

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

ALVIN CITY COUNCIL AGENDA THURSDAY, DECEMBER 17, 2015

7:00 P.M.
(Council Chambers)

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

Persons with disabilities who plan to attend this meeting that will require special services please contact the City Clerk's Office at 281-388-4255 or droberts@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 Regular Meeting of the City Council of the City of Alvin, Texas, to be held on **Thursday, December 17, 2015** at 7:00 p.m. in the Council Chambers at: City Hall, 216 W. Sealy, Alvin, Texas.

REGULAR MEETING AGENDA

1. **CALL TO ORDER**
2. **INVOCATION AND PLEDGE OF ALLEGIANCE**
3. **PUBLIC COMMENT**
4. **PRESENTATIONS**
 - A. Mayor to present proclamation to Ofelia Vasquez in recognition of 20 years of service to the City of Alvin.
 - B. Water/Sewer/Wastewater Departmental Update.
5. **CONSENT AGENDA: CONSIDERATION AND POSSIBLE ACTION:** An item(s) may be removed from the Consent Agenda for full discussion by the request of a member of Council. Item(s) removed will automatically become the first item up for discussion under Other Business.
 - A. Approve minutes of the December 3, 2015 City Council regular meeting.
6. **OTHER BUSINESS:**

Council may approve, discuss, refer, or postpone items under Other Business.

 - A. Consider various board and commission appointments:
 - a. Planning Commission
 - b. Parks and Recreation Board
 - c. Senior Citizens Board
 - d. Alvin Public Library Board
 - e. Animal Shelter Advisory Committee

- B. Consider 2016 Interlocal Agreement for Emergency Services with Brazoria County Emergency Services District #3 (ESD) and authorize the Mayor to sign.

7. REPORTS FROM CITY MANAGER

- A. Review preliminary list of items for next Council meeting.
- B. Items of Community Interest.

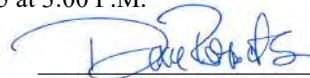
8. REPORTS FROM COUNCIL MEMBERS

Pursuant to S.B. No. 1182, City Council Members may make a report or an announcement about items of community interest during a meeting of the governing body. No action will be taken or discussed.

- A. Announcements and requests from Council members.

9. ADJOURNMENT

I hereby certify that a copy of this notice was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website: www.alvin-tx.gov, in compliance with Chapter 551, Texas Government Code on MONDAY, DECEMBER 14, 2015 at 3:00 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).**

**PARKS AND RECREATION
BOARD MEETING MINUTES**

1100 Hwy. 6

November 3, 2015

6:30pm

Call to Order: Meeting was called to order by Dwight R. at 6:41 pm.

Roll Call: Present: Shala Rios, Terri Beasley, Debra Palin, Cindy Dejohnng, Chris Hartman, Dwight Rhodes

Also present was Parks Director Dan Kelinske

Minutes:

- Terri B. made a motion to accept the minutes from October meeting. Chris H. 2nd motion. Motion passed.

Petitions or Requests from the Public:

- None at this time

Report from the Chairman:

- None at this time

Director's Report:

PARK PROJECTS:

- Butterfly Garden: Dan spoke with Brazoria County parks officials and they are asking for an Archeological Survey of National Oak Park. Dan is challenging the survey. The project is on hold until further notice.
- Park Playgrounds: All work is finished and playgrounds are being used
- National Oak Park Bathrooms: Drawings are still with the engineer
- Talmadge Park Pavilion: Dan got an extension. Still working on those. Should be done by December. 20x30 pavilion and 5 picnic tables.
- Playgrounds: All playgrounds have been power washed with mold preventative treatment.
- Lions Park Bathrooms: done and Pearson park Bathrooms will be done.
- Dan ordered fall surface to top off the parks

- Bleachers at Briscoe Park were damaged by Halloween storms will have to be replaced.

Up Coming Events:

- Tour De Braz: May 1st 2016. They are looking for volunteers. Meetings are the 1st Tuesday of each month at 3pm at ACC.
- Home for the Holidays: Saturday December 5 at National Oak Park. Dan will send email for volunteers

Recap of Prior Events/Programs

- Trick or Treat Trail: Location had to be changed at last minute due to weather. Event moved to Alvin High School. 3000 in attendance. 42 of 45 booths did show up to participate

Old Business:

None at this time

New Business:

- **Park Rule Signage:** Board wants to know about enforcing “No Parking” in certain areas of the parks. People are parking in grass areas where parking should not be allowed. Dan can make rules specific to parking and have them put on signs. Dan will have signs made that say “No Parking on Grass. Additional Parking at Alvin Community College” Will install bollard at culvert. Terri B. made a motion to approve the park signs and have them posted. Debra P. 2nd the motion. Motion passed.

Announcements or Requests from Board Members:

- None at this time

Adjournment: A motion to adjourn was made by Chris H. Cindy D. 2nd the motion.
Motion passed. Adjourned at 8:10pm

Submitted by:
Shala Rios



Office of the Mayor, City of Alvin, Texas

Proclamation

WHEREAS, Ofelia Vasquez has been a dedicated employee for 20 years and has announced that she will retire on December 31, 2015; and

WHEREAS, Ofelia began her career with the City of Alvin on May 1, 1995, as a Utility Billing Clerk and transferred to Finance Department in 2003.

WHEREAS, by virtue of the authority vested in me as Mayor of the City of Alvin, Texas do hereby proclaim December 31, 2015 as a day of recognition for

OFELIA VASQUEZ

NOW THEREFORE, I, Paul A. Horn, Mayor of the City of Alvin, Texas and on behalf of the City Council do hereby urge all my fellow citizens to join me in wishing Ofelia Vasquez many years of peace, health, joy and personal fulfillment as she embarks upon a well deserved retirement.

Witness my hand and seal this 17th
day of December, 2015.

Paul A. Horn, Mayor

MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
REGULAR CITY COUNCIL MEETING
THURSDAY DECEMBER 3, 2015
7:00 P.M.

