

MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
REGULAR CITY COUNCIL MEETING
THURSDAY NOVEMBER 6, 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 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.

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 PRESENTATIONS

There were no special presentations.

APPROVAL OF MINUTES

Approve minutes of the October 23, 2014 Regular City Council meeting

Council member Droege moved to approve the minutes of October 23, 2014. Seconded by Council member Thompson; motion to approve carried on a vote of 7Ayes.

PETITIONS OR REQUESTS FROM THE PUBLIC

There were no requests from the public.

REPORTS FROM CITIZENS BOARDS, COMMISSIONS, AND COMMITTEES

No reports were given.

PUBLIC HEARINGS

There were no public hearings.

CONSENT AGENDA: CONSIDERATION AND POSSIBLE ACTION

Consider Ordinance 14-EE, an ordinance granting a permit to Phillips 66 Pipeline, LLC to construct certain pipeline facilities in certain property or rights-of- way of the city; regulating such construction, the date of completion, and the locations of street crossings; providing for a notice to proceed, fees, deposits, insurance, and a guaranty of performance; providing for non-waiver by the city; regulating conflicting terms of laws; providing a penalty in an amount not to exceed \$1,000.00 per day for each day of violation of any provision hereof; providing for severability; and other matters related thereto – second reading.

Consider Ordinance 14-GG, amending the City of Alvin, Ordinance 14-AA passed and approved September 11, 2014, same being an ordinance approving and adopting the City of Alvin's budget for fiscal year 2014-15 by approving "Budget Amendment I" to the original 2014-15 budget; providing supplemental appropriation and/or transfer of funds for the purpose of funding the Court Collections Analyst position in the Finance Department and amending the organization chart of the Finance Department; providing for severability; and providing for other matters related thereto – second reading.

Council member Arendell moved to approve the items on the consent agenda. Seconded by Council member Richards; motion to approve carried on a vote of 7 Ayes.

MATTERS REMOVED FROM CONSENT AGENDA

No items were removed from the consent agenda.

OTHER BUSINESS

Presentation and discussion on the 2035 Comprehensive Plan to outline the next steps using Chapter 6, Implementation.

Larry Buehler, Economic Development Director reviewed Chapter 6 Implementation of the 2035 Comprehensive Plan adopted by City Council. Mr. Buehler reviewed the top 16 items within the implementation table slated for completion within 1-2 years.

- Item # 1 - Revise local health, building, and development codes, as needed, to streamline the process for addressing unsafe or dilapidated structures and other potential health and safety risks, such as inoperable vehicles, weeds, and heavy trash; (Rating of 35).
 - Public Services Dept. / Code Compliance / Legal Dept.
 - Legal revising the ordinance to comply with new state laws.
 - Legal met this week with Code Compliance to lay out step by step process to streamline.
- Item # 2- Update the City of Alvin's Thoroughfare Plan. Revise the City's access management provisions to include full consideration of the Grand Parkway and potential expansion of S.H. 35. Amend the City's Comprehensive Plan Update to include a Mobility plan element, which would include multimodal circulation options and facilities; (Rating of 33).
 - Engineering Dept. / Public Services Dept.
 - Use existing Thoroughfare Plan map and associated report to develop RFQ.
 - 2014-2015 process RFQ, select consultant, negotiate scope and costs, be ready for 2015-2016 Budget. NOTE: if 2014-2015 dollars are available, start sooner.
- Item # 3 - Prepare and adopt a Unified Development Ordinance, UDO; (Rating of 26).
 - Economic Development Dept. / Dev. Coordinator
 - Overwhelming number of Texas Cities with UDO are zoned.
 - Based on City of Alvin not zoned, compile all development ordinances into single list that refers to the city's Municipal-Code of Ordinances.
- Item # 4 - Amend the City's subdivision regulations to incorporate parkland dedication provisions and parkland development fund requirements to require that parkland dedication and subsequent improvements occur during the first phase of subdivision development; (Rating of 22).
 - Parks Dept. / Engineering Dept. / Public Services Dept.
 - Currently, green-space is addressed in Planned Unit Development (PUD) ordinance and being included in "Developer Agreements".
 - Addressing the general park 'Quadrant' requirement that might better fund regional/larger parks to better serve the community.
- Item # 5- Employ a pro-active code enforcement strategy that first offers helpful assistance to property owners in complying with municipal codes rather than a punitive approach, so that enforcement resources may be targeted to the worst areas and offenders; (Rating of 22).

