

**MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
REGULAR CITY COUNCIL MEETING
THURSDAY OCTOBER 20, 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 Pro-tem Gabe Adame; Council members: 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; Michelle Segovia, City Engineer; Dan Kelinske, Parks and Recreation Director; Ron Schmitz, EMS Director; and Todd Arendell, Police Captain.

INVOCATION AND PLEDGE OF ALLEGIANCE

David Bowman gave the invocation.

Council member Starkey led the Pledge of Allegiance to the American Flag and the Texas Flag.

PUBLIC COMMENT

Barbara Biggers spoke in favor of the adoption of the Alvin Senior Center rules and regulations on the agenda for Council consideration this evening.

Dr. Andrea Bush spoke before City Council sharing a statistical analysis of information collected regarding the Alvin Animal Adoption Center.

Alayna Matranga spoke before City Council regarding the Alvin Animal Adoption Center.

Angela Adams spoke before City Council regarding the Alvin Animal Adoption Center and the Alvin Animal Shelter Advisory Commission.

CONSENT AGENDA

- A. Approve minutes of the September 15, 2016 City Council regular meeting.
- B. Consider Resolution 16-R-26; adopting the Fiscal Year 2016-17 City of Alvin Investment Policy; providing for an effective date, and setting forth other related matters.

Pursuant to 2256.005 of the Texas Public Funds Investment Act (PFIA), the governing body of an investing entity shall review its investment policy and strategies not less than annually. The City's current Investment Policy has been certified by the Government Treasurers' Organization of Texas (GTOT) as meeting the requirements of the Public Funds Investment Act.

Prior to submitting the City's investment policy for certification in February, 2017, GTOT is recommending slight modifications to the City's investment policy, which include:

- *Adding that ten (10) hours of investment training must be completed within twelve (12) months of the City's investment officer assuming responsibilities as an investment officer.*

- Identifying the Texas Ethics Commission as the entity to file a disclosure statement whenever the City's investment officer has a personal business relationship with a business organization offering to engage in an investment transaction with the City.
- Including language that clarifies that receipts issued by third-party institutions that secure the City's investments be held in the City's name.
- Including the specific sections of the Texas PFIA where authorized investments by the state are listed.
- Specifying that collateralization is required for all uninsured collected balances, plus interest.
- Adding that "full accrued interest" be included in the quarterly investment reports.
- Adding language that the City's independent auditors are required to review the quarterly investment reports.

The City implemented GTOT's recommendations several years ago, but had not reflected the recommendations in the City's Investment Policy. As a result, the recommended modifications to the City's investment policy are for disclosure purposes only, and do not reflect a change in financial/investment strategy. Staff recommends amending the City's current Investment Policy to reflect GTOT's recommendations.

C. Consider Resolution 16-R-18; adopting the 2016 Alvin Senior Center Rules and Regulations, and setting forth other matters related thereto.

The Alvin Senior Center Rules and Regulations is a document which identifies the mission, participant eligibility, management, reservations and overall operational guidelines related to the Alvin Senior Center. Staff along with the Senior Citizen Board collectively reviewed and recommended revisions to the current Senior Center Rules and Regulations, which were originally adopted by Resolution 14-R-36 on November 6, 2014.

Changes include:

1. Enhanced mission statement - incorporated the offering of rental space to Alvin community members.
2. Language clarification to reflect current staff job titles
 - a. "Senior Center Coordinator" changed to "Senior Center Manager"
 - b. "Director" changed to "Director of Parks and Recreation"
3. Cleaning Responsibility of Renters: Specified cleaning the "reserved area" as opposed to the Senior Center.
4. Clarification on participant eligibility for senior citizen programs - still allowing for any adult age 50+ and their spouse of any age to participate. Language added allowing for care givers to attend alongside a participant at the expense of the participant.
5. Enhanced section governing "Senior Groups".
 - a. Definition - still defining senior groups as having 90% membership age 50+ or older. Added language to the definition stating mission or common purpose of the senior group is to benefit community members age 50+.
 - b. Determining senior center use - adding list of current senior groups, defining their usage as "historical precedent" aka grandfather clause.
 - c. Benefits - still providing 1 monthly meeting at no cost. Eliminated 2nd monthly meeting/event restricted to business hours only and allowing for 2nd meeting/event held at any time with certain provisions. Added 3rd meeting/event subject to applicable fees.
 - d. Onsite storage - Language was added to allow onsite storage with certain provisions.
6. Exercise Room - Establishing the use of the exercise room (to be used in conjunction with an existing rental/reservation of the east side room).