CALL TO ORDER

BE IT REMEMBERED that, on the above date, the City Council of the City of Alvin, Texas, met in Regular Session at 7:00 P.M. in the Council Chambers at City Hall, with the following members present: Mayor Paul A. Horn, Councilmembers: Brad Richards, Scott Reed, Roger Stuksa, and Keith Thompson.

Staff members present: Sereniah Breland, City Manager; Bobbi Kacz, City Attorney; Junru Roland, Assistant City Manager/CFO; Dixie Roberts, City Clerk; Robert Lee, Police Chief; Michelle Segovia, City Engineer.

INVOCATION AND PLEDGE OF ALLEGIANCE

Reverend David Price with Grace Episcopal Church gave the invocation.

Council member Richards led the Pledge of Allegiance to the American Flag.

Council member Reed led the Pledge to the Texas Flag.

PUBLIC COMMENT

There were no public comments.

CONSENT AGENDA

Approve minutes of the November 19, 2015 City Council workshop meeting.

Approve minutes of the November 19, 2015 City Council regular meeting.

Council member Reed moved to approve the consent agenda as presented. Seconded by Council member Thompson; motion carried on a vote of 4 Ayes.

OTHER BUSINESS

Consider variance request for the property owners at 404 Lulac Street to waive the building setback requirement of Chapter 21, Section 37(a) of the Code of Ordinances.

On November 5, 2015 the Engineering Department received a variance request, from the property owners of 404 Lulac, for a waiver to the 25' front building setback required by section 21-37(a) of the City Code of Ordinances. The Homeowners are proposing to construct a 20' x 24' Porte Cochere along the front of their home located at 404 Lulac Street. The Porte Cochere, as proposed, will encroach 8 feet into the front 25' building setback, however the nearest edge will still be 33' from the edge of the Lulac Street pavement. The Homeowners want to construct this addition to provide protection for their vehicles, as well as, to provide protection from the weather when entering and exiting the front door of their residence since they do not have a garage. The Planning Commission voted 6 to 1 to approve this variance request at their meeting on November 17, 2015. The Commissioner voting against the request did not state a reason for their no vote.

Council member Reed moved to approve variance request for the property owners at 404 Lulac Street to waive the building setback requirement of Chapter 21, Section 37(a) of the Code of Ordinances. Motion failed for a lack of a second.

Consider final plat for Chicken Express, being a 0.627 acre tract (located at 2510 Bypass 35 South formerly Whataburger) of land out of the H.T.& B.R.R Company Survey No. 13, abstract 225, being a portion of that tract of land conveyed to East Bay Partners, LTD. in volume 98, page 18625, Deed Records, Brazoria County, Texas.

On October 31, 2015 the Engineering Department received the Final Plat of Chicken Express for review. The property is located at 2510 Bypass 35 South and is being platted in order for the owner of the property to sell the building (former Whataburger site) to Chicken Express, a north Texas based fast food chain. The City Planning Commission unanimously approved the plat at their meeting on November 17, 2015.

Council member Richards moved to approve final plat for Chicken Express, being a 0.627 acre tract (located at 2510 Bypass 35 South formerly Whataburger) of land out of the H.T.& B.R.R Company Survey No. 13, abstract 225, being a portion of that tract of land conveyed to East Bay Partners, LTD. in volume 98, page 18625, Deed Records, Brazoria County, Texas. Seconded by Council member Stuksa; motion to approve carried on a vote of 4Ayes.

Consider final plat for Kendall Lakes Section 4, being a subdivision of 17.501 acres (located near Highway 35 North) of land located in H.T. & B.R.R Company Survey, Section 40, abstract 482, City of Alvin, Brazoria County, Texas.

On October 19, 2015, the Engineering Department received the Final Plat of Kendall Lakes Section 4 for review. This section consists of 72 single-family residential lots, 4 blocks, and 1 reserve and is located within the City of Alvin (near Highway 35 North). The Kendall Lakes Subdivision currently consists of five previously platted sections totaling 231 residential lots of which 166 have homes on them. The City Planning Commission unanimously approved the plat at their meeting on November 17, 2015. Commission Member Hartman asked if the green space requirement had been met for this section, which it has.

Council member Thompson moved to approve final plat for Kendall Lakes Section 4, being a subdivision of 17.501 acres (located near Highway 35 North) of land located in H.T. & B.R.R Company Survey, Section 40, abstract 482, City of Alvin, Brazoria County, Texas. Seconded by Council member Richards; motion to approve carried on a vote of 4 Ayes.

Consider Ordinance 15-BB; amending Chapter 21, Subdivisions and Property Development, by adding a new section 21-42.1; allowing for a fee in lieu of sidewalk installation to the Code of Ordinances, City of Alvin, Texas; and setting forth other provisions related thereto.

Ordinance 15-BB amends Chapter 21 Subdivisions and Property Development of the City Code by adding Section 21-42.1; allowing for a fee in lieu of sidewalk installation for new infill developments with unique construction or site constraints. The addition of this section would give the City Engineer the authority to allow a Developer to pay a fee equivalent to the cost of building the required sidewalk for developments where construction of a sidewalk is not feasible or practical due to site constraints such as open ditch drainage systems, and large mature trees in the right-of-way in the locations where the sidewalk would be the most beneficial. The fee would be based on the City's most recent annual concrete maintenance contract bid pricing. The fees collected would be deposited in a Sidewalk Fund, as established by this ordinance, and could only be used to build, maintain, or replace sidewalks within the City.