- Public Services Dept. / Code Compliance.
- Almost complete. Example: Door Hangers.
- Will include a presentation/communication to City Council and Planning Commission.
- Item # 6 - Develop and adopt a growth sequencing plan and management strategy that identifies areas of development for the next five, 10, 15 and 20 years to accommodate the targeted population of 33,472 persons in the Year 2035. These sequential areas identify when and where capital improvements and services should be directed; (Rating of 19).
 - City Manager / Economic Development Dept. / Public Services Dept. / Engineering Dept.
 - Combining Items #6, #11, and # 15.
- Item # 11 - Evaluate the City's capital improvement program (CIP) and annual capital plan against the growth sequencing plan to ensure utility extensions and capacity improvement projects are consistent with the defined growth area. The capital improvement program and capital plan should be prioritized in accordance with the sequencing and timing of development; (Rating of 11).
- Item # 15 - Identify areas of the community that are experiencing or at risk for experiencing particularly high levels of disinvestment and deterioration. Coordinate with Public Services to identify and prioritize needed infrastructure improvements funded by a target-area capital investment program; (Rating of 11).
 - Utility Master Plan underway that will include list and associated dollars. Final report due in 1st Qtr. of 2015.
- Item # 7 - Form a target-area capital investment program focused on infrastructure improvements within at-risk neighborhoods; (Rating of 16).
 - City Manager / Public Services Dept.
 - Street Assessment report complete and tier 1 streets are slated for repairs (\$1.5M). Tier 2 and 3 to follow in successive years.
 - There is an Inflow & Infiltration (I&I) report and it will have action items to rehab from worst to least.
- Item # 8 - Require drought-resistant species of street trees in all new residential developments, which must be coordinated with utility placement to avoid problems as the street trees grow; (Rating of 16).
 - Parks Dept. / Engineering Dept. / Public Services Dept.
 - Combining with Item # 16.
- Item #16 - Require tree preservation for residential development and especially for infill development and redevelopment in neighborhoods with mature tree canopies; (Rating of 10).
 - Parks Dept. / Engineering Dept. / Public Services Dept.
 - Combining with Item # 8.
 - Develop comprehensive tree ordinance.
 - Tree preservation.
 - Preference of tree species.
 - Tree planting away from city infrastructure.
- Item # 9 - Focus on park and recreation improvements as a means for elevating neighborhood viability; (Rating of 15).
 - Parks Dept.
 - Combining with Item # 14.
- Item # 14 - Develop a park standards manual that outlines equipment standards (types and finishes), branding guidelines, and design requirements so that the Alvin park system maintains a consistent level of quality, maintenance, and desirable aesthetic appeal; (Item # 14).
 - Parks Dept.
 - Combining with Item # 9.
 - Update Parks Master Plan –will include standards manual.
 - Plan for 2015-2016 budget, if funds become available in 2014-2015 advance sooner.
- Item # 10 - Allow for varying lot sizes within residential developments without requiring the more rigorous submittal procedures and requirements of a planned unit development; (Rating of 13).
 - Engineering Department.

- Lot size is better defined by "density requirements".
- Engineering to work on city-wide density formula.
- Item # 12 - Formally adopt annexation policies, which will guide the decision-making of the City Council, both for city initiated annexations as well as voluntary requested annexations; (Rating of 12).
 - City Manager / Legal Dept. / Economic Development Dept. / Public Services Dept. / Engineering Dept.
 - Review past and current growth patterns.
 - Suggestion to look at FM 517 Eastward and SH 6 Westward.
 - Includes infrastructure requirements.
- Item # 13 - Emphasize neighborhood outreach and coordination. Pursue multiple ways to maintain communication links to neighborhood leaders and representatives, such as through less formal neighborhood associations and/ or councils where organized homeowners associations have lapsed over time; (Rating of 12).
 - Dev Coordinator / Economic Development Dept.
 - Determine best methods to identify neighborhoods and then communication tools.