The Senior Citizen Board approved the recommended revisions and passed the 2016 Senior Center Rules and Regulations at their regular meeting on September 12th by a vote of 7 ayes, 0 against.

D. Consider the purchase of a new ambulance; replacing Unit #734, out of the City's Vehicle Replacement Fund and Insurance Proceeds, from Frazer, Ltd. through the Houston-Galveston Area Council (H-GAC) Cooperative Purchasing Program, in an amount not to exceed \$137,550.

On July 2, 2016, Ambulance unit #734 was involved in an accident that resulted in a total loss as deemed by the City's insurance adjuster. The City received \$50,999 from insurance and the vehicle replacement fund has \$86,841 allocated for a remount (chassis replacement and reuse of the box) for a total of \$137,840 available. However due to damage to the box (rear part of the ambulance mounted to the chassis) from the accident, and the inability to have the box certified as emergency response capable, it was recommended to completely replace the ambulance (chassis and box). The estimated cost of a complete new ambulance is \$137,550. This unit was due to have a

chassis replacement and a remount of the box in FY 16-17. Ambulance chassis are on an eight-year replacement schedule and the ambulance box is 16-year replacement schedule. Ambulance 734 was a 2009 chassis with 179,127 miles and a 2004 Box that has been remounted. Due to the number of remounts allowed the scheduled remount would have been the last before the purchase of a new chassis and box. The City maintains a fleet of five ambulances, three that are staffed daily and two that act as reserve for special events or maintenance rotation. As a result of this vehicle being out of service other vehicles are not rotated as often and limits our ability to up-staff for planned events or large incidents. Because of this immediate risk to public health and safety, if approved, the City will purchase the ambulance through the Houston-Galveston Area Council (H-GAC) in lieu of requests for bids to avoid further delays in the replacement process.

- E. Consider a final plat of JSC Federal Credit Union Alvin Branch (877 E. Highway 6), being a subdivision of 1.000 acre of land situated in the H.T.&B.R.R. Company Survey, Section 15, Abstract 227, being all of Lot 1 and parts of Lots 2 & 3 of the Red-Arrow Addition to the City of Alvin, according to the plat recorded in volume 3, page 144, Plat Records of Brazoria County, Texas.

On September 1, 2016 the Engineering Department received the final plat of JSC Federal Credit Union Alvin Branch for review. The property is located at 877 E. Highway 6 in the City of Alvin and is being platted for the future JSC Credit Union Alvin Branch development. This plat complies with all requirements of the City's Subdivision Ordinance.

The City Planning Commission unanimously approved the plat at their meeting September 20, 2016. Staff recommends approval.

- F. Consider a final plat of Kendall Lakes Section 7, being a subdivision of 32.499 acres (located near Highway 35 North) of land located in H.T.&B.R.R. Company Survey, Section 40, A-482, Brazoria County, Texas.

On September 1, 2016 the Engineering Department received the Final Plat of Kendall Lakes Section 7 for review. This section consists of sixty (60) single-family residential lots, four (4) blocks, and three (3) reserves and is located at the end of Lake Line Drive in the northwest corner of the subdivision. The Kendall Lakes Subdivision currently consists of six (6) previously platted sections totaling three hundred three (303) residential lots of which one hundred and eighty-six (186) have homes on them. This plat complies with all requirements of the City's Subdivision Ordinance.

The Planning Commission unanimously approved the plat at their meeting on September 20, 2016.

