISTRICT NO. 3 (B.C.C.R.D. #3) IS PROPERLY NOTIFIED.

2. ALL DRAINAGE EASEMENTS SHOWN HEREIN 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 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 THE 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.C. #3 SPECIFICALLY CONTACTS OR AGREES TO MAINTAIN OTHER FACILITIES.

4. THE SIDES OF DRAINAGE CHANNELS AND DETENTION FACILITIES SHALL BE HYDROMULCH SEEDED.

5. OUTFALL STRUCTURES AND CULVERTS SHALL COMPLY WITH SECTION III S, 2 OF THE B.C.C.R.D. #3 REGULATIONS. B.C.C.R.D. #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 COMTEMPLATED BY 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 ARE OPERATING PROPERLY.

8. DETENTION IS REQUIRED BY B.C.C.R.D. #3 IN ORDER TO OFFSET ADDITIONAL STORM RUNOFF DUE TO THE INCREASED IMPERVIOUS COVER FROM THE DEVELOPMENT.

THIS IS TO CERTIFY THAT BRAZORIA COUNTY CONSERVATION AND RECLAMATION DISTRICT NO. 3 HAS APPROVED THE PLAT OF MUSTANG CROSSING SECTION 7 AS SHOWN HEREON ON THE _____ DAY OF _____, 2021.

RICKY KUBECZKA, COMMISSIONER

JODY SCHIBI, COMMISSIONER

ALFREDS FROBERG, JR., COMMISSIONER

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

A PUD SUBDIVISION CONTAINING 21.16 ACRES
LOCATED IN THE
HOOPER & WADE SURVEY, ABSTRACT 488
IN THE CITY OF ALVIN
BRAZORIA COUNTY, TEXAS
ALSO BEING A PARTIAL REPLAT
OF RESERVE "A" OF
MUSTANG CROSSING SECTIONS ONE AND TWO,
A P.U.D. SUBDIVISION RECORDED
IN CLERK FILE NO. 2008012906,
OF THE BRAZORIA COUNTY MAP RECORDS

104 LOTS 5 BLOCKS 4 RESERVES
JULY 21, 2021

OWNER:

M/I HOMES OF HOUSTON, LLC
A DELAWARE LIMITED LIABILITY COMPANY

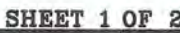
10910 W. Sam Houston Pkwy. N., Ste. 500
Houston, TX 77064
Tel: (281) 223-1602

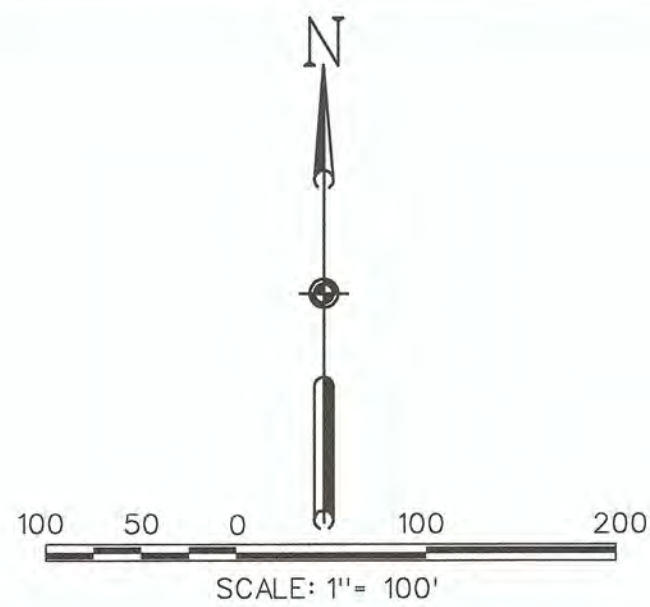
PLANNER:

7GEN PLANNING
Planning and Landscape Architecture
2107 CITYWEST BOULEVARD
4TH FLOOR
Houston, Texas 77042
(713) 343-0394 (713) 783-3580, Fax

ENGINEER/SURVEYOR:

Costello





- LEGEND**
- SET 5/8 - INCH IRON ROD WITH PLASTIC CAP STAMPED "COSTELLO INC" UNLESS OTHERWISE NOTED
 - FOUND 5/8 - INCH IRON ROD UNLESS OTHERWISE NOTED