Consider Ordinance 14-HH, an ordinance granting a permit to Genesis Pipeline Texas, L.P. to construct certain pipeline facilities in certain property or rights-of-way of the city; regulating such construction, the date of completion, and the locations of street crossings; providing for a notice to proceed, fees, deposits, insurance, and a guaranty of performance; providing for non-waiver by the city; regulating conflicting terms of laws; providing a penalty in an amount not to exceed \$1,000.00 per day for each day of violation of any provision hereof; providing for other matters related thereto - first reading.

Genesis Pipeline Texas, L.P. is proposing to reroute an existing 8" crude oil pipeline that was constructed in the late 1930s and currently runs under the warehouse facility located at 715 N. 2nd Street that is owned by GP Assets. Genesis is wanting to reroute the line beginning at a point south of the railroad tracks and extending in a 30' wide dedicated easement around the west side of the building as shown in the attached Exhibit A, in order to provide for safer operation and maintenance of the line. Construction is scheduled to begin in December 2014 and last approximately four weeks. Genesis Pipeline Texas, L.P. has submitted all required information as required by Chapter 16 Article IV Pipelines of the City's Code of Ordinances. All components of the project have been designed and will be operated in full compliance with the Texas Railroad Commission.

Michelle Segovia presented this ordinance before Council for consideration. Representatives from Genesis were also present.

Council member Reed moved Ordinance 14-HH, an ordinance granting a permit to Genesis Pipeline Texas, L.P. to construct certain pipeline facilities in certain property or rights-of-way of the city; regulating such construction, the date of completion, and the locations of street crossings; providing for a notice to proceed, fees, deposits, insurance, and a guaranty of performance; providing for non-waiver by the city; regulating conflicting terms of laws; providing a penalty in an amount not to exceed \$1,000.00 per day for each day of violation of any provision hereof; providing for other matters related thereto on first reading. Seconded by Council member Droege; motion to approve carried on a vote of 7Ayes.

Consider Ordinance 14-II amending Chapter 28, Comprehensive Fee Ordinance, for the purpose of increasing the fees charged for Owner-Surrendered animals at the Alvin Animal Adoption Center; providing for an effective date; and setting forth other provisions related thereto - first reading.

The old animal shelter housed a daily animal population of approx. 42 animals. Since operations began at the new center (AAAC) in May of 2014, the average daily animal population is closer to 115 animals which causes additional stress on the resources, animals, staff & volunteers. (The 10/21/2014 count was 124 animals) While this drastic increase is likely due to a number of factors, one identified factor has been the

lower fees charged by the AAAC for "relinquishments of animals". Please see Captain Fonteno's attached memo comparing fees of neighboring cities and other animal-care entities. The AAAC would like to increase their current owner-surrendered charges of \$20 to \$30 per animal for Alvin-resident feline/canine relinquishments; and \$30 to \$45 for non-resident relinquishments; and \$30 to \$45 for any feline/canine mother and litter relinquishments.

Robert Lee, Police Chief presented this ordinance before Council for consideration.

Council member Adame moved to approve Ordinance 14-II amending Chapter 28, Comprehensive Fee Ordinance, for the purpose of increasing the fees charged for Owner-Surrendered animals at the Alvin Animal Adoption Center; providing for an effective date; and setting forth other provisions related thereto on first reading. Seconded by Council member Thompson; motion to approve carried on a vote of 7 Ayes.

Consider Resolution 14-R-40 acknowledging and accepting easements granted to the City of Alvin by Lorane Kocurek, Cecil Kirkland and Leonard Gonzales for the TxDOT Bridge Replacement project on County Road 149.

TxDOT required the City to obtain easements from the property owners in order to accomplish the bridge replacement project on County Road 149. This resolution formally acknowledges the City's acceptance of these easements being granted to the City by the relevant property owners.

Council member Stuksa moved to approve Resolution 14-R-40 acknowledging and accepting easements granted to the City of Alvin by Lorane Kocurek, Cecil Kirkland and Leonard Gonzales for the TxDOT Bridge Replacement project on County Road 149. Seconded by Council member Arendell; motion to approve carried on a vote of 7 Ayes.

Consider a final plat requested under the abbreviated plat procedure for Isabella Subdivision, 1 Block, 2 lots being 3.50 acres of land, out of 138.482 acres of land in the M.V. O'Donnell Survey, Abstract 468, Brazoria County, Texas.

On October 1, 2014, city staff received the Isabella Subdivision Plat for review and comment. This property is located in the City of Alvin's ETJ near County Road 99. The property is being subdivided for conveyance. The Planning Commission recommended approval at their meeting of October 21, 2014.

