

**MINUTES  
CITY OF ALVIN, TEXAS  
216 W. SEALY STREET  
REGULAR CITY COUNCIL MEETING  
FEBRUARY 20, 2014  
7:00 P.M.**

**ORDEN DEL DIA  
CIUDAD DE ALVIN, TEXAS  
216 W. SEALY STREET  
JUNTA REGULAR DEL CONCEJO MUNICIPAL  
20 DE FEBRERO, 2014  
7:00 de la noche**

**I. 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 7:02 P.M. in the Council Chambers at City Hall, with the following members present: Mayor Gary Appelt and Councilmembers Scott Reed, Jim Landriault, Adam Arendell, Brad Richards, Terry Droege, Greg Bullard, and Roger Stuksa. Also present were Terry Lucas, City Manager and Bobbi Kacz, City Attorney.

**II. INVOCATION**

The Reverend David Price of Grace Episcopal Church gave the Invocation.

**III. PLEDGE OF ALLEGIANCE**

James Hobbs, Senior Patrol Leader of Boy Scout Troop 499 led the Pledge of Allegiance.

**IV. SPECIAL PRESENTATIONS**

A. The Mayor to present Certificates of Recognition to five members of Troop 499 of the Boy Scouts of America for achieving the rank of Eagle Scout.

The Mayor presented Certificates of Recognition to five members of Troop 499 of the Boy Scouts of America for achieving the rank of Eagle Scout: Raymond Castillo, Earl DeShazer, Robert DeShazer, Michael Gonzales, and Dalton Grubbs.

- B. The Mayor to present a proclamation to the John Wayne Chapter of the Order of DeMolay for the 94<sup>th</sup> anniversary of the organization.

The Mayor presented a proclamation to the John Wayne Chapter of the Order of DeMolay for the 94<sup>th</sup> anniversary of the organization.

- C. Presentation of the Government Finance Officers Association (GFOA) Certificate of Achievement for Excellence in Financial Reporting Award for FY 2011-12.

The Mayor presented to Junru Roland, Chief Financial Officer, the Government Finance Officers Association (GFOA) Certificate of Achievement for Excellence in Financial Reporting Award for FY 2011-12. Roland thanked his staff and invited those present to come to the podium: Maria Aguirre, Tina Ortiz, Brett Oliver, Joyce Kubeczka, and Marla Hering. The City Manager addressed the Council commenting that the City is blessed to have a great staff in the Finance Department.

## V. APPROVAL OF MINUTES

- A. Approval of the minutes of the regular Council meeting of February 6, 2014.

Councilmember Landriault moved to approve the minutes of the regular Council meeting of February 6, 2014. Seconded by Councilmember Droege. The motion to approve carried on a vote of 7 Ayes.

## VI. PETITIONS OR REQUESTS FROM THE PUBLIC

**Speakers may be limited to 2, 3 or 5 minutes according to Section 2-24 of the Code of Ordinances, City of Alvin, Texas. State law prohibits the Mayor and members of the City Council from commenting on any statement or engaging in dialogue without an appropriate agenda item being posted in accordance with the Texas Open Meetings Law. Comments should be directed to the entire council, not individual members. Engaging in verbal attacks or comments intended to insult, abuse, malign or slander any individual shall be cause for termination of time privileges and expulsion from Council Chambers.**

- A. Robert E. Lee, Chief of Police addressed the Council to announce that from February 23-28, 2014 Alvin will host the Police Working Dog convention.

**VII. REPORTS FROM CITIZENS BOARDS, COMMISSIONS, AND COMMITTEES****VIII. PUBLIC HEARING - NONE****IX. CONSENT AGENDA: CONSIDERATION AND POSSIBLE ACTION:**

All items listed under the Consent Agenda are considered to be routine, and require little or no deliberation by City Council. These items will be enacted/approved by one motion unless a Councilmember requests separate action on an item, in which event the item will be removed from the Consent Agenda and considered by separate action. Approval of the Consent Agenda enacts the items of legislation and authorizes implementation of other items.

- A. Consider approval of Ordinance 14-F, an ordinance amending City of Alvin, Ordinance No. 13-SS passed and approved September 12, 2013, same being an ordinance approving and adopting the City of Alvin's budget for fiscal year 2013-2014 by approving "budget amendment VI" to the original 2013-14 FY budget; providing for supplemental appropriation and/or transfer of certain funds as set forth in the attached exhibit "A"; for the purpose of replacing the Public Services Facility roofs and the City Shop roof in the amount of Four Hundred Thirty Five Thousand Dollars (\$435,000); providing for severability; and providing other matters related to the subject **on second and final reading.**

No item was removed from the Consent Agenda. Councilmember Droege moved to approve the Consent Agenda. Seconded by Councilmember Bullard. The motion to approve carried on a vote of 7 Ayes.