1 - INDICATES LOT NUMBER

① - INDICATES BLOCK NUMBER

Ⓐ - INDICATES RESERVE

— - INDICATES STREET NAME BREAK

⊙ - INDICATES STREET LIGHT

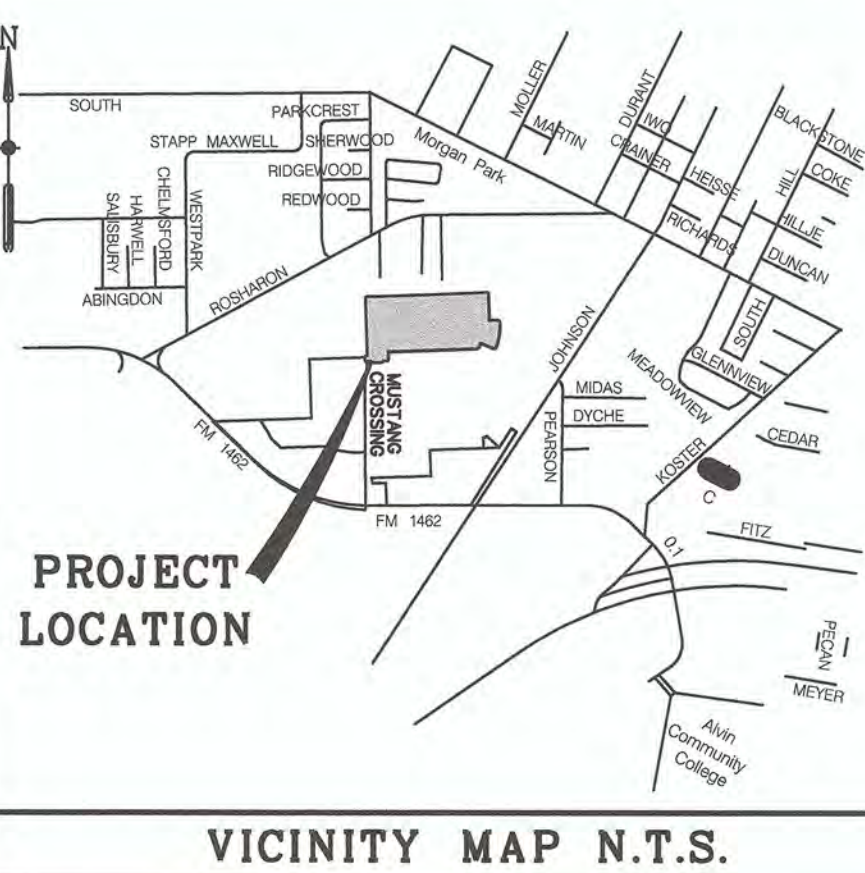
Block	Lot/Reserve	B.L. Width	Square Feet	Acres
1	1	88'	10075	0.23
1	2	50'	5743	0.13
1	3	50'	5739	0.13
1	4	50'	5736	0.13
1	5	50'	5732	0.13
1	6	50'	5729	0.13
1	7	50'	5725	0.13
1	8	50'	5722	0.13
1	9	50'	5866	0.13
1	10	52'	9290	0.21
1	11	52'	14519	0.33
1	12	51'	9324	0.21
1	13	50'	6138	0.14
1	14	50'	6142	0.14
1	15	50'	6145	0.14
1	16	50'	6148	0.14
1	17	50'	6152	0.14
1	18	50'	6155	0.14
1	19	50'	6159	0.14
1	20	50'	6162	0.14
1	21	50'	6166	0.14
1	22	50'	6169	0.14
1	23	50'	6173	0.14
1	24	50'	6176	0.14
1	25	50'	6180	0.14
1	26	50'	6183	0.14
1	27	50'	6186	0.14
1	28	50'	6190	0.14
1	29	50'	6193	0.14
1	30	50'	6197	0.14
1	31	50'	6200	0.14
1	32	50'	6204	0.14
1	33	55'	6695	0.15
2	1	56'	6346	0.15
2	2	51'	5911	0.14

2	3	51'	5911	0.14
2	4	51'	5911	0.14
2	5	51'	5911	0.14
2	6	51'	5911	0.14
2	7	51'	5911	0.14
2	8	51'	5911	0.14
2	9	51'	5911	0.14
2	10	51'	5911	0.14
2	11	51'	5911	0.14
2	12	51'	5911	0.14
2	13	51'	5911	0.14
2	14	51'	6846	0.16
2	15	52'	8662	0.20
2	16	52'	10075	0.23
2	17	52'	8152	0.19
2	18	52'	8154	0.19
2	19	51'	7244	0.17
2	20	52'	6251	0.14
2	21	56'	6634	0.15
2	22	55'	6465	0.15
2	23	50'	5997	0.14
2	24	50'	5997	0.14
2	25	62'	6780	0.16
2	26	65'	7224	0.17
2	27	65'	7662	0.18
2	28	65'	12135	0.28
3	1	55'	6195	0.14
3	2	50'	5750	0.13
3	3	50'	5750	0.13
3	4	50'	5750	0.13
3	5	50'	5750	0.13
3	6	50'	5750	0.13
3	7	50'	5750	0.13
3	8	50'	5750	0.13
3	9	50'	5750	0.13
3	10	50'	5750	0.13

