

MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
REGULAR CITY COUNCIL MEETING
THURSDAY SEPTEMBER 18, 2014
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, Mayor Pro-Tem Terry Droege and Councilmembers: Gabe Adame, 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.

INVOCATION

Judy Zavala, Alvin Police Department, Chaplain gave the invocation.

PLEDGE OF ALLEGIANCE

Councilmember Stuksa led the Pledge of Allegiance to the American Flag.

Councilmember Reed led the Pledge of Allegiance to the Texas Flag.

SPECIAL PRESENTATIONS

There were no special presentations.

APPROVAL OF MINUTES

Approve minutes of the August 28, 2014 Special City Council meeting

Councilmember Droege moved to approve the minutes of August 28, 2014. Seconded by Councilmember Stuksa; motion to approve carried on a vote of 6 Ayes.

Approve minutes of the September 4, 2014 Regular City Council meeting

Councilmember Stuksa moved to approve the minutes of September 4, 2014. Seconded by Councilmember Droege; motion to approve carried on a vote of 6 Ayes.

PETITIONS OR REQUESTS FROM THE PUBLIC

Wendy Gonzales, Alvin, Texas stated that her family received a letter from the City Clerk requesting that the border at her mother's gravesite within Oak Park Cemetery be removed. She stated that there is an upright headstone in the same section of the cemetery that is against the rules and regulations of the cemetery. She stated that all rules and regulations should be followed by all, not by a select few. She asked that the border at her mother's gravesite be allowed to remain in place.

Eugene Bauer, Alvin Texas addressed council regarding the service on boards and commissions that are lacking members, and City Hall security.

Shelby Eaton, Liverpool Texas addressed council asking them it be allowed to house and purchase reptiles to keep as pets.

REPORTS FROM CITIZENS BOARDS, COMMISSIONS, AND COMMITTEES

No reports were given.

PUBLIC HEARINGS**Public Hearing to receive Comment regarding the 2035 Comprehensive Plan Update.**

Mayor Horn opened the public hearing at 7:16 p.m.

Larry Buehler, Economic Development Director presented the Comprehensive Plan before the City Council and the public for consideration. The Plan's purpose is to set a desirable path and growth pattern for our community.

Mayor Horn closed the public hearing at 7:17 p.m.

CONSENT AGENDA: CONSIDERATION AND POSSIBLE ACTION

Consider request for street closures for the annual Alvin High School Homecoming Parade on Monday, September 22, 2014 for the following streets: College from West Dumble to West Stadium, West Stadium from College to South Johnson, South Johnson from West Stadium to West Adoue, West Adoue from South Johnson to South Second (Yellowjacket Drive), and South Second (Yellowjacket Drive) from West Adoue to the parking lot of Alvin Memorial Stadium.

Councilmember Reed moved to approve the items on the consent agenda. Seconded by Councilmember Richards; motion to approve carried on a vote of 6 Ayes.

MATTERS REMOVED FROM CONSENT AGENDA

There were no items removed from the consent agenda.

OTHER BUSINESS

Consider approval of Ordinance 14-CC, adopting the City of Alvin 2035 Comprehensive Plan Update and setting forth other provisions related thereto – 1st reading.

Ordinance 14-CC provides for the adoption of the City of Alvin's 2035 Comprehensive Plan. The Plan's purpose is to set a desirable path and growth pattern for our community. The Plan will set the stage for future projects in many areas to include enhanced development criteria, infrastructure, parks and recreation, and downtown redevelopment to further enhance the goals set out in the 2005 Comprehensive Plan.

Larry Buehler, Economic Development Director thanked all involved for their work in the process the compilation of this document.

Councilmember Stuksa moved to approve Ordinance 14-CC, adopting the City of Alvin 2035 Comprehensive Plan Update and setting forth other provisions related thereto on first reading. Seconded by Councilmember Droege; motion to approve carried on a vote of 6 Ayes.

Consider Resolution 14-R-32 adopting the Economic Development Strategic Plan.

The Economic Development Strategic Plan was drafted by TIP Strategies and was reviewed and approved by the Citizens Advisory Committee appointed by City Council. The Plan targets Alvin's assets and opportunities and provides an action oriented plan that will enhance the city's economy for years to come.

