

**MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
REGULAR CITY COUNCIL MEETING
THURSDAY SEPTEMBER 1, 2016
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 Gabe Adame; Council members. Adam Arendell, Scott Reed, Brad Richards, Chris Sanger, Glenn Starkey, and Keith Thompson.

Staff members present: Sereniah Breland, City Manager; Bobbi Kacz, City Attorney; Junru Roland, CFO/Assistant City Manager; Dixie Roberts, City Clerk; Larry Buehler, Director of Economic Development, Robert Lee, Police Chief; Julie Siggers, Director of Alvin Convention and Visitors Bureau, and Michelle Segovia, City Engineer

INVOCATION AND PLEDGE OF ALLEGIANCE

Police Department Chaplain, Mary Sanders gave the invocation.

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

Council member Reed led the Pledge to the Texas Flag.

PUBLIC COMMENT

Eugene Bauer stated that he would like to see department heads give departmental reports to City Council.

Pat Drachenberg spoke against the placement of a sidewalk on the west side of Mustang Road.

Judy Zavala spoke against the placement of a sidewalk on the west side of Mustang Road.

Mayor Horn stated that there are several comments to be made this evening regarding the Collective Bargaining agreement and that Mr Brian Bagley with Olson and Olson wanted to give some comments before moving forward.

Brian Bagley with Olson and Olson, LLP stated that he is currently representing the City of Alvin during the Collective Bargaining negotiations with the Alvin Police Association. He stated that in the ground rules adopted to begin the negotiations it was agreed that association members would not directly lobby Council members regarding this agreement and in turn members of the negotiation team would not directly lobby association members during their voting process. However, City Council does have option to hear what the members of the Association have to say This is at City Council's discretion as to who will be allowed to speak and for what length of time.

Motion by Council member Adame to allow remarks from those in attendance regarding the Collective Bargaining Agreement, limiting comments to three (3) minutes, Second by Council member Richards, motion carried with a vote of 7 Ayes.

Michael Rickman asked City Council to consider approval of the Collective Bargaining contract submitted by the Alvin Police Officer's Association.

Aaron Kincaid offered remarks regarding the Collective Bargaining currently under negotiation and asked that City Council consider approval of the contract submitted by the Alvin Police Officer's Association.

Thomas Garcia stated that the law enforcement pay should receive fair compensation for the services they provide to the community. Competitive pay keeps current law enforcement personnel on staff and also makes for easier recruitment.

Darren Shelton stated that the City of Alvin law enforcement officers should be celebrated and rewarded as much as possible and should be compensated equitably as officers in surrounding communities. He stated that officers should not be paid less for being loyal to the City of Alvin. Many officers leave the City of Alvin to go work for neighboring communities for a higher salary.

PRESENTATIONS

Presentation of results of the Neighborhood Outreach Program from the Alvin 2035 Comprehensive Plan Implementation Action Plan.

The Neighborhood Outreach Program project scope was to pursue multiple ways to maintain communication links to neighborhood leaders and representatives and was identified during the process of the 2035 Comp Plan adopted by City Council. The goal was for residents of neighborhoods to have a better understanding of the City's efforts to maintain quality infrastructure and community development by being better informed of the City's activity.

Team members were City Clerk, Dixie Roberts, Assistant to City Manager, Mary Dearing; Development Coordinator, Kristine Schaffner; Vicki Ennis, resident and former Comprehensive Plan Advisory Member

On May 4th, a listening session held with community interested citizens and we asked three questions

- 1. How can we help build better trust between city government and the residents? Statements shared included it really meant a lot when city staff showed up, better accessibility through a friendlier web site, and provide citizens with more of what's going on in the city. Better cohesiveness, meaning know exactly who to direct the citizen to for help.*
- 2. What information would you like to receive from the city? (Informative, Positive, Urgent, Etc.) Answers included emergency information, information regarding infrastructure to include street closures, bridge closures etc., more information on development activity, but would like the ability to opt out of some information that might not interest a citizen.*
- 3. How do you want to communicate this information to the citizens that you believe will be most efficient? Some would like to see a Frequently Asked Question (FAQ) section on city website, better quality, more information, to be user friendly provide some general communication in Spanish on the website, allow for easier process of the electronic water bill that includes a hyperlink on the actual bill. The Alvin Community College radio station was also mentioned as a communication source.*