3	11	50'	5750	0.13
3	12	50'	5750	0.13
3	13	50'	5750	0.13
3	14	50'	5746	0.13
3	15	57'	6474	0.15
3	16	52'	6025	0.14
3	17	52'	6025	0.14
3	18	52'	6025	0.14
3	19	52'	6025	0.14
3	20	52'	6025	0.14
3	21	52'	6025	0.14
3	22	52'	6025	0.14
3	23	52'	6025	0.14
3	24	52'	6025	0.14
3	25	52'	6025	0.14
3	26	52'	6025	0.14
3	27	52'	6025	0.14
3	28	52'	6025	0.14
3	29	57'	6470	0.15
4	1	50'	6335	0.15
4	2	50'	6424	0.15
4	3	50'	6424	0.15
4	4	50'	6435	0.15
4	5	50'	5921	0.14
4	6	55'	6269	0.14
4	7	50'	5817	0.13
4	8	50'	5817	0.13
4	9	50'	5749	0.13
5	1	55'	6743	0.15
5	2	50'	6250	0.14
5	3	50'	6250	0.14
5	4	50'	6250	0.14
5	5	50'	6250	0.14

MUSTANG CROSSING SECTION SEVEN RESERVE TABLE		
DESCRIPTION	LAND USE	ACREAGE/SQUARE FOOTAGE
RESERVE "A"	LANDSCAPE / OPEN SPACE	1.06 AC. / SQ FT. 46,047
RESERVE "B"	LANDSCAPE / OPEN SPACE	0.07 AC. / SQ FT. 2,898
RESERVE "C"	LANDSCAPE / OPEN SPACE	0.25 AC. / SQ FT. 10,822
RESERVE "D"	LANDSCAPE / OPEN SPACE	0.19 AC. / SQ FT. 8,106
TOTAL:		1.57 AC. / SQ FT. 67,873

ABBREVIATION TABLE	
D.P.R.B.C.	OFFICIAL PUBLIC RECORDS OF BRAZORIA COUNTY
D.R.B.C.	DEED RECORDS BRAZORIA COUNTY
B.C.M.R.	BRAZORIA COUNTY MAP RECORDS
C.F. NO.	CLERK'S FILE NUMBER
CAB. SHT.	CABINET, SHEET
A.E.	AERIAL EASEMENT
U.E.	UTILITY EASEMENT
S.S.E.	SANITARY SEWER EASEMENT
STW.S.E.	STORM SEWER EASEMENT
W.L.E.	WATER LINE EASEMENT
D.E.	DRAINAGE EASEMENT
ESMT.	EASEMENT
B.L.	BUILDING LINE
R.O.W.	RIGHT-OF-WAY
G.B.L.	GARAGE BUILDING LINE
P.L.E.	PIPELINE EASEMENT
E.E.	ELECTRIC EASEMENT



Mustang Crossing Section 7 P.U.D. Greenspace Table

Required: 21.16 ac x 7% = 1.481 acres
Provided: 1.57 ac

Reserve/ Use	Acres	Anticipated Amenities
Section 7 Open space	1.57 ac	Landscaping with benches and trails
Total	1.57 ac	

CURVE DATA TABLE

NUMBER	ARC LENGTH (FEET)	RADIUS (FEET)	DELTA ANGLE	CHORD DIRECTION	CHORD LENGTH (FEET)
C1	73.68	50.00	84° 25' 37"	S25° 58' 10" E	67.19
C2	76.87	393.00	11° 12' 26"	S00° 27' 18" E	76.75
C3	23.54	15.00	89° 55' 43"	S14° 47' 17" W	21.20
C4	23.57	15.00	90° 2' 12"	N75° 12' 44" W	21.22
C5	204.20	130.00	90° 0' 0"	N14° 45' 48" E	183.85
C6	78.50	50.00	89° 57' 1"	N14° 47' 18" E	70.68
C7	178.42	423.00	24° 10' 3"	N18° 08' 30" W	177.10
C8	39.25	25.00	89° 57' 1"	S14° 47' 18" W	35.34
C9	39.27	25.00	90° 0' 0"	N75° 14' 12" W	35.36
C10	39.29	25.00	90° 2' 59"	S75° 12' 42" E	35.37
C11	164.93	105.00	90° 0' 0"	N14° 45' 48" E	148.49
C12	39.27	25.00	90° 0' 0"	S14° 45' 48" W	35.36
C13	39.27	25.00	90° 0' 40"	N75° 13' 52" W	35.36
C14	39.25	25.00	89° 57' 1"	S14° 47' 18" W	35.34
C15	39.27	25.00	89° 59' 20"	S14° 46' 08" W	35.35
C16	39.27	25.00	90° 0' 40"	S75° 13' 52" E	35.36
C17	39.27	25.00	89° 59' 20"	N14° 46' 08" E	35.35
C18	117.74	75.00	89° 57' 1"	N14° 47' 18" E	106.02
C19	243.47	155.00	90° 0' 0"	N14° 45' 48" E	219.20
C20	30.77	25.00	70° 31' 44"	N84° 58' 20" W	28.87
C21	218.63	50.00	250° 31' 44"	N05° 01' 40" E	81.65

