

MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
REGULAR CITY COUNCIL MEETING
THURSDAY DECEMBER 4, 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, and Keith Thompson. Also present: Junru Roland, Interim City Manager; Bobbi Kacz, City Attorney; and Dixie Roberts, City Clerk.

INVOCATION

Judy Zavala gave the invocation.

PLEDGE OF ALLEGIANCE

Council member Thompson 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 November 20, 2014 Special City Council meeting.

Council member Arendell moved to approve the special City Council meeting minutes of November 20, 2014. Seconded by Council member Droege; motion to approve carried on a vote of 6 Ayes.

Approve minutes of the November 20, 2014 Regular City Council meeting.

Council member Thompson moved to approve the regular City Council meeting minutes of November 20, 2014. Seconded by Council member Droege; motion to approve carried on a vote of 6 Ayes.

PETITIONS OR REQUESTS FROM THE PUBLIC

Dan Kelinske, Parks & Recreation Director gave a brief overview of activities to be held this weekend at the Home for the Holiday's event.

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-FF, amending the City of Alvin 2014-15 fiscal year budget for the purpose of appropriating \$198,493.83 of prior fiscal year (FY 2013-14) encumbrances into the current fiscal year as set forth for each individual account in the attached Exhibit "A"; 2nd reading.

Consider Ordinance 14-KK, amending Chapter 2, Administration, Article VI, Records Management, of the Code of Ordinances; for the purpose of revising the Records Management Program; providing an effective date; and setting forth other provisions related thereto; 2nd reading.

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

MATTERS REMOVED FROM CONSENT AGENDA

No items were removed from the consent agenda.

OTHER BUSINESS

Consider request for street closures for the Home for the Holidays Event from 7:30 a.m. to 10:30 p.m. on Saturday, December 06, 2014 for the following streets: Depot Centre Blvd. after second entrance/exit of northwest parking lot, third entrance/exit of Northwest parking lot at Depot Centre Blvd., E. Sealy St. at Depot Centre Blvd., Depot Centre Blvd. at E. Sidnor St., E. Sidnor St. at Depot Centre Blvd., E. Sidnor St. at S. Magnolia St. and entrance/exit of parking lot at E. Sidnor St.

The Alvin Parks & Recreation Dept. in partnership with the Alvin Convention & Visitor's Bureau is hosting the annual Home for the Holidays event on Saturday, December 06, 2014. Street closures are requested from 7:30 am to 10:30 pm for the safety of the participants.

Council member Droege moved to approve the request for street closures for the Home for the Holidays Event from 7:30 a.m. to 10:30 p.m. on Saturday, December 06, 2014 for the following streets: Depot Centre Blvd. after second entrance/exit of northwest parking lot, third entrance/exit of Northwest parking lot at Depot Centre Blvd., E. Sealy St. at Depot Centre Blvd., Depot Centre Blvd. at E. Sidnor St., E. Sidnor St. at Depot Centre Blvd., E. Sidnor St. at S. Magnolia St. and entrance/exit of parking lot at E. Sidnor St. Seconded by Council member Adame; motion to approve carried on a vote of 6 Ayes.

Consider Amendment No. 2 to the Development and License Agreement with Alvin Restaurant Group, Inc. dba The Barbed Rose Steakhouse and Seafood Co.; and authorize the Mayor to execute.

In June 2010, Council approved a License Agreement that allowed Alvin Restaurant Group to build a parking lot and a private cooler/storage facility on City park property to enhance enjoyment of National Oak Park for park patrons. The Agreement was solely with the Barbed Rose Steakhouse and Seafood Co and prohibited any assignment of the agreement to anyone else.

This Amendment expands the scope of restaurant/food establishments to include additional properties authorized to use the cooler/storage facility so long as the "eligible property" is being utilized as a restaurant and/or food establishment and enhances the amenities available for park patrons. This Amendment also provides for assignment of the agreement to 'eligible businesses' upon Council approval.

Council member Droege moved to Consider Amendment No. 2 to the Development and License Agreement with Alvin Restaurant Group, Inc. *dba* The Barbed Rose Steakhouse and Seafood Co.; and authorize the Mayor to execute. Seconded by Council member Reed; motion to approve carried on a vote of 6 Ayes.

Consider the assignment of the Development and License Agreement with the Alvin Restaurant Group, Inc. *dba* The Barbed Rose Steakhouse and Seafood Co.; and authorize the Mayor to execute.

Amendment No. 2 to the Development and License Agreement provides for Council approval of an assignment by Alvin Restaurant Group of its interest of exclusive use of the cooler/storage unit to additional "eligible properties" being utilized as a restaurant and/or food establishment for further enhancement of amenities available for park patrons.