Michelle Segovia, City Engineer presented this information before Council for consideration.

Council member Arendell moved to approve a final plat requested under the abbreviated plat procedure for Isabella Subdivision, 1 Block, 2 lots being 3.50 acres of land, out of 138.482 acres of land in the M.V. O'Donnell Survey, Abstract 468, Brazoria County, Texas. Seconded by Council member Richards; motion to approve carried on a vote of 7 Ayes.

Consider a final plat requested under the abbreviated plat procedure for PNW RANCH a subdivision of 14.9966 acres of land in the William Pettus League Survey, Abstract No. 68, Fort Bend County, Texas.

On September 1, 2014, city staff received the PNW Ranch plat for review and comment. The plat consists of one block and three Lots. This property is being subdivided for conveyance and is located in Alvin's ETJ on CR 56, east of FM 521. Planning Commission recommended approval to City Council at their regular meeting of October 21, 2014.

Michelle Segovia, City Engineer presented this information before Council for consideration.

Council member Reed moved to approve a final plat requested under the abbreviated plat procedure for PNW RANCH a subdivision of 14.9966 acres of land in the William Pettus League Survey, Abstract No. 68, Fort Bend County, Texas. Seconded by Council member Thompson motion to approve carried on a vote of 7 Ayes.

Consider a variance request from Michael Weeks, Broker/Owner of Weeks Realty & Investment, to waive the building setback requirement of Section 21-37 (a) of the Code of Ordinances, for five corner lots within the amended plat of A.C. Wade's Addition.

On October 7, 2014, staff received a variance request letter for waiver to the 15' street side building setback required by section 21-37(a) of the Code of Ordinances. Mr. Weeks is proposing to build 14 homes on the previously platted lots in the A.C. Wade's Addition Subdivision located along Phillips and Willis Streets between Hill Street and Jackson Street. In order to be able to fit homes on the 5 corner lots in this subdivision he is requesting to be allowed to maintain a 10' street side building setback versus the required 15' setback. The Planning Commission approved this variance request on October 21, 2014.

Council member Adame left the meeting at 7:35 p.m.

Council member Arendell moved to approve a variance request from Michael Weeks, Broker/Owner of Weeks Realty & Investment, to waive the building setback requirement of Section 21-37 (a) of the Code of Ordinances, for five corner lots within the amended plat of A.C. Wade's Addition. Seconded by Council member Reed; motion to approve carried on a vote of 6 Ayes.

Council member Adame re-entered the meeting at 7:38 p.m.

Consider Resolution 14-R-36 revising the Alvin Senior Center - Rules and Regulations; and setting forth other matters related thereto.

The City Charter states the Senior Citizens Board will recommend rules and regulations governing the use of the Senior Citizens Center, which must be submitted to the City Council for approval. The Charter also provides that the rules and regulations may be changed from time to time upon approval of the City Council in order to meet the needs of the Senior Citizens Center. The proposed rules revise the Alvin Senior Center operational rules governing facility rentals at the Alvin Senior Center and include a Code of Conduct for the Senior Center.

Council member Reed moved to approve Resolution 14-R-36 revising the Alvin Senior Center - Rules and Regulations; and setting forth other matters related thereto. Seconded by Council member Droege; motion to approve carried on a vote of 7 Ayes.

Consider a request from the Museum Society to install an antique wire stretcher in the grass area on the Sealy Street side in front of the Alvin Museum located at 302 West Sealy, along with a small decorative sign inviting passersby to visit the museum for more information.

Museum Society has requested permission to install one "antique" wire stretcher in the grass area, Sealy Street side, of the museum, along with a small decorative sign inviting passersby to visit the museum for more information. Staff requests direction from city council to ensure that this type of request represents the ongoing "re-vitalization" image of the downtown area.

Council member Arendell moved to approve the request from the Museum Society to install an antique wire stretcher in the grass area on the Sealy Street side in front of the Alvin Museum located at 302 West Sealy, along with a small decorative sign inviting passersby to visit the museum for more information. Seconded by Council member Stuksa; motion to approve carried on a vote of 7 Ayes.

Consider appropriating \$11,000 for the 2015 July 4th fireworks celebration from the annual Progressive Waste (formerly IESI) donation.