Councilmember Reed moved to approve Resolution 14-R-32 adopting the Economic Development Strategic Plan. Seconded by Councilmember Droege; motion to approve carried on a vote of 6 Ayes.

Consider approval of Ordinance 14-DD, amending Ordinance 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 XII" 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 adjusting the current fiscal year-end budget – 1st reading.

Each fiscal year-end, the City amends the budget to appropriate expenditures and revenues which occurred during the year. Reason being, under certain circumstances the City has more definite cost and revenue information at year-end. The City is nearing the end of FY 2013-14 and has the need to make a number of budget adjustments as a way to put the final FY 2013-14 budget in line with actual (approved and/or authorized) expenditures. These adjustments include increases and decreases in budget appropriations in comparison to actual expenditures and revenues. Per the City's auditor's recommendation, we should do a batch budget amendment at fiscal year-end to capture expenditures and/or revenues from the year that require a budget amendment.

Councilmember Reed moved to approve Ordinance 14-DD, amending Ordinance 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 XII" 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 adjusting the current fiscal year-end budget on first reading. Seconded by Councilmember Stuksa; motion to approve carried on a vote of 6 Ayes.

Consider Resolution 14-R-29 suspending the October 1, 2014, effective date of CenterPoint Energy Houston Electric LLC's application to amend its rate schedules to permit the City time to study the request; approving cooperation with the Gulf Coast Coalition of Cities (GCCC); hiring Lloyd Gosselink attorneys and consulting services to negotiate with the Company and direct any necessary litigation and appeals; finding that the meeting at which this resolution is passed is open to the public as required by law; and requiring notice of this Resolution to the Company and legal counsel.

This resolution suspends the October 1, 2014, effective date of CenterPoint Energy Houston Electric LLC's application to amend its rate schedules to permit the City time to study the request; approving cooperation with the Gulf Coast Coalition of Cities (GCCC); hiring Lloyd Gosselink attorneys and consulting services to negotiate with the Company and direct any necessary litigation and appeals; finding that the meeting at which this resolution is passed is open to the public as required by law; and requiring notice of this Resolution to the Company and legal counsel.

Councilmember Droege moved to approve Resolution 14-R-29 suspending the October 1, 2014, effective date of CenterPoint Energy Houston Electric LLC's application to amend its rate schedules to permit the City time to study the request; approving cooperation with the Gulf Coast Coalition of Cities (GCCC); hiring Lloyd Gosselink attorneys and consulting services to negotiate with the Company and direct any necessary litigation and appeals; finding that the meeting at which this resolution is passed is open to the public as required by law; and requiring notice of this Resolution to the Company and legal counsel. Seconded by Councilmember Adame; motion to approve carried on a vote of 6 Ayes.

Consider Resolution 14-R-30, a resolution supporting a traffic study by the Texas Department of Transportation and authorizing the State of Texas to install and maintain a median to be placed on FM 517 approaching the North Bypass 35 intersection as depicted in Exhibit "A"; and setting forth other provisions related thereto.

In August, representatives from the TXDOT Area Engineer's Office met with City Staff to discuss their findings and proposed resolutions regarding a study of the FM 517 and the North Bypass 35 intersection. This study was conducted due to the unusually high number of accidents that have occurred in recent years at this intersection, as reported by APD and TXDOT. A total of 51 reportable accidents have occurred between February 2011 and July 2014, with 18 of

these accidents reporting injuries. Additionally, the TXDOT report indicated 37 of the accidents could have been prevented by the proposed changes to the intersection. In order to decrease the number of accidents at this location TXDOT is proposing to construct a center median along FM 517 beginning at North Bypass 35 and extending 280 feet to the east past the intersection with Clifford Street as shown in Exhibit A.

Mark Woolridge and Michelle Millard with TxDOT were present before City Council to discuss the proposed median. Council discussed this item and asked that it be postponed until the next meeting so they would have time assess the area as there were some concerns to the proposal presented by TxDOT for this location.

Councilmember Droege moved to table this item until the next regularly scheduled City Council Meeting. Seconded by Councilmember Richards; motion to approve carried on a vote of 6 Ayes.

Consider Resolution 14-R-33 adopting the Drought Contingency Plan for the City of Alvin.

TCEQ requires the City update the Drought Contingency Plan every five (5) years. Staff has made the revisions to the plan as requested by TCEQ for adoption by Council.

