

City of Alvin, Texas

Paul Horn, Mayor

Adam Arendell, Mayor Pro-tem, District B
Brad Richards, At Large Position 1
Terry Droege, At Large Position 2
Scott Reed, District A



Keith Thompson, District C
Roger E. Stuksa, District D
Gabe Adame, District E

**AMENDED - ALVIN CITY COUNCIL AGENDA
THURSDAY, AUGUST 13, 2015 - 7:00 P.M.
SPECIAL MEETING AND WORKSHOP MEETING**

Downstairs Conference Room

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 Clerk's Office at 281-388-4255 or drobot@cityofalvin.com 48 hours prior to the meeting time. City Hall is wheel chair accessible and a sloped curb entry is available at the east and west entrances to City Hall.

NOTICE is hereby given of a **Special Meeting and Workshop Meeting** of the **City Council** of the **City of Alvin, Texas**, to be held on **Thursday, August 13, 2015**, at **7:00 p.m.** at: City Hall, Downstairs Conference Room, 216 W. Sealy, Alvin, Texas, for the purpose of considering the following items:

SPECIAL MEETING

1. **CALL TO ORDER**
2. **INVOCATION**
3. **PLEDGE OF ALLEGIANCE**
4. **PETITIONS OR REQUESTS FROM THE PUBLIC**
5. **SPECIAL MEETING ITEMS:**
 - A. Discuss and consider Ordinance 15-O; amending Chapter 28, Comprehensive Fee Ordinance; to amend certain sections of solid waste collection and disposal provisions and certain sections of water and sewer provisions; first reading. (added item on 8/10/15)

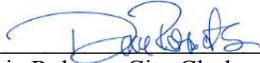
6. **ADJOURNMENT**

WORKSHOP MEETING

1. **CALL TO ORDER**
 2. **WORKSHOP ITEM:**
 - A. Review and discuss the proposed 2015-16 Fiscal Year Budget.
 3. **ADJOURNMENT**
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I hereby certify that a copy of this notice was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website: www.alvin-tx.gov, in compliance with Chapter 551, Texas Government Code on **Monday, August 10, 2015** at 5:00 p.m.





Dixie Roberts, City Clerk

Removal Date: _____

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



AGENDA COMMENTARY

Meeting Date: 8/13/2015

Department: Administration

Contact: Sereniah Breland, City Manager

Agenda Item: Discuss and consider Ordinance 15-O; amending Chapter 28, Comprehensive Fee Ordinance; to amend certain sections of solid waste collection and disposal provisions and certain sections of water and sewer provisions; first reading.

Type of Item: Ordinance 1st Reading Ordinance 2nd Reading Resolution Public Hearing Discussion & Direction

Summary: Currently, the City’s Chapter 28 Comprehensive Fee Ordinance only allows the City to adjust the water, sewer, and solid waste rates by the annual increase or decrease in the consumer price index rates for all urban consumers for the Houston-Galveston-Brazoria, TX area (CPI-U). In addition to the CPI-U, there are other factors that should be taken into consideration when adjusting water, sewer, and solid waste rates. Water, sewer and solid waste rates should be adjusted to cover the operating and capital utility costs of the City; while providing revenue for future capital needs. As a result, staff recommends that City Council repeal Section 28-2 of the Code of Ordinances. Should City Council elect to repeal Section 28-2 of the code of ordinance, staff will be able to make recommendations on the water, sewer, and solid waste rates based on the costs of servicing water, sewer, and solid waste to the City of Alvin. On the other hand, should City Council elect not to repeal Section 28-2 of the Code of Ordinances, staff will continue to annually adjust water, sewer, and solid waste rates based solely on the increase or decrease in the CPI-U.

Funding Expected: Revenue Expenditure N/A

Budgeted Item: Yes No N/A

Account Number: _____ **Amount** _____

Legal Review Required: N/A Required **Date Completed** 8/10/2015

Supporting documents attached:

- Ordinance 15-O; redlined

Recommendation: Motion to approve Ordinance 15-O on first reading.

