

**MINUTES  
CITY OF ALVIN, TEXAS  
216 W. SEALY STREET  
REGULAR CITY COUNCIL MEETING  
THURSDAY MARCH 19, 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 and Executive Session at 7:00 P.M. in the Council Chambers at City Hall, with the following members present: Mayor Paul A. Horn, Council members: Gabe Adame, Adam Arendell, Scott Reed, Brad Richards, Roger Stuksa and Keith Thompson. Also present: Junru Roland, Interim City Manager; Bobbi Kacz, City Attorney and Dixie Roberts, City Clerk. *Absent: Councilmember Terry Droege.*

**INVOCATION**

Mayor Horn gave the invocation.

**PLEDGE OF ALLEGIANCE**

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

Council member Reed led the Pledge of Allegiance to the Texas Flag.

**SPECIAL PRESENTATION**

Mayor Horn read a proclamation proclaiming the month of April, 2105 as Fair Housing month.

**APPROVAL OF MINUTES**

Approve minutes of the February 26, 2015 Special City Council meeting

Council member Reed moved to approve the special City Council meeting minutes of February 26, 2015. Seconded by Council member Richards motion to approve carried on a vote of 6 Ayes.

Approve minutes of the March 5, 2015 Regular City Council meeting

Council member Adame moved to approve the regular City Council meeting minutes of March 5, 2015. Seconded by Council member Arendell motion to approve carried on a vote of 6 Ayes.

**PETITIONS OR REQUESTS FROM THE PUBLIC**

Dan Kelinske, Parks & Recreation Director reviewed the upcoming activities for the last weekend in March, including the Music Festival and Little League opening ceremonies. He also reminded citizens to take advantage of no charge unbundled bulk collection through Progressive Waste and that the spring cleanup will still be held on Sat. May 9, 2015 from 8:00 a.m. to 1:00 p.m. at Briscoe Park.

**REPORTS FROM CITIZENS BOARDS, COMMISSIONS, AND COMMITTEES**

No reports were given.

**PUBLIC HEARINGS**

There were no public hearings.

**CONSENT AGENDA: CONSIDERATION AND POSSIBLE ACTION**

- A. Consider Ordinance 15-I amending the City of Alvin 2014-2015 Fiscal Year Budget by increasing (decreasing) certain expenditures and increasing (decreasing) certain revenues to the individual budget accounts in all funds set forth in the attached Exhibit "A"; second reading.
- B. Consider authorizing Judge Donna Starkey and Judge Bill Pannell to attend the Legislative Update educational training in Houston, Texas.

Council member Adame moved to approve the items on the consent agenda. Seconded by Council member Stuksa; motion to approve carried on a vote of 6 Ayes.

### **MATTERS REMOVED FROM CONSENT AGENDA**

There were no items removed.

### **OTHER BUSINESS**

#### **Presentation by Belt, Harris, Pechacek, LLP of the City's Comprehensive Annual Financial Report (CAFR) as of September 30, 2014; and Council's acknowledgment of receipt of the CAFR.**

*As required by state statute, an independent audit has been completed by the CPA firm of Belt Harris Pechacek, LLLP, for the fiscal year ended September 30, 2014. At the end of an audit, Generally Accepted Auditing Standards mandate that auditors must express an opinion of the financial records. For Fiscal 2014, the City received an unmodified opinion from the auditors -- which is the highest form of assurance that our financial statements "give a true and fair view" of the City's financial position. Pursuant to Section 103.003 of the Texas Local Government Code, the annual financial statements, including the auditor's opinion must be filed with the City Clerk within 180 days after the last day of the fiscal year. The CAFR, which includes the auditor's opinion, will be presented to the Mayor and City Council; and to the City Clerk for filing. Stephanie Harris from Belt Harris Pechacek, LLLP will present the report.*

Stephanie Harris, with Belt, Harris, Pechacek gave a brief presentation regarding the audit performed and presented the CAFR.

Mr. Roland, Interim City Manager thanked members of the finance department for their hard work and dedication: Florence Chapa, Controller; Maria Aguirre, Senior Accountant; Ofelia Vasquez, Accounting Clerk; Bret Oliver, Finance Specialist; and Tina Ortiz, Accounts Payable. He also thanked Stephanie Harris and the firm for their hard work.

Council member Arendell moved to acknowledge receipt of the City's Comprehensive Annual Financial Report (CAFR) as of September 30, 2014. Seconded by Council member Reed; motion to approve carried on a vote of 6 Ayes.

#### **Consider the appointment of Belt, Harris, Pechacek, LLP as the City's auditors for the year ending September 30, 2015, and authorize the Mayor to sign the Auditor's Engagement Letter.**

*Chapter 103 of the Local Government Code requires cities to have its records and accounts audited and a financial statement prepared based on the audit, annually. Belt Harris Pechacek, LLLP has served as the City's auditors for several years, and has an excellent working relationship with management and staff. Their base estimated fee for a financial statement audit is \$35,355; with an additional estimated fee of \$7,000, if the City requires a single audit. A single audit is additional auditing procedures that are required if a city receives and expends over \$500,000 of federal funds in a fiscal year. Funding for the 2014-15 audit engagement will come from funds budgeted in accounts 111-9001-00-3110 and 211-9002-00-3110*

Council member Arendell moved to appoint Belt, Harris, Pechacek, LLP as the City's auditors for the year ending September 30, 2015, and authorize the Mayor to sign the Auditor's Engagement Letter. Seconded by Council member Richards; motion to approve carried on a vote of 6 Ayes.