**X. MATTERS REMOVED FROM CONSENT AGENDA**

There were none.

**XI. OTHER BUSINESS:**

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

- A. Presentation by Belt, Harris, Pechacek, LLP of the City's Comprehensive Annual Financial Report (CAFR) as of September 30, 2013; and Council's acknowledgment of receipt of the CAFR.

Stephanie Harris, partner with Belt, Harris, Pechacek, LLP addressed the Council to review the CAFR. The Mayor announced that Councilmember could ask questions at this meeting or at a later time.

Councilmember Stuksa moved to acknowledge receipt of the City's Comprehensive Annual Financial Report (CAFR) as of September 30, 2013. Seconded by Councilmember Landriault. The motion to acknowledge receipt carried on a vote of 7 Ayes.

- B. Consider approval of Belt Harris Pechacek, LLLP as the City's auditors for the fiscal year ending September 30, 2014, and authorize the Mayor to sign the Auditor's Engagement Letter.

Councilmember Arendell moved to approve Belt Harris Pechacek, LLLP as the City's auditors for the fiscal year ending September 30, 2014, and authorize the Mayor to sign the Auditor's Engagement Letter. Seconded by Councilmember Bullard. The motion to approve carried on a vote of 7 Ayes.

- C. Receive and acknowledge the monthly financial report for January 2014.

Junru Roland, Chief Financial Officer, gave a presentation of the January 2014 monthly financial report.

Councilmember Stuksa moved to acknowledge receipt of the monthly financial report for January 2014. Seconded by Councilmember Arendell. The motion to acknowledge receipt carried on a vote of 7 Ayes.

- D. Ron Schmitz, City of Alvin Director of EMS, will report on the EMS Transport Service and discussion of EMS revenue.

Schmitz addressed the Council to explain the decrease in revenues and staff efforts to increase revenues. Questions and answers followed.

- E. Consider approval of the Joint Election Agreement and Contract for Election Services with Joyce Hudman, County Clerk of Brazoria County, Texas for the May 10, 2014 election and authorize the Mayor to execute the Agreement.

*Considerar el Acuerdo de Elección Conjunta y el Contrato para Servicios de Elecciones con Joyce Hudman, Secretaria de condado del Condado de Brazoria, Texas para la elección del 10 de mayo, 2014 y autorizar al Alcalde a firmar este Acuerdo.*

Councilmember Landriault 's absence noted at 8:00 P.M.

Councilmember Droege moved to approve the Joint Election Agreement and Contract for Election Services with Joyce Hudman, County Clerk of Brazoria County, Texas for the May 10, 2014 election and authorize the Mayor to execute the Agreement. Seconded by Councilmember Reed.

The motion to approve carried on a vote of 6 Ayes.

- F. Consider approval of Resolution 14-R-02 establishing the procedure for the May 10, 2014 General Election in Alvin, Texas and providing for related matters.

*Considerar la aprobación de Resolución 14-R-02 una resolución del consejo Texas, municipal de la ciudad de Alvin, estableciendo el procedimiento para la elección general del 10 de mayo de 2014 en Alvin, Texas, y disponiendo asuntos afines.*

Councilmember Stuksa moved to approve of Resolution 14-R-02 establishing the procedure for the May 10, 2014 General Election in Alvin, Texas and providing for related matters. Seconded by Councilmember Droege. The motion to approve carried on a vote of 6 Ayes.

Councilmember Landriault 's presence noted at 8:01 P. M.

- G. Consider approval of Resolution 14-R-04, providing for a Special Election on May 10, 2014 for the purpose of electing a Councilmember for District C for an unexpired term ending May 2015; establishing the procedure for the special election; and providing for related matters.

*Considerar la aprobación de Resolución 14-R-04 una resolución del consejo municipal de la ciudad de Alvin, Texas, disponiendo una elección especial el día 10 de mayo de 2014 con el proposito de elegir un concejal para el distrito c para un periodo no caducado que termina en mayo de 2015; estableciendo el procedimiento para la elección especialy disponiendo asuntos afines.*

Councilmember Arendell moved to approve Resolution 14-R-04, providing for a Special Election on May 10, 2014 for the purpose of electing a Councilmember for District C for an unexpired term ending May 2015; establishing the procedure for the special election; and providing for related matters. Seconded by Councilmember Droege. The motion to approve carried on a vote of 7 Ayes.

- H. Consider approval of Resolution 14-R-03 accepting the Request and Petition to the City Council of the City of Alvin for Annexation of a 31.50, more or less, acre parcel of land located along East Highway 6 in Brazoria County, Texas; setting an annexation schedule; providing for open meetings and other related matters.

The Mayor announced that this item would be rescheduled for March 6, 2014.