LINE DATA TABLE

NUMBER	DIRECTION	DISTANCE (FEET)
L1	S59° 45' 48" W	85.00
L2	S04° 28' 43" E	60.60
L3	S83° 57' 13" W	175.04
L4	S59° 48' 47" W	50.00
L5	S59° 45' 48" W	85.00
L6	S59° 53' 37" W	60.00
L7	N30° 11' 13" W	29.65
L8	N59° 47' 05" E	30.78
L9	S30° 14' 02" E	25.00
L10	S83° 57' 13" W	105.34
L11	N59° 46' 28" E	120.06

GENERAL NOTES:

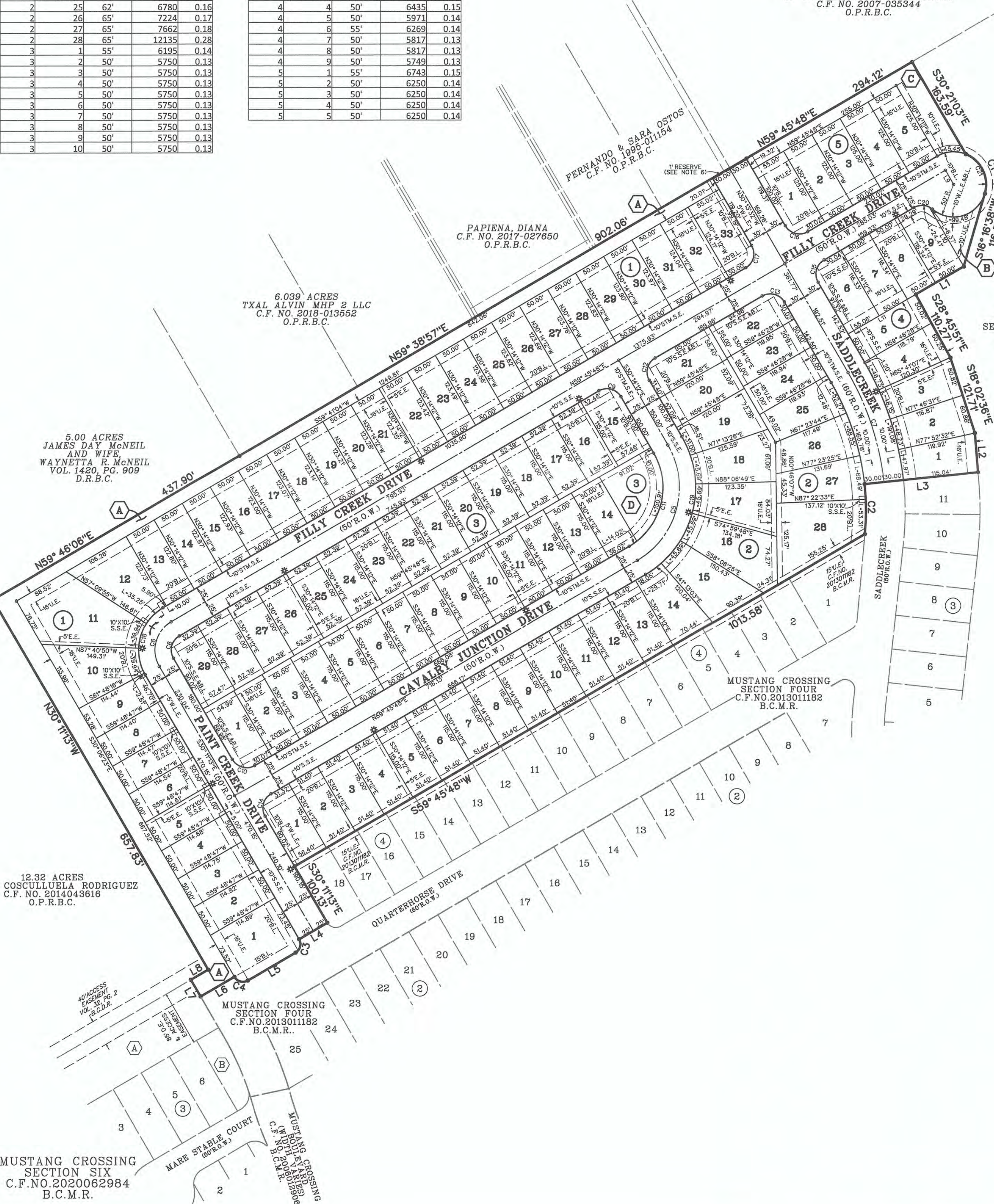
- ALL BEARINGS ARE REFERENCED TO CITY OF ALVIN GPS CONTROL MONUMENT NUMBERS 0102 AND 0107 (CITY OF ALVIN GPS CONTROL MONUMENTATION SYSTEM IS BASED ON THE TEXAS COORDINATE SYSTEM, NAD83, 2011 ADJUSTMENT, SOUTH CENTRAL ZONE).
- ABSENT WRITTEN AUTHORIZATION BY THE AFFECTED UTILITIES, ALL UTILITY AND AERIAL EASEMENTS MUST BE KEPT UNOBSTRUCTED FROM ANY NON-UTILITY IMPROVEMENTS OR OBSTRUCTIONS BY THE PROPERTY OWNER. ANY UNAUTHORIZED IMPROVEMENTS OR OBSTRUCTIONS MAY BE REMOVED BY ANY PUBLIC UTILITY AT THE PROPERTY OWNER'S EXPENSE. WHILE WOODEN POSTS AND PANELED WOODEN FENCES ALONG THE PERIMETER AND BACK TO BACK EASEMENTS AND ALONGSIDE REAR LOTS LINES ARE PERMITTED, THEY TOO MAY BE REMOVED BY PUBLIC UTILITIES AT THE PROPERTY OWNER'S EXPENSE SHOULD THEY BE AN OBSTRUCTION. PUBLIC UTILITIES MAY PUT SAID POSTS AND PANELED WOODEN FENCES BACK UP, BUT GENERALLY WILL NOT REPLACE WITH NEW FENCING.