Under our current contract, each year Progressive Waste (formerly IESI) contributes \$12,000 to the City for any purpose specified by Council. Historically, City Council elected to appropriate money for fireworks for 4th of July celebration with a rain out date of Labor Day weekend or another date in 2015 to be determined by the City of Alvin. The total cost of \$12,500 would be funded from this \$11,000 funding allocation and \$1,500 from the general fund account 111-7001-00-3100.

Council member Reed moved to approve appropriating \$11,000 for the 2015 July 4th fireworks celebration from the annual Progressive Waste (formerly IESI) donation. Seconded by Council member Adame; motion to approve carried on a vote of 7Ayes.

Consider rescheduling the regular City Council meeting of January 1, 2015 to January 8, 2015 and the regular City Council meeting of January 15, 2015 to January 22, 2015.

Staff requests this change of dates due to the January 1st holiday being the first Thursday of the month and would normally be scheduled for a city council meeting.

Council member Arendell moved to approve rescheduling the regular City Council meeting of January 1, 2015 to January 8, 2015 and the regular City Council meeting of January 15, 2015 to January 22, 2015. Seconded by Council member Richards; motion to approve carried on a vote of 7 Ayes.

Consider approval of a letter to the National Shooting Sports Foundation drafted by the City Attorney authorizing the Advisory Committee to the Alvin Municipal Sport Shooting Park and Youth Development Center to attend the NSSF Shooting, Hunting, Outdoor Trade Show in January 2015.

The Advisory Committee requires a letter so they can be qualified for admission to the SHOT Show each year.

Council member Droege moved to approve a letter to the National Shooting Sports Foundation drafted by the City Attorney authorizing the Advisory Committee to the Alvin Municipal Sport Shooting Park and Youth Development Center to attend the NSSF Shooting, Hunting, Outdoor Trade Show in January 2015. Seconded by Council member Stuksa; motion to approve carried on a vote of 5 Ayes; with Council member's Thompson and Richards voting No.

Consider authorizing the payment amount not to exceed \$27,768.00 to the TCEQ (Texas Commission on Environmental Quality) as budgeted in FY 14-15 for the annual permit to treat wastewater at the City of Alvin Wastewater Treatment Facility.

Council member Thompson moved to authorize the payment amount not to exceed \$27,768.00 to the TCEQ (Texas Commission on Environmental Quality) as budgeted in FY 14-15 for the annual permit to treat wastewater at the City of Alvin Wastewater Treatment Facility. Seconded by Council member Richards; motion to approve carried on a vote of 7 Ayes.

REPORTS FROM CITY MANAGER

Review preliminary list of items for the Council meeting of November 20, 2014.

Mr. Roland reviewed the preliminary list for the November 20, 2014 City Council meeting.

Announcements:

Mr. Roland announced the TxDOT public hearing regarding the FM528 extension will be held on November 13, 2014 at 5:30 p.m. in the Alvin High School auditorium.

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.

Council member Thompson thanked Joyce Kubeczka for her years of service to the City of Alvin and wished her well on her retirement. He also stated thanked the Gulf Coast Water authority for the work done in front of their building; it looks very nice.

Council member Reed stated during the recent election the people spoke out wanting change for the better. He reminded members of the City Council of the oath taken to uphold the laws and standards set before them. He encouraged all members of Council to review the applicable codes of the governing body that are directly applicable to the Council, as well as the administrative processes that are to be followed.

Council member Arendell thanked Joyce Kubeczka for her years of service to the City of Alvin and congratulated her on her retirement.

Council member Richards asked that the sidewalk ordinance be reviewed.

Council member Adame thanked Joyce Kubeczka for her years of service to the City of Alvin. He also encouraged everyone to try out the new frozen yogurt shop on Highway 6; The Frozen Spoon.

Council member Stuksa requested that staff look into the parking situation on the north side of Sealy Street across from City Hall. Extended cab trucks are parking in this area, impeding traffic. He suggested that it be considered restricting the parking in this area to that of smaller vehicles.

ADJOURNMENT

Council member Arendell moved to adjourn the meeting at 7:57 p.m. Seconded by Council member Droege; motion to adjourn carried on a vote of 7 Ayes.

PASSED and APPROVED this _____ day of _____, 2014.

Paul A. Horn, Mayor

ATTEST: _____
Dixie Roberts, City Clerk