Accomplishments and Next Steps

- Rolled out the new city web site. There is a link to see it in Spanish. Much more user friendly with direct buttons to Parks and Recreation, Online Payments, Public Notices, Calendar of Events, News and Announcements, and drop down menus.*
- Working with our local newspaper to better inform the citizens on city related activity. This includes our public information officer, Dixie Roberts coordinating closer with the reporters to be able to follow up on initial stories.*
- Social Media – Coordinating with department heads to better centralize information on all forms of social media to include Facebook.*
- Exploring the idea of city staff scheduling an event to be available to engage with the public in one setting, possibly including the Mayor and Council.*
- Exploring the creation of short videos of staff sharing public service announcements such as hurricane awareness.*
- Look at ways staff can be more in the public like attending civic club events, homeowner association meetings, chamber related events.*

PUBLIC HEARING

Public Hearing to receive comment on the proposed tax rate of \$0.7980 per \$100 of valuation for Fiscal Year 2016-2017 (2016 tax year).

Mayor Horn opened the public hearing at 7.36 p.m.

There were no comments.

Mayor Horn closed the public hearing at 7.37 p.m.

Announce that the City Council is scheduled to vote on the proposed tax rate ordinance at the regular City Council meeting on Thursday, September 15, 2016 at 7:00 p.m.

Mayor Horn announced that the City Council is scheduled to vote on the proposed tax rate ordinance at the regular City Council meeting on Thursday, September 15, 2016 at 7:00 p.m.

CONSENT AGENDA, CONSIDERATION AND POSSIBLE ACTION

Approve minutes of the August 18, 2016 City Council meeting.

Consider a final plat of One Tire or More, being a 5.0 acre tract of land (8192 County Road 128) being all of Lot 6, of Hastings West Section Two, as recorded in volume 18, pages 375-376, plat records, Brazoria County, Texas.

On August 1, 2016 the Engineering Department received the final plat of One Tire or More for review. The property is located at 8192 County Road 128 in the City of Alvin Extraterritorial Jurisdiction (ETJ) and is being platted in order for the owner of the property to sell Lot 1. The plat complies with all requirements of the City's Subdivision Ordinance. The City Planning Commission unanimously approved the plat at their meeting on August 16, 2016.

Consider a final plat of Morgan Falls Estate, being a 7.19 acre tract of land (2300 Koster Road) being the same land as recorded in document number 2003053423, official records of real property, Brazoria County, Texas, being out of Lot 7 of the E. J. Biering Subdivision as recorded in Volume 19, Page 147, deed records, Brazoria County, Texas, situated in the H.T.& B. R.R. Company Survey, Section 13, Abstract 225, Brazoria County, Texas.

On August 1, 2016 the Engineering Department received a final plat of Morgan Falls Estate for review. The property is located at 2300 Koster Road in the City of Alvin and is being platted in order for the owner to be able to sell the commercial business on Lot 1 separate from the residence on Lot 2. This plat complies with all requirements of the City's Subdivision Ordinance. The City Planning Commission unanimously approved the plat at their meeting on August 16, 2016.

Consider annual windstorm renewal from Victor O. Schinnerer & Company, Inc. in an amount not to exceed \$150,879 for the City's windstorm and hail coverage for FY17, and authorize the City Manager to sign the Proposal Acceptance Form.

Windstorm insurance is property and casualty insurance that specifically covers loss due to damage by high winds. i.e. hurricane and hail damage. The City's general property and liability insurance provider (Texas Municipal League – Intergovernmental Risk Pool [TMLIRP]) does not provide full windstorm and hail coverage for all city facilities. Currently, TMLIRP only provides windstorm coverage through their Coastal Storm Fund for wind resistive facilities, which include City Hall, the Alvin Museum, and the Wastewater Treatment Building. However, TMLIRP has an arrangement with Victor O Schinnerer & Company, Inc. (VOSCO), an underwriting manager of professional liability and specialty insurance, to serve as the City's insurance agent in placing windstorm coverage. VOSCO has written the City's windstorm coverage through various companies since 10/01/2000. The current (annual) windstorm policy with VOSCO expires October 1, 2016. For FY17 VOSCO is offering 3 options to the City for windstorm and hail coverage.