- THIS SUBDIVISION IS LOCATED WITHIN UNSHADED "ZONE X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2 PERCENT ANNUAL CHANCE FLOODPLAIN) ACCORDING TO THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP FOR BRAZORIA COUNTY, TEXAS AND INCORPORATED AREAS, MAP NUMBER 48039C0145K, REVISED DECEMBER 30, 2020.
- ALL EASEMENTS SHOWN ON LOT LINES ARE CENTERED UNLESS OTHERWISE NOTED.
- A ONE-FOOT RESERVE DEDICATED TO THE PUBLIC IN FEE AS A BUFFER SEPARATION BETWEEN THE SIDE OR END OF STREETS WHERE SUCH STREETS ABUT ADJACENT PROPERTY, THE CONDITIONS OF THIS DEDICATION BEING THAT WHEN THE ADJACENT PROPERTY IS SUBDIVIDED OR RE-SUBDIVIDED IN A RECORDED PLAT, THE ONE-FOOT RESERVE SHALL THEREUPON BECOME VESTED IN THE PUBLIC FOR STREET RIGHT-OF-WAY PURPOSES AND THE FEE TITLE THERETO SHALL REVERT TO AND REVEST IN THE DEDICATOR, HIS HEIRS, ASSIGNS, OR SUCCESSORS.
- SIDEWALKS MUST BE CONSTRUCTED AS PART OF ISSUANCE OF BUILDING PERMIT FOR EACH TRACT.
- NO BUILDING PERMITS WILL BE ISSUED UNTIL ALL STORM DRAINAGE IMPROVEMENTS, WHICH MAY INCLUDE DETENTION ARE CONSTRUCTED.