Consider Ordinance 15-K annexing a 43.24 acre tract, more or less, located along East Highway 6 in Brazoria County, Texas (Frank's Casing Alvin) into the corporate limits of the City; approving a service plan for the annexed area; making findings of fact; providing a severability clause; and providing an effective date; first reading.

*Keith Mosing of Mosing Land & Cattle Co. of Texas petitioned the City to annex this property where Frank's Casing Alvin is located for his expanded business. Public hearings regarding the annexation were held on February 19, 2015 and February 26, 2015. This ordinance will finalize the annexation upon passage of the second reading.*

Council member Reed asked what cost would be incurred by the city. Mr. Roland stated there would be no cost to the city; the utilities are already in place. Upon completion of the annexation process, the property will then be added to the tax roll.

Council member Thompson moved to approve Ordinance 15-K annexing a 43.24 acre tract, more or less, located along East Highway 6 in Brazoria County, Texas (Frank's Casing Alvin) into the corporate limits of the City; approving a service plan for the annexed area; making findings of fact; providing a severability clause; and providing an effective date on *first reading*. Seconded by Council member Arendell motion to approve carried on a vote of 6 Ayes.

Consider Resolution 15-R-09 in opposition of Senate Bill (SB) number 182, House Bill (HB) number 365, Senate Bill (SB) number 156, Senate Joint Resolution number (SJR) 14, House Bill (HB) number 957, House Joint Resolution (HJR) number 71, and any other legislation of the 84th Texas legislature, regular session, that would limit the ability of the City of Alvin, to provide services to its residents and businesses.

*SB 182 and its companion bill, HB 365, lowers the property tax rollback rate for a city from 8% to 4%, with the exception for a city located in an area declared a disaster area by the governor or the President of the United States, during the current tax year, and provide that a city must hold a ratification election to adopt a tax rate that exceeds the 4% rollback rate. SB 156 reduces the property tax appraisal cap on homesteads from 10% to 5%; authorizes a county commissioners court to call an election to increase the homestead appraisal cap for all taxing jurisdictions in the county back to a percentage between 6 and 10; and prohibits a subsequent election from occurring for that purpose for 10 years after such an election is held --thereby ignoring market conditions and limiting the homestead appraisal cap for an extended period of time. SJR Bill Number 14 and HJR 71 provides the state authority to effectuate SB 156 and HB 957 respectively. HB 957 reduces the property tax appraisal cap on residence homesteads from 10 % to 5%.*

Mr. Roland, Interim City Manager stated that the bills presented would open the door for the state to influence local budget decisions. Decisions affecting local governments should be made by the local elected officials (city council). The bills would also jeopardize the City's ability to fund services to Alvin residents. As this community grows, the cost to service the community will also continue to grow. The proposed bills would also limit the City's ability to fund economic incentives to attract new businesses to our city through property tax abatements; affecting job growth in our region. The State currently has legislation in place to cap a city's property tax rate. The State gives municipalities the option to increase their sales tax rate to offset increases in the property tax rate. In 1992, the citizens of Alvin approved adding an additional ½-cent to the sales tax rate to offset increases in the property tax rate. As a result, when the city's rollback rate is calculated, it is subsequently reduced by a % of the City's additional sales tax; that was approved by the voters.

Council member Reed moved approve Resolution 15-R-09 in opposition of Senate Bill (SB) number 182, House Bill (HB) number 365, Senate Bill (SB) number 156, Senate Joint Resolution number (SJR) 14, House Bill (HB) number 957, House Joint Resolution (HJR) number 71, and any other legislation of the 84th Texas legislature, regular session, that would limit the ability of the City of Alvin, to provide services to its residents and businesses. Seconded by Council member Thompson; motion to approve carried on a vote of 6 Ayes.

Receive and acknowledge the monthly financial report for February, 2015.

Council member Thompson moved to receive and acknowledge the monthly financial report for February, 2015. Seconded by Council member Stuksa motion to approve carried on a vote of 6 Ayes.

**REPORTS FROM CITY MANAGER**Review preliminary list of items for the Council meeting of April 9, 2015.

Mr. Roland reviewed the preliminary list for the April 9, 2015 City Council meeting.

Announcements/Items of Community Interest

Mr. Roland encouraged citizens take advantage of the unbundled bulk collection services being offered through Progressive Waste.

**REPORTS FROM COUNCILMEMBERS**

*Pursuant to S.B. No. 1182, City Councilmembers 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.*

Council member Arendell thanked the finance department for their hard work and dedication. He also thanked Dan Kelinske, Parks and Recreation Director and his staff for their work on the parks.

Council member Adame thanked the finance department and Mr. Roland for the work done on the audit. He asked that staff look into a contract for the use of an additional street sweeper to help clear the debris on city streets. He also asked if there were plans in the near future to clean the overpass at SH 6 and SH35. Currently it is covered in mold and is aesthetically displeasing.

Council member Stuksa complimented the finance department for their work. He also asked staff to look into the compilation of cars at 2022 South Gordon.

**EXECUTIVE SESSION**

The City Council will convene into a closed executive meeting in accordance with the Texas Government Code, pursuant to the authority contained in:

1. **Section 551.074** of the Government Code: Deliberation on the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing; City Manager Search.

Mayor Horn adjourned to Executive Session at 7:32 p.m.

Mayor Horn reconvened to Open Session at 8:42 p.m.

**ADJOURNMENT**

Council member Thompson moved to adjourn the meeting at 8:42 p.m. Seconded by Council member Adame motion to adjourn carried on a vote of 6 Ayes.

PASSED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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Paul A. Horn, Mayor

ATTEST: \_\_\_\_\_  
Dixie Roberts, City Clerk