The Planning Commission approved Ordinance 15-BB 6 votes to 1 at their meeting November 17, 2015. Commission Member Hartman stated that he voted against the ordinance because he felt like the ordinance was only being amended in order to accommodate recent sidewalk variance requests from the two developers wishing to construct homes on previous platted lots near Willis St. / Lee St. (behind Stanton's) and near Willis St. / Sixth St. From the discussion the consensus seemed to be that sidewalks are necessary, however in the case of in fill development construction of sidewalks can be difficult due to open ditches, trees, and the smaller lot sizes of previously platted lots. Commission Members that voiced their opinions during the discussion stated that they felt that allowing for the payment of a fee in lieu of sidewalk construction would be beneficial and would possibly help to reduce the number of variance requests concerning sidewalks.

Council member Reed moved to approve Ordinance 15-BB; amending Chapter 21, Subdivisions and Property Development, by adding a new section 21-42.1; allowing for a fee in lieu of sidewalk

installation to the Code of Ordinances, City of Alvin, Texas; and setting forth other provisions related thereto. Seconded by Council member Stuksa.

Discussion was had regarding the need for the creation and implementation of a sidewalk masterplan.

With Council member’s Reed and Stuksa voting Aye; Council member’s Thompson and Richards voting No; and Mayor Horn breaking the tie with a No vote; motion failed.

Ms. Breland suggested that Council have a workshop to discuss the sidewalk master plan and that the Planning Commission be involved in the process.

REPORTS FROM CITY MANAGER

Review preliminary list of items for next Council meeting.

Ms. Breland reviewed the preliminary list for the December 17, 2015 City Council meeting.

Items of Community Interest.

Mrs. Roberts reviewed items of community interest.

REPORTS FROM COUNCIL MEMBERS

Pursuant to S.B. No. 1182, City Council Members may make a report or an announcement about items of community interest during a meeting of the governing body. No action will be taken or discussed.

Announcements and requests from Council members.

Council member Thompson encouraged everyone to attend the Home for the Holiday festivities.

Council member Reed stated that he would like to apologize to the Lulac homeowners present this evening requesting a variance. He appreciates their due diligence in gathering the required information in order to present the request before Council.

Council member Stuksa stated that each member should vote on his or her own merit.

Mayor Horn stated that the Thoroughfare Plan workshop held this week was very well attended. He thanked Klotz Associates and city staff for their efforts. He also mentioned that staff would be taking comments on the Thoroughfare Plan through December 15, 2015. Mayor Horn encouraged everyone to attend the Home for the Holiday festivities this weekend.

ADJOURNMENT

Council member Richards moved to adjourn the meeting at 7:38 p.m. Seconded by Council member Reed; motion to adjourn carried on a vote of 4 Ayes.

PASSED and APPROVED this _____ day of _____, 2015.

Paul A. Horn, Mayor

ATTEST: _____
Dixie Roberts, City Clerk



AGENDA COMMENTARY

Meeting Date: 12/17/2015

Department: City Clerk

Contact: Dixie Roberts, City Clerk

Agenda Item: Consider appointments to citizen boards, committees and commissions.

Type of Item: Ordinance Resolution Contract/Agreement Public Hearing Discussion & Direction

Summary: The terms expiring on citizen boards, committees, and commissions will expire on December 31, 2015.

All board or commission members, whose term expires in December, 2015 were mailed letters of notification along with a Willingness to Serve Form. They were asked to fill out the form and return to the Clerk's office if interested in re-serving on their current board or commission. Most of our volunteers wish to re-serve. Volunteer recruitment ads were published in the Alvin Sun and notifications were pushed out via the city's social networks. All those who applied to serve or reserve were contacted and informed that City Council would make appointments at their December 17th meeting. Some have indicated they will be in attendance.

Planning Commission: (2 seats open, 3 year term); Members whose term expires on December 31, 2015: Missy Jordan and Chris Hartman. All termed members wish to re-serve. *The Council shall appoint a city Planning Commission, consisting of not less than five (5) nor more than fifteen (15) members who shall be residents of the city; members shall be appointed for a three-year (3) term.*

Parks and Recreation Board: (3 seats open, 2 year term); Members whose term expires December 31, 2015: Dwight Rhodes, Cindy DeJongh, Chris Hartman. Mr. Hartman does not wish to re-serve; all other termed members wish to re-serve. *Board shall be composed of seven (7) persons who are resident, qualified voters of the City of Alvin and who have resided within the City of Alvin for a period of not less than six (6) months immediately preceding their appointment. Members of the board shall be such person who are known to be interested in leisure time of the people of the city. The members shall be appointed by the City Council and each shall hold office for a term of two (2) years or until his/her successor has been duly elected.*

Senior Citizen's Board: (3 seats open, 2 year term); Members whose term expires December 31, 2015: Dale Jones, Wanda Garrett, Betty Hodges. Dale Jones does not wish to continue his service on the board. All other termed members wish to re-serve. *The board is to be comprised of seven (7) members. Members of the board shall be appointed by the Mayor subject to the approval of the council by a majority vote; members shall be appointed for a term of two (2) years.*

Public Library Board: (1 seat open, 2 year term); Members whose term expires December 31, 2015: Debra McDonald. Ms. McDonald wishes to continue her service on the board. *The board shall consist of seven (7) members. The members of the board shall be citizens of the State of Texas. At least five (5) members must reside within the corporate limits of the city and shall have resided within the corporate limits of the city for at least one year preceding their appointment. Two (2) members may be appointed from the Alvin area in Brazoria County, provided that such members have resided within such area for at least one year preceding*

their appointment. All members of the board shall be appointed by the City Council. The members of the board shall be appointed for a term of three (3) years.

