

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, October 3, 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 and Executive Session of the City Council of the City of Alvin, Texas, to be held on Thursday, **OCTOBER 3, 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. PRESENTATION

A. Proclamation - Texas Teachers' Day.

4. PUBLIC COMMENT

5. PUBLIC HEARING

A. Public hearing to receive comment on the proposed annexation of approximately 168.36 acres, located near the intersection of State Highway 288 and FM 1462, in Brazoria County, Texas.

6. CONSENT AGENDA

A. Consider approval of the September 19, 2024, City Council meeting minutes.

B. Consider Resolution 24-R-27, nominating a candidate(s) for a position on the Board of Directors of the Brazoria County Appraisal District.

C. Call a public hearing to consider the readoption of the Economic Development Policy for the City of Alvin, Texas, including criteria and guidelines governing tax abatements, tax increment reinvestment zones, and additional economic incentives within the City, for Thursday, October 17, 2024, at 7:00 p.m. in the City Council Chambers of Alvin City Hall located at 216 West Sealy, Alvin, Texas.

D. Consider Resolution 24-R-28, adopting the City of Alvin Investment Policy for the investment of municipal funds; and setting forth other matters related thereto.

- E. Consider the resignation of Dr. Jim Crumm from the Animal Shelter Advisory Committee.

7. OTHER BUSINESS

- A. Consider Ordinance 24-CC, amending Chapter 3, Alcoholic Beverages, of the Code of Ordinances of the City of Alvin, Texas, for the purpose of amending the location restrictions in Article II, License to Manufacture, Sell or Distribute Beer; providing for penalties; providing for publication; providing for severability; and setting forth other provisions related thereto.
- B. Consider Resolution 24-R-29, revising the Athletic Facilities Policy for the use of parks and recreation facilities; establishing an effective date; and setting forth other matters related thereto.
- 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.

8. REPORTS FROM THE CITY MANAGER

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

9. 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.

10. EXECUTIVE SESSION

- A. **Section 551.074** of the Local Government Code: Deliberation on the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee - Associate Municipal Court Judge.

11. RECONVENE TO OPEN SESSION

- A. Consider possible action regarding the appointment of an Associate Municipal Court Judge.

12. 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 September 30, 2024, at 5:00 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).**



Office of the Mayor, City of Alvin, Texas

Proclamation

WHEREAS, Texas teachers demonstrate unwavering commitment to education by fostering a culture of learning, perseverance, and excellence, encouraging students to reach their full potential and inspiring lifelong learning; and

WHEREAS, Teachers go above and beyond, not only in the classroom but within our communities, as role models and mentors, providing invaluable guidance and support to all students; and

WHEREAS, The teachers of Alvin, Texas dedicate their lives to shaping the minds, character, and aspirations of our youth, investing time, energy, and passion into the development of our future leaders, professionals, and citizens.

NOW, THEREFORE, I, Mayor Gabe Adame, as Mayor of the City of Alvin, Texas and on behalf of the City Council do hereby proclaim October 5th, 2024, as

Texas Teachers' Day

in the City of Alvin and invite all citizens to join us in expressing gratitude to Alvin Teachers for their devotion to the calling of Education and our students.

WITNESS my hand and seal
this 3rd day of October 2024.

Gabe Adame, Mayor



AGENDA COMMENTARY

Meeting Date: 10/3/2024

Department: Legal Department

Contact: Suzanne Hanneman, City Attorney

Agenda Item: Public hearing to receive comment on the proposed annexation of approximately 168.36 acres, located near the intersection of State Highway 288 and FM 1462, in Brazoria County, Texas.

Type of Item: Public Hearing

Summary: On or about August 9, 2024, the City received a Petition for Annexation from WB West Alvin Land, LLC, for the annexation of two (2) tracts of land totaling approximately 168.36 acres of land into the City and into the Preservation Creek development, located east of State Highway 288, and south of FM 1462. The land to be annexed into the City will be contained within Preservation Creek MUD No. 1, and the entire MUD will be within the City's corporate limits.

This is the first of two (2) public hearings. The second public hearing is scheduled for October 17, 2024. The final reading of the Ordinance is scheduled for November 7, 2024.

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: 9/26/2024 SLH

Finance Review Required: N/A ☒ Required ☐

Date Completed:

Supporting documents attached:

1. Annexation Schedule - Preservation Creek
 2. Exhibit A - Metes and Bounds
 3. Exhibit B - 168.36 Acre LTS Map
 4. Petition to Annex into Alvin Limits_168.36 acres; Signed
-

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: ☒

**SCHEDULE FOR VOLUNTARY ANNEXATION
PRESERVATION CREEK**

DATE	ACTION/EVENT	LEGAL AUTHORITY
September 5, 2024	COUNCIL BY WRITTEN RESOLUTION Directs notification to landowners; and sets two (2) Public Hearings: October 3, 2024, and October 17, 2024 ; 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 First Reading of Ordinance
September 9, 2024	NOTICE TO PROPERTY OWNERS & utility providers	Loc. Gov't Code § 43.062(a)
September 22, 2024	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).
October 6, 2024* Publish notice of Second Public Hearing (1 time)	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)
October 3, 2024*	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).
October 17, 2024*	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 November 7, 2024*	READING OF ORDINANCE <i>Regular 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 (before December 7, 2024)	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 (before January 6, 2025)	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.

EXHIBIT A

**METES AND BOUNDS DESCRIPTION
BEING 168.36 ACRES OF LAND
IN THE H.T. & B. R.R. CO. SURVEY, ABSTRACT 252,
W.D.C. HALL SURVEY, ABSTRACT 69,
C. M. HAYS SURVEY, ABSTRACT 534,
BRAZORIA COUNTY, TEXAS**

DESCRIPTION OF 168.36 ACRES OF LAND SITUATED IN THE H.T. & B. R.R. CO. SURVEY, ABSTRACT 252, THE W.D.C. HALL SURVEY, ABSTRACT 69 AND THE C. M. HAYS SURVEY, ABSTRACT 534, BRAZORIA COUNTY, TEXAS, SAID 168.36 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED AS TRACT 1 AND TRACT 2 BY METES AND BOUNDS AS FOLLOWS (BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE, AS DETERMINED BY GPS MEASUREMENTS):

TRACT 1

DESCRIPTION OF A 130.63 ACRE TRACT OF LAND SITUATED IN THE C. M. HAYS SURVEY, ABSTRACT 534 AND THE W.D.C. HALL SURVEY, ABSTRACT 69, BRAZORIA COUNTY, TEXAS, BEING OUT OF LOTS 1,2,3,4,15,16,17,18,19 AND 20 OF KANAWHA TEXAS COMPANY'S SUBDIVISION AS RECORDED UNDER VOLUME 2, PAGE 53 OF THE BRAZORIA COUNTY PLAT RECORDS (VOL. PG. B.C.P.R.) AND BEING ALL OF THAT CALLED 130.62 ACRE TRACT OF LAND CONVEYED TO BRAZORIA MEADOWS, L.P. BY DEED RECORDED UNDER BRAZORIA COUNTY CLERK'S FILE No. (B.C.C.F. No.) 2004070827; SAID 130.63 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 3/4-inch iron pipe called for and found in the easterly right-of-way line of State Highway No. 288 (420 foot wide at this location based on TxDOT right-of-way maps dated 3-5-1968), said pipe having a plastic cap stamped "S. ADAMS RPLS 3666" marking the southwest corner of said 130.62 acre tract of land, same being a westerly corner of a called 2,698.22 acre tract of land described in the deed recorded under B.C.C.F. No. 02-034524;

- (1) **THENCE**, North 02°59'46" West, along the easterly right-of-way line of State Highway 288 for a distance of 3,112.76 feet to a 1/2-inch iron rod found marking the northwest corner of said 130.62 acre tract of land and a westerly corner of the called 2,698.22 acre tract of land;

THENCE, with the common lines of said 130.62 acre tract and said 2,698.22 acre tract for the following twelve (12) courses and distances:

- (2) North 87°19'48" East, for a distance of 1,983.14 feet (called 1982.80 feet) to a 5/8-inch iron rod with cap stamped "E.H.R.A. 713-784-4500" set for corner;
- (3) South 26°10'54" East, for a distance of 50.00 feet to a 5/8-inch iron rod with cap stamped "E.H.R.A. 713-784-4500" set for corner;
- (4) South 11°49'20" East, for a distance of 407.85 feet to a 5/8-inch iron rod with cap stamped "E.H.R.A. 713-784-4500" set for corner;
- (5) South 16°13'35" East, for a distance of 363.29 feet to a 5/8-inch iron rod with cap stamped "E.H.R.A. 713-784-4500" set for corner;
- (6) South 16°27'05" West, for a distance of 924.95 feet to a 5/8-inch iron rod with cap stamped "E.H.R.A. 713-784-4500" set for corner;
- (7) South 42°32'16" West, for a distance of 370.33 feet to a 5/8-inch iron rod with cap stamped "E.H.R.A. 713-784-4500" set for corner;
- (8) South 02°43'27" West, for a distance of 428.58 feet to a 5/8-inch iron rod with cap stamped "E.H.R.A. 713-784-4500" set for corner;
- (9) South 30°20'08" West, for a distance of 489.62 feet to a 1/2-inch iron rod with cap stamped "S. Adams RPLS 3666" called for and found for corner;

- (10) South 17°57'46" West, for a distance of 644.80 feet to a 1/2-inch iron rod called for and found for corner;
- (11) South 37°07'30" West, for a distance of 168.03 feet to a 1/2-inch iron rod called for and found for corner;
- (12) North 65°55'54" West, for a distance of 876.67 feet to a 1/2-inch iron rod found for corner;
- (13) South 87°00'42" West, for a distance of 144.92 feet (called 145.00 feet) to the **POINT OF BEGINNING** and containing 130.63 acres of land.

TRACT 2

DESCRIPTION OF A 37.73 ACRE TRACT OF LAND SITUATED IN THE H.T. & B. R.R. CO. SURVEY, ABSTRACT 252 AND THE W.D.C. HALL SURVEY, ABSTRACT 69, BRAZORIA COUNTY, TEXAS, INCLUDING A PORTION OF THE NORTHEAST CORNER OF SAID KANAWHA TEXAS COMPANY'S SUBDIVISION AND LOT 9 THEREIN, AND BEING ALL THAT CALLED 37.73 ACRE TRACT OF LAND CONVEYED TO BRAZORIA MEADOWS, L.P. BY DEED RECORDED UNDER BRAZORIA COUNTY CLERK'S FILE No. (B.C.C.F. No.) 2004070828; SAID 37.73 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an 1/2-inch iron rod called for and found marking northerly corner of the called 37.73 acre tract of land, same being the southwesterly corner of a called 0.5619 acre tract of land recorded under B.C.C.F. No. 2018007910 (being a part of an unrecorded subdivision known as Sandy Meadow Estates), said corner being in the easterly line of 52.2811 acre tract of land recorded under B.C.C.F. No. 2021055024;

- (1) **THENCE**, South 49°57'13" East, along the northeasterly line of said 37.73 acre tract of land, common to the southwesterly line of Sandy Meadow Estates, passing at 61.71 feet a 1-inch iron pipe found marking the southerly common corner of said 0.5617 acre tract and a 0.835 acre tract of land described in deed under B.C.C.F. No. 2015054190, passing at 406.13 feet a 1/2-inch iron pipe found marking the southerly common corner of said 0.835 acre tract and a called 1.16 acre tract of land described in deed under Volume 1654, Page 419 of the Brazoria County Deed Records (B.C.D.R.), passing at 601.04 feet a 3/4-inch iron pipe found marking the southerly common corner of said 1.16 acre tract of land and a called 1.475 acre tract of land described in deed under B.C.C.F. No. 91-029830, passing at 792.49 feet a 3/4-inch iron pipe found marking the southerly common corner of said 1.475 acre tract and a called 1.79 acre tract as described in deed under B.C.C.F. No. 85-017777, passing at 985.14 feet a 3/4-inch iron pipe found marking the southerly common corner said 1.79 acre tract and a called 2.874 acre tract of land as described under B.C.C.F. No. 84-036737, and continuing for a total distance of 1,185.28 feet to found 1/2-inch iron pipe marking an angle point, same being the southwest corner of a called 20.0033 acre tract of land described in deed under B.C.C.F. NO. 2020068993;
- (2) **THENCE**, South 49°46'26" East, along the common line of said 37.73 acre tract and said 20.0033 acre tract for a distance of 238.20 feet to a 1/2-inch iron pipe found marking an angle point of the herein described tract and being the westerly common corner of said 20.0033 acre tract and a called 42.122 acre tract of land as recorded under B.C.C.F. No. 2014043800;
- (3) **THENCE**, South 49°41'40" East, along the common line of line of said 37.73 acre tract and said 42.122 acre tract for a distance of 1,180.22 feet to a 3/4-inch iron pipe found marking the most easterly corner of said 37.73 acre tract and an angle point in said 42.122 acre tract, said pipe being in the northerly line of a called 40.13 acre tract of land described in deed recorded under B.C.C.F. No. 2014019841;
- (4) **THENCE**, South 86°54'59" West, along the common line of line of said 37.73 acre tract and said 40.13 acre tract for a distance of 1,739.86 (called 1,739.90) feet to 5/8-inch iron rod called for and found marking the westerly common corner of said 37.73 acre and said 40.13 acre tract of land, being in an easterly line of a called 2,698.22 acre tract of land described in deed recorded under B.C.C.F. No. 02-034524;

- (5) **THENCE**, North 03°00'29" West, along the common line of said 37.73 acre tract and said 2,698.22 acre tract for a distance of 334.75 feet to 3/4-inch iron rod called for and found marking an angle point common to said 37.73 acre tract and said 2,698.22 acre tract of land;
- (6) **THENCE**, South 86°53'38" West, continuing along said common line for a distance of 157.24 feet to a 1/2-inch iron rod with cap stamped "S. Adams RPLS 3666" found marking an angle point common to said 37.73 acre tract and said 2,698.22 acre tract of land;
- (7) **THENCE**, North 03°06'22" West, continuing along said common line for a distance of 100.00 feet to a 1/2-inch iron rod found marking an angle point in the westerly line of said 37.73 acre tract of land, said corner being the northeasterly corner of said 2,692.22 acre tract of land;
- (8) **THENCE**, North 03°03'17" West, along the common line of said 37.73 acre tract and the aforementioned 52.2811 acre tract for a distance of 1,349.78 feet to the **POINT OF BEGINNING** and containing 37.73 acres of land, and when both tracts of land are combined, they have a total area of 168.36 acres of land. This description accompanies a Land Title Survey (21108400V-PBLT01.dwg) prepared by EHRA dated December 17, 2021 and revised May 26, 2022.