Staff is recommending option #1 due to the coverage value as well as the local regulation. Option #1 (\$150,879) utilizes the Texas Windstorm Insurance Association (TWIA) as the insurer/carrier. TWIA is a residual market property insurance company that provides wind and hail insurance for residential and commercial property located within an area designated by the Texas Commissioner of Insurance. This area currently includes 14 first tier coastal counties. A first tier designation is an area subject to catastrophe due to high-winds. Brazoria County is identified as a first tier

coastal county For the current fiscal year, city council approved TWLA as the insurer/carrier The FY17 proposal is a 2% increase from FY16.

Should council elect not to approve option #1, then staff will propose Option #2 (\$159,349 05) or Option #3 (\$220,798.20), which consist of using AmRisc as the insurer/carrier

Consider Ordinance 16-T, repealing Ordinance No. 06-III, whereby the City Council adopted the Economic Development Policy for the City of Alvin, Texas, and repealing Ordinance Nos. 11-CCC and 13-Y, whereby the City Council re-adopted the Economic Development Policy of the City of Alvin, Texas.

This ordinance repeals the ordinances that adopted the City's existing Economic Development Policy since its initial adoption in 2007 The Economic Development Policies were previously adopted by ordinance. There is no state law requirement to use an ordinance to do so, thus, being that this is a policy, it is recommended that Council adopts policy(ies) by resolution. Resolution 16-R-23 provides the current Economic Development Policy for Council's subsequent consideration upon repeal of the relevant ordinances.

Consider Resolution 16-R-23, adopting the Economic Development Policy for the City of Alvin, including criteria and guidelines governing tax abatement, tax increment reinvestment zones and additional economic incentives within the City; and setting forth related matters thereto.

The Texas Tax Code, Chapter 312.002(c) recommends cities renew its Economic Development Policy every two (2) years as it relates to tax abatement guidelines. This policy is used by staff as a guideline to work with development projects. No changes are being requested to the comprehensive policy renewed in 2013

Consider a request from Belleau Wood Homes, on behalf of the Operation Finally Home Program to waive the building permitting fees for the construction of a home at 1995 Brentwood Drive.

Belleau Wood Homes in conjunction with the Operation Finally Home program has submitted for a permit to construct a home at 1995 Brentwood Drive in the Callaway Crossing Subdivision for a wounded veteran. Aaron Barch, of Belleau Wood Homes, on behalf of Operation Finally Home has requested a waiver of the building permit fees. Permitting fees that are eligible for waiver are as follows.

Building Permit (Residential).	\$715.00
Driveway Approach Fee:	\$51.60
Plan Review (residential).	\$357.50
Storm Water Permit Fee:	\$45.00
Electrical Permit	\$208.00
Mechanical Permit:	\$125.75
Plumbing Permit:	\$147.50
Total Permitting Fees Eligible for Waiver	\$1,650.35

Should this waiver be approved, the builder is still required to submit all applicable permits, and pass all applicable inspections associated with these permits.

Utility Impact Fees of \$2,500 are not allowed to be waived based on City Ordinance Chapter 25 Article VI. Impact Fee for Water and Sewer which is based on Chapter 395 of the Local Government Code.

In the past ten years, one home has been constructed in the Kendall Lakes Subdivision by the Wounded Warrior Program and a waiver of the permitting fees was not requested nor granted.

Council member Adame moved to approve the consent agenda as presented. Seconded by Council member Richards, motion to carried on a vote of 7 Ayes.

OTHER BUSINESS

Consider Resolution 16-R-22, accepting the donation of six (6) Automated External Defibrillators (AED's) from Firehouse Subs Public Safety Foundation to Alvin Police Department for use in their patrol units.