Animal Shelter Advisory Committee: (6 seats open, 3 year term) Members whose term expires December 31, 2015: Tonya Douglas (city official and daily operation), Heidi Hunting (daily operation), Susan Pickle (vet), Laura Parker (citizen), Jim Thompson (citizen), Joan Moore (citizen). *The Animal Shelter Advisory Committee was created by Resolution No. 00-R-23 and revised by Resolution No. 06-R-37 to add an additional member whose duty includes the daily operation of an animal shelter. The Committee shall be comprised of seven members, at least one (1) licensed veterinarian, one (1) city official, two (2) members whose duties include the daily operation of an animal shelter, one (1) representative from an animal welfare organization, and two (2) citizens who will reside within the city limits of Alvin. Members of the committee shall be appointed by the City Council. Each member shall serve a three (3) year term.*

Since this board is specific as to who shall comprise this board, I have taken the liberty to make a recommendation of appointment for this committee: Tonya Douglas (city official and daily operation), Laura Parker (citizen), Dr. Jim Crumm (veterinarian), Sandra Curtner (citizen), Joan Moore (citizen) Jim Thompson (citizen), and Autumn Miller (daily operation).

Board of Ethics and Compliance: Appointments were last made to this board in 2013. I would gather that appointments were not made for the lack of volunteer interest. All terms have now expired; the board has not met since 2013. To date, I have received 1 applicant wishing to serve on this commission (information included in spreadsheet). *The Board shall consist of five members who shall serve two year staggered terms. Board appointees will not be reappointed for at least two years following the termination of the last appointment. Board members must be residents of the City. No member of the board shall hold elective or appointed office under the city or any other government, hold any other political party office or be a candidate for any of the aforementioned offices. The board shall meet at least once each calendar quarter.*

Cultural Diversity Awareness Commission: Appointments were last made to this commission in 2009. I would also gather that appointments were not made for the lack of volunteer interest. All terms have expired; the board has not met since 2010. To date, I have received 2 applicants who wish to serve on this commission (information included in spreadsheet). *The Cultural Diversity Awareness Commission was created by Ordinance No. 95-HH. The Commission shall be comprised of six voting members and two associate members who shall be appointed by the Mayor and ratified by the City Council. All members of the Commission shall serve staggered three-year terms. (This Commission was originally created by Resolution No. 93-R-7 and was known as the Racial Tolerance Commission.)*

Electrical Board: Appointments were last made to this board in 2009. All terms have expired; the board has not met since 2003. A recommendation to disband this board will be brought before City Council at a future meeting. *Chapter 8, Article II, of the Code of Ordinances provides for an Electrical Board which shall consist of five members who shall reside within the City of Alvin and shall be a registered voter of the State of Texas. One member shall be a master electrician. Members of the Electrical Board shall serve a two year term. The City Attorney shall be the Board's legal consultant.*

Plumbing Appeals and Advisory Board: Appointments were last made to this board in 2012. All terms have expired; the board has not met since 1996. A recommendation to disband this board will be brought before City Council at a future meeting. *Chapter 17 of the Code of Ordinances provides for a Plumbing Board which shall consist of five members who shall be appointed by the City Council for three year terms.*

Funding Expected: Revenue ___ Expenditure ___ N/A ___ **Budgeted Item:** Yes ___ No ___ N/A x

Account Number: _____ **Amount:** _____

Legal Review Required: N/A Required **Date Completed:** December 1, 2015

Supporting documents attached:

- Application Information Spreadsheet
-

Recommendation:

Reviewed by Department Head, if applicable

Reviewed by City Attorney, if applicable

Reviewed by Chief Financial Officer, if applicable

Reviewed by City Manager

Board/Commission **Re-Serve** Applicant Information 12/17/15

First Name	Last Name	Employment	Occupation	Resident of Alvin	Board to Re-Serve	Past Boards Served on	Notes Provided on Consent and Willingness to Serve Form
Chris	Hartman	Retired	Retired	53 years	Planning	Planning, Parks	<i>Re-applied - 11/18/15</i> - Mr. Hartman would like to continue his service on the Planning Commission. He no longer wishes to serve on the Parks Board.
Missy	Jordan	Self Employed	Construction	5 years	Planning	Planning	<i>Re-applied 11/25/15</i> - Ms. Jordan would like to continue her service on the Planning Commission. She is also interested in serving on the Building Board of Adjustments and Appeals. "It has been an honor to have been chosen to serve on the Planning Commission. I have enjoyed serving on the commission for the last 2 years, and also enjoyed serving on the 2035 Comprehensive plan update committee for the City of Alvin. Owning and operating a construction business for the past 18 years, I feel I have construction and management experience or knowledge where planning is concerned. In addition, my family and I enjoy living in Alvin. The City of Alvin has many good, family/friendly qualities and potential for other awesome areas of growth. I feel the growth of Alvin is important to the community. I have enjoyed serving on the Planning Committee and meeting the staff, and I hope to continue". Civic or Community Endeavors: Member of the Alvin-Manvel Chamber for 5 years, helped update the 2035 City of Alvin Comp Plan; help with the Alvin Sunrise Rotary community events.
Dwight	Rhodes	Instructor	ACC	30 years	Parks	Parks	<i>Re-applied 11/25/15</i> - Mr. Rhodes would like to continue his service on the Parks and Recreation Board. "Parks are where young and old experience what Alvin offers". I have served on the Parks Board since 2000. Civic or Community Endeavors: Serve as Vice-chair of Friends of Alvin Parks Foundation; Chair of Tour de Braz bike ride; started and organize community garden at ACC.
Cindy	DeJongh	Teacher	AISD	54 years	Parks	Parks	<i>Re-applied 12/02/15</i> - Ms. DeJongh would like to continue her service on the Parks and Recreation Board. "As a resident of Alvin for 54 years and a Parks Board member for the past 6 years, I have a vested interest in our Parks. It is my desire to continue helping make our parks outstanding. Helped build the KaBoom playground at Morgan Park".
Betty	Hodges	Retired		33 years	Seniors	Seniors	<i>Re-applied 10/20/15</i> - Ms. Hodges would like to continue her service on the Senior Citizen's Board.
Wanda	Garrett	Retired		16 years	Seniors	Seniors	<i>Re-applied 12/1/15</i> - Ms. Garrett would like to continue her service on the Senior Citizen's Board. "I have been on the Senior Board for a few years and enjoy working with the Center".
Debra	McDonald	Accountant	Bechtel Corp.	27 years	Library		<i>Re-applied 10/29/15</i> - Ms. McDonald would like to continue her service on the Library Board. She has expressed interest in also serving on Cultural Diversity, Ethics, Planning Commission as needed. "Currently serving on the Library Board. Work for a corporation that has 55,000 worldwide employees - so I have a great understanding of cultural diversity. Also attend intensive ethics and compliance training yearly. Event lead from 2013 to 2015 for the American Cancer Society Relay for Live of Alvin-Manvel. Library Board since 7-10-14. Looking to be apart of any board that could best use my experience".