EDMINSTER, HINSHAW, RUSS AND ASSOCIATES, INC. dba EHRA, Inc. TBPELS No. 10092300

Robert L Boelsche

Robert L. Boelsche, R.P.L.S.
Texas Registration No. 4446
10011 Meadowglen Lane
Houston, Texas 77042
713-784-4500



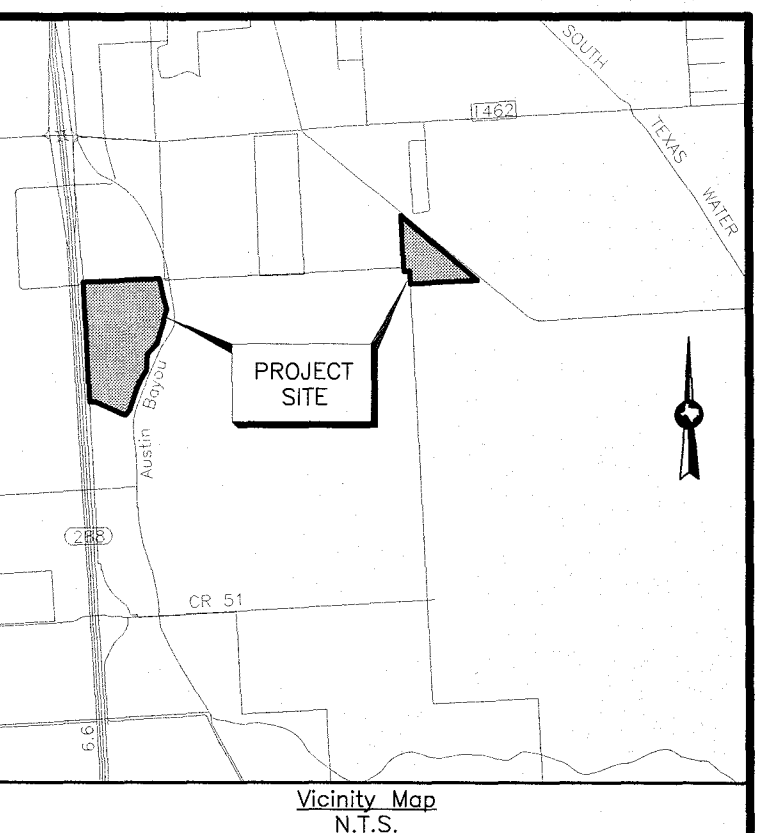
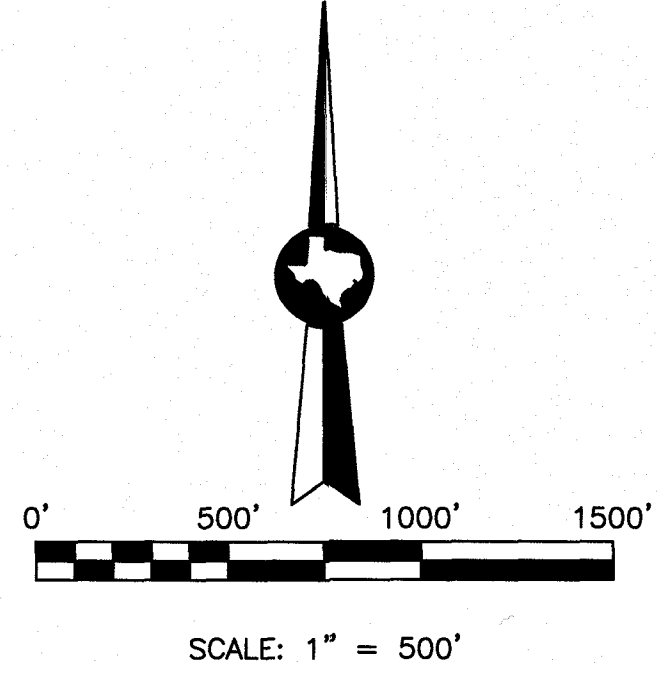
Date: December 17, 2021, Rev. May 26, 2022
Job No: 211-084-00
File No: R:\2021\211-084-00\Docs\Description\Boundary\21108400V-PBLT01-Tract 1.doc

EXHIBIT B

Ditch Highbank
Easement
Natural Gas
Overhead Power
Barbed Wire Fence
Chain Link Fence
Edge of Asphalt
Pavement Gravel

LEGEND

- BCM
B.C.C.F. NO.
B.C.D.R.
BOL
CIR
CM
CMP
D.E.
DG
EM
ER
ESMT
F.C. NO.
FNC
FND
IP
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MP
NG
PP
PLMK
PTP
RCP
R.O.W.
SN
SP
TPD
VOL.
VOL.
VOL.
(FTD)
(S)
- Buried Cable Marker
Brazoria County Clerk's File Number
Brazoria County Deed Records
Bollard
Capped Iron Rod
Control Monument
Corrugated Metal Pipe
Drainage Easement
Down Guy
Electric Meter
Electric Riser
Easement
Film Code Number
Fence
Found
Iron Pipe
Iron Rod
Light Pole
Mail Box
Manhole
Meter Pole
Natural Ground
Pipeline Marker
Power Pole
Pinched Top Pipe
Reinforced Concrete Pipe
Right-Of-Way
Sign
Service Pole
Telephone Pedestal
Volume, Page
Water Well
Found TXDOT monument
Set 5/8" Iron Rod with cap stamped
"E.H.R. & A. 713-784-4500"



TRACT NUMBER	OWNER NAME	RECORDING INFORMATION
1	DAVID HARGROVE	B.C.C.F. NO. 201701088
2	DOUGLAS E. BARKER	B.C.C.F. NO. 2009031244
3	AUTUMN LEANNE BARKER	B.C.C.F. NO. 2009031245
4	USA YETITE PETROSKY	B.C.C.F. NO. 2009031246
5	CAROLYN BARKER MCDUGALD	B.C.C.F. NO. 2009031247
6	R. PATINA AND K. MOYADO	B.C.C.F. NO. 2012045819
7	EDUARDO AND LYDIA RODRIGUEZ	B.C.C.F. NO. 2003033329
8	MARIA MERCEDES FLORES	B.C.C.F. NO. 2011019500
9	SALLY LYNN JOHNSON	B.C.C.F. NO. 2014045387
10	SANDRA AND OLIVIERO SOLE	B.C.C.F. NO. 201202289
11	JESSE GUTIERREZ	B.C.C.F. NO. 2015022847
12	H.L.H. ENTERPRISES, LLC	B.C.C.F. NO. 2015039544
13	JACK & ANN HENDERSON	B.C.C.F. NO. 2014036439
14	HEATH A. HARTENBERGER	B.C.C.F. NO. 2019037945
15	HEMAN & CAMAL RAMKUMAR	B.C.C.F. NO. 2000014444
16	MONDE TRUCKING, INC.	B.C.C.F. NO. 201505024
17	JORGE & IRIS CANACHO TOBON	B.C.C.F. NO. 2018007910
18	JUNG GROUP LLC	B.C.C.F. NO. 2015054190
19	BOBBY & ROSALIND WILLIAMS	B.C.C.F. NO. 2014045387
20	RUBEN FLORES GUERRERO	B.C.C.F. NO. 91-028830
21	TODD & MARILYN MAE MADDOX	B.C.C.F. NO. 88-017777
22	TODD & MARILYN MAE MADDOX	B.C.C.F. NO. 88-017777
23	SANTHOSHI NARAYANAN	B.C.C.F. NO. 2020068993
24	BJORN & BEVERLY LINDGREN	B.C.C.F. NO. 2014043800

NOTES:

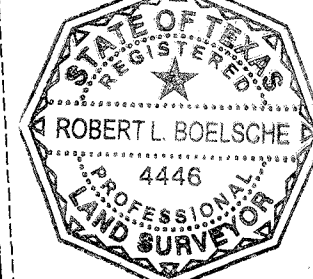
- This survey has been performed in conjunction with the Commitment for Title Insurance prepared by Fidelity National Title Insurance Company under G.F. No. 20-7868-1076881000488, effective May 18, 2021 and issued June 3, 2021. No research of the Public Records of Brazoria County regarding easements or encumbrances was performed by Edminster, Hinshaw, Russ & Associates, Inc. d/b/a EHRA.
- The basis of Bearings shown hereon is referenced to the Texas Coordinate System of 1983, South Central Zone, as determined by GPS measurements.
- Tract 2 maybe subject to a 30' Pipeline Easement as recorded under Vol. 734 Pg. 558 of the B.C.D.R. not listed in the title report.
- For Additional information about the subject tract, see Schedule B, Items 10 f, g, h, i, j, k, m, r, s, t, u, v, and w regarding certain leases that might affect the subject tract. This survey does not attempt to show these types of interests.
- As per Schedule B, Item 10 i, the Designation Agreement recorded under B.C.C.F. No. 92-30194 does not effect the subject tracts.
- As per Schedule B, Item 10 n, Tract 1 fronts on State Highway 288 and has controlled access limited and defined by instruments recorded under Volume 1064, Page 20, Volume 1077, Page 133, Volume 1207, Page 138 and Volume 1218, Page 614 of the B.C.D.R..
- As per Schedule B, Item 10 q, documents recorded under Vol. 269 Pg. 632 and Vol. 402 Pg. 37 do not affect the subject tracts.
- As per Schedule B, Item 10 p, this tract is subject to a 60-foot wide Ingress/Egress Easement as recorded under B.C.C.F. No. 2004070827. This document makes reference to said easement being described in exhibit "C-2", but this document does not contain an exhibit "C-2", therefore, the location for this easement is not known and can not be shown hereon.
- Tracts 1 and 2 are subject to gravel and dirt roads shown hereon crossing through the subject tracts used in common by adjacent property owners for ingress and egress.
- This survey does not determine the location of wetlands, fault lines, toxic waste, cemeteries, landfills, dumps or any other environmental issues, should any exist.
- Edminster, Hinshaw, Russ & Associates, Inc. d/b/a EHRA, has not been provided with construction plans showing the location of underground utilities. Underground utilities may exist which are not shown hereon.
- The acreage totals as shown hereon are based on the mathematical closure of the courses and distances reflected on this survey. It does not include the tolerances that may be present due to the positional accuracy of the boundary monumentation.
- Fences shown hereon with dimensional ties are shown where they were physically measured. The fence line may meander between measured locations.
- According to the Federal Emergency Management Agency Flood Insurance Rate Map, Brazoria County, Texas, Community Panel No. 480590275K, dated December 30, 2020, a southeasterly portion of Tract 1 shown hereon lies within shaded "Zone A" (No base flood elevations determined) and the remaining portion of Tract 1 and Tract 2 lie within unshaded "Zone X" (areas determined to be outside the 0.2% annual chance floodplain).

This flood statement does not imply that the property or structures thereon will be free from flooding or flood damage. On rare occasions floods can and will occur and flood heights may be increased by man-made or natural causes. The location of the flood zone was determined by scaling from said FEMA map. The actual location, as determined by elevation contours, may differ. Edminster, Hinshaw, Russ & Associates, Inc. d/b/a EHRA, assumes no liability as to the accuracy of the location of the flood zone limits. This flood statement shall not create liability on the part of Edminster, Hinshaw, Russ & Associates, Inc. d/b/a EHRA.

For additional information about the Subject Tract, see the metes and bounds description prepared separately.

LINE	BEARING	DISTANCE
L1	S 26°10'54" E	50.00'
L2	S 11°49'20" E	407.85'
L3	S 16°13'35" E	363.29'
L4	S 18°27'05" W	924.95'
L5	S 42°32'16" W	370.33'
L6	S 02°43'27" W	428.58'
L7	S 30°20'08" W	489.62'
L8	S 17°57'48" W	644.80'
L9	S 37°07'30" W	168.03'
L10	S 65°55'54" W	876.67'
L11	S 87°00'42" W	44.92'
L12	S 49°27'13" E	1185.28'
L13	S 49°46'26" E	238.20'
L14	S 49°41'40" E	1180.22'
L15	S 86°54'59" W	1739.86'
L16	S 03°00'29" W	534.75'
L17	S 86°53'38" W	157.24'
L18	S 03°00'22" W	100.00'
L19	S 03°03'17" W	1349.78'

(Called 145.00')
(Called 1,739.90')



We, Edminster, Hinshaw, Russ & Associates, Inc. acting by and through Robert L. Boelsche, a Texas Registered Professional Land Surveyor, hereby certify that this survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1A, Condition II Survey.

Robert L. Boelsche
Robert L. Boelsche
Registered Professional Land Surveyor
Texas Registration No. 4446

3			
2			
1	Revise Title Block Acreage	RAK	5/26/22
REV	DESCRIPTION	BY	DATE
EHRA ENGINEERING THE FUTURE SINCE 1936 10011 MEADOWGLEN LN HOUSTON, TEXAS 77042 713-784-4500 WWW.EHRAINFORM.COM TBPE No. F-726 TBPE No. 10092300 LAND TITLE SURVEY OF TWO TRACTS OF LAND BEING A TOTAL OF 168.36 ACRES SITUATED IN THE C.M. HAYS SURVEY, A-534, THE H. T. & B. R.R. CO. SURVEY, A-252 AND THE W.D.C. HALL SURVEY, A-69 BRAZORIA COUNTY, TEXAS DATE: December 16, 2021 SCALE: 1" = 500' JOB NO.: 211-084-00 DWG. NAME: 21108400V-PBLT01.dwg DRAWING NO.: NONE			

PETITION FOR ANNEXATION
INTO THE CITY OF ALVIN, TEXAS

THE STATE OF TEXAS §
 §
COUNTY OF BRAZORIA §

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF ALVIN,
TEXAS:

WB WEST ALVIN LAND LLC, a Texas limited liability company (the "Petitioner"), acting pursuant to Section 43.0671 of the Texas Local Government Code, together with all amendments and additions thereto, respectfully petitions the Mayor and the City Council of the City of Alvin (the "City") to extend the present city limits so as to include and annex as part of the City the approximately 168.36 acres of land described by metes and bounds in **Exhibit A** (the "Land"), which is attached hereto and incorporated herein for all purposes, and further petitions the City to negotiate and enter into a written agreement with the Petitioner for the provision of services in the area. In support of this petition, the Petitioner would show the following:

1. The Land lies within Brazoria County, Texas and is accurately described by metes and bounds in **Exhibit A**.
2. The Land is comprised of 168.36 acres within the extraterritorial jurisdiction of the City (as such term is defined in Texas Local Government Code Section 42.001 et seq., as amended).
3. The Land is described by metes and bounds in **Exhibit A**, which is attached hereto and incorporated herein for all purposes.
4. The Petitioner hereby certifies that it is the sole owner of the Land, and that this Petition is signed and acknowledged by each and every person, corporation or entity owning the Land or having an ownership interest in any part of the Land. There are no lienholders on the Land.
5. Pursuant to that certain Development Agreement effective as of June 15, 2023, Petitioner has contracted with the City for the provision of services in the area. Such agreement includes: (1) a list of each service the City will provide on the effective date of the annexation; and (2) a schedule that includes the period within which the City will provide each service that is not provided on the effective date of the annexation.

[EXECUTION PAGE FOLLOWS]

Respectfully submitted this 5th day of August, 2024.