Firehouse Subs Public Safety Foundation was founded in 2005 in the aftermath of Hurricane Katrina to provide public safety organizations with equipment or funding. Since its inception the Foundation has donated millions of dollars to over 1,400 organizations impacting over 1,000 communities. The Foundation allocates funding in five areas life-

saving equipment, prevention education, scholarships and continued education, support for members of the military and for disaster preparedness and disaster relief. Recently the foundation began a 1,000 AED (Automated External Defibrillator) Gift Campaign. Each Franchisee would receive one (1) AED grant for each of their franchise locations. Bradley Watkins, who has franchise locations in Baytown, Webster, Deer Park, Pearland, League City and the upcoming Alvin location at Hwy 6 and Bypass 35 North decided that a greater community impact would be created by giving all six (6) AED units to a single recipient and chose the Alvin Police Department to receive the units. The same day we submitted the award/grant paperwork, provided by Mr. Watkins, to the Firehouse Subs Public Safety Foundation we were notified of the award and within a week we received shipment confirmation of the AED units.

Alvin Police Department has an AED program where each patrol vehicle is equipped with an AED. This has been, and is, a very beneficial program since in most cases the Police Department arrives before EMS. In the last 3 years there have been four (4) instances of officer deploying an AED and saving a life in Alvin. The majority of our current inventory of AEDs is several years old and has reached the stage where some units are failing and others have had the batteries replaced multiple times. The addition of these units will, along with units purchased last year, put a brand new AED in every patrol vehicle.

We were given the opportunity to choose which brand/model AED and we chose to receive the Physio-Control LifePak CR which includes 2 sets of electrodes, battery charger, carry case and Ambu Res-Cue Mask Kit. This unit is compatible with equipment our EMS uses allowing for a faster switch between PD and EMS units. Research has shown that this model, as awarded, sells retail for approximately \$1,695.00 each, giving this donation an approx. value of \$10,170.00.

**A gift or donation of property or money with a value of \$5,000 or greater shall be accepted by the City via resolution pursuant to Chapter 2-16 of City Code of Ordinances.*

Council member Adame moved to approve Resolution 16-R-22, accepting the donation of six (6) Automated External Defibrillators (AED's) from Firehouse Subs Public Safety Foundation to Alvin Police Department for use in their patrol units. Seconded by Council member Sanger; motion to carry on a vote of 7 Ayes.

Consider Resolution 16-R-20; authorizing Alvin Independent School District's Alvin High School mascot logo and Alvin Community College logo to be placed on the Dyche Lane Elevated Water Storage Tank.

In July 2016 City Staff met with representatives of Alvin Independent School District (AISD) and Alvin Community College (ACC) to discuss the possibility of the entities wanting to place their respective logos on the new Dyche Lane Elevated Water Storage Tank that is currently under construction. Each entity showed interest in the idea and have submitted request letters and proposed logos for consideration. In order to cover the cost of painting the logos on the tank each entity is prepared to contribute \$15,000. The current contract for construction of the tank includes the cost to paint the tank with "ALVIN" similar to the existing tank along the Bypass. The Contractor has been given AISD's Alvin High School and ACC logos to review in order to ensure that the logos will look proper on the tank and to give a cost estimate to create the template and paint the tank. Cost estimates for painting logos on the tank, depend on the level of detail required and the number of paint colors to be used.

This resolution is another example of the City's continuing partnership, intergovernmental cooperation and community involvement with local political subdivisions.

Council member Adame moved to approve Resolution 16-R-20; authorizing Alvin Independent School District's Alvin High School mascot logo and Alvin Community College logo to be placed on the Dyche Lane Elevated Water Storage Tank. Seconded by Council member Sanger; motion to approve carried on a vote of 7 Ayes.

Consider a variance request for the property owner at 1009 W. Willis Street to waive the building setback requirement of Chapter 21, Section 37 (a) of the Code of Ordinances.

Summary: On August 8, 2016 the Engineering Department received a variance request, from the property owner of 1009 W Willis Street, for a waiver to the 25' front building setback required by section 21-37(a) of the City Code of

Ordinances. The owner is proposing to construct a 14'x 8' covered front porch along the front of the home at 1009 W Willis Street. The covered porch, as proposed, will encroach 5 feet into the 25' front building setback, however the new porch would only extend 1 foot beyond the footprint of the existing porch structure to be removed. The nearest edge of the proposed porch will still be 45 feet from the edge of the Willis Street pavement. The encroachment of the new porch will not cause any traffic safety concerns and will blend with existing structures in the area.