Councilmember Droege moved to approve Resolution 14-R-33 adopting the Drought Contingency Plan for the City of Alvin. Seconded by Councilmember Richards; motion to approve carried on a vote of 6 Ayes.

Consider awarding a bid to C.A.G. Construction for the 2014/2015 Concrete Repair Program for an amount not to exceed \$200,000, including an option to extend the contract for one year at the same terms and condition and authorize the Mayor to sign the contract subject to legal review.

On August 12, 2014 bids were opened for the 2014/2015 Concrete Repair Program and C.A.G. Construction was the lowest bidder. The Concrete Repair Program is for various repairs such as sidewalks, streets, driveways, inlet boxes, and curbs and gutters. Funds will come from account 312-5501-00-3410 Concrete Paving/Sidewalks. Estimated annual cost is \$200,000 over the course of a calendar year. The contract contains a provision for a one year extension at the same terms and conditions. Upon Council approval, an award letter will be sent to vendor and City departments.

Councilmember Reed moved to award bid to C.A.G. Construction for the 2014/2015 Concrete Repair Program for an amount not to exceed \$200,000, including an option to extend the contract for one year at the same terms and condition and authorize the Mayor to sign the contract subject to legal review. Seconded by Councilmember Richards; motion to approve carried on a vote of 6 Ayes.

REPORTS FROM CITY MANAGER

Review preliminary list of items for the Council meeting of September 4, 2014.

Mr. Roland reviewed the preliminary list for the October 2, 2014 City Council meeting.

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.

Announcements and requests from Councilmembers.

Councilmember Reed asked that staff look into the complaint regarding the Oak Park Cemetery by Ms. Gonzales.

Councilmember Droege asked that the complaint by Ms. Gonzales regarding Oak Park Cemetery be looked into by staff.

Councilmember Adame thanked Public Services Director Brian Smith and his employees for taking care of the tree issue on Plum Street presented by a citizen at the last City Council meeting.

Councilmember Stuksa stated that antique trains, participating in a drill, will be coming through town and will be at the Depot for a short period on Saturday.

Mayor Horn stated that City Council will hold a workshop to discuss the detention area on Kost and South Street on October 9, 2014 at 6:00 p.m.

CLOSED EXECUTIVE SESSION: THE CITY COUNCIL WILL CONVENE INTO A CLOSED EXECUTIVE MEETING IN ACCORDANCE WITH TEXAS GOVERNMENT CODE, PURSUANT TO THE AUTHORITY CONTAINED IN:

Section 551.071(2) - Attorney consultation to receive attorney advice and counsel in connection with the City's legal rights, duties, privileges, and obligations related to the ongoing negotiations of a Collective Bargaining Agreement.

CLOSED EXECUTIVE SESSION: THE CITY COUNCIL WILL CONVENE INTO A CLOSED EXECUTIVE MEETING IN ACCORDANCE WITH TEXAS GOVERNMENT CODE, PURSUANT TO THE AUTHORITY CONTAINED IN:

Section 551.074 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.

Mayor Horn convened the meeting to closed session at 7:42 p.m.

RECONVENE TO OPEN SESSION

Mayor Horn reconvened the meeting to open session at 8:20 p.m.

ACTION ITEM FROM EXECUTIVE SESSION; Consideration and action, if any, to approve a newly negotiated collective bargaining labor agreement between the City of Alvin, Texas and the Alvin Police Officer's Association, the duly recognized majority bargaining agent for the City's law enforcement personnel; and authorize the Mayor to sign the Agreement.

No Action was taken on this item.

ACTION ITEM FROM EXECUTIVE SESSION; Consideration and action, if any, to approve compensation of Interim City Manager.

Council member Reed moved to approve the compensation of \$65.00 per hour for interim City Manager Junru Roland during his tenure as interim. Second by Council member Droege, motion to approve carried on a vote of 6 Ayes.

ADJOURNMENT

Councilmember Droege moved to adjourn the meeting at 8:20 p.m. Seconded by Councilmember Thompson; motion to adjourn carried on a vote of 6 Ayes.

PASSED and APPROVED this _____ day of _____, 2014.

Paul A. Horn, Mayor

ATTEST: _____
Dixie Roberts, City Clerk