WB WEST ALVIN LAND LLC,
a Texas limited liability company

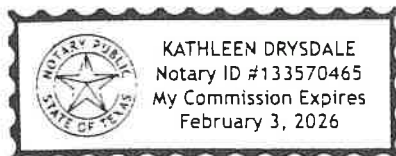
By: 

Name: Ting Qiao

Title: Manager

THE STATE OF TEXAS §
 §
COUNTY OF Harris §

This instrument was acknowledged before me on the 5th day of August, 2024, by Ting Qiao, as Manager of WB WEST ALVIN LAND LLC, a Texas limited liability company, on behalf of said limited liability company.




Notary Public, State of Texas

(NOTARY SEAL)

Attachment:

Exhibit A: Description of the Land

EXHIBIT A

**METES AND BOUNDS DESCRIPTION
BEING 168.36 ACRES OF LAND
IN THE H.T. & B. R.R. CO. SURVEY, ABSTRACT 252,
W.D.C. HALL SURVEY, ABSTRACT 69,
C. M. HAYS SURVEY, ABSTRACT 534,
BRAZORIA COUNTY, TEXAS**

DESCRIPTION OF 168.36 ACRES OF LAND SITUATED IN THE H.T. & B. R.R. CO. SURVEY, ABSTRACT 252, THE W.D.C. HALL SURVEY, ABSTRACT 69 AND THE C. M. HAYS SURVEY, ABSTRACT 534, BRAZORIA COUNTY, TEXAS, SAID 168.36 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED AS TRACT 1 AND TRACT 2 BY METES AND BOUNDS AS FOLLOWS (BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE, AS DETERMINED BY GPS MEASUREMENTS):

TRACT 1

DESCRIPTION OF A 130.63 ACRE TRACT OF LAND SITUATED IN THE C. M. HAYS SURVEY, ABSTRACT 534 AND THE W.D.C. HALL SURVEY, ABSTRACT 69, BRAZORIA COUNTY, TEXAS, BEING OUT OF LOTS 1,2,3,4,15,16,17,18,19 AND 20 OF KANAWHA TEXAS COMPANY'S SUBDIVISION AS RECORDED UNDER VOLUME 2, PAGE 53 OF THE BRAZORIA COUNTY PLAT RECORDS (VOL. PG. B.C.P.R.) AND BEING ALL OF THAT CALLED 130.62 ACRE TRACT OF LAND CONVEYED TO BRAZORIA MEADOWS, L.P. BY DEED RECORDED UNDER BRAZORIA COUNTY CLERK'S FILE No. (B.C.C.F. No.) 2004070827; SAID 130.63 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 3/4-inch iron pipe called for and found in the easterly right-of-way line of State Highway No. 288 (420 foot wide at this location based on TxDOT right-of-way maps dated 3-5-1968), said pipe having a plastic cap stamped "S. ADAMS RPLS 3666" marking the southwest corner of said 130.62 acre tract of land, same being a westerly corner of a called 2,698.22 acre tract of land described in the deed recorded under B.C.C.F. No. 02-034524;

- (1) **THENCE**, North 02°59'46" West, along the easterly right-of-way line of State Highway 288 for a distance of 3,112.76 feet to a 1/2-inch iron rod found marking the northwest corner of said 130.62 acre tract of land and a westerly corner of the called 2,698.22 acre tract of land;

THENCE, with the common lines of said 130.62 acre tract and said 2,698.22 acre tract for the following twelve (12) courses and distances:

- (2) North 87°19'48" East, for a distance of 1,983.14 feet (called 1982.80 feet) to a 5/8-inch iron rod with cap stamped "E.H.R.A. 713-784-4500" set for corner;
- (3) South 26°10'54" East, for a distance of 50.00 feet to a 5/8-inch iron rod with cap stamped "E.H.R.A. 713-784-4500" set for corner;
- (4) South 11°49'20" East, for a distance of 407.85 feet to a 5/8-inch iron rod with cap stamped "E.H.R.A. 713-784-4500" set for corner;
- (5) South 16°13'35" East, for a distance of 363.29 feet to a 5/8-inch iron rod with cap stamped "E.H.R.A. 713-784-4500" set for corner;
- (6) South 16°27'05" West, for a distance of 924.95 feet to a 5/8-inch iron rod with cap stamped "E.H.R.A. 713-784-4500" set for corner;
- (7) South 42°32'16" West, for a distance of 370.33 feet to a 5/8-inch iron rod with cap stamped "E.H.R.A. 713-784-4500" set for corner;
- (8) South 02°43'27" West, for a distance of 428.58 feet to a 5/8-inch iron rod with cap stamped "E.H.R.A. 713-784-4500" set for corner;
- (9) South 30°20'08" West, for a distance of 489.62 feet to a 1/2-inch iron rod with cap stamped "S. Adams RPLS 3666" called for and found for corner;

- (10) South 17°57'46" West, for a distance of 644.80 feet to a 1/2-inch iron rod called for and found for corner;
- (11) South 37°07'30" West, for a distance of 168.03 feet to a 1/2-inch iron rod called for and found for corner;
- (12) North 65°55'54" West, for a distance of 876.67 feet to a 1/2-inch iron rod found for corner;
- (13) South 87°00'42" West, for a distance of 144.92 feet (called 145.00 feet) to the **POINT OF BEGINNING** and containing 130.63 acres of land.

TRACT 2

DESCRIPTION OF A 37.73 ACRE TRACT OF LAND SITUATED IN THE H.T. & B. R.R. CO. SURVEY, ABSTRACT 252 AND THE W.D.C. HALL SURVEY, ABSTRACT 69, BRAZORIA COUNTY, TEXAS, INCLUDING A PORTION OF THE NORTHEAST CORNER OF SAID KANAWHA TEXAS COMPANY'S SUBDIVISION AND LOT 9 THEREIN, AND BEING ALL THAT CALLED 37.73 ACRE TRACT OF LAND CONVEYED TO BRAZORIA MEADOWS, L.P. BY DEED RECORDED UNDER BRAZORIA COUNTY CLERK'S FILE No. (B.C.C.F. No.) 2004070828; SAID 37.73 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an 1/2-inch iron rod called for and found marking northerly corner of the called 37.73 acre tract of land, same being the southwesterly corner of a called 0.5619 acre tract of land recorded under B.C.C.F. No. 2018007910 (being a part of an unrecorded subdivision known as Sandy Meadow Estates), said corner being in the easterly line of 52.2811 acre tract of land recorded under B.C.C.F. No. 2021055024;

- (1) **THENCE**, South 49°57'13" East, along the northeasterly line of said 37.73 acre tract of land, common to the southwesterly line of Sandy Meadow Estates, passing at 61.71 feet a 1-inch iron pipe found marking the southerly common corner of said 0.5617 acre tract and a 0.835 acre tract of land described in deed under B.C.C.F. No. 2015054190, passing at 406.13 feet a 1/2-inch iron pipe found marking the southerly common corner of said 0.835 acre tract and a called 1.16 acre tract of land described in deed under Volume 1654, Page 419 of the Brazoria County Deed Records (B.C.D.R.), passing at 601.04 feet a 3/4-inch iron pipe found marking the southerly common corner of said 1.16 acre tract of land and a called 1.475 acre tract of land described in deed under B.C.C.F. No. 91-029830, passing at 792.49 feet a 3/4-inch iron pipe found marking the southerly common corner of said 1.475 acre tract and a called 1.79 acre tract as described in deed under B.C.C.F. No. 85-017777, passing at 985.14 feet a 3/4-inch iron pipe found marking the southerly common corner said 1.79 acre tract and a called 2.874 acre tract of land as described under B.C.C.F. No. 84-036737, and continuing for a total distance of 1,185.28 feet to found 1/2-inch iron pipe marking an angle point, same being the southwest corner of a called 20.0033 acre tract of land described in deed under B.C.C.F. NO. 2020068993;
- (2) **THENCE**, South 49°46'26" East, along the common line of said 37.73 acre tract and said 20.0033 acre tract for a distance of 238.20 feet to a 1/2-inch iron pipe found marking an angle point of the herein described tract and being the westerly common corner of said 20.0033 acre tract and a called 42.122 acre tract of land as recorded under B.C.C.F. No. 2014043800;
- (3) **THENCE**, South 49°41'40" East, along the common line of line of said 37.73 acre tract and said 42.122 acre tract for a distance of 1,180.22 feet to a 3/4-inch iron pipe found marking the most easterly corner of said 37.73 acre tract and an angle point in said 42.122 acre tract, said pipe being in the northerly line of a called 40.13 acre tract of land described in deed recorded under B.C.C.F. No. 2014019841;
- (4) **THENCE**, South 86°54'59" West, along the common line of line of said 37.73 acre tract and said 40.13 acre tract for a distance of 1,739.86 (called 1,739.90) feet to 5/8-inch iron rod called for and found marking the westerly common corner of said 37.73 acre and said 40.13 acre tract of land, being in an easterly line of a called 2,698.22 acre tract of land described in deed recorded under B.C.C.F. No. 02-034524;

- (5) **THENCE**, North 03°00'29" West, along the common line of said 37.73 acre tract and said 2,698.22 acre tract for a distance of 334.75 feet to 3/4-inch iron rod called for and found marking an angle point common to said 37.73 acre tract and said 2,698.22 acre tract of land;
- (6) **THENCE**, South 86°53'38" West, continuing along said common line for a distance of 157.24 feet to a 1/2-inch iron rod with cap stamped "S. Adams RPLS 3666" found marking an angle point common to said 37.73 acre tract and said 2,698.22 acre tract of land;
- (7) **THENCE**, North 03°06'22" West, continuing along said common line for a distance of 100.00 feet to a 1/2-inch iron rod found marking an angle point in the westerly line of said 37.73 acre tract of land, said corner being the northeasterly corner of said 2,692.22 acre tract of land;
- (8) **THENCE**, North 03°03'17" West, along the common line of said 37.73 acre tract and the aforementioned 52.2811 acre tract for a distance of 1,349.78 feet to the **POINT OF BEGINNING** and containing 37.73 acres of land, and when both tracts of land are combined, they have a total area of 168.36 acres of land. This description accompanies a Land Title Survey (21108400V-PBLT01.dwg) prepared by EHRA dated December 17, 2021 and revised May 26, 2022.

EDMINSTER, HINSHAW, RUSS AND ASSOCIATES, INC. dba EHRA, Inc. TBPELS No. 10092300

Robert L Boelsche

Robert L. Boelsche, R.P.L.S.
Texas Registration No. 4446
10011 Meadowglen Lane
Houston, Texas 77042
713-784-4500



Date: December 17, 2021, Rev. May 26, 2022
Job No: 211-084-00
File No: R:\2021\211-084-00\Docs\Description\Boundary\21108400V-PBLT01-Tract 1.doc

**MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
CITY COUNCIL REGULAR MEETING
THURSDAY, SEPTEMBER 19, 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; Councilmembers: Martin Vela, 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 and Robert E. Lee, Police Chief.

INVOCATION AND PLEDGE OF ALLEGIANCE

Gary Coffman with Alvin Church of Christ 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

Presentation of Downtown Business Grant Check to The Fillin' Station, Corey Scopel.

Paul Chavez, Director of Economic Development, presented a check to Corey Scopel for the Downtown Business Grant on behalf of the City of Alvin.

Parks & Recreation - Annual Departmental Presentation.

Dan Kelinske, Director of Parks and Recreation, delivered the annual departmental update before City Council.

PUBLIC COMMENT

John Burkey presented Mayor Adame and City Council with a certificate of appreciation for all they do in support of the Senior Center.

Norma Crosby and Kayleigh Joiner presented comments regarding their organization, the National Federation of the Blind Texas.

CONSENT AGENDA

Consider approval of the September 5, 2024, City Council meeting minutes.

Consider an Interlocal Agreement with Brazoria County for the Fiscal Year 2024-25 Asphalt Improvement Project and authorize the Mayor to sign upon legal review.

The proposed Interlocal Agreement between the City and the County provides the mechanisms for the County to provide the City of Alvin with equipment and personnel to assist in the construction, improvement, maintenance, and/or repair of up to two (2) miles of asphalt streets in various locations within the City limits of Alvin. The City of Alvin entered this partnership with Brazoria County in 1991 and has continued to use the program since that time. This program provides for low-cost paving of asphalt streets and has improved over 35 miles of asphalt streets since the start in 1991. The County only performs driving surface asphalt overlays. An asphalt overlay is a paving method of applying a new layer of asphalt to a deteriorating surface. Rather than tearing up or removing any of the old asphalt surface entirely, an asphalt overlay project utilizes the existing layers as a base for the new asphalt pavement. The new layer of asphalt is usually between 1.5 and 3 inches thick, depending on the demands of the existing deteriorating asphalt surface. Staff is in the process of identifying roads where the County's service would best be utilized. Once City staff has identified

applicable roads, City Council will consider staff's recommendations. If approved by City Council, then the County Commissioner's Court will consider the City's identified roads. Next, the County will submit the materials cost estimates to complete the asphalt overlays identified as a part of this agreement. Finally, City Council will consider the material cost estimates the County submitted. This interlocal agreement has already been approved and signed by the Brazoria County Judge, L.M. "Matt" Sebesta.

Consider an award of Bid (B-24-05) to Landscape Professionals of Texas, for manicured mowing services of select City-owned and State Right of Way property including parkland, lift stations, water wells, and various building grounds, in an amount not to exceed \$265,671; and authorize the City Manager to sign the agreement upon legal review.

The current manicured mowing agreement with LTS Lawncare was set to expire September 30, 2025, for a total annual amount of \$161,176.35. With the sudden passing of LTS Lawncare business owner Larry Dietrich, the business was no longer able to continue providing mowing services as scheduled; therefore, a notice of immediate termination was issued on July 30, 2024. Horticare was hired as the interim contractor to provide manicured mowing services through September 30, 2024. Manicured mowing bid # B-24-05 was advertised on August 11, 2024, and August 18, 2024. Bids were opened August 27, 2024, and Landscape Professionals of Texas provided the lowest price/best value bid of \$265,671. Horticare was the second and only other bidder with an annual bid price of \$272,705.00. This is the first of two manicured mowing agreements being considered with Landscape Professionals of Texas, with the first year of service beginning October 1, 2024, and ending September 30, 2025, with up to three one-year renewals. Staff recommends awarding this manicured mowing agreement in the amount of \$265,671 to Landscape Professionals of Texas.

Consider an award of Bid (B-24-06), to Landscape Professionals of Texas, for manicured mowing services of select parkland and other City-owned property and State Right of Way, in an amount not to exceed \$68,100; and authorize the City Manager to sign the agreement upon legal review.