The Planning Commission unanimously approved this request at their meeting on August 16, 2016.

Numerous variances to the front building setback requirement for similar structures have been approved in the past several years. The most recent one being for a Porte Cochere at 404 Lulac Street in December 2015. In order to reduce the number of variance requests of this type, Staff intends to draft an amendment to Chapter 21 that would allow the City Engineer discretion with regards to minor encroachments of accessory structures (carports, porches, patios, etc.) into the building setback for existing improved properties. It is anticipated that this amendment will be placed on a City Council agenda within the next three months.

Council member Adame moved to approve a variance request for the property owner at 1009 W Willis Street to waive the building setback requirement of Chapter 21, Section 37 (a) of the Code of Ordinances. Seconded by Council member Thompson, motion to carried on a vote of 7 Ayes.

Reconsider the Mustang Road Improvement Project with Mar-Con Services, LLC, to include the alternate bid item of a sidewalk on the west side of Mustang Road.

On May 31, 2016 bids were opened for the Mustang Road Improvement Project and Mar-Con Services LLC. was the qualified low bidder. The Engineering Department has worked with this contractor before and was highly satisfied with the work performed.

Project Budget:	\$1,500,000.00	
Contract Amount:	\$1,011,872.50	
Alternate Bid Item:	\$38,394.60	(Construction of a new sidewalk along the west side of the road)
5% Contingency:	\$52,513.36	
Total Amount:	\$1,102,780.46	(Project is \$397,219.54 below budget)

The project consists of the removal and replacement of concrete pavement, curb, driveways, sidewalk, storm sewer pipe, inlets, and manholes along the existing alignment of Mustang Road from S. Gordon Street to Bypass 35. The existing Mustang Road intersection with S. Gordon Street will be permanently closed and relocated 650 feet south on currently vacant property that was acquired by the City of Alvin in 1999. This project has been in design for the past three years and has been in the planning stage since 2003.

On January 7, 2016 a City Council workshop was held to discuss the project, as well as, to hear concerns from a resident that lives along Mustang Road regarding the plan to construct a new sidewalk along the west side of the roadway as a part of this project. The Council discussed the proposed sidewalk and the intersection realignment at length and direction was given to staff to bid the sidewalk along the west side of the road as an alternate item that could be included or removed at Council's discretion at the time of bid award.

The Mustang Road and S. Gordon intersection is being relocated in an effort to ease traffic congestion at the S. Gordon and South Street signal controlled intersection. This relocation has been approved/permitted by the Texas Department of Transportation (TXDOT).

The project is scheduled to start in early July and has a construction time of 180 days.

The \$397,219.54 in excess funds will remain in the Sales Tax Fund, to be used for future street improvements.

June 16, 2016, Council voted to not include the sidewalk alternate bid item with the road improvement project. July 7, 2016, Council voted to include the sidewalk alternate bid item. July 21, 2016 Council discussed this item at a council meeting. August 4, 2016 Council discussed this item at a workshop and it was requested that it come back before City Council for further discussion and consideration. The contract as approved includes the alternate bid item.

Council member Reed moved to not include the alternate bid item of a sidewalk on the west sidewalk on the west side of Mustang Road. Second by Council member Adame; motion failed

with Council Member's Thompson, Richards, Sanger and Starkey voting No and Council member Reed, Arendell and Adame voting Aye.

Council member Thompson moved to not include the alternate bid item of a sidewalk on the west sidewalk on the west side of Mustang Road. Second by Council member Sanger; motion carried with Council member's Thompson, Richards, Sanger and Starkey voting Aye and Council member's Reed, Arendell and Adame voting No

Consider a License Agreement for Exclusive Use of City Property between the City of Alvin and the Alvin Noon Lions for the Steak of the Arts Festival to be held at National Oak Park on September 17, 2016, and authorize the City Manager to sign.