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

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

ORDINANCE NO. 15-O

AN ORDINANCE AMENDING CHAPTER 28, COMPREHENSIVE FEE ORDINANCE, OF THE CODE OF ORDINANCES, CITY OF ALVIN, TEXAS FOR THE PURPOSE OF AMENDING CERTAIN SECTIONS OF SOLID WASTE COLLECTION AND DISPOSAL PROVISIONS AND ALSO CERTAIN SECTIONS OF WATER AND SEWER PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE; AND SETTING FORTH OTHER PROVISIONS RELATED THERETO.

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

Section 1. That Section 28-2 of the Code of Ordinances, City of Alvin, Texas is hereby amended by amending section (4) of the Solid Waste Collection and Disposal provisions as set forth below:

Sec. 28-2. In General.

...

SOLID WASTE COLLECTION AND DISPOSAL

...

~~(4) Beginning with the October, 2014 billing cycle, the solid waste rates as set forth above shall be increased. Beginning with the October 1, 2007 billing dates, and each year thereafter, the water, sewer, and solid waste rates as set forth above shall be adjusted incrementally on an annual basis in accordance with the CPI-U change. As used herein, "CPI-U" shall mean the revised consumer price index rate for all urban consumers (all items included) for the Houston-Galveston-Brazoria, TX area, based on the latest available figures from the Department of Labor's Bureau of Labor Statistics (the "bureau"). The rates, set in subsections (1), (2) and (3) above, shall be automatically adjusted with the October billing cycle of each year by an amount equal to the percentage that the CPI-U has increased or decreased based on the most recent CPI-U information available at time of submission of the contractors petition for adjustment.~~

(4) Beginning with the October, 2015 billing cycles, and each year thereafter, the solid waste rates shall be increased, at a minimum, based on the annual CPI-U rate using the preceding April data of that year. The Council may also use other factors to determine

any additional increase. The rates, set in subsections (1), (2) and (3) above, shall be automatically adjusted with the October billing cycles of each year.

*As used herein, "CPI-U" shall mean the revised consumer price index rate for all urban consumers (all items included) for the Houston-Galveston-Brazoria, TX area, based on the latest available figures from the Department of Labor's Bureau of Labor Statistics (the "bureau").

...

Section 2. That Section 28-2 of the Code of Ordinances, City of Alvin, Texas is hereby amended by amending section (17) of the Water and Sewer provisions as set forth below:

Sec. 28-2. In General.

...

WATER AND SEWER

~~(17) Beginning with the December 1, 2005, billing dates, the water and sewer rates as set forth above shall be increased. Beginning with the October 1, 2006, billing dates, and each year thereafter, the water and sewer rates as set forth above shall be adjusted incrementally on an annual basis in accordance with the CPI-U change. As used herein, "CPI-U" shall mean the revised consumer price index rate for all urban consumers (all items included) for the Houston-Galveston-Brazoria, TX area, based on the latest available figures from the Department of Labor's Bureau of Labor Statistics (the "bureau"). The rates, set in subsections (10) and (11) above, shall be automatically adjusted with the October 1 billing dates of each year by an amount equal to the percentage that the CPI-U has changed over the previous 12-month period.~~

(17) Beginning with the October, 2015 billing cycles, and each year thereafter, the water and sewer rates shall be increased, at a minimum, based on the annual CPI-U rate using the preceding April data of that year. The Council may also use other factors to determine any additional increase. The rates, set in subsections (10) and (11) above, shall be automatically adjusted with the October billing cycles of each year.

*As used herein, "CPI-U" shall mean the revised consumer price index rate for all urban consumers (all items included) for the Houston-Galveston-Brazoria, TX area, based on the latest available figures from the Department of Labor's Bureau of Labor Statistics (the "bureau").

....

Section 3. That except as amended herein all other provisions of Chapter 28 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 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. Publication. The City Clerk 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 *Chapter 52 of the Texas Local Government Code* and the *City of Alvin Charter*.

Section 6. Effective Date. This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of *Chapt. 52, Tex. Loc. Gov't. 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, *Chapt. 551, Tex. Gov't Code*. Notice was also provided as required by *Chapter 52 of the Texas Local Government Code* and the *City of Alvin Charter*.

PASSED on the first reading on the _____ day of _____, 2015.

PASSED on the second and final reading on the _____ day of _____, 2015.

ATTEST:

CITY OF ALVIN, TEXAS

By: _____
Dixie Roberts, City Clerk

By: _____
Paul A. Horn, Mayor