First Name	Last Name	Employment	Occupation	Resident of Alvin	Board to Re-Serve	Past Boards Served on	Notes Provided on Consent and Willingness to Serve Form
Tonya	Douglas	Humane Supervisor	City of Alvin	19 years	Animal Shelter	Animal Shelter	<i>Re-applied 10-22-15</i> - Ms. Douglas would like to continue her services on the Animal Shelter Advisory Commission. "I have been employed since 1997 with the Alvin Police Department Humane Division and serve as the City's Animal Rabies Authority. Corporal/Humane Supervisor Animal Control". Civic or Community Endeavors: Off site animal adoptions, public education, in house training within the department. American Heart CPR/AED instructor/coordination with Alvin EMS/APD; in house training and free community CPR/AED. Volunteer Coordinator several fund raisers for new adoption center and abused/homeless animals.
Joan	Moore	Humane Officer	City of Alvin	26 years	Animal Shelter	Animal Shelter	<i>Re-applied 10/22/15</i> - Ms. Moore would like to continue her service on the Animal Shelter Advisory Committee. "I have been an Animal Control Officer for 5+ years, vet tech, rancher, professional horse trainer, professional dog groomer". Civic or Community Endeavors: involved in the Animal Welfare League of Alvin and helped with fund raisers to build new animal shelter.
Laura	Parker	Homemaker		14 years	Animal Shelter	Animal Shelter	<i>Re-applied 10/25/15</i> - Ms. Parker would like to continue her service on the Animal Shelter Advisory Committee. "Currently serving on the Animal Shelter Advisory Committee".
Jim	Thompson	Engineer	Self Employed		Animal Shelter	Animal Shelter	<i>Re-applied 10/24/15</i> - Mr. Thompson would like to continue his service on the Animal Shelter Advisory Committee. "Licensed mechanical and electrical engineer. Served on the Animal Shelter Advisory Committee and Building Board of Adjustments and Appeals. Note - does not live within the City limits".

Board/Commission New Applicant Information 12/17/15

First Name	Last Name	Employment	Occupation	Resident of Alvin	Board to Serve	Past Boards Served on	Notes Provided on Consent and Willingness to Serve Form
Michelle	Moore	Property Manager	Tri-County Storage	14 years	Parks		<i>Applied 12/7/15</i> - "I love being a part of the park activities as do my children; I helped lead and plan feeding the volunteers for the Kaboom Playground build". Civic or Community Endeavors: Cub Scout Pack 405 and City Parks Department Kaboom Playground.
James	Crumm	Veterinarian	Veterinary Hospital of Alvin	20 years	Animal Shelter		<i>Applied 12/3/15</i> - "Veterinarian of record for the Animal Shelter". Mr. Crumm has been involved in the ACC Foundation and AISD Foundation.
Sandra	Curtner	Real Estate Agent	Century 21	30 years	Animal Shelter	Library	<i>Applied 11/30/15</i> - "I am a volunteer at the Adoption Center and served as Vice-President for the Animal Shelter Welfare League. Help with efforts for donations to the Adoption Center. Past member of the Alvin Kiwanis Club and past Treasurer of the Alvin High School Band Boosters. Currently a member of the Alvin Blue Santa program and Alvin Manvel Chamber of Commerce".
Pamela	Foley	Self Employed	Office Systems	40 years	Cultural Diversity		<i>Applied 11/16/15</i> - "Had sensitivity training, I own a woman/minority HUB company. Previously served on the Parks and Recreation Board".
Rose	Hemlow	HR Manager	SE Fire Protection	15 years	Planning; Seniors; Ethics		<i>Applied 11/30/15</i> - "Since I am now only part-time I would like to become more involved in my city government. I have been a controller and human resource manager most of my career and have a Master's in Education. The only endeavor in which I was able to participate was in the early 90's in California. I participated in a workshop to help welfare mothers prepare for job interviews. I haven't had the time until now to even consider civic and or community service".
Jeannie	LaValley	Security Officer	Ascend	9 years	Animal Shelter		<i>Applied 12/1/15</i> - "Collaborate with board members to develop strategies that will heighten public awareness of the responsibilities associated with pet ownership. Explore options to efficiently maximize funds and time. Ensure humane and innovated animal care".
Brenda	Maust	Volunteer		1 year	Seniors; Cultural Diversity		<i>Applied 11/18/15</i> - "1996 Certification in Gerontology; 18 years experience working with seniors in paid and volunteer positions. Sold home in Angleton, moved to Alvin because of the excellent senior services that I'd like to support. Founder, Board Chair, Gathering Place Ministries; Brazoria Co. Alzheimer's Awareness Project; Brain Camp 09 Point of Light; 2012 Fact's Citizen of the Year; 2013 Freeport MLK Parade Marshal; 2014 LULAC Honoree; 2015 statewide TX DADS Vision Award for promotion of senior wellness; manage 400 volunteers countywide. Served on the City of Angleton's Senior Citizen Board for 3 years. I like Alvin's diversity and would enjoy promoting understanding, respect and celebration of our various cultures. I've taken church groups to mosques; Buddhist and Hindu temples; and multicultural events. I conceived, helped develop the annual Clute Spanish language Health Fair with the Hispanic Chamber. 15 years experience with Galveston County Chambers".