Staff recommends approval.

Members of Council asked to remove Item F from the Consent Agenda. This item will be considered under Other Business.

Council member Thompson moved to approve the consent agenda excluding Item F. Seconded by Council member Richards; motion carried on a vote of 5 Ayes.

OTHER BUSINESS:

Consider a final plat of Kendall Lakes Section 7, being a subdivision of 32.499 acres (located near Highway 35 North) of land located in H.T.&B.R.R. Company Survey, Section 40, A-482, Brazoria County, Texas.

Council member Sanger filed a Conflict of Interest Affidavit on this item.

Council member Thompson moved to approve the final plat of Kendall Lakes Section 7, being a subdivision of 32.499 acres (located near Highway 35 North) of land located in H.T.&B.R.R. Company Survey, Section 40, A-482, Brazoria County, Texas. Seconded by Council member Richards; motion carried on a vote of 4 Ayes; with Council member Sanger abstaining.

Consider a variance request for the property owner at 510 Debbie Lane to waive the building setback requirement of Chapter 21, Section 37 (a) of the Code of Ordinances.

On September 1, 2016 the Engineering Department received a variance request, from the property owner of 510 Debbie Lane, 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 30'x 25' carport along the front of the home at 510 Debbie Lane. The carport, as proposed, will encroach 23.5 feet into the 25' front building setback, however the nearest edge will still be 18' from the edge of the Debbie Lane road pavement.

The Planning Commission voted 6 to 1 to approve the variance request at their meeting on September 20, 2016. The Commissioner voting against the request did not state a reason for their no vote.

Numerous variances to the front building setback requirement for similar structures have been approved in the past several years. The most recent being for a covered porch at 1009 W. Willis Street in September 2016 and for a Porte Cochere at 404 Lulac Street in December 2015. Staff recommends approval of this variance.

Council member Starkey moved to approve a variance request for the property owner at 510 Debbie Lane to waive the building setback requirement of Chapter 21, Section 37 (a) of the Code of Ordinances. Seconded by Council member Thompson; motion carried on a vote of 5 Ayes.

Consider Ordinance 16-Z; establishing a “no parking/standing 3:30 PM-4:30 PM Monday-Friday” zone along a portion of the south side of West South Street in front of Alvin Junior High; authorizing installation of appropriate signage; providing for a penalty and publication; and setting forth other provisions related thereto.

On August 29, 2016 the Engineering Department received a request from the Principal of Alvin Junior High for a no parking/standing zone between the hours of 3:30 PM - 4:30 PM Monday- Friday in front of the school to help prevent vehicles from parking in front of the school and encouraging students to cross between the buses during afternoon dismissal. Ordinance 16-Z establishes a no parking/standing zone 3:30 PM-4:30 PM Monday-Friday along the south side of West South Street directly in front of Alvin Junior High School. Alvin Independent School District (AISD) Police Department (PD) Officers are Texas Peace Officers and have the ability to enforce the no parking zone. Staff recommends approval of Ordinance 16-Z.

Council member Sanger moved to approve Ordinance 16-Z; establishing a “no parking/standing 3:30 PM-4:30 PM Monday-Friday” zone along a portion of the south side of West South Street in front of Alvin Junior High; authorizing installation of appropriate signage; providing for a penalty and publication; and setting forth other provisions related thereto. Seconded by Council member Richards; motion carried on a vote of 5 Ayes.

Consider an agreement with an Electricity Provider to supply electricity to the City beginning January, 2018, and authorize Mayor or the Mayor Pro-tem to execute agreement.

The City entered into an Electricity Supply Agreement with Reliant Energy in January, 2013. The agreement established a purchase price of \$0.05234 per kilowatt hour (kWh) and a term through December, 2017. Staff has determined that market pricing for energy is near an all-time low; and these low market prices allow the City an opportunity to possibly secure energy pricing below \$0.03800 per kWh.