The current manicured mowing agreement with LTS Lawncare was set to expire September 30, 2025, for a total annual amount of \$56,252.65. With the sudden passing of LTS Lawncare business owner Larry Dietrich, the business was no longer able to continue providing mowing services as scheduled; therefore, a notice of immediate termination was issued on July 30, 2024. Horticare was hired as the interim contractor to provide manicured mowing services through September 30, 2024. Manicured mowing bid # B-24-06 was advertised on August 11, 2024, and August 18, 2024. Bids were opened August 27, 2024, and Landscape Professionals of Texas provided the lowest price/best value bid of \$68,100.00. Horticare was the second and only other bidder with an annual bid price of \$87,135.00. This is the second of two manicured mowing agreements being considered with Landscape Professionals of Texas, with the first year of service beginning October 1, 2024, and ending September 30, 2025, with up to three one-year renewals. Staff recommends awarding this manicured mowing agreement in the amount of \$68,100.00 to Landscape Professionals of Texas.

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

OTHER BUSINESS

Discuss and consider Ordinance 24-Y, an Ordinance of the City of Alvin, Texas, amending Chapter 21, Subdivisions and Property Development of the Code of Ordinances of the City of Alvin, Texas, for the purpose of amending Article VII. Park Land Dedication And Development Fee; providing for severability ; and setting forth other provisions related thereto.

At the September 5, 2024, city council meeting, City Council directed staff to elaborate on the guiding principles of park development. Below is the verbiage presented at the September 5, 2024, city council meeting, as well as descriptions and examples of various types of parks as defined in the Park and Open Space Standards and Guidelines from the National Recreation and Park Association (NRPA).

Verbiage proposed at the September 5, 2024 City Council meeting:

- Park shall be owned and maintained by the Homeowner Association or related entity
- Park shall possess four qualities: Accessible, Allow people to engage in activities, Comfortable spaces having a good image, Sociable place where people meet each other and take people to when they come to visit.

National Recreation and Park Association (NRPA) Park and Open Space Standards and Guidelines:

- Pocket Parks and Playlots - Desirable Size: .25 to 1.0 acre, Service Area: Immediate development or neighborhood. Summary: Serve a concentrated or limited population within an immediate proximity, such as within apartment complexes, retirement communities, and small neighborhoods. They are intended to meet the passive recreational needs of residents and limited recreational activity of the immediate neighbors. Examples include: a tot lot in or near an apartment complex, or a vacant lot developed as a passive park with sidewalks and benches.

Neighborhood Parks - Desirable Size: 5 acres, Service Area: .25 to .5-mile radius. Summary: These parks are designed to accommodate the needs of complete neighborhoods, typically within a distance of six to eight blocks. Facilities are for active recreation and playground use, i.e., sport courts and fields, playscape areas, playground equipment, walking trails, etc.

Community Parks - Desirable Size: 10 to 50 acres, Service Area: Primarily for residents within a two-mile radius, Summary: Provides a large variety of facilities and intended uses within community parks, including, both passive and active recreation such as walking and jogging paths, athletic courts, ball fields, lakes or other natural features, picnic areas, activity centers, swimming pools, and facilities that draw residents within a reach of one mile or further.

Planned Unit Development Verbiage: PUD parks must contain at least 3 of the following amenities: Splash pad, Permanently covered or shaded playground with equipment, Aesthetically lit landscaping with benches and/or gazebos, swimming pool with restrooms and clubhouse, prior to city council adopting Ordinance 24-Y, staff desires to present and review the amendments with the Parks Board.

Dan Kelinske, Director of Parks and Recreation, presented the item to the City Council with further explanation. Council member DeKeyser proposed including language specifying that park land should foster relaxation, provide space for physical activity, offer a safe environment for children, and include shaded seating areas and adequate trash receptacles. Council member Vela emphasized that Homeowners Associations should not be allowed to restrict public access to parks. Additionally, Council member Garivey suggested that park hours be clearly posted. City Attorney Suzanne Hanneman advised caution regarding any language outlining park rules and their enforcement, noting that the City will not be responsible for maintenance. Ordinance 24-Y will be returned to the Parks Board for revisions and will be presented at a future Council meeting for further consideration. No action was taken on this agenda item.

Consider the approval of the annual windstorm and hail coverage renewal for Fiscal Year 2025; and authorize the City manager to sign the Proposal Acceptance Form and the Windstorm Quote.

Windstorm insurance is property and casualty insurance that specially covers loss due to damage by high winds: i.e., hurricanes and hail damage. The City's general property and liability insurance provider, Texas Municipal League - Intergovernmental Risk Pool (TMLIRP) does not offer windstorm and hail coverage for the City of Alvin. The City's current underwriting manager in placing windstorm coverage is Victor Insurance Managers Inc (VIM). The current annual windstorm policy for FY24 expires October 1, 2024. Windstorm insurance quotes should be received by the city no later than Thursday, September 19, 2024. Our insurance agent will provide the quotes, and staff will update the agenda commentary based on the quotes before the council meeting that evening. The final proposal along with staff's recommendation will be presented during the city council meeting.

Chris Thomas, Director of Finance, presented this item before City Council with explanation.

Council member Starkey moved to approve annual windstorm and hail coverage renewal for Fiscal Year 2025 with Victor Insurance Managers Inc for \$782,023.16, and authorize the City Manager to sign the Proposal Acceptance Form and the Windstorm Quote. Seconded by Council member Moore; motion carried with 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.

Council Member Moore requested a workshop to discuss the City's roles and responsibilities within the 100'ft strip in the Extraterritorial Jurisdiction.

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.

Council Members Moore and Garivey expressed their appreciation to the Alvin Community College students for attending the Council meeting to further their understanding of local governance.

ADJOURNMENT

Mayor Adame adjourned the meeting at 7:47 p.m.

PASSED and APPROVED the 3rd of October 2024.

ATTEST:

Gabe Adame, Mayor

Dixie Roberts, City Secretary



AGENDA COMMENTARY

Meeting Date: 10/3/2024

Department: City Secretary

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

Agenda Item: Consider Resolution 24-R-27, nominating a candidate(s) for a position on the Board of Directors of the Brazoria County Appraisal District.

Type of Item: Action Item

Summary: Due to changes brought by Senate Bill 2, the composition and appointment process for the Brazoria County Appraisal District (BCAD) Board of Directors has been updated. The board now consists of three elected members and five appointed members. The appointed members are selected by the participating taxing units, and the terms of all current appointees will expire on December 31, 2024.

This Resolution seeks to nominate candidate(s) to serve on the BCAD Board of Directors. Current members are eligible for renomination, or new candidates may be proposed. Cities, school districts, and counties can nominate up to five individuals to serve on the Board, which is made up of five members serving two-year terms. Staff recommends nominating current board member, Tommy King through the adoption of Resolution 24-R-27.

Following the nomination period, the Appraisal District will send an official ballot listing all nominees after October 30, 2024. The City of Alvin will have a total of 78 votes to distribute among the candidate(s) via Resolution before December 15, 2024. The Chief Appraiser will then count the votes, declare the results, and notify the five candidates with the highest vote totals before December 31, 2024.

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: 9/26/2024 SLH

Finance Review Required: N/A ☒ Required ☐

Date Completed:

Supporting documents attached:

1. Resolution 24-R-27; BCAD Nominations
 2. BCAD; 2024; Nominations for Directors
-

Recommendation: Move to approve Resolution 24-R-27, nominating a candidate(s) for a position on the Board of Directors of the Brazoria County Appraisal District.

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 24-R-27

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ALVIN, TEXAS, NOMINATING CANDIDATE(S) FOR A POSITION ON THE BOARD OF DIRECTORS OF THE BRAZORIA COUNTY APPRAISAL DISTRICT.

WHEREAS, those eligible taxing units participating in the Brazoria County Appraisal District have the right and responsibility to nominate from one to five (5) candidate(s) to fill the five (5) positions of the Board of Directors of the Brazoria County Appraisal District for a term of office commencing on January 1, 2025; and

WHEREAS, this governing body desires to exercise its right to nominate the said candidate(s) for such position on said board of directors; and

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

Section 1. That the facts and recitations set forth in the preamble of this Resolution are hereby adopted, ratified, and confirmed.

Section 2. That the following individuals be, and are hereby, nominated as candidate(s) for positions on the Board of Directors of the Brazoria County Appraisal District to be filled by those eligible taxing units participating in the Brazoria County Appraisal District:

- Tommy King

Section 3. That the presiding officer of the governing body of this taxing unit be, and that he or she is hereby, authorized and directed to deliver or cause to be delivered a certified copy of this Resolution to the Chief Appraiser of the Brazoria County Appraisal District on or before October 15, 2024.

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

PASSED AND APPROVED on this 3rd day of October 2024.

CITY OF ALVIN, TEXAS

ATTEST

Gabe Adame, Mayor

Dixie Roberts, City Secretary

BRAZORIA COUNTY APPRAISAL DISTRICT

MEMBERS OF THE BOARD

Kristin Bulanek
Elizabeth Day
Tommy King
John Luquette
Patrick O'Day
Gail Robinson
George Sandars
Susan Spoor
Robert York-Westbrook

Rec'd 9/5/24

CHIEF APPRAISER
Marcel Pierel III
500 N. Chenango
Angleton, Texas 77515
979-849-7792
Fax 979-849-7984

September 3, 2024

Honorable Gabe Adame
Mayor of Alvin
216 W. Sealy
Alvin, TX 77511

Dear Honorable Gabe Adame,

In reference to the selection of the Appraisal District Board of Directors, each voting taxing unit in Brazoria County nominates **by resolution**, up to five candidate(s) to fill the five (5) appointed positions of the Board of Directors. These nominations (names and addresses) must be submitted to the Chief Appraiser before **October 15, 2024**. (See Step 1 on Calendar)

Enclosed is a list of the current appointed board members with space to add different nominees if your board chooses to. (**Nominate up to a total of five candidates**)

Your 2023 total tax levy was **\$ 15,913,067**. This tax levy has entitled your taxing unit to **78** votes for the five (5) directors to be appointed to the Brazoria County Appraisal District.

The voting process will begin before October 30, 2024 once all nominations have been received.

Please address all submissions to Marcel Pierel, Chief Appraiser, at the above address, or you may email submissions to mpierel@brazoriacad.org or fax to 979-849-7984.

Sincerely,



Marcel Pierel III
Chief Appraiser

MP/td
Enclosure

BRAZORIA COUNTY APPRAISAL DISTRICT

MEMBERS OF THE BOARD

Kristin Bulanek
Elizabeth Day
Tommy King
John Luquette
Patrick O'Day
Gail Robinson
George Sandars
Susan Spoor
Robert York-Westbrook

CHIEF APPRAISER

Marcel Pierel III
500 North Chenango
Angleton, Texas 77515
979-849-7792
Fax 979-849-7984

M E M O

To: All Voting Taxing Units
From: Marcel Pierel III, Chief Appraiser
Subject: 2024 Appointment of the Board of Directors For
Years 2025
Date: September 3, 2024

Your taxing unit participates in appointing five members of the Brazoria County Appraisal District's Board of Directors.

The board is composed of three elected members and five appointed members whose terms expire December 31, 2024.

If the county assessor-collector is not appointed to the board, the county assessor-collector serves as an ex officio director.

This memorandum sets out the process of appointing directors for terms that begin January 1, 2025.

Section 6.03, Property Tax Code, establishes the selection process for Appraisal District Directors.

Selection Procedures

The procedures for appointing members of the board of directors for the term that will begin on January 1, 2025 are as follows:

Step 1 --- Nomination

Before **October 15, 2024**, the voting units must **adopt a resolution nominating** up to **five** candidate(s) by formal action. The presiding officer of the voting unit must submit the nominees **name(s) and addresses** to the Chief Appraiser.

September 3, 2024

Step 2 -- Appointment of Board of Directors

Before **October 30, 2024**, the Chief Appraiser will prepare and mail a ballot listing the nominees in alphabetical order by last name.

Before **December 15, 2024** each voting unit must cast its votes by **written resolution** from the ballot listing of nominees; naming two members to serve a 1-year term and three members to serve a 3-year term and the number of votes they wish to cast for each nominee and submit a certified copy to the Chief Appraiser.

Ballots received by the Chief Appraiser after December 15, 2024 may not be counted.

The Chief Appraiser will count the votes, declare the results, and notify all nominees and all taxing units of the results before December 31, 2024. If a tie occurs, the Chief Appraiser must solve it through any method of chance.

To assist you in this process, I have enclosed the following:

1. A calendar that lays out the procedures and dates for conducting the 2024 appointment of the Board of Directors.
2. Letter showing the number of votes your entity is entitled to cast on the ballot after candidate nominations are received. (See October 30 on the appointment calendar).
3. A suggested form of resolution along with a form for the **nomination(s) of a candidate(s)** to the board of directors of the Brazoria County Appraisal District.

I would like to thank you in advance for your help in carrying out this important task and I invite your questions or comments on the board selection process. Please do not hesitate to call me.

Enclosures (3)



BRAZORIA COUNTY APPRAISAL DISTRICT
2024 BOARD OF DIRECTORS ELECTION CALENDAR

Before Oct. 1
(Sep. 1, 2024)

The chief appraiser notifies each voting taxing unit of the process for the election of the Board of Directors and the number of votes it is entitled to cast.

Each voting unit may nominate one candidate for each of the appointed positions to be filled. Since the board of directors consists of five appointed members, **the unit may nominate up to five candidates.**

Before Oct. 15

The presiding officer of the unit submits the **names and addresses** of the nominees by written resolution to the chief appraiser.

Before Oct. 30

The chief appraiser prepares and submits to each voting taxing unit a ballot listing the nominees alphabetically by each candidate's last name and provides the number of votes it may cast, with a resolution sample.

Before Dec. 15

Each voting unit cast votes for any of the candidates on the ballot and submits to the chief appraiser by written resolution. The unit may cast all its votes for one candidate or may distribute the votes among any number of candidates.

Before Dec. 31

The chief appraiser counts the votes and certifies the five candidates who received the largest vote totals. The chief appraiser notifies all taxing units (voting and non-voting) and all nominated candidates of the outcome.

If a tie occurs, the Chief Appraiser must resolve it through any method of chance.

RESOLUTION NO. _____

A RESOLUTION OF THE _____
OF THE _____

**NOMINATING CANDIDATE(S) FOR A POSITION ON THE BOARD OF DIRECTORS OF
THE BRAZORIA COUNTY APPRAISAL DISTRICT**

WHEREAS, those eligible taxing units participating in the Brazoria County Appraisal District have the right and responsibility to nominate up to five candidate(s) to fill the five (5) positions of the Board of Directors of the Brazoria County Appraisal District for a term of office commencing on January 1, 2025; and

WHEREAS, this governing body desires to exercise its right to nominate the said candidate(s) for such position on said board of directors; now, therefore

BE IT RESOLVED BY THE _____
OF THE _____ :

Section 1. That the facts and recitations set forth in the preamble of this resolution be, and they are hereby, adopted, ratified, and confirmed.

Section 2. That the following individuals be, and are hereby, nominated as candidate(s) for positions on the board of directors of the Brazoria County Appraisal District to be filled by those eligible taxing units participating in the Brazoria County Appraisal District.