First Name	Last Name	Employment	Occupation	Resident of Alvin	Board to Serve	Past Boards Served on	Notes Provided on Consent and Willingness to Serve Form
Autumn	Miller	Shelter Manager	City of Alvin	4.5 years	Animal Shelter		<i>Applied 10/22/15</i> - "I am currently employed at the Alvin Animal Adoption Center as the Shelter Manager. I have a personal and professional interest in being involved with the advisory board".
Christopher	Sanger	Sales Director/Realtor	Century 21 Paramount	8 months	Parks; Planning; Anywhere needed		<i>Applied 11/20/15</i> - "Will serve anywhere available/needed to help foster progress throughout the community, yet preserve the historical integrity/significance. Qualifications include bachelor's degree concentrating in public policy. Past: 2008 Republican Nominee, Iowa House District 62; 2010 Republican Candidate, Iowa Secretary of State. Volunteer HS Football coach. WCV (Iowa), 2010. Army ROTC program, Iowa State University". Civic or Community Endeavors: Alvin Rotary Club member & Alvin Chamber of Commerce member.

Board Member Expiration Overview

Planning Commission members whose term expires Dec. 2015:

Missy Jordan, Chris Hartman

All members wish to re-serve on the Planning Commission.

2 seats to be filled or re-appointed

Parks & Recreation Board members whose term expires Dec. 2015:

Dwight Rhodes, Cindy DeJongh, Chris Hartman

Chris Hartman does not wish to re-serve.

3 seats to be filled or re-appointed

Library Board members whose term expires Dec. 2015: Debra McDonald

Ms. McDonald expressed interest in re-serving, but would also like to serve in other areas, if available.

1 seat to be filled or re-appointed

Senior Citizen's Board members whose term expires Dec. 2015:

Dale Jones, Wanda Garrett, Betty Hodges

Dale Jones does not wish to re-serve.

3 seats to be filled or re-appointed

Animal Shelter Advisory Commission members whose term expires Dec. 2015:

Tonya Douglas, Laura Parker, Jim Thompson, Joan Moore, Heide Hunting, Open Vet Position

All members wish to re-serve on the Animal Shelter Advisory Commission except Ms. Heide Hunting.

6 seats to be filled or re-appointed

New Applicants: James Crumm, Sandra Curtner, Pamela Foley, Rose Hemlow, Jeanie LaValley, Brenda Maust, Michelle Moore, Autumn Miller, Christopher Sanger



AGENDA COMMENTARY

Meeting Date: 12/17/2015

Department: EMS/Fire

Contact: Rex W. Klesel, Fire Chief

Agenda Item: Consider 2016 Interlocal Agreement for Emergency Services with Brazoria County Emergency Services District (ESD) #3; and authorize the Mayor to sign.

Type of Item: Ordinance Resolution Contract/Agreement Public Hearing Discussion & Direction

Summary: The ESD #3 was formed in 2004 by the voters of Brazoria County to provide a better funding for Emergency Medical Service (EMS) and Fire and Rescue (Fire) to areas not protected by city services.

Response area covered in square miles:

- EMS - 125
- Fire - 100

Total calls for services in 2015 for City and ESD #3

- EMS - 4,664
- Fire - 675

Calls for service in 2015 for ESD:

- EMS - 857
- Fire - 181

Amount paid by ESD to City for Emergency Services in 2015:

- EMS - \$278,772
- Fire - \$318,040
- EMS/Fire Total - \$596,812

2016 proposed ESD agreement payment to the City of Alvin:

- EMS - \$339,000 (22% increase; balancing fund distribution among the 4 EMS Depts. in the ESD)
- Fire - \$326,100 (3% increase; higher maintenance cost for apparatus)
- EMS/Fire Total - \$665,100

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

Account Number: _____ **Amount:** _____

Legal Review Required: N/A Required Date Completed: December 1, 2015

Supporting documents attached:

- Agreement

Recommendation: Move to approve 2016 Interlocal Agreement for Emergency Services with Brazoria County Emergency Services District (ESD) #3; and authorize the Mayor to sign.

Reviewed by Department Head, if applicable

Reviewed by City Attorney, if applicable

Reviewed by Chief Financial Officer, if applicable

Reviewed by City Manager

**INTERLOCAL AGREEMENT FOR
EMERGENCY SERVICES**

This **INTERLOCAL AGREEMENT FOR EMERGENCY SERVICES** (herein "Agreement") is entered into effective the 1st day of January, 2016, by and between **BRAZORIA COUNTY EMERGENCY SERVICES DISTRICT NO. 3** ("District"), a political subdivision of the State of Texas, organized and operating pursuant to the provisions of Section 48-e, Article III of the Texas Constitution and Chapter 775 of the Health and Safety Code and **THE CITY OF ALVIN, TEXAS** ("CITY OF ALVIN") for TEN AND NO/100 (\$10.00) DOLLARS, the mutual covenants and agreements herein contained, and other good and valuable consideration. Accordingly, **DISTRICT** and **CITY OF ALVIN** agree to the following:

I.

PARTIES

BRAZORIA COUNTY EMERGENCY SERVICES DISTRICT NO. 3 is a political subdivision of the State of Texas, organized and operating in portions of Brazoria County, Texas under Chapter 775 of the Texas Health & Safety Code. **THE CITY OF ALVIN, TEXAS** is a municipal body politic of the State of Texas. Both **DISTRICT** and **CITY OF ALVIN** propose to enter into an Agreement pursuant to the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code. The purpose of the Agreement is for **CITY OF ALVIN** to perform certain government functions and services for **DISTRICT**. Such government functions and services are limited to emergency medical services, emergency ambulance services, fire protection and suppression services to protect life and property from fire and conserve natural and human resources, and to provide rescue services (referred to herein as "emergency services") to persons and commercial interests located within the geographic boundaries of a portion of the **DISTRICT** (herein the "Service Area", as described and set forth in Exhibits "A1 - Fire" and "A2- EMS", attached hereto and incorporated by reference).