The Alvin Noon Lions Club has requested the City to issue a license agreement for the purpose of holding a fundraising event, the Steak of the Arts Festival, (on September 17, 2016) in National Oak Park to include food and alcoholic beverages and providing music and other entertainment.

The exclusive use agreement outlines operational responsibilities of the City and the Alvin Noon Lions.

Alvin Noon Lions Club shall.

- Adhere to governmental regulations concerning the sale of food and alcohol & obtain appropriate permits
- Fence the park area & ensure deployment of police for security
- Maintain the property in clean condition
- Adhere to City's noise ordinance & obtain appropriate sound/noise permit
- Notify Chief within 1 week of event if use of portable a/c units and generators are desired
- Abide by all terms of Community Wide Event Application including insurance requirements

The City shall.

- Provide security (no cost)
- Provide barricades for street closure (no cost)
- Provide and install temporary fencing around Rotary Pavilion
- Waive park user fees
- Provide a mega tent (including labor to set up and disassemble) (no cost)
- Provide portable restroom (no cost)
- Provide dumpsters for trash disposal (no cost)
- Provide labor and equipment to install signs and banners on Rotary Pavilion

Council member Thompson moved to approve a License Agreement for Exclusive Use of City Property between the City of Alvin and the Alvin Noon Lions for the Steak of the Arts Festival to be held at National Oak Park on September 17, 2016, and authorize the City Manager to sign. Seconded by Council member Starkey; motion to carried on a vote of 7 Ayes.

Consider Addendum No. 13 to the Contract for Refuse Collection and Disposal Services between the City of Alvin and Waste Connections of Texas (formerly Progressive Waste Solutions) to adjust rates paid to Waste Connections of Texas due to the decrease in the revised Consumer Price Index Rate for All Urban Consumers (CPI-U) for the Houston-Galveston-Brazoria, TX area and fuel cost adjustments pursuant to the agreement; and authorize the Mayor to sign.

The City's contract with IESI (signed August 18, 2005), with a subsequent name change to Progressive Waste Solutions (August 12, 2012), for refuse collection and disposal service contains a provision for an annual adjustment of compensation paid to the contractor

Waste Connections of Texas submitted the annual letter evaluating the CPI-U and fuel adjustments per the contract with the City. Although the CPI-U and fuel adjustment was -3.547%, their operational costs increased by 2.74%, thus, the overall net adjustment is -0.807% to the City's cost. Based on 2015-16 payment, this percentage of decrease in cost to the City is approximately \$17,000. The effective date for the adjustment is October 1, 2016.

Addendum #13 includes the annual adjustment of compensation of -0.807% paid to the contractor and the revised notice provision for the new service provider, Waste Connections of Texas.

Council member Arendell moved to approve Addendum No 13 to the Contract for Refuse Collection and Disposal Services between the City of Alvin and Waste Connections of Texas (formerly Progressive Waste Solutions) to adjust rates paid to Waste Connections of Texas due to the decrease in the revised Consumer Price Index Rate for All Urban Consumers (CPI-U) for the Houston-Galveston-Brazoria, TX area and fuel cost adjustments pursuant to the agreement; and authorize the Mayor to sign. Seconded by Council member Thompson, motion to approve carried on a vote of 7 Ayes.

Consider Ordinance 16-V, amending Chapter 28, Comprehensive Fee Ordinance for the purpose of revising certain water and sewer fees for residential and commercial customers due to the annual consumer price index rate for all urban consumers (CPI-U) for the Houston-Galveston-Brazoria, Texas area, providing for a ten percent (10%) penalty for late payment; providing for an effective date of October 2016 billing cycles, and setting forth other provisions related thereto.

The city ordinance requires that water and sewer rates be increased, at minimum, based on the annual consumer price index rate for all urban consumers (CPI-U) for the Houston-Galveston-Brazoria, Texas area. The ordinance also allows the consideration of other factors to determine if an additional increase in water and sewer rates is warranted.

The water and sewer rate adjustment is equal to the percentage that the CPI-U has changed over the previous 12-month period. The CPI-U has increased by 1.4%. At this time, staff is recommending the minimum water and sewer rate adjustment of 1.4%, in accordance with the City's water and sewer fee ordinance. This calculates to a \$0.65 monthly increase to the average residential customer, using 5,000 gallons per month.