Due to the volatile pricing of electricity, which changes hour by hour, electricity providers won't hold purchase prices for more than 24 hours without a considerable risk factor markup. The pricing provided in the exhibits are only indicative since the City is not entering into an agreement based on those proposals. In essence, the proposals provide information about the electricity providers; and indicate each provider's interest in executing an agreement with the City.

The City will obtain actionable prices from the selected vendors on the morning of October 20, 2016, and will present them along with an analysis and recommendation for award to the City Council at the City Council meeting.

Proposal Request: Staff requested pricing proposals from the following electricity brokerage/consultant companies to assist the City in procuring electric rates from electricity providers: SimplySmart, who works with approximately 13 electricity providers; and Texas Energy Aggregation, that works with 30+ electricity providers.

Council member Starkey moved to approve an agreement with Reliant Energy to supply electricity to the City beginning January, 2018, for a term of 48 months at a rate of .03776 kWh and authorize Mayor or the Mayor Pro-tem to execute agreement. Seconded by Council member Thompson motion carried on a vote of 5 Ayes.

Consider accepting the Texas Department of Transportation's offer of \$8,679 to purchase right-of-way located at the corner of 1100 W. Highway 6 (Public Services Facility) and Brazos Street, Alvin, Texas and authorize the Mayor to sign the necessary conveyance documents.

The Texas Department of Transportation ("TxDOT") has offered to buy right-of-way from the City of Alvin at the corner of 1100 W. Highway 6 and Brazos Street for a street widening construction project at that location. TxDOT has submitted a final offer off \$8,679 based on an appraisal performed July 19, 2016. The City has the option to accept the offer or decline it and have the property formally appraised as well. After consulting with an appraiser to review the appraisal performed for TxDOT, it was determined to be a reasonable offer.

The project bid was let in July 2016 and can begin at any time according to TxDOT. In addition to the offer to purchase, TxDOT is offering to pay an additional \$7,811.10 to enter and use the adjacent city property to construct the Highway 6 project.

Council member Thompson moved to approve accepting the Texas Department of Transportation's offer of \$8,679 to purchase right-of-way located at the corner of 1100 W. Highway 6 (Public Services Facility) and Brazos Street, Alvin, Texas and authorize the Mayor to sign the necessary conveyance documents. Seconded by Council member Starkey; motion carried on a vote of 5 Ayes.

Consider the Possession and Use Agreement for Transportation Purposes with the Texas Department of Transportation to enter and use city property for TxDOT's street widening construction project at the corner of 1100 W. Highway 6 (Public Services Facility) and Brazos Street, Alvin, Texas and authorize the Mayor to sign the agreement.

The purpose of this Agreement is to allow the Texas Department of Transportation ("TxDOT") to proceed with its Highway Construction Project without delay. TxDOT is offering to pay an additional \$7,811.10 to enter and use the city property adjacent to the said right-of-way to be acquired by TxDOT for the construction of the Highway 6 project. The \$7,811.10 is in addition to their offer to purchase the right-of-way for \$8,679. The project bid was let in July 2016 and can start at any time according to TxDOT.

Council member Starkey moved to approve the Possession and Use Agreement for Transportation Purposes with the Texas Department of Transportation to enter and use city property for TxDOT's street widening construction project at the corner of 1100 W. Highway 6 (Public Services Facility) and Brazos Street, Alvin, Texas and authorize the Mayor to sign the agreement. Seconded by Council member Sanger; motion carried on a vote of 5 Ayes.

Receive and acknowledge receipt of the Financial and Quarterly Investment reports for September 30, 2016.

The City Charter requires the Chief Financial Officer to report on the financial condition of the City. In addition, the City's investment policy requires the Chief Financial Officer to submit an investment report to the City Manager, the Mayor, and City Council each quarter.

Council member Starkey moved to acknowledge receipt of the Financial and Quarterly Investment reports for September 30, 2016. Seconded by Council member Sanger; motion carried on a vote of 5 Ayes.

Receive and acknowledge receipt of the Fiscal Year 2016 Capital Improvement Projects Report and the Comprehensive Plan Implementation Report.