- I. Consider approval of a Chapter 380 Agreement with Moore & Moore Investments, LLC to allow for the redevelopment of a nonoperational commercial development toward the operation for a commercial purpose and authorize the Mayor to sign.

Councilmember Richards moved to approve the Chapter 380 Agreement with Moore & Moore Investments, LLC to allow for the redevelopment of a nonoperational commercial development toward the operation for a commercial purpose and authorize the Mayor to sign. Seconded by Councilmember Reed.

A roll call vote followed:

Councilmember Landriault	Aye	Councilmember Reed	Aye
Councilmember Arendell	No	Councilmember Richards	Aye
Councilmember Droege	Aye	Councilmember Bullard	No
Councilmember Stuksa	Aye		

The motion to approve carried on a vote of 5 Ayes and 2 Nos by Councilmembers Arendell and Bullard.

- J. Consider award of bid to LTS Lawn Care for lawn maintenance services for City park properties and approve the Agreement for Lawn Maintenance Services in the amount of \$32,227.91 for Pearson Park, Morgan Park, Hugh Adams Park, Marina Park, Talmadge Park and the Hike and Bike Trail from Adoue St. to South St. and authorize the Mayor to sign the Agreement.

Councilmember Reed moved to award a bid to LTS Lawn Care for lawn maintenance services for City park properties and approve the Agreement for Lawn Maintenance Services in the amount of \$32,227.91 for Pearson Park, Morgan Park, Hugh Adams Park, Marina Park, Talmadge Park and the Hike and Bike Trail from Adoue St. to South St. and authorize the Mayor to sign the Agreement. Seconded by Councilmember Arendell. The motion to award carried on a vote of 7 Ayes.

- K. Discuss the terms of a Franchise Agreement with CenterPoint Energy Resources Corp., DBA CenterPoint Energy Texas Gas Operations and direct Staff to prepare an agreement consistent with the terms discussed regarding Franchise Rates and the City's status of Original Jurisdiction.

The City Manager led the discussion with the comment that the most current franchise agreement expired in 1998. He spoke of keeping or giving up original jurisdiction. The utility company has about 5600 customers in Alvin.

- L. Consider appointing Martin Vela as a member to the Citizens' Advisory Committee to participate with the City's consulting firm to update the City of Alvin Comprehensive Plan.

Councilmember Richards moved to appoint Martin Vela as a member to the Citizens' Advisory Committee to participate with the City's consulting firm to update the City of Alvin Comprehensive Plan. Seconded by Councilmember Stuksa. The motion to appoint carried on a vote of 7 Ayes.

## **XII. REPORTS FROM CITY MANAGER**

- A. Review preliminary list of items for the Council meeting of March 6, 2014.

The preliminary list of items for the Council meeting of March 6, 2014 was presented and reviewed.

## **XIII. REPORTS FROM COUNCILMEMBERS**

**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 Councilmembers.

Councilmember Reed inquired whether or not there is more information on the Animal Shelter.

Councilmember Arendell reported that one Boy Scout was distributing flyers for a ten percent fundraiser at Chili's on February 25, 2014.

Councilmember Bullard thanked the Boy Scouts and the DeMolays and their parents for setting good examples. He thanked the Chief Financial Officer and his staff. He inquired of Chief Lee about the percentage of offenses that were theft related.

Chief Lee replied that most offenses are car break ins and shoplifting. There will be a notices mailed with water bills concerning ways to prevent break ins.

Councilmember Stuksa encouraged more parents to have their children get involved with local youth organizations: Boy Scouts, Girl Scouts, DeMolays.

## **XIV. EXECUTIVE SESSION**

The Mayor called an executive session at 8:42 P.M. for the following:

- A. **Section 551.087 of the Government Code: (1) Deliberations regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations or (2) deliberations regarding the offer of a financial or other incentive to a business prospect described by Subdivision (1).**

The meeting reconvened at 9:47 P.M.

**XV. ACTION ITEMS FROM EXECUTIVE SESSION**

**NONE.**

**XVI. OPEN MEETINGS ACT RESOLUTION**

- A. Consider Resolution No. OMA-R-14-02-20, A RESOLUTION CONFIRMING COMPLIANCE WITH THE PROVISIONS OF THE OPEN MEETINGS ACT.

Councilmember Landriault moved to approve Resolution No. OMA-R-14-02-20, a resolution confirming compliance with the provisions of the Open Meetings Act. Seconded by Councilmember Reed. The motion to approve carried on a vote of 7 Ayes.

**XVII. ADJOURNMENT**

Councilmember Arendell moved to adjourn. Seconded by Councilmember Richards. The motion to adjourn carried on a vote of 7 Ayes. The meeting adjourned at 9:48 P.M.