The Alvin Restaurant Group elects to assign its interest to the Gordon Street Tavern and Mango's Latin Grill. Both properties are owned by Alvin Restaurant Group, Inc. and leased by the Developer to those businesses providing services as a restaurant and/or food establishment.

Council member Thompson moved to approve the assignment of the Development and License Agreement with the Alvin Restaurant Group, Inc. *dba* The Barbed Rose Steakhouse and Seafood Co.; and authorize the Mayor to execute. Seconded by Council member Droege; motion to approve carried on a vote of 6 Ayes.

Consider Resolution 14-R-45 acknowledging and accepting easements granted to the City of Alvin by BNSF, Campbell Concrete & Materials, L.P., Ernest & Dolia Montemayor and Juan & Maria San Javier for the TxDOT Bridge Replacement project on 2nd Street.

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

Council member Arendell moved to approve Resolution 14-R-45 acknowledging and accepting easements granted to the City of Alvin by BNSF, Campbell Concrete & Materials, L.P., Ernest & Dolia Montemayor and Juan & Maria San Javier for the TxDOT Bridge Replacement project on 2nd Street. Seconded by Council member Richards; motion to approve carried on a vote of 6 Ayes.

Consider Ordinance 14-Z, an ordinance amending Chapter 5 Buildings, of the Code of Ordinances, City of Alvin, Texas, for the purpose of adding parking space requirements for museums; providing a savings clause; providing an effective date, and setting forth other provisions related thereto; 1st reading.

Currently, Section 5-9 of the City's Code of Ordinance does not have a required parking space category for museums. The absence of a museum category was first noticed by staff during the plan review for the Karpeles Manuscript Museum located at 800 W. Sidnor. After reviewing the parking requirements of other Cities, the museum parking ratio of 10 spaces plus 1 space for every 400 square feet of floor area is being proposed.

Council member Adame moved to approve Ordinance 14-Z, an ordinance amending Chapter 5 Buildings, of the Code of Ordinances, City of Alvin, Texas, for the purpose of adding parking space requirements for museums; providing a savings clause; providing an effective date, and setting forth other provisions related thereto on 1st reading. Seconded by Council member Droege; motion to approve carried on a vote of 6 Ayes.

Consider Resolution 14-R-37 approving a Donation Agreement with the Alvin Sunrise Rotary; wherein the Alvin Sunrise Rotary will donate a total value of \$51,000 to the City Parks Department and Council authorizes exclusive usage rights of Briscoe Park by Alvin Sunrise Rotary for one week each year for the Alvin Music Festival & BBQ Cook-Off and Council further authorizes naming the pavilion located at Briscoe Park as the Alvin Sunrise Rotary Pavilion for a time certain.

This item was removed from the agenda.

Consider Resolution 14-R-44 re-appointing the directors serving in the even numbered positions of the Kendall Lake TIRZ Board and Authority Board from December 31, 2014 to December 31, 2016; and appointment of chairman.

Positions 2 (Armando Cespedes), 4 (Vicki Ennis), 6 (Marjorie Planka), and 8 (Tom Stansel), terms expire December 31, 2014. Staff recommends the current directors be reappointed in their respective terms that would expire December 31, 2016. Mike Pyburn is the current Chair of the TIRZ and Authority Boards.

Council member Arendell moved to approve Resolution 14-R-44 re-appointing the directors serving in the even numbered positions of the Kendall Lake TIRZ Board and Authority Board from December 31, 2014 to December 31, 2016; and appointment of chairman. Seconded by Council member Adame; motion to approve carried on a vote of 6 Ayes.

Consider appointments to citizen Boards, Committees and Commissions.

Council member Thompson moved to defer this item until the next meeting. Seconded by Council member 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 December 18, 2014.

Mr. Roland reviewed the preliminary list for the December 18, 2014 City Council meeting.

Announcements/Items of Community Interest

Mr. Roland stated that the Alvin Fire Department will host their annual Open House December 12-14th.

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 asked for a copy of the December 2014 Parks Board minutes.

Mayor Horn asked what was being built off of Bypass 35 near Whataburger. Larry Buehler, Economic Development Director stated that an Aldi Grocery store is being built at this location.

Council member Arendell asked for an update on the status of the Quiet Zone.

Council member Richards asked for a copy of the December 2014 Parks Board minutes.

Council member Droege asked for an updated staff contact list.

ADJOURNMENT

Council member Arendell moved to adjourn the meeting at 8:23 p.m. Seconded by Council member 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