Staff is working towards the completion of budgeted projects as defined in the 2016 Capital Improvements Plan (CIP). This report is an update as to the progress of such projects to date.

Staff is also working through the implementation and completion of high priority projects defined in the Comprehensive Plan. This report is an update as to work completed to date.

Council member Thompson moved to acknowledge receipt of the Fiscal Year 2016 Capital Improvement Projects Report and the Comprehensive Plan Implementation Report. Seconded by Council member Sanger; motion carried on a vote of 5 Ayes.

Consider Resolution 16-R-27; designating one representative and one alternate representative to the Houston-Galveston Area Council (H-GAC) General Assembly for 2017.

HGAC's bylaws provide that each Home Rule city member with a population under 25,000 as of the latest (2010) Federal Census, is entitled to designate one representative and one alternate to serve on the HGAC General Assembly.

Each year City Council is asked to appoint a member of its governing body to serve as a representative and a member to serve as an alternate to the H-GAC General Assembly by resolution.

2016: Council member Arendell served as representative and Council member Richards served as alternate.

2015: Council member Adame served as representative and Council member Thompson served as alternate.

2014: Council member Stuksa served as representative and Council member Droege served as alternate.

Members appointed can remain the same, or new members can be selected. Appointment is at the discretion of City Council.

Council member Starkey moved to approve Resolution 16-R-27; designating Council member Arendell as the representative and Council member Richards as alternate representative to the Houston-Galveston Area Council (H-GAC) General Assembly for 2017. Seconded by Council member Sanger; motion carried on a vote of 5 Ayes.

Consider the proposed 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 Sanger moved to approve the Collective Bargaining Labor Agreement between the City of Alvin, Texas and the Alvin Police Officer's Association (APOA) and authorize the Mayor to sign. Seconded by Council member Thompson; motion carried on a vote of 5 Ayes.

REPORTS FROM CITY MANAGER

Review preliminary list of items for next Council meeting.

Ms. Breland reviewed the preliminary list for the November 3, 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 Captain Fontenot for his many years of dedicated service to the City of Alvin.

Council member Richards thanked Captain Fontenot for his years of service to the City. He also thanked the City for allowing him to attend the recent training held by the Texas Municipal League in Austin.

Council member Sanger thanked Captain Fontenot for his years of service to the City and expressed his gratitude for the opportunity to attend the recent Texas Municipal League training in Austin.

Council member Sanger welcomed the newest Sanger addition to the family; both mother and son are doing well.

Mayor Pro-tem Adame congratulated Council member Sanger on the birth of his son. He also thanked Captain Fontenot for his years of service. Mayor Pro-tem stated that Mayor Horn was traveling with his family and was not able to be in attendance. Mayor Pro-tem gave a brief rebuttal to the statements made earlier this evening regarding the Alvin Animal Adoption Center.

EXECUTIVE SESSION

Mayor Pro-tem Adame called for an executive session at 7:55 p.m. in accordance to the following:

Section 551.072 of the Government Code: Deliberation regarding the purchase, exchange, lease or value or real property.

RECONVENE TO OPEN SESSION

Mayor Pro-tem Adame reconvened the meeting into open session at 8:26 p.m.

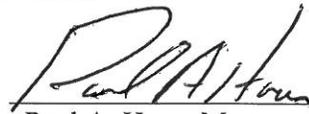
Direct staff to take necessary steps for possible sale of property located at the Southeast Corner of Willis Street and North Hardie Street, Alvin, Texas.

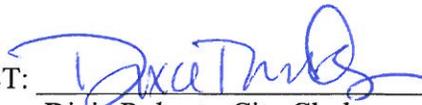
No Action taken.

ADJOURNMENT

Council member Richards moved to adjourn the meeting at 8:26 p.m. Seconded by Council member Sanger; motion carried on a vote of 5 Ayes.

PASSED and APPROVED this 3RD day of November, 2016.


Paul A. Horn, Mayor

ATTEST: 
Dixie Roberts, City Clerk