12.32 ACRES
JORGE COSCULLUELA RODRIGUEZ
C.F. NO. 2014043616
O.P.R.B.C.

5.00 ACRES
JAMES DAY McNEIL
AND WIFE,
WAYNETTA R. McNEIL
VOL. 1420, PG. 908
D.R.B.C.

12.32 ACRES
JORGE COSCULLUELA RODRIGUEZ
C.F. NO. 2014043616
O.P.R.B.C.

MUSTANG CROSSING
SECTION SIX
C.F. NO. 2020062984
B.C.M.R.



FINAL PLAT OF MUSTANG CROSSING SECTION 7

A PUD SUBDIVISION CONTAINING 21.16 ACRES
LOCATED IN THE
HOOPER & WADE SURVEY, ABSTRACT 488
IN THE CITY OF ALVIN
BRAZORIA COUNTY, TEXAS
ALSO BEING A PARTIAL REPLAT
OF RESERVE "A" OF
MUSTANG CROSSING SECTIONS ONE AND TWO,
A P.U.D. SUBDIVISION RECORDED
IN CLERK FILE NO. 2006012906,
OF THE BRAZORIA COUNTY MAP RECORDS

104 LOTS 5 BLOCKS 4 RESERVES
SCALE: 1" = 100' JULY 21, 2021

OWNER:
M/I HOMES OF HOUSTON, LLC
A DELAWARE LIMITED LIABILITY COMPANY
10910 W. Sam Houston Pkwy., N. Ste. 500
Houston, TX 77064
Tel: (281) 223-1602

PLANNER:

7GEN PLANNING
Planning and Landscape Architecture
2107 CITYWEST BOULEVARD
4TH FLOOR
Houston, Texas 77042
(713) 343-0394 (713) 783-3580, Fax

ENGINEER/SURVEYOR:



Costello Inc.
Engineering and Surveying
2107 CITYWEST BOULEVARD
3RD FLOOR
HOUSTON, TEXAS 77042
(713) 783-7788 FAX: 783-3580
TBP# FIRM REGISTRATION NO. 280
TBPL# FIRM REGISTRATION NO. 100466



AGENDA COMMENTARY

Meeting Date: 9/2/2021

Department: Engineering

Contact: Michelle Segovia, City Engineer

Agenda Item: Consider a final plat of Mustang Crossing Section 7 (located northeast of the intersection of FM 1462 and Mustang Crossing Boulevard), being a Planned Unit Development subdivision containing 21.16 acres of land, located in the Hooper and Wade Survey, Abstract 488, in the City of Alvin, Brazoria County, Texas, also being a partial replat of Reserve "A" of Mustang Crossing Sections One and Two, a PUD subdivision recorded in clerk file no. 2006012906, of the Brazoria County Map Records.

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

Summary: On July 29, 2021, the Engineering Department received the final plat of Mustang Crossing Section 7 for review. The property is located northeast of the intersection of FM 1462 and Mustang Crossing Boulevard. This section consists of one hundred and four (104) single-family lots, four (4) reserves, and five (5) blocks. This plat complies with all requirements of the City's Subdivision Ordinance.

The Planning Commission unanimously approved the plat at their meeting on July 17, 2021. Staff recommends approval.

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

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

Legal Review Required: N/A ☒ Required ☐ **Date Completed:** 8/30/2021 SLH

Supporting documents attached:

- Final Plat of Mustang Crossing Section 7

Recommendation: Move to approve the final plat of Mustang Crossing Section 7 (located northeast of the intersection of FM 1462 and Mustang Crossing Boulevard), being a Planned Unit Development subdivision containing 21.16 acres of land, located in the Hooper and Wade Survey, Abstract 488, in the City of Alvin, Brazoria County, Texas, also being a partial replat of Reserve "A" of Mustang Crossing Sections One and Two, a PUD subdivision recorded in clerk file no. 2006012906, of the Brazoria County Map Records.

Reviewed by Department Head, if applicable ☒
Reviewed by City Attorney, if applicable ☒

Reviewed by Chief Financial Officer, if applicable ☐
Reviewed by City Manager ☒



AGENDA COMMENTARY

Meeting Date: 9/2/2021

Department: City Manager's Office

Contact: Junru Roland, City Manager

Agenda Item: Consider Ordinance 21-M, adopting the annual budget for the City of Alvin, Texas, for Fiscal Year 2021-2022; directing the City Secretary to post a copy of the budget on the City of Alvin website; and setting forth other provisions related thereto.

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

Summary: On July 15, 2021, the City Manager presented the FY 2022 proposed budget to City Council. Subsequently, two (2) budget workshops were held on August 5, 2021, and August 10, 2021, whereby City Council and staff reviewed the proposed budget.

State law and the City's Charter require that the City enact an annual budget. The City Charter requires that an ordinance to establish appropriation must be approved by a favorable vote of a majority of the members of the City Council.

Click [here](#) to view the FY22 Proposed Budget.

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:** 8/24/2021 SLH

Supporting documents attached:

- Ordinance 21-M
- FY22 Proposed Budget (see link provided above)

Recommendation: Move to approve Ordinance 21-M, adopting the budget for the City of Alvin, Texas, for Fiscal Year 2021-2022; directing the City Secretary to post a copy of the budget on the City of Alvin website; and setting forth other provisions related thereto.

Reviewed by Department Head, if applicable ☐
Reviewed by City Attorney, if applicable ☒

Reviewed by Chief Financial Officer, if applicable ☒
Reviewed by City Manager ☒

ORDINANCE 21-M

AN ORDINANCE OF THE CITY OF ALVIN, TEXAS, ADOPTING THE BUDGET FOR THE CITY OF ALVIN, TEXAS, FOR FISCAL YEAR 2021-2022; DIRECTING THE CITY SECRETARY TO POST A COPY OF THE BUDGET ON THE CITY OF ALVIN WEBSITE; AND SETTING FORTH OTHER PROVISIONS RELATED THERETO.