Name & Address: _____
Name & Address: _____
Name & Address: _____
Name & Address: _____
Name & Address: _____

Section 3. That the presiding officer of the governing body of this taxing unit be, and that he or she is hereby, authorized and directed to deliver or cause to be delivered a certified copy of this resolution to the chief appraiser of the Brazoria County Appraisal District on or before October 15, 2024.

PASSED, ADOPTED AND APPROVED this _____ day of _____, 2024.

Presiding Officer

ATTEST:

Secretary



AGENDA COMMENTARY

Meeting Date: 10/3/2024

Department: Economic Development

Contact: Paul Chavez, Economic Development Director

Agenda Item: Call a public hearing to consider the readoption of the Economic Development Policy for the City of Alvin, Texas, including criteria and guidelines governing tax abatements, tax increment reinvestment zones, and additional economic incentives within the City, for Thursday, October 17, 2024, at 7:00 p.m. in the City Council Chambers of Alvin City Hall located at 216 West Sealy, Alvin, Texas.

Type of Item: Action Item

Summary: The Texas Tax Code, Chapter 312.002(c), states that a policy establishing tax abatement guidelines and criteria must be adopted by the governing body at least every two (2) years. Said policy must be in effect before the governing body may enter into tax abatement agreements. A public hearing is required before the readoption or amendments can be considered. This policy is used by staff as a guideline for development projects. This policy has been revised. The public hearing notice will be published in the Alvin Sun and will be placed on the City's website as required by law. The proposed policy will also be published on the City's website for public review. No action other than calling the public hearing for October 3, 2024, will be considered at this meeting. The Resolution readopting this policy will be considered at the October 17, 2024, meeting after the public hearing is held.

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: 9/26/2024 SLH

Finance Review Required: N/A ☐ Required ☐

Date Completed: ☐

Supporting documents attached:
None

Recommendation: Move to set a public hearing to consider readopting the Economic Development Policy for the City of Alvin, Texas, including criteria and guidelines governing tax abatements, tax increment reinvestment zones, and additional economic incentives within the City, for Thursday, October 17, 2024, at 7:00 p.m. in the City Council Chambers of Alvin City Hall located at 216 West Sealy, Alvin, Texas.

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

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



AGENDA COMMENTARY

Meeting Date: 10/3/2024

Department: Finance

Contact: Chris Thomas, Director of
Administrative Services

Agenda Item: Consider Resolution 24-R-28, adopting the City of Alvin Investment Policy for the investment of municipal funds; and setting forth other matters related thereto.

Type of Item: Resolution

Summary: Pursuant to Section 2256.005(e) of the Texas Government Code, part of the Texas Public Funds Investment Act (PFIA), the governing body of an investing entity shall review its investment policy and strategies not less than annually.

The policy has been updated from previous years to reflect some changes in the state statutes which govern the policy. Some portions of the policy were updated to recognize changes in authorized investment options, and other sections were updated to remove restrictions on diversification.

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: 9/26/2024 SLH

Finance Review Required: N/A ☐ Required ☒

Date Completed: CT 09/30/24

Supporting documents attached:

1. Resolution 24-R-28 Investment Policy
 2. Exhibit A - Investment Policy
-

Recommendation: Move to approve Resolution 24-R-28, adopting the City of Alvin Investment Policy for the investment of municipal funds; and setting forth other matters 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, if applicable: ☒

RESOLUTION NO. 24-R-28

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ALVIN, TEXAS, ADOPTING THE CITY OF ALVIN INVESTMENT POLICY FOR THE INVESTMENT OF MUNICIPAL FUNDS; AND SETTING FORTH OTHER MATTERS RELATED THERETO.

WHEREAS, Chapter 2256 of the Texas Government Code requires the City Council to annually review its Investment Policy regarding the investment of City funds and funds under its control; and

WHEREAS, the City Council of the City of Alvin, Texas, desires to adopt its Investment Policy pursuant to Chapter 2256 of the Texas Government Code, Public Funds Investment Act; and

WHEREAS, pursuant to the Public Funds Investment Act, the governing body of the City shall adopt a resolution stating it has reviewed the investment policy and investment strategies and that the written instrument so adopted shall record any changes made to either the investment policy or investment strategies;

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. The City of Alvin Investment Policy was reviewed by City Council, and is hereby adopted as the Investment Policy of the City of Alvin, attached hereto as “Exhibit A.”

Section 3. 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 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 3rd day of October 2024.

THE CITY OF ALVIN, TEXAS

ATTEST

Gabe Adame, Mayor

Dixie Roberts, City Secretary

CITY OF ALVIN INVESTMENT POLICY

I. PURPOSE AND INTENT

This policy is created to comply with all current requirements of the Texas Public Funds Investment Act (PFIA), Section 2256 of the Texas Government Code. It is the policy of the City of Alvin (City) to invest public funds in a manner which will provide for safety of principal as the primary goal while striving to earn a market rate of interest by meeting benchmarks set by the City as conservative yield returns. A secondary goal of the City will be liquidity of invested funds to meet the daily cash flow demands for maintenance and operations of government activities. All state and local statutes governing the investment of public funds will be observed and followed. The City's investment policy, as approved by the governing body, is adopted to provide investment guidelines for use by City staff.

II. SCOPE

This policy applies to all investment activities of the City's funds, excluding funds held in trust, held in part for a deferred compensation plan, or subject to other investment covenants, or excluded by contract. All funds covered by this policy shall be invested in accordance with the PFIA (Section 2256), as amended. The funds are accounted for in the City's annual finance report and include:

- A. General Fund**
- B. Special Revenue Funds**
- C. Proprietary Funds**
- D. Debt Service Funds**
- E. Capital Project Funds**
- F. Other funds created by the City**

III. OBJECTIVES

The primary objectives, in priority order, of the City investment activities shall be:

A. Safety

Safety of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective shall be to mitigate credit risk and interest rate risk.

1. Credit Risk

Credit risk is the risk of loss due to the failure of the security issuer or backer. Credit risk may be mitigated by limiting investments to the safest types of securities, pre-qualifying issuers with which the City plans to do business, and diversifying the investment portfolio so that potential losses on individual securities will be minimized.

2. Interest Rate Risk

Interest rate risk is the risk that the market value of securities in the portfolio will fall due to changes in general interest rates. Interest rate risk may be mitigated by structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity and by investing operating funds primarily in shorter-term securities.

B. Liquidity

The investment portfolio shall remain sufficiently liquid to meet all operating requirements of the City that might be reasonably anticipated. This is accomplished by structuring the portfolio so that securities mature concurrent with cash needs to meet anticipated demands.

C. Diversification

Diversification is required to reduce and manage potential risk including those risks on individual securities or market sectors. Some diversification is required as municipalities have contracts for banking services to handle daily operations which may differ from other investment options.

D. Yield

The investment portfolio shall be designed with the objective of attaining a market rate of interest throughout budgetary and economic cycles, taking into account the investment risk constraints and liquidity needs. Return on investment is of least importance compared to the safety and liquidity objectives described above. The core of investment options is limited to relatively low risk securities in anticipation of earning a fair rate of interest relative to the risk being assumed. Securities shall not be sold prior to maturity with the following exceptions:

1. A declining credit security could be sold early to minimize loss of principal.
2. A security swap could be used to adjust average portfolio maturity or improve the quality of yield of the portfolio.
3. Liquidity needs of the portfolio require that the security be sold.

IV. STANDARD OF CARE

A. Prudence

The standard of care to be used by investment officers shall be the “prudent person” standard and shall be applied in the context of managing an overall portfolio. Investment officers acting in accordance with the investment policy and written procedures and exercising due diligence shall be relieved of personal responsibility for an individual security’s credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

Investments shall be made with judgement and care, under circumstances then prevailing, that persons of prudence, discretion, and intelligence would exercise in the management of their own affairs, not for speculation but for investment, considering the probable safety of capital as well as the probable income to be derived.

B. Investment Officer

The Finance Director will be the City's primary investment officer and shall establish written procedures for the operation of the investment program consistent with this investment policy. Such procedures shall include explicit delegation of authority to persons responsible for investment transactions. No person may engage in an investment transaction except as provided under the terms of this policy and the established procedures.

C. Ethics and Conflicts

Officers and employees involved in the investment process shall refrain from personal business activities that could conflict with the proper execution and management of the investment program or that could impair their ability to make impartial decisions. Investment officers shall disclose any material interests in financial institutions with which they conduct business. They shall further disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. Investment officers shall refrain from undertaking personal investment transactions with the same individual person with whom business is conducted on behalf of the City.

Any investment officers of the City who have a personal business relationship with a business organization offering to engage in an investment transaction with the City shall file a statement disclosing that personal business interest. Any investment officers who are related within the second degree by affinity or consanguinity, as determined under Texas Government Code Chapter 573, to an individual seeking to sell an investment to the investment officer shall file a statement disclosing that relationship. A statement required under this subsection must be filed with the Texas Ethics Commission and the governing body of the City. For purposes of this subsection, an investment officer has a personal business relationship with a business organization if any of the following apply:

1. The investment officer owns 10 percent or more of the voting stock or shares of the business organization or owns \$5,000 or more of the fair market value of the business organization.
2. Funds received by the investment officer from the business organization exceed 10 percent of the investment officer's gross income for the previous year.
3. The investment officer has acquired from the business organization during the previous year investments with a book value of \$2,500 or more for the personal account of the investment officer.

D. Required Training

Per section 2256.008 of the Texas Government Code, any City officials designated as investment officers shall attend at least one training session relating to the responsibilities of maintaining the investment portfolio within 12 months after taking office or assuming duties and shall receive no less than 10 hours of instruction relating to investment functions. Thereafter, eight hours of investment training is required in every two-year period that begins on the first day of the fiscal year and consists of the two consecutive fiscal years after that date. Such training, from an independent source, shall include education in investment controls, security risks, strategy risks, market risks, and compliance with the Public Funds Investment Act.

V. BENCHMARKS AND LIMITATIONS

A. Market Yield Benchmark

The City's investment strategy is conservative. Given this type of strategy, the basis used to determine whether market yields are being achieved shall be the 13-week Treasury Bill (T-bill) rate. This benchmark is also known as a three-month (or 91-day) T-bill rate.

B. Maximum Maturities

To the extent possible, the City will attempt to match its investments with anticipated cash flow requirements. Unless matched to a specific cash flow, the City will not directly invest in securities maturing more than two years from the date of purchase, unless approved by the governing body. The weighted-average maturity of the overall portfolio shall not exceed 12 months.

Bond funds may be invested in securities exceeding two years if the maturity of such investments is made to coincide as nearly as practicable with the expected use of the funds. Reserve funds may be invested in securities exceeding two years provided that the maturity of such investments does not negatively impact the cash flow of the City.

C. Competitive Bidding

It is the policy of the City to require competitive bidding for all individual security purchases and sales, as well as for Certificates of Deposit (CDs). Exceptions may include:

1. Transactions with money market mutual funds and local government investment pools which are deemed to be made at prevailing market rates.
2. Treasury and agency securities purchased as new issues through an approved broker/dealer, financial institution, or investment advisor.
3. Automatic overnight "sweep" transactions with the City's depository bank.

At least three bids or offers must be solicited for all other transactions involving individual securities. If the City utilizes an investment advisor, the advisor is also required to solicit at least three bids or offers when transacting trades on the City's behalf. In situations where the exact security is not offered by other brokers/dealers, offers on the closest comparable investment may be used to establish a fair market price for the security.

VI. COLLATERAL AND SAFEKEEPING

A. Collateralization

This policy, in accordance with state statutes, requires all City deposits above the Federal Deposit Insurance Corporation (FDIC) insurance limit held by financial institutions to be collateralized with securities whose market value is pledged at 102% of principal and accrued interest by that institution with the City's custodial bank. Private insurance coverage is not an acceptable collateralization form. Any financial institution requesting substitution of collateralized securities must contact the Investment Officer for approval and settlement. Acceptable security methods for deposits include:

1. FDIC insurance coverage

2. Obligations, the principal and interest of which are unconditionally guaranteed or insured by, or backed by, the full faith and credit of the United States or its agencies and instrumentalities. This shall include letters of credit issued by The Federal Home Loan Bank (FHLB).
3. Obligations, the principal and interest of which, are unconditionally guaranteed or insured by the State of Texas.
4. Obligations of the State of Texas or debt obligations of a county, city, or other political subdivision of the State of Texas having been rated no less than AA or its equivalent by a nationally recognized rating agency with a remaining maturity of ten years or less.

B. Delivery vs. Payment

All security transactions entered into by the City shall be conducted on a delivery-versus-payment (DVP) basis. Securities will be held by the City's custodial bank and evidenced by safekeeping receipts.

C. Safekeeping of Securities

Securities purchased for the City's portfolios will be delivered in book entry form and will be held in third-party safekeeping by a Federal Reserve member financial institution designated as the City's safekeeping and custodian bank.

The City will execute safekeeping agreements prior to utilizing the custodian's safekeeping services. The safekeeping agreement must provide that the safekeeping agent will immediately record and promptly issue and deliver a safekeeping receipt showing the receipt and the identification of the security, as well as the City's interest. All securities owned by the City will be held in a customer account naming the City as the owner.

VII. INVESTMENT PROVIDERS

A. Authorized Financial Dealers and Institutions

The Finance Director shall maintain a list of financial institutions authorized to provide investment services. In addition, a list will also be maintained of approved security brokers/dealers who are authorized to provide investment services in the State of Texas. These may include "primary" dealers or regional dealers that qualify under Securities & Exchange Commission rule 15C3-1 (uniform net capital rule).

All financial institutions and brokers/dealers who desire to become qualified bidders for investment transactions must supply the Finance Director with the following:

1. Audited financial statements.
2. Proof of financial industry regulatory authority (FINRA) certification.
3. Proof of Texas state registration.
4. Contact information and delivery instructions.

5. Written affidavit that the broker/dealer has reviewed the City's investment policy.

A current audited financial statement is required to be on file for each financial institution and broker/dealer in which the City invests. An annual review of the financial condition and registrations of qualified bidders will be conducted by the Finance Director.

B. Investment Advisors

The City may retain the services of an investment advisory firm registered under the Investment Advisers Act of 1940 or with the State Securities Board to assist in the review of cash flow requirements, the formulation of investment strategies, and the executions of security purchases, sales and deliveries. The investment advisory contract with the City may not be for a term longer than two years and its renewal or extension must be approved by the governing body by ordinance or resolution as required by Texas Government Code, Section 2256.003(b).

C. Compliance

A qualified representative from any business organization offering to engage in investment transactions with the City shall be provided a copy of this policy. Investments shall only be made with those business organizations (including investment managers and local government investment pools) which have provided the City with written acknowledgement that the business organization has reviewed the City's investment policy, and has implemented reasonable procedures and controls in an effort to preclude investment transactions conducted between the City and the organization that are not authorized by the City's investment policy, except to the extent that this authorization is dependent on an analysis of the makeup of the City's entire portfolio or requires an interpretation of subjective investment standards.