City Council has authorized the appropriation of funds to hire a consultant to study the City's utility revenues and make recommendations to council concerning water and sewer rates, as well as analyze the revenue needs and rates for future years in lieu of the projects identified in the Utility Master Plan. The results of the study will be completed and presented to council in the near future.

Council member Starkey moved to approve Ordinance 16-V, amending Chapter 28, Comprehensive Fee Ordinance for the purpose of revising certain water and sewer fees for residential and commercial customers due to the annual consumer price index rate for all urban consumers (CPI-U) for the Houston-Galveston-Brazoria, Texas area, providing for a ten percent (10%) penalty for late payment; providing for an effective date of October 2016 billing cycles, and setting forth other provisions related thereto. Seconded by Council member Adame; motion to approve carried on a vote of 7 Ayes.

Consider Ordinance 16-W, amending Chapter 28, Comprehensive Fee Ordinance for the purpose of revising certain solid waste collection and disposal fees for residential, commercial and roll-off containers due to the annual consumer price index rate for all urban consumers (CPI-U) for the Houston-Galveston-Brazoria, Texas area, providing for a ten percent (10%) penalty for late payment; providing for an effective date of October 2016 billing cycles, and setting forth other provisions related thereto.

The City's ordinance requires that solid waste rates be increased, at minimum, based on the annual consumer price index rate for all urban consumers (CPI-U) for the Houston-Galveston-Brazoria, Texas area. The ordinance also allows the consideration of other factors to determine if an additional increase in solid waste rates is warranted.

The solid waste rate adjustment is equal to the percentage that the CPI-U has changed over the previous 12-month period. The CPI-U has increased by 1.4%. The CPI-U rate adjustment that will be applied to solid waste rates for FY17 would result in a 1.4% increase in solid waste rates for FY17 -- which calculates to a \$0.21 increase in solid waste collection rates for residential customers per month.

Council member Starkey moved to approve Ordinance 16-W, amending Chapter 28, Comprehensive Fee Ordinance for the purpose of revising certain solid waste collection and disposal fees for residential, commercial and roll-off containers due to the annual consumer price

index rate for all urban consumers (CPI-U) for the Houston-Galveston-Brazoria, Texas area, providing for a ten percent (10%) penalty for late payment; providing for an effective date of October 2016 billing cycles, and setting forth other provisions related thereto. Seconded by Council member Richards, motion to approve carried on a vote of 7 Ayes.

Consider casting ballot for the Texas Municipal League Intergovernmental Employee Risk Pool (TMLIRP) Board of Trustees (Places 6-9).

The TMLIRP is the leading provider of workers' compensation, liability, and property coverage for local governments in Texas. Founded in 1974, TMLIRP is the oldest and largest pool of its type in the United States, serving over 2800 governments and political subdivisions. The Pool's mission is to provide Texas municipalities and other units of local government with a stable source of risk financing and loss prevention services at the lowest cost consistent with sound business practices.

This is the official ballot for the election of Places 6-9 of the Board of Trustees for TMLIRP. Each Member of the Pool is entitled to vote for Board of Trustee members. The City of Alvin is a member of the TMLIRP and is allotted one vote for each place. Typically, unless a candidate solicits a vote from our governing body, the City doesn't cast a ballot. Votes have been cast by City Council in year's past.

The officials on the ballot have been nominated to serve a six (6) year term on the TMLIRP (Worker's Compensation, Property and Liability) Board of Trustees.

Kyle Jung, City of Manvel City Manager was nominated to run for Place 6.

Council member Arendell moved to cast a ballot for Kyle J Jung for the Texas Municipal League Intergovernmental Employee Risk Pool (TMLIRP) Board of Trustees Place 6. Seconded by Council member Adame; motion carried on a vote of 7 Ayes.

REPORTS FROM CITY MANAGER

Review preliminary list of items for next Council meeting.

Ms. Breland reviewed the preliminary list for the September 15, 2016 City Council meeting.

Items of Community Interest.