WHEREAS, Texas State Law and the City's Home Rule Charter require that the City enact an annual budget; and

WHEREAS, the City desires to comply with sound budgetary principles and protect the citizens of the City by maintaining a fund balance adequate to cover the needs of the City during fiscal year 2021-2022; and

WHEREAS, the budget for fiscal year 2021-2022 reflects City Council's best efforts at providing a balanced budget and maintaining the necessary fund balance to meet the City's needs;

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

Section 1. That the City Council hereby adopts the recitals and findings set forth in the preamble hereof.

Section 2. That the City Council hereby adopts the City of Alvin Annual Budget for fiscal year 2021-2022, a copy of which is attached hereto and incorporated herein by reference. Such budget is adopted by the favorable vote of a majority of the members of the City Council of the City of Alvin in a Council meeting duly assembled in accordance with Article VII of the Home-Rule Charter of the City of Alvin, Texas.

Section 3. That the City Council files the budget with the City Secretary and directs the City Secretary to post a copy of the budget on the City of Alvin website.

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

PASSED and APPROVED on the 2nd day of September 2021.

CITY OF ALVIN, TEXAS:

ATTEST

By:

Paul A. Horn, Mayor

By:

Dixie Roberts, City Secretary



AGENDA COMMENTARY

Meeting Date: 9/2/2021

Department: City Manager's Office

Contact: Junru Roland, City Manager

Agenda Item: Consider Ordinance 21-N, adopting the proposed tax rate of \$0.7680 (per \$100 of taxable assessed value), which is 1.65 percent greater than the No New Revenue tax rate for the City of Alvin.

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

Summary: A taxing unit may not impose property taxes an any year until the governing body has adopted a tax rate for that year, and the annual tax rate must be set by ordinance, resolution or order, depending on the method prescribed by law for adoption of a law by the governing body. The vote on the ordinance, resolution, or order setting the tax rate must be separate from the vote adopting the budget.

For a taxing unit, other than a school district, the vote on the ordinance, resolution, or order setting a tax rate that exceeds the effective tax rate must be a record vote, and at least 60 percent of the members of the governing body must vote in favor of the ordinance, resolution, or order.

According to the Texas Tax Code 26.05(b), a motion to adopt an ordinance, resolution, or order setting a tax rate that exceeds the no new revenue tax rate must be made in the following form: "I move that the property tax rate be increased by the adoption of a tax rate of (specify tax rate), which is effectively a (insert percentage by which the proposed tax rate exceeds the effective tax rate) percent increase in the tax rate."

For Tax Year 2021, staff is proposing that City Council adopt a tax rate of \$0.7680 per \$100 of taxable assessed value, which is 1.65% above the 2021 No New Revenue tax rate of \$0.755504.

Tax Year	2014	2015	2016	2017	2018	2019	2020	2021
Tax Rate	\$0.8386	\$0.8386	\$0.7980	\$0.7880	\$0.7880	\$0.7780	\$0.7680	\$0.7680

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:** 8/24/2021 SLH

Supporting documents attached:

- Ordinance 21-N
- Tax Rates
- Steps to Adopt Tax Rate

Recommendation: Move that the property tax rate be increased by the adoption of a tax rate of \$0.7680 per \$100 of taxable assessed value, which is effectively a 1.65 percent increase in the tax rate, as described in Ordinance 21-N.

Reviewed by Department Head, if applicable ☐
Reviewed by City Attorney, if applicable ☒

Reviewed by Chief Financial Officer, if applicable ☒
Reviewed by City Manager ☒

ORDINANCE 21-N

AN ORDINANCE OF THE CITY OF ALVIN, TEXAS, LEVYING A PROPERTY TAX RATE FOR THE YEAR 2021; DIRECTING THE TAX ASSESSOR-COLLECTOR TO ASSESS, ACCOUNT FOR, AND DISTRIBUTE THE PROPERTY TAXES AS HEREIN LEVIED.

WHEREAS, Section 26.05(a) of the Texas Tax Code requires taxing authorities to adopt a property tax rate by September 30 of each year or within sixty (60) days after receipt of the certified appraisal roll; and

WHEREAS, Section 26.05(a) of the Texas Tax Code requires the total property tax rate be approved in two components: (1) Maintenance and Operations; and (2) Debt Service; and

WHEREAS, Section 26.05(b) of the Texas Tax Code is applicable this year because the tax rate to be adopted exceeds the effective tax rate and exceeds the effective maintenance and operations rate.

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

That there be and is hereby levied for the year 2021 on all real and personal property within the City limits of the City of Alvin, Texas, except so much thereof as may be exempt by the Constitution and laws of the State of Texas and of the United States the following:

Section 1. An ad valorem tax of and at the rate of \$0.629206 on the One Hundred Dollars valuation of the real and personal property and mineral royalties owned within the City limits of Alvin on the first day of January 2021 to provide for the current expenses of the City of Alvin, Texas (General Fund).