CITY OF ALVIN acknowledges and represents that it is familiar with the Service Area and agrees to provide the emergency services in accordance with this Agreement.

The parties, CITY OF ALVIN and DISTRICT, agree and acknowledge that CITY OF ALVIN shall in its sole discretion determine the manner in which to perform and deliver said emergency services, including the selection of the service provider. The parties, CITY OF ALVIN and DISTRICT, both agree and acknowledge that CITY OF ALVIN intends to select and assign the responsibility of providing such emergency services to the service area to Alvin Emergency Medical Services Department and Alvin Volunteer Fire Department, departments of the CITY OF ALVIN.

II.

TERM; EARLY TERMINATION

The term of this Agreement will be for a period beginning January 1, 2016 and ending December 31, 2016. Either party may terminate this Agreement upon six months written notice to the other party, along with a copy of same to the Alvin Emergency Medical Services Department and Alvin Volunteer Fire Department.

The term of this Agreement may be extended only upon the mutually signed agreement of both parties upon such terms and conditions as agreed to at that time.

III.

TERMS OF COMPENSATION

- (a) During the original term of this Agreement, the Compensation to be paid by DISTRICT to CITY OF ALVIN for the services to be provided by CITY OF ALVIN hereunder shall be as follows: DISTRICT to pay to CITY OF ALVIN an amount of **\$665,100.00** per annum. These payments shall be made in quarterly installments paid at the District's regular meetings held in January, April, July and October. The Parties agree that the distribution of the funds is to be **\$339,000.00** for emergency medical services and **\$326,100.00** for fire and rescue services.
- (b) In the event DISTRICT shall choose to terminate the Agreement during the term, the compensation paid to the date of termination shall be non refundable. In the event CITY OF ALVIN terminates this Agreement during the term, the compensation paid or due and payable shall be refundable to

DISTRICT based on a pro rata basis (to wit, the percentage of the term completed as of the termination date).

- (c) The CITY OF ALVIN has the sole discretion to determine how these funds are expended.

IV.

LIMITATIONS ON REPRESENTATIONS AND WARRANTIES

CITY OF ALVIN agrees to use its best efforts in carrying out its duties under this Agreement, and represents that the quality of the emergency services provided will be equal to or better than the services that had been provided in the Service Area as of January 1, 2015. Neither CITY OF ALVIN nor Alvin Emergency Medical Services Department (including its employees, volunteers or members) nor Alvin Volunteer Fire Department (including its employees, volunteers or members) may waive or limit any grounds or basis of immunity or limitation of liability as a political subdivision or as a volunteer or emergency organization (as the case may be), including, but not limited to, V.T.C.A., Civil Practice & Remedies Code, Subchapter B. Tort Liability of Governmental Units, Section 101.001, et seq.

V.

DUTIES AND RESPONSIBILITIES OF THE CITY OF ALVIN AND THE DEPARTMENTS

(a) CITY OF ALVIN agrees to provide the emergency services to the Service Area, as provided and subject to the limitations and provisions contained herein.

However, DISTRICT acknowledges that it recognizes that CITY OF ALVIN is a municipality with similar statutory obligations to its own corporate area and that the Alvin Emergency Medical Services Department and Alvin Volunteer Fire Department similarly provide similar emergency services to CITY OF ALVIN. DISTRICT further acknowledges that it recognizes that the providing of necessary emergency services to DISTRICT shall not be exclusive, but shall be rendered in the context of the CITY OF ALVIN's and Alvin Emergency Medical Services Department's and Alvin Volunteer Fire Department's emergency response protocols, including CITY OF ALVIN's use and

reliance from time to time on mutual aid agreements that it has or will have with other emergency services providers.

(b) CITY OF ALVIN shall provide the necessary manpower and equipment for the providing of the emergency services to the service area in accordance with this Agreement, and shall enter into and maintain reciprocal mutual aid agreements with surrounding EMS departments and fire departments when necessary or advisable.

(c) The Mayor of the CITY OF ALVIN or his/her designee shall be the liaison with DISTRICT.

(d) Notwithstanding anything in this Agreement which may be construed to the contrary, this interlocal agreement shall not operate as a merger, consolidation or annexation of one political subdivision by another.

(e) It is not the intention of the parties hereto to create a partnership or association. The duties and liabilities of CITY OF ALVIN and DISTRICT are intended to be separate and not joint or collective. Nothing contained in this Agreement and in any agreement made pursuant hereto shall ever be construed to create a partnership or association or impose a partnership duty, obligation or liability with respect to any one or more of the parties hereto.

(f) CITY OF ALVIN shall name DISTRICT as an additional insured on its liability insurance policies during the original and any extended term of this Agreement.

(g) CITY OF ALVIN, by and through its Emergency Medical Services Director and Fire Chief, shall furnish DISTRICT at or prior to the monthly meeting following the end of each fiscal quarter, a copy of the monthly reports listing the total number of runs made by Alvin Emergency Medical Services Department and Alvin Volunteer Fire Department within the Service Areas for the prior quarter. Failure to provide the required quarterly reports will result in the District withholding quarterly payments until the reports are received.

(h) CITY OF ALVIN will provide to the DISTRICT an audit, or portion of the City's audit, showing the funding and expenditures for EMS and fire services funded by the DISTRICT for the prior fiscal year. The audit will be provided to the DISTRICT no later than 60 days after it is completed and accepted by the CITY OF ALVIN.

VI.

DISPATCH COOPERATION

DISTRICT and CITY OF ALVIN both agree to cooperate in presenting any letters or Resolutions to the 911 Network and the CITY OF ALVIN's local dispatchers.

VII.

AUTOMATIC AMENDMENT

This Agreement shall be automatically amended to conform to any laws or city ordinances that are applicable to CITY OF ALVIN or DISTRICT. Should any of the provisions of this Agreement be in such conflict, the contrary provision of this Agreement shall be amended to conform to said law or ordinance.