Mrs. Roberts reviewed items of community interest.

REPORTS FROM COUNCIL MEMBERS

Announcements and requests from Council members.

Council member Thompson thanked Fire House Subs for their donation to the City. He also thanked those who help keep Alvin beautiful.

Council member Reed thanked the citizens who gave input on the Mustang Road project.

Council member Arendell thanked Fire House Subs for their donation, thanked the police officers who were present this evening and also thanked the citizens who gave input on the Mustang Road project.

Council member Richards thanked Fire House Subs for their donation.

Council member Sanger thanked Fire House Subs for their donation. He also stated that he is for reducing the tax rate further.

Council member Adame stated that John Barron of State Farm Insurance Agency will be honored as a member of the Junior Achievement of Brazoria County Business Hall of Fame on September 8th at the Lake Jackson Civic Center. He also stated that he is opposed to the City liquidating land. Council member Adame stated that he felt that employee compensation is of great importance.

Council member Starkey thanked Fire House Subs for their donation. He also encouraged citizens to attend the Quanah Parker exhibit at the Alvin Museum. Council member Starkey thanked the Alvin Historical Society for what they do for the community. He also stated that the senior citizens do a lot of great work for the seniors in the community and that he is committed to making sure that the Alvin Senior Center receives the needed building improvements.

Mayor Horn stated that there will be a TxDOT public hearing on October 16 for the Highway 35 tollway.

EXECUTIVE SESSION

Mayor Horn called for an executive session at 8:16 p.m. in accordance to the following:

- A. 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.
- B. 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.
 1. Appointment of the Presiding Judge of Municipal Court.

RECONVENE TO OPEN SESSION

Mayor Horn reconvened the meeting into open session at 9:55 p.m.

Consider and take appropriate action, if any, to approve a Collective Bargaining Labor Agreement between the City of Alvin, Texas and the Alvin Police Officer's Association (APOA), and authorize the Mayor to sign.

Council member Adame moved to authorize the city bargaining team to offer Alvin Police Officer's Association's proposal for a Collective Bargaining Agreement with the City. Seconded by Council member Starkey; motion carried with a vote of 7 Ayes.

Consider Resolution No. 16-R-19; approving the appointment of the Municipal Court Judge; and authorize the Mayor to sign the Memorandum of Understanding.

Council member Starkey filled out a Conflict of Interest affidavit before the meeting and will not be participating in this discussion and or vote.

Council member Arendell moved approve Resolution No. 16-R-19; approving the appointment of the Municipal Court Judge (Donna Starkey); and authorize the Mayor to sign the Memorandum of Understanding. Seconded by Council member Sanger; motion carried on a vote of 6 Ayes.

ADJOURNMENT

Council member Adame moved to adjourn the meeting at 9:56 p.m. Seconded by Council member Thompson, motion carried on a vote of 7 Ayes.

PASSED and APPROVED this 15 day of September, 2016



Paul A. Horn, Mayor

ATTEST 

Dixie Roberts, City Clerk



STATE OF TEXAS

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§
§

AFFIDAVIT

COUNTY OF BRAZORIA

BEFORE ME, the undersigned Notary Public, on this day appeared Glenn Starkey who is personally known to me and first being duly sworn according to law upon his oath deposed and said

My name is JAMES Glenn Starkey I am over eighteen (18) years of age and I am fully competent to make this affidavit I am a Councilmember for the City of Alvin, Texas

I believe I have a possible conflict of interest regarding the following matter that City Council is scheduled to act to consider approval of at a regular council meeting on

AGENDA ITEM

Executive Session Item B: Delib/appointment of Municipal Court Judge

Reconvene item B:
Consider Res 16-R-19 Appt of Donna Starkey as Municipal Court Judge

I restate my conflict of interest for any other future dates that Council may consider this same agenda item My conflict of interest exists because marriage pertaining to the above agenda item

Glenn Starkey
Printed Name

SUBSCRIBED AND SWORN TO BEFORE ME on the 1st day of Sept, 2016 to certify which witness my hand and official seal



Dixie Roberts
Notary Public in and for
the State of Texas
My Commission expires 12-07-17