Section 2. An ad valorem tax of and at the rate of \$0.009919 on the One Hundred Dollars valuation of the real and personal property situated and owned within the City limits of Alvin on the first day of January 2021 to pay current interest and to provide a Sinking Fund on the General Obligation Refunding Bonds, Series 2012.

Section 3. An ad valorem tax of and at the rate of \$0.006659 on the One Hundred Dollars valuation of the real and personal property situated and owned within the City limits of Alvin on the first day of January 2021 to pay current interest and to provide a Sinking Fund on the General Obligation Refunding Bonds, Series 2011.

Section 4. An ad valorem tax of and at the rate of \$0.076183 on the One Hundred Dollars valuation of the real and personal property situated and owned within the City limits of Alvin on the first day of January 2021 to pay current interest and to provide a Sinking Fund on the Certificate of Obligations, Series 2019.

Section 5. An ad valorem tax of and at the rate of \$0.023712 on the One Hundred Dollars valuation of the real and personal property situated and owned within the City limits of Alvin on the first day of January 2021 to pay current interest and to provide a Sinking Fund on the Certificate of Obligation, Series 2020.

Section 6. An ad valorem tax of and at the rate of \$0.022321 on the One Hundred Dollars valuation of the real and personal property situated and owned within the City limits of Alvin on the first day of January 2021 to pay current interest and to provide a Sinking Fund on the General Obligation Refunding Bonds, Series 2017.

Section 7. Taxes are to be calculated on the basis of one hundred percent (100%) of assessed value for the 2021 tax year.

A total tax rate of all property was set at \$0.768000 per One Hundred Dollars valuation, and such total tax rate was adopted by favorable majority of the members of the City Council of the City of Alvin, Texas, in a Council meeting duly assembled in accordance with the Home-Rule Charter of the City of Alvin, Texas, and such action is hereby ratified, confirmed and affirmed.

Section 8. That the recorded vote of the City Council on this Ordinance is: Council Members voting FOR adoption:

Council member Martin Vela

Council member Keko Moore

Council member Chris Vaughn

Council member Glenn Starkey

Council member Gabe Adame

Council member Richard Garivey

Council member Joel Castro

Council Members voting AGAINST adoption:

Council Members absent:

Section 9. This Ordinance is adopted in compliance with Article VII of the City Charter of the City of Alvin, Texas.

Section 10. Open Meetings Act. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED on first and final reading on the 2nd day of September 2021.

CITY OF ALVIN, TEXAS

ATTEST

By: _____
Paul A. Horn, Mayor

By: _____
Dixie Roberts, City Secretary

TAX RATES

TAX RATES	PER \$100 OF VALUATION
PROPOSED TAX RATE	\$0.768000
PRECEDING YEAR'S TAX RATE	\$0.768000
NO NEW REVENUE TAX RATE	\$0.755504
VOTER APPROVAL TAX RATE	\$0.829900

* The *proposed tax rate* is 1.65% higher than the *no new revenue tax rate*, and 8.06% lower than the *voter approval tax rate*.

§26.05(b) of Property Tax Code Steps Required for Adoption of Tax Rate

Entity Name: CITY OF ALVIN

Date: 08/23/2021 02:05 PM

Language Required in the Motion Setting This Year's Tax Rate:

This year's proposed tax rate exceeds the no-new-revenue tax rate. The vote on the ordinance, resolution, or order setting the tax rate must be a record vote and 60% of the governing body must vote in favor of the adoption of the tax rate. A motion to adopt the ordinance, resolution, or order must be made in the following form:

I move that the property tax rate be increased by the adoption of a tax rate of 0.768000, which is effectively a 1.65 percent increase in the tax rate.

Statement Required in the Ordinance, Resolution, or Order Setting This Year's Tax Rate:

This year's levy to fund maintenance and operations expenditures exceeds last year's maintenance and operations tax levy. The following statements must be included in the ordinance, resolution, or order setting this year's tax rate. The statements must be in larger type than the type used in any other portion of the document.

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.

THE TAX RATE WILL EFFECTIVELY BE RAISED BY 1.34 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$-6.22.

Statement That Must be Posted on the Home Page of Any Internet Website Operated by the Taxing Unit:

This year's levy to fund maintenance and operations expenditures exceeds last year's maintenance and operations tax levy. The following statements must be included in the ordinance, resolution, or order setting this year's tax rate. The statements must be in larger type than the type used in any other portion of the document.

CITY OF ALVIN ADOPTED A TAX RATE THAT WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.

THE TAX RATE WILL EFFECTIVELY BE RAISED BY 1.34 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$-6.22.