VIII.

AMENDMENT BY MUTUAL AGREEMENT

This Agreement may be amended only by the mutually signed and written agreement of the parties.

IX.

ASSIGNABILITY

This Agreement shall not be assigned by either party regarding delivery of necessary emergency services by CITY OF ALVIN.

X.

MISCELLANEOUS

If any term or provision of this Agreement shall be held invalid or unenforceable, then the remainder of the Agreement, other than the invalid unenforceable part, shall not be affected thereby and each other term and provision of this Agreement shall be valid and be enforced to the fullest extent permitted by law.

This Agreement embodies the whole agreement of the parties and supersedes all previous communications, representations or agreements between the parties with respect to the matters contained herein.

XI.
NOTICES

All notices hereunder shall be in writing and delivered or sent Certified Mail, Return Receipt Requested to the parties at their addresses below. Notices sent to the District shall be copied to the District's counsel, Coveler & Katz, P.C. at 820 Gessner, Suite 1710, Houston, Texas 77024.

XII.
VENUE AND CONTROLLING LAW

The validity, interpretation, and performance of this Contract shall be governed by the laws of the State of Texas. This Contract is fully performable and enforceable in Brazoria County, Texas wherein venue hereunder shall lie.

CITY OF ALVIN, TEXAS

By: _____
Print Name: _____
Title: _____

Address for Notice:

Date: _____
Acknowledged:

ALVIN EMERGENCY MEDICAL SERVICES DEPARTMENT

By: _____
Print Name: _____
Title: _____

Address for Notice:

BRAZORIA COUNTY EMERGENCY SERVICES DISTRICT NO. 3

By: _____
Print Name: _____
Title: _____

Address for Notice:
P.O. Box 1253
Manvel, TX 77578
Date: _____
Acknowledged:

ALVIN VOLUNTEER FIRE DEPARTMENT

By: _____
Print Name: _____
Title: _____

Address for Notice:

EXHIBIT "A-1 Fire"

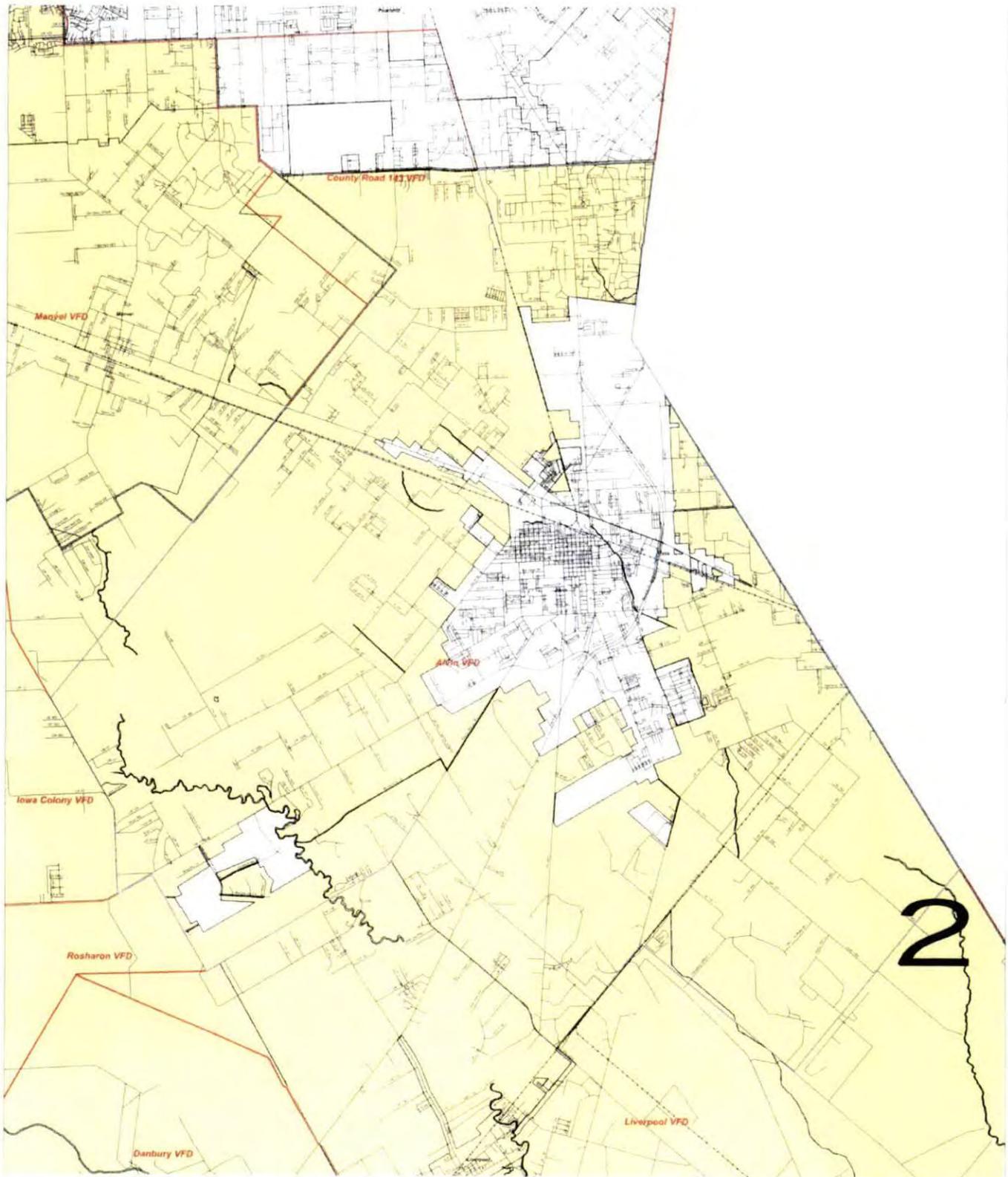


EXHIBIT "A-2 EMS"

