

# City of Alvin, Texas

Paul Horn, Mayor

Keith Thompson, Mayor Pro-tem, District C  
Brad Richards, At Large Pos. 1  
Joel Castro, At Large Pos. 2  
Scott Reed, District A



Adam Arendell, District B  
Glenn Starkey, District D  
Gabe Adame, District E

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## ALVIN CITY COUNCIL AGENDA THURSDAY SEPTEMBER