If the City has contracted with an investment advisor, the advisor shall be responsible for performing financial due diligence on the City's behalf. On an annual basis, the advisor will provide the City with a list of its authorized brokers/dealers, as well as the required written instrument described above.

The City is under no obligation to transact investment business with any financial institution or firm.

VIII. AUTHORIZED AND SUITABLE INVESTMENTS

The investment of City funds will be made using only those investment types approved by the governing body and which are in accordance with the State of Texas Government Code, Chapter 2256. Excluded are investments not authorized by section 2256.009(b) of the Texas Government Code. Examples of authorized and suitable investments include:

A. Obligations of or Guaranteed by Governmental Entities

Obligations of, or guaranteed by, governmental entities including any investment insured by the FDIC or backed by the full faith and credit of the United States Government.

B. Certificates of Deposit and Share Certificates

Certificates of Deposit (CDs) or demand deposits of state and national banks that are fully guaranteed or insured by the FDIC, or its successor; or, secured by obligations described in Section

A above, which are intended to include Treasuries as well as all direct Federal Agency securities that have a market value of not less than the principal amount of the certificates or in any other manner and amount provided by law for deposits of the City. These deposits shall be governed by a depository contract that complies with federal and state regulations to properly secure a pledged security interest.

C. Repurchase Agreements

Repurchase agreements secured by any combination of cash and U.S. Treasury or Federal Agency issues as collateral with a market value which equals or exceeds 102% of the City's investment plus accrued interest and are pledged and held with the City's custodial bank, or an approved third-party safekeeping agent. Repurchase agreements can only be entered with primary dealers and banks within the State of Texas in accordance with state statutes.

D. Investment Pools

Local government investment pools which are rated no lower than AAA or AAA-m by a nationally recognized bond rating company. The governing body shall by rule, order, ordinance, or resolution, as appropriate, authorize the investment in the particular pool. The investment pools should provide the City with a circular or other similar disclosure instrument that contains relevant investing information as required by Texas Government Code 2256.016(b).

E. Other Investments

Other investments may be considered or used as long as the investment types are authorized by the governing body and approved by Texas Government Code 2256. As a conservative investment entity, the above-listed investment types should be the most frequently used, but others are available as market conditions change. Due diligence is required and approval from the governing body should be received by rule, order, ordinance, or resolution before additional methods of investment are initiated. Should new investment types be used, the investment policy will require modification under this section to reflect standard use of the investment type.

IX. REPORTING AND REVIEW

A. Reporting

The investment officer shall prepare an investment report at least quarterly. The report shall be provided to the governing body and the Chief Executive (if that position is not an investment officer as well). The report shall:

1. Describe in detail the investment position of the entity on the date of the report.
2. Be prepared by and signed by all investment officers of the City.
3. Contain a summary financial statement of each pooled fund group that includes the beginning market value, ending market value, and full accrued interest for the reporting period.
4. State the book value and market value of each separately invested asset.
5. State the maturity date of each separately invested asset that has such a date.

6. State the compliance of the investment portfolio of the City.

B. Security Pricing

Current market value of the securities may be obtained by independent market pricing sources including, but not limited to, the Wall Street Journal, brokers, dealers, banks other than those who originally sold the security, and the City's safekeeping agent.

C. Review

If the City invests in other than money market mutual funds, investment pools, or accounts offered by its depository bank in the form of certificates of deposit or money market accounts, the reports prepared by the investment officers shall be formally reviewed at least annually by an independent auditor. The result of the review shall be reported to the governing body by that auditor.

An investing entity other than a state agency, in conjunction with its annual financial audit, shall perform a compliance audit of management controls on investments and adherence to the entity's established investment policies as per Texas Government Code 2256.005(m). The City's auditor shall routinely check the quarterly investment reports to verify adherence to policy.

D. Downgrade

An investment that requires a minimum rating does not qualify as an authorized investment during the period in which the investment does not have that minimum rating. The City shall take all prudent measures that are consistent with the investment policy to liquidate an investment that does not have the minimum rating. The City shall also monitor the credit ratings on securities that require minimum ratings. This may be accomplished through research or with the assistance of brokers, dealers, banks, or safekeeping agents.

X. INVESTMENT STRATEGY

A. Operating Funds

Operating funds (such as the General Fund and Proprietary Funds) require short-term liquidity in order to meet day-to-day cash flow requirements for City operations. Investment pools, bank deposits, and other short-term securities allowed under this policy should be considered for any operating funds.

B. Bond Funds

Proceeds from bonds which will be used for the acquisition and/or the construction of capital assets do not always require short-term liquidity. However, investments will still be made in accordance with policy. Liquidity is not prioritized as with operating funds, so securities may be added as long as the maturity date of those securities is such that cash flow needs are met for the capital projects.

C. Debt Service Funds

Debt service funds shall be invested to ensure adequate liquidity for making semi-annual principal and interest payments on outstanding debt obligations. These funds do not require the amount of liquidity for day-to-day operations, but investments should still be short-term to meet the cash flow needed for the debt service payments.

D. Reserve Funds

Reserve funds can be present in any sector of City funds and are generally held for needs such as money for operations on an emergency basis or money to supplement capital project payments. These funds can be used for longer-term investments which may result in higher yields. These investments must still adhere to the policy and overall strategy of conserve investment, but liquidity is less important with reserve funds as it is with other types.

XI. POLICY MAINTENANCE

A. Exemption

Any investment purchased prior to a change in policy, which subsequently does not meet the amended guidelines, may be held to maturity provided that it does not pose a default risk to the portfolio or conflict with state statutes.

B. Amendment

The City shall review the investment policy at least annually. The governing body shall consider for adoption as necessary the changes recommended by the investment officers of the City. The governing body shall adopt a written instrument by rule, order, ordinance, or resolution stating that it has reviewed the investment policy and investment strategies and that the written instrument so adopted shall record any changes made to either the investment policy or investment strategies.



AGENDA COMMENTARY

Meeting Date: 10/3/2024

Department: City Secretary

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

Agenda Item: Consider the resignation of Dr. Jim Crumm from the Animal Shelter Advisory Committee.

Type of Item: Action Item

Summary: On September 26, 2024, Dr. Jim Crumm submitted his resignation from the Animal Shelter Advisory Committee for his term ending December 31, 2026. This agenda item is the formal acceptance of his resignation.

With the resignation of Dr. Crumm, there will be five (5) members on the Committee. Chapter 823, Section 005 of the Texas Health and Safety Code requires at least one (1) member to be a licensed veterinarian. Dr. Crumm is currently the only licensed veterinarian serving on the committee.

Current members are Sandra Curtner, Caiden Anderson, Jennifer Hendricks, Autumn Miller, and Keith Villaloboz. City Council will consider the appointment of a member to the Committee at the December 5, 2024, City Council meeting.

Funding Expected: Revenue ☐ Expenditure ☐ N/A ☒

Budgeted Item: Yes ☐ No ☐ N/A ☒

Funding Account: N/A **Amount:** N/A

1295 Form Required? Yes ☐ No ☒

Legal Review Required: N/A ☒ Required ☐

Date Completed: 9/26/2024 SLH

Finance Review Required: N/A ☒ Required ☐

Date Completed: _____

Supporting documents attached:

1. Dr. Crumm Letter of Resignation_Redacted
-

Recommendation: Move to accept the resignation of Dr. Jim Crumm from the Animal Shelter Advisory Committee.

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: ☒

Sara Cruz

Subject: Resignation from Animal Shelter Advisory Board

From: Jim Crumm [REDACTED]
Sent: Thursday, September 26, 2024 11:18 AM
To: Gabe Adame <gadame@cityhall.cityofalvin.com>
Cc: Sara Cruz <scruz@cityhall.cityofalvin.com>
Subject: Resignation from Animal Shelter Advisory Board

Mayor Adame,

I have retired from veterinary practice and am resigning from the Animal Shelter Advisory Board effective immediately. That position should be held by a practicing veterinarian.

I will also no longer be providing veterinary services or support of any kind to the animal shelter, animal adoption center or animal control.

Respectfully,

J. G. Crumm, DVM, MPH
[REDACTED]



AGENDA COMMENTARY

Meeting Date: 10/3/2024

Department: Legal Department

Contact: Suzanne Hanneman, City Attorney

Agenda Item: Consider Ordinance 24-CC, amending Chapter 3, Alcoholic Beverages, of the Code of Ordinances of the City of Alvin, Texas, for the purpose of amending the location restrictions in Article II, License to Manufacture, Sell or Distribute Beer; providing for penalties; providing for publication; providing for severability; and setting forth other provisions related thereto.

Type of Item: Ordinance

Summary: In March 2024, City Council adopted a comprehensive update to Chapter 3 - Alcoholic Beverages of the Code of Ordinances. Upon implementation and application, an issue was raised regarding the location restriction exception for restaurants in location to a private school. Based upon the basis for location restrictions, Staff does not feel that a private school should be less restrictive than a church or public hospital. Therefore, Staff is recommending adding "church" and "public hospital" to the location restriction exceptions for restaurants.

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: 9/16/2024 SLH

Finance Review Required: N/A ☒ Required ☐

Date Completed: ☐

Supporting documents attached:

1. Ord 24-CC; Chapter 3; Alcohol Amendment; Redlined
2. Ord 24-CC; Chapter 3; Alcohol Amendment; Final

Recommendation: Move to approve Ordinance 24-CC, amending Chapter 3, Alcoholic Beverages, of the Code of Ordinances of the City of Alvin, Texas, for the purpose of amending the location restrictions in Article II, License to Manufacture, Sell or Distribute Beer; providing for penalties; providing for publication; providing for severability; 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, if applicable: ☒

ORDINANCE NO. 24-CC

AN ORDINANCE OF THE CITY OF ALVIN, TEXAS, AMENDING CHAPTER 3, ALCOHOLIC BEVERAGES, OF THE CODE OF ORDINANCES OF THE CITY OF ALVIN, TEXAS, FOR THE PURPOSE OF AMENDING THE LOCATION RESTRICTIONS IN ARTICLE II, LICENSE TO MANUFACTURE, SELL OR DISTRIBUTE BEER; PROVIDING FOR PENALTIES; PROVIDING FOR PUBLICATION; PROVIDING FOR SEVERABILITY; AND SETTING FORTH OTHER PROVISIONS RELATED THERETO.

WHEREAS, the City Council of the City of Alvin is continually reviewing the provisions of the City Code of Ordinances to ensure that it meets the current needs of the City and reflects current practice; and

WHEREAS, the City Council of the City of Alvin wishes to revise Chapter 3 to conform with the Texas Alcoholic Beverage Code;

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

Section 1. That Chapter 3, Alcoholic Beverages, of the Code of Ordinances, City of Alvin, Texas, is hereby amended with the language as follows:

CHAPTER 3 – ALCOHOLIC BEVERAGES

ARTICLE II. LICENSE TO SELL ALCOHOLIC BEVERAGES

...

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.

- i. 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 church, public hospital, or private school.

...

Section 2. That except as amended, herein all other provisions of Chapter 3 of the Code of Ordinances, City of Alvin, Texas, shall remain in full force and effect. To the extent of any

conflict or inconsistency between the provisions of this Ordinance and any other ordinance, the provisions of this Ordinance shall control.

Section 3. Penalties. Any person, firm, entity or corporation violating any provision of this Ordinance, as it exists or may be amended, shall be guilty of a misdemeanor, and on conviction, shall be fined in an amount not to exceed \$500. Each continuing day's violation shall constitute a separate offence. The City of Alvin retains all legal rights and remedies available to it pursuant to local, state and federal law.

Section 4. Severability. Should any section or part of this Ordinance be held unconstitutional, illegal, invalid, or the application to any person or circumstance for any reasons 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 Ordinance are declared to be severable.

Section 5. Incorporation into Code of Ordinances. The provisions of this Ordinance shall be included and incorporated in the Code of Ordinances, City of Alvin, Texas, as an addition, amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

Section 6. Effective Date. This Ordinance shall take effect immediately from and after its passage in accordance with the provisions of Chapter 52 of the Texas Local Government Code and the City of Alvin Charter.

Section 7. 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 the public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the *Texas Government Code*. Notice was also provided as required by Chapter 52 of the *Texas Local Government Code* and the *City of Alvin Charter*.

Section 8. Publication. The City Secretary of the City of Alvin is hereby directed to publish this Ordinance, or its caption and penalty clause, in one issue of the official City newspaper as required by the City of Alvin Charter.

PASSED and APPROVED on the 3rd day of October 2024.

THE CITY OF ALVIN, TEXAS

ATTEST

By: _____
Gabe Adame, Mayor

By: _____
Dixie Roberts, City Secretary

ORDINANCE NO. 24-CC

AN ORDINANCE OF THE CITY OF ALVIN, TEXAS, AMENDING CHAPTER 3, ALCOHOLIC BEVERAGES, OF THE CODE OF ORDINANCES OF THE CITY OF ALVIN, TEXAS, FOR THE PURPOSE OF AMENDING THE LOCATION RESTRICTIONS IN ARTICLE II, LICENSE TO MANUFACTURE, SELL OR DISTRIBUTE BEER; PROVIDING FOR PENALTIES; PROVIDING FOR PUBLICATION; PROVIDING FOR SEVERABILITY; AND SETTING FORTH OTHER PROVISIONS RELATED THERETO.

WHEREAS, the City Council of the City of Alvin is continually reviewing the provisions of the City Code of Ordinances to ensure that it meets the current needs of the City and reflects current practice; and

WHEREAS, the City Council of the City of Alvin wishes to revise Chapter 3 to conform with the Texas Alcoholic Beverage Code;

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

Section 1. That Chapter 3, Alcoholic Beverages, of the Code of Ordinances, City of Alvin, Texas, is hereby amended with the language as follows:

CHAPTER 3 – ALCOHOLIC BEVERAGES

ARTICLE II. LICENSE TO SELL ALCOHOLIC BEVERAGES

...

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.

- i. 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 church, public hospital, or private school.

...

Section 2. That except as amended, herein all other provisions of Chapter 3 of the Code of Ordinances, City of Alvin, Texas, shall remain in full force and effect. To the extent of any

conflict or inconsistency between the provisions of this Ordinance and any other ordinance, the provisions of this Ordinance shall control.

Section 3. Penalties. Any person, firm, entity or corporation violating any provision of this Ordinance, as it exists or may be amended, shall be guilty of a misdemeanor, and on conviction, shall be fined in an amount not to exceed \$500. Each continuing day's violation shall constitute a separate offence. The City of Alvin retains all legal rights and remedies available to it pursuant to local, state and federal law.

Section 4. Severability. Should any section or part of this Ordinance be held unconstitutional, illegal, invalid, or the application to any person or circumstance for any reasons 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 Ordinance are declared to be severable.

Section 5. Incorporation into Code of Ordinances. The provisions of this Ordinance shall be included and incorporated in the Code of Ordinances, City of Alvin, Texas, as an addition, amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

Section 6. Effective Date. This Ordinance shall take effect immediately from and after its passage in accordance with the provisions of Chapter 52 of the Texas Local Government Code and the City of Alvin Charter.

Section 7. 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 the public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the *Texas Government Code*. Notice was also provided as required by Chapter 52 of the *Texas Local Government Code* and the *City of Alvin Charter*.

Section 8. Publication. The City Secretary of the City of Alvin is hereby directed to publish this Ordinance, or its caption and penalty clause, in one issue of the official City newspaper as required by the City of Alvin Charter.

PASSED and APPROVED on the 3rd day of October 2024.

THE CITY OF ALVIN, TEXAS

ATTEST

By: _____
Gabe Adame, Mayor

By: _____
Dixie Roberts, City Secretary



AGENDA COMMENTARY

Meeting Date: 10/3/2024

Department: Parks and Recreation

Contact: Dan Kelinske, Director of Parks and Recreation

Agenda Item: Consider Resolution 24-R-29, revising the Athletic Facilities Policy for the use of parks and recreation facilities; establishing an effective date; and setting forth other matters related thereto.

Type of Item: Resolution

Summary: The Athletic Facilities Policy is designed to ensure all City facilities are utilized in a safe and efficient manner. The policy provides priority use of athletic facilities for those associations requiring perpetual use and who provide recreational service(s) or meet a community need. Recommended changes to this policy occur as necessary and are the result of collaborative efforts between the Alvin Sport Associations (ASA), Parks and Recreation Board, and Parks Department staff.

At the regular board meeting on August 6, 2024, current Alvin Sport Associations, Park Staff and Park Board members discussed changes to the Athletic Facilities Policy. The Park Board recommended and unanimously approved the changes.

<u>Proposed Changes</u>	<u>Rationale</u>
Granting access to MUSCO athletic lighting control on a per-season basis rather than a yearly basis.	Improves light scheduling, billing and collection by staff for ASA athletic field usage.
Add new section "Athletic Field Light Credit"	An effort to compensate the Alvin Sport Associations for their contribution to improving an athletic sports park, such as Lions, Pearson, Morgan, Briscoe

Staff recommends approval of Resolution 24-R-29.

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: 9/29/2024 SLH

Finance Review Required: N/A ☐ Required ☐

Date Completed: ☐

Supporting documents attached:

1. Res 24-R-29; Athletic Policy

2. 2024 Athletic Policy; Redlined
 3. Exhibit A to Athletic Policy
-

Recommendation: Move to approve Resolution 24-R-29, revising the Athletic Facilities Policy for the use of parks and recreational facilities; establishing an effective date; and setting forth other matters related thereto.

Reviewed by Department Head, if applicable: __
Reviewed by City Attorney, if applicable: X

Reviewed by Chief Financial Officer, if applicable: __
Reviewed by City Manager, if applicable: X

RESOLUTION NO. 24-R-29

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ALVIN, TEXAS, REVISING THE CITY'S ATHLETIC FACILITIES POLICY FOR USE OF THE CITY'S PARKS AND RECREATIONAL FACILITIES; ESTABLISHING AN EFFECTIVE DATE; AND SETTING FORTH OTHER RELATED MATTERS.

WHEREAS, the City of Alvin provides Park and Recreational facilities for which procedures and guidelines are needed to keep an attractive appearance and the ability to properly maintain the facilities; and

WHEREAS, establishing Procedures and Guidelines for the City of Alvin and the Alvin Sports Association to control the use, planning, and maintenance of the City of Alvin Park and Recreational facilities in a safe and efficient manner is warranted; and

WHEREAS, establishing and revising Procedures and Guidelines for the City of Alvin Athletic Facilities Policy, attached hereto as Exhibit "A" (and incorporated herein by reference), upon review and consideration by the City Council approves and authorizes this action,

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. That the revised Procedures and Guidelines for the City of Alvin Athletic Facilities Policy attached hereto as Exhibit "A" are hereby adopted.

Section 3. 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 3rd day of October 2024.

CITY OF ALVIN, TEXAS

ATTEST:

By: _____
Gabe Adame, Mayor

By: _____
Dixie Roberts, City Secretary

CITY OF ALVIN

PARKS & RECREATION
DEPARTMENT



2024 ATHLETIC
FACILITIES POLICY

Exhibit A to Resolution 24-R-29

CITY OF ALVIN
POLICY FOR USE OF PARK AND RECREATIONAL FACILITIES

The policy for use of City of Alvin Park and Recreational facilities is comprised of procedures, regulations, and guidelines designed to ensure that all facilities are utilized in a safe and efficient manner. The City of Alvin develops and maintains park and recreational facilities to serve the residents of Alvin.

Priority use of the athletic facilities is reserved for associations requiring the on-going, scheduled use of a facility to provide a recreational service or to meet a community recreational need. “Sports Association,” as defined for the purpose of this document, is a non-profit organization under the terms of a 501(C)(3) status of the Internal Revenue Service that conducts its own affairs within the framework of policies established by the City of Alvin for use of City facilities and is recommended by the Park and Recreation Advisory Board.

CITY OF ALVIN
ATHLETIC FACILITIES PROCEDURES AND GUIDELINES

PARTIES:

The City of Alvin, hereinafter referred to as the “City,” and the City of Alvin Parks and Recreation Department, hereinafter referred to as “Parks,” and the Alvin Sports Association, hereinafter referred to as the “ASA.” Parties outlined in the Exhibit A will be designated as ASAs for the current year. Exhibit A shall be amended, as necessary, to reflect the current ASAs. Each organization shall designate one (1) person to act as the contact person for the sports association, and shall submit the person’s name, title, address, best contact phone number(s) to the Parks and Recreation Department. Each ASA is responsible for submitting their application by September 15th annually. The Director of Parks, or designee, shall act as the City’s liaison to the ASA.

A Non-Association group seeking to become an ASA may apply using the Application for ASA use of City Athletic Facilities, under the following conditions:

- o Use of facilities does not interfere or coincide with existing ASA or City usage;
- o Applicant has demonstrated or can demonstrate a sustained demand for the sport;
- o Proof of current non-profit status or application submittal under the terms of a 501 (c)(3) to the IRS; and
- o Failure to obtain non-profit 501 (c)(3) status with the IRS within twelve (12) months from the date of application, applicant shall forfeit ASA status with the City of Alvin.

Non-Association groups or individuals seeking reserved use of City athletic facilities may do so under the following conditions:

Daily Usage

- o Times and dates do not conflict with City or ASA use and are not requested more than two weeks prior to use.
- o Use of facilities does not exceed four (4) consecutive days (i.e., Monday through Sunday tournament from 6:30 a.m. to 10:30 p.m.).
- o Payment is rendered in advance based on a charge of Thirty-Five Dollars (\$35.00) per hour per field for daytime use and Seventy Dollars (\$70.00) per hour per field for use of field lights.

Tournament Usage

- o Tournament is defined as being separate from league play, having a separate entry fee and including a team(s) from other jurisdictions to compete in a onetime competition.
- o Application along with a \$200 damage deposit is made at least thirty (30) days prior to anticipated use, unless otherwise approved by the Director of Parks and Recreation or designee.
- o Satisfactory arrangements are made for refuse collection and sanitation with the Parks Department at the scheduling of the tournament. Large scale tournaments may need to reference the event application for additional resources. All or part of the deposit may be relinquished based on the condition of the park after the tournament.
- o If necessary, a fee is presented to defray the cost of additional security forces supplied by the City for the proposed use or activity.
- o Proof of insurance or a signed waiver of liability not holding City responsible for injury or damages.
- o Tournament host may only use fields as designed, and may not alter the fields in any way.

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CONDITIONS FOR USE:

All Alvin Sport Associations shall attend any necessary sport association meeting. The ASA shall submit their completed application. Applications shall include proof of liability insurance naming the City as an additional insured, list of the ASA Board of Directors with appropriate email addresses and phone numbers, proof of ASA's 501c3 non-profit status, and tryout, practice, game, and light schedules. Upon submission of completed application, each ASA shall provide a breakdown of total participation into percent within City Limits and percent outside City Limits.

All Alvin Sport Associations shall conduct background checks on all volunteers and/or paid employees who will interact with youth and shall maintain documentation of completed background checks for review upon request by the City. If the background checks reveal that an employee or volunteer is unsuitable for working with youth, the ASA shall not allow the volunteer or employee to interact with youth. A person should be disqualified and prohibited from serving as a volunteer if the person has been found guilty of the following crimes:

(For purposes of this policy, guilty shall mean that a person was found guilty following a trial, entered a guilty plea, entered a no contest plea accompanied by a court finding of guilt (regardless of adjudication), or received court directed programs in lieu of conviction.)

SEX OFFENSES

- o All Sex Offenses – regardless of the amount of time since offense.

Examples include sexual assault, prostitution, solicitation, indecent exposure, etc.

FELONIES

- o All Felony Violent Offenses – regardless of the amount of time since offense.

Examples include murder, manslaughter, aggravated assault, kidnapping, robbery, etc.

- o All Felony offenses other than violence or sex within the past 10 years.

Examples include drug offenses, theft, embezzlement, fraud, child endangerment, etc.

MISDEMEANORS

- o All misdemeanor violence offenses within the past 7 years.

Examples include assault, family violence assault, failure to stop and give information, theft, etc.

- o Two or more misdemeanor drug and alcohol offenses within the past 7 years.

Examples include driving while intoxicated, drug possession, disorderly conduct, public intoxication, possession of drug paraphernalia, etc.

PENDING CASES

Individuals found to have pending court cases for any of the disqualifying offenses will be disqualified. If the disposition of the pending case results in the case not meeting the criteria for disqualification as listed above, the individual will be cleared and reinstated.

DETERMINING FACILITY USE:

Use of any park and recreational facilities shall be determined by “historical precedent “for any certain facility during a specific season. “Historical precedent, “for the purpose of this document, is defined to mean “a particular organization, which has been first to establish a continued use of a specific facility, for a designated time frame or season, and which has more than one use of occurrence.” The organization will be granted priority use of a facility by the City on a per season basis; however, facilities will remain open for public use (and for other organizations) when such use does not interfere with current scheduled activities; subleasing athletic fields shall be strictly prohibited effective 9/15/2024. Use by the public will be on first come first served basis, providing facilities are not reserved by groups or individuals. Requests for field usage made by non-ASA’s do not conflict with City or ASA use and are not requested more than two weeks prior to use. The City reserves the right to schedule facilities during times when facilities are not being utilized. All scheduled use of facilities will be determined by the City. The City may designate “down time” for maintenance, regeneration time and/or emergency times.

A Sports Association ‘s percentage of non-resident participation may be considered when determining the number of facilities available for use by the Sports Association. Joint use of facilities by different Sports Associations will be considered and encouraged. If cooperation between different Sports Associations cannot be achieved regarding field usage, the Parks Department shall act in the best interest of the community by establishing field usage.

Designated down time for the Turf Management Program will take place twice a year with fertilizing two additional times per year. Plan for field maintenance in November and February and fertilizing in April and June on all sports fields.

SPECIAL USE OF FACILITIES:

The City of Alvin reserves the right to host athletic leagues, tournaments, special events,

and programs at all public park facilities. The City will make every effort to schedule special events during non-peak use time periods.

The Parks Director must approve any Sports Association arrangements with other organizations for use of public facilities. Organizations or individuals wishing to host clinics, workshops, and/or programs that are performed by agencies other than the ASA are requested to schedule such programs with the City at least thirty (30) days prior to the beginning of the program. (See page 4, Conditions for Use.) Individual teams hosting tournaments as fundraisers must submit a written request to host such tournaments through the Alvin Sport Association. The ASA shall ultimately be responsible for upholding City requirements for field usage.

HOURS AVAILABLE FOR USE:

City parks are open daily to the public from 6:30 a.m. until 10:30 p.m. All park facility usage must be completed no later than 10:30 p.m. unless otherwise approved by the Parks Director.

FACILITY KEYS:

Where applicable, keys will be provided to the restrooms, concession, and storage buildings. If requested, a maximum of three (3) keys will be issued for each facility. Sports Associations will be assessed a Fifty Dollar (\$50.00) deposit per key. Key deposits will be refunded upon return of issued keys, at the end of scheduled use periods. All keys for City facilities shall not be duplicated or reproduced, and all keys shall be returned to the Parks director within 30 days, should the association completely vacate the sports park facility.

UTILITIES:

ASAs utilizing lighted facilities will be required to pay fees for use of lights after the allotted eight (8) hours per month given by the City for the use of the league account. The league account will be established at the beginning of each season. The reserved use of lights will be assessed at a rate of Thirty-Five Dollars (\$35.00) per hour per field. The City will pay the costs associated with providing water. The City will not be responsible for any costs associated with any type of utility services at facilities that are not owned and maintained by the City.

AUTOMATED LIGHTING SYSTEM:

Field light schedules are due two weeks prior to the start of each season. ASA's can opt to self-schedule through Civic Rec or have staff schedule lights. Each ASA shall monitor the times lights are used as they will be charged for the actual light usage. Each ASA shall provide a field usage

schedule in advance of usage and payment for anticipated light usage to the Alvin Parks and Recreation Department. Actual light usage shall be downloaded and verified by the 5th of the following month. (Example: March lighting will be paid in advance of March use; however, usage will be verified by April 5th). Once verified, a new invoice will be sent reflecting an outstanding amount or credit placed on the account. Failure to pay any invoice shall result in the suspension of that ASA's light usage until the invoice is paid in full. Lights will only be scheduled by city staff once payment is made.

MUSCO LIGHTING:

Musco lighting is now available at select parks ASA's at those parks have been provided the number (1-877-347-3319) to call to make adjustments to previously scheduled lighting.

Musco App access shall be granted on a per season of play (spring, summer, fall, winter) basis provided that the ASA submits a completed ~~ASA's may request App access if they have the light schedule for the season submitted~~ and ~~pay~~ paid in full. App access will be granted for no more than three users per ASA, access can be revoked at the determination of the Parks Director or designee.

CONCESSION/STORAGE BUILDINGS/RESTROOMS:

Scheduled use of restrooms or concession/storage buildings will be on per season basis, with use determined by the historical presence of an Alvin Sports Association at a specific facility. Only one ASA per season will be granted priority use of a specific building unless another Sports Association requests use of the building during the same time frame. The Sports Association with priority use of the building may choose to share use, contingent upon the City's approval. The non-priority association (sharing) is approved on a per season basis and must adhere to rules of the primary Association. A Five Hundred Dollar (\$500.00) damage deposit will be required prior to any use of restrooms or concession/storage buildings, and with repair of damage to be paid by such deposit. If there is damage or misuse of restrooms during league use, a clean-up/damage fee equal to the cost of restoration will be assessed to the Sports Association per incident per restroom. All sports associations shall deposit concession stand trash in dumpsters supplied by the City in each park. The City may use the concession and storage areas during City sponsored activities. The City also reserves the right to enter into contracts with private companies for concession operation services.

All Sports Associations are required to furnish all equipment and supplies necessary to operate the concession area and shall maintain in a sanitary manner all restrooms, concession, and storage facilities. Associations agree to abide by all health code requirements for food service, food permits, as required by city ordinance and state law and will annually set up and undergo inspection by the

Health Inspector and Fire Marshall prior to the first game of the season. Sports Associations are subject to all penalties of applicable laws and any major infractions may result in loss of privileges and/or damage deposit.

The addition of new storage facilities may be added with the review and written permission from the City of Alvin. All equipment stored at a concession/storage building must be removed at the end of the Sports Association's season, unless otherwise approved by the City. Storage of flammable, hazardous, or toxic substances or materials on City property is not permitted. Sports Associations must not block access to facility equipment such as air conditioners, heaters, breaker panels, circuit panels, etc. Also, these groups must follow all City fire code regulations.

The City shall be responsible for repairs and upkeep of the restrooms and concession/storage buildings that are the result of normal wear and tear and aging. Each Sports Association will be responsible for repairs stemming from damages incurred to the facility due to the Sports Association's negligent or irresponsible use.

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THE CITY OF ALVIN WILL NOT BE HELD LIABLE AND WILL BE HELD HARMLESS FOR ANY CONTENTS OWNED AND STORED BY ANY ASA IN ANY BUILDING PERTAINING, BUT NOT LIMITED TO, THEFT, VANDALISM, STORM DAMAGE, OR ANY ACT CAUSING DAMAGE OR DESTRUCTION OF ASA OWNED CONTENTS.

STORAGE OF CONTENTS BY ANY ASA IS AT THE RISK AND FINANCIAL OBLIGATION FOR REPAIR OR REPLACEMENT OF CONTENTS BY THE ASA.

IF, AND WHEN, THE CITY OF ALVIN DETERMINES THE STORAGE BUILDING NEEDS TO BE REMOVED AND/OR TORN DOWN FOR ANY REASON, THE CITY WILL GIVE ASA FORTY-FIVE (45) DAYS TO RELOCATE THEIR STORAGE CONTENTS AT THE EXPENSE OF ASA.

Signature of Acknowledgement

ASA Organization

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VANDALISM:

Sports Associations with access to facilities should make every effort to mitigate vandalism by securing all doors, windows, or any other point from which persons could enter. The City will share in the responsibility of deterrence by providing sufficient lighting, frequent security patrols, overall security assessment, and other measures upon the review and permission of the Parks Director.

Repairs to City facilities caused by vandalism will be the responsibility of the City, unless the vandalized facility was vacated before being properly secured by the ASA. The City will repair or replace as necessary, the following equipment: air conditioners and/or heaters, electrical and lighting systems, phone systems, plumbing systems, or others upon review and permission of the Parks Director. The ASA will be responsible for replacing or repairing vandalized items which are built by the ASA. The City shall not be responsible for loss and/or damages to any property, equipment, supplies, etc., not owned by the City.

PARK AND ATHLETIC FACILITY ORDINANCES:

1. City parks are open daily to the public from 6:30 a.m. until 10:30 p.m. except as otherwise restricted at specific park facilities and lighted use. Strict compliance will be enforced.
2. The possession or consumption of alcoholic beverages is prohibited at all City parks and athletic facilities, unless otherwise permitted.
3. All pets must be on a leash at all times, except in designated off leash area.
4. Motorized vehicles are prohibited to drive or park on City property without prior approval as per City ordinance.
5. Trash must be disposed in proper receptacles by all associations preceding or concluding an event. Failure to do so shall result in a \$200.00 clean-up fee.

MAINTENANCE OF PARK AND RECREATIONAL FACILITIES:

The City will provide a level of maintenance service to all park and recreation facilities that ensures the safe and efficient use of facilities by the ASA and the general public. Work requests shall be directed to the Operations Manager or designee of the Parks and Recreation Department. It is the Sports Association's responsibility to report hazardous or dangerous facility conditions to the City immediately. The City will not provide maintenance or upkeep to property or facilities that are not owned by the City. ASAs will be given access to the Brightly work order system to allow for ease of work order requests.

The Alvin Sport Association and non-ASA organizations will be responsible for and bear all costs associated with the operation and maintenance of any and all league, season, or sport specific upkeep to the facility (i.e., chalking foul/boundary lines, football lines, dragging infields, screening, etc.). The ASA

and non-ASA organizations shall furnish their own equipment, materials, and/or supplies for operating their games and events (i.e., starting blocks, bases, soccer goals, public address systems, nets, etc.). Where applicable, Sport Associations shall provide proper maintenance of the dirt infield areas year-round at their respective athletic complexes. Proper maintenance shall include expertise, labor and equipment to provide sport specific, industry accepted, field maintenance practices and techniques in order to keep the infields in playable condition. Non-ASA softball and baseball associations having scheduled usage at any athletic complex shall properly maintain the dirt infield areas during and after each usage. All Alvin Sport Associations may be required at the request of the Parks Director or designee to mow playing field turf during scheduled seasonal play. This does not preclude the use of these fields by other organizations if approved by the Parks Director or designee.

The City will share the responsibility of keeping all facilities clean of trash, debris, and litter. Alvin Sport Associations shall not leave trash/recycling containers full or overflowing during and after their activities. In addition, Alvin Sport Associations, Non-Alvin Sport Associations and/or individual teams shall make every effort to monitor the facilities, buildings, parking areas and common areas for trash, debris and litter associated with their activities. All trash, debris and litter shall be deposited in the trash receptacles or dumpster on the park grounds.

PARKING:

Alvin Sports Associations, organizations, and individuals are entitled to use parking areas located at each park. No entity shall have the authority to charge, impose or imply collecting fees of any amount from users of the parking areas. All users are required to obey all traffic laws and regulations when utilizing park roadways. “No parking” areas, as designated by posted signs, will be strictly enforced. Handicapped parking spaces are available at each established parking area. In addition, the ASA shall be responsible for the overall cleanliness of all on and off premise parking areas used during their activities.

ENHANCEMENTS:

The ASA shall not install, build, or perform any type of facility or property improvements without the express written consent of the Parks Director. Requests for improvements must be submitted in writing to the Parks and Recreation Director providing ample time for consideration, up to and including approval from the City Council. All requests require approval and shall meet the City’s inspection codes and/or ordinance requirements.

ATHLETIC FIELD LIGHT CREDIT:

The athletic field light credit is an opportunity only offered to Alvin Sport Associations where their efforts and investment demonstrate a benefit for the common good of the park. Verification shall be presented by the ASA to the Parks Director or designee prior to issuance of any credit. Light credit has no monetary value and shall be posted to the ASA's account, specifically used to reduce the amount owed to the City for usage of athletic field lighting. The Department Director or designee reserves the right to; request the type of verification used by the ASA for light credit, determine the common good of the effort or investment, deny or request more verification documentation. Examples of proof for credit may include bona fide receipts, work logs containing date, time, name of each volunteer(s), scope of work and hours worked, etc.

- One-time non-recurring park improvement investment – 50% of actual cost
- Recurring Park improvement/maintenance – \$50 per occurrence per month, \$300 max per month
- City usage of ASA owned sport equipment – \$35 per occurrence

RESTROOM FACILITIES:

Restroom facilities are available at Lions, Morgan, Briscoe, and Pearson Parks. Janitorial services such as cleaning and stocking supplies is the joint responsibility of the City and each Alvin Sport Association, Non-Alvin Sport Association and/or individual team. The City does not encourage the use of restroom facilities at private or semi-public facilities located adjacent to City owned parks.

EMERGENCIES AND ACCIDENTS:

Alvin Sport Associations, Non-Alvin Sport Associations and/or individual teams shall report any and all accidents that require medical attention by health care professionals. Accidents involving the condition or maintenance of facilities should be reported to the Parks and Recreation office at the beginning of the first business day following the accident. After hour emergencies involving immediate maintenance of the facility shall be reported immediately by contacting the Alvin Police Department at (281) 388-4370. The Police Department will contact the proper on-call staff representative.

CAPITAL IMPROVEMENT PROJECTS:

Alvin Sport Associations may submit requests for consideration of future park improvements. Recommended projects shall be submitted in writing (i.e., scoreboards, bleachers, etc.). Written requests

should be submitted to the Parks Director by February 1 of each year. The City's fiscal year is October 1 through September 30. Approval of projects is based on priority need and available funding.

TERMINATION CLAUSE:

Alvin Sport Associations using City of Alvin Athletic Facilities may terminate their relationship with the City of Alvin voluntarily or involuntarily. Voluntary termination shall constitute a written letter of intent sent to the Parks Director from the ASA. Upon such notification, the Parks Director or designee shall conduct a walk-through inspection of the park premises and structures for damage, collect all keys to park facilities, and ensure all light usage has been paid in full prior to issuing any refundable deposit. Involuntary termination shall constitute any Alvin Sport Association, Non-Alvin Sport Association, or individual team who fails to perform to the expectations outlined in the aforementioned sections of the Athletic Facilities Policy. As such, the Alvin Sport Association, Non-Alvin Sport Association, or individual team shall be subject to loss of park usage privileges up to and including termination as an ASA and forfeiture of any refundable deposit.

In the event of an involuntary termination, the Parks Director shall provide written notice to the Alvin Sport Association, Non-Alvin Sport Association, or individual team listing any/all violations and allowing reasonable time to bring all violations into acceptable and sustained compliance.

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APPLICATION

ALVIN SPORTS ASSOCIATIONS' **USE OF CITY ATHLETIC FACILITIES**

- o Application submitted within a minimum of thirty (30) days of planned use
- o City of Alvin is named as an additional insured on the Certificate of Insurance
- o Last season's financial statement, upon request
- o List of Association's Board of Directors including name, address, contact number and email address
- o Tryout, practice game and light schedules must be submitted two weeks prior to the start of each season
- o Contact person's name, title, best contact phone number(s), and email address
- o This signed statement for Athletic Facility Policy of Compliance
- o Five Hundred Dollar (\$500.00) Damage Deposit, if applicable, for usage of restrooms and/or concession stands
- o Proof of non-profit status under the terms of a 501 (c)(3) status with the IRS
- o Equipment storage hold harmless if applicable

Name of Organization

Contact Person Name

Date

Title

Address

Phone: _____ Mobile: _____ Email: _____

**EXHIBIT A TO
CITY OF ALVIN
ATHLETIC FACILITIES POLICY**

This Exhibit A is part of the City of Alvin Athletic Facilities Policy entered into between the City of Alvin and the Alvin Sports Association, hereinafter referred to as “ASA.” This Addendum reflects the list of organizations who have met the requirements outlined in the City of Alvin Athletic Facilities Policy and qualify as part of the ASA.

Those organizations qualifying as part of the ASA for the 2024-2025 year are:

Alvin Girls Softball	Pearson Park
Alvin Little League Baseball	Lions Park
Alvin Raiders	Briscoe Park Football Fields
Alvin Youth Soccer	Briscoe Park Soccer Field
Ballerz Baseball	Morgan Park
Brazoria Spartans	Briscoe Park Football Fields
Honey Badgers Water Polo	Recreation Center Pool

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF ALVIN, TEXAS
AND**



THE STATE OF TEXAS §
 §
COUNTY OF BRAZORIA §

This Memorandum of Understanding (“MOU”) is made by and between the City of Alvin, Texas, a home rule municipal corporation located in Brazoria County, Texas, and [REDACTED] herein called “Associate Judge”), who resides in Houston, Harris County, Texas.

WITNESSETH:

1. The City, acting by and through its City Council, exercising its discretion pursuant to the City Charter, Code of Ordinances, and the laws of the State of Texas, hereby appoints [REDACTED] as an Associate Judge for the Alvin Municipal Court.

2. The Associate Judge agrees to perform the services of Associate Judge of the Alvin Municipal Court and to maintain eligibility to serve in such capacity for a term of two (2) years commencing the 3rd day of October 2024 and concluding on the 3rd day of October 2026, unless sooner terminated by either party.

3. As compensation for all required services, the City agrees to pay the Associate Judge \$900.00 per month compensation for completion of the 2-year term, which is subject to the City’s non-appropriation policy. The parties shall comply with all provisions of the Internal Revenue Code, as amended.

4. The Associate Judge shall receive compensation for all required services delegated by the Presiding Municipal Court Judge, including but not limited to jail magistrations, trials, arraignments, court dockets, issuance of search, arrest, and/or capias warrants, and such administrative duties and responsibilities as are necessary and incidental to the office of the Associate Judge of the Municipal Court of the City of Alvin.

5. The City shall reimburse the Associate Judge’s tuition and travel expenses for mandatory judicial continuing education, including lodging and meals.

6. No other compensation or benefits shall be paid to the Associate Judge.

7. The Associate Judge shall perform all services in accordance with the Code of Judicial Conduct applicable to judges of courts in the State of Texas and agrees to always conduct himself in a judicial demeanor in representing the City.

8. The Associate Judge shall serve at the pleasure of the City Council. The City may terminate the services of the Associate Judge at any time, without cause, with 30 days’ notice. The Associate Judge may terminate this Agreement at any time, without cause, with 30 days’ notice.

9. The Parties to this Agreement hereby acknowledge that the Associate Judge can be removed for cause in accordance with State Law as provided for in such cases.

10. The City shall be obligated to pay its obligations hereunder from funds budgeted and appropriated for that purpose. Should the City, not appropriate funds to pay its obligations hereunder for any budget year during the term of this MOU other than the City’s current budget year, this MOU shall be deemed terminated at the end of the budget year preceding the budget year for which such appropriation is not made. Termination in accordance with this Section shall not constitute an act of default by the City.

11. The City agrees, with regard to the services provided herein, to indemnify and hold harmless the Associate Judge for any act, claim, or liability for negligence or gross negligence acting on behalf of the City and shall maintain adequate insurance or liability coverage to effectuate this provision.

12. This MOU consists of this document, upon which the parties have affixed their signatures. This MOU is the entire agreement between the parties, with respect to the subject matter hereof, and supersedes all other previous statements, communications, or agreements, whether oral or written. No modification, alteration, or waiver of any provision hereof shall be binding upon the parties unless evidenced in writing and signed by both parties.

13. Both Associate Judge and City represent that they have full capacity and authority to grant all rights and assume all obligations they have granted and assumed under this MOU.

14. The validity of this MOU and any of its terms or provisions, as well as the rights and duties of the parties, shall be governed by the law of the State of Texas, and any venue for any action concerning this MOU shall be in Brazoria County, Texas.

15. In the event one or more of the provisions contained in the MOU shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect other provisions, and the MOU shall be constructed as if such invalid, illegal, or unenforceable provision had never been contained in it.

This Memorandum of Understanding is entered into and executed on this 3rd day of October 2024.

ASSOCIATE JUDGE

CITY OF ALVIN, TEXAS

By: _____


By: _____
Gabe Adame, Mayor

ATTEST:

Dixie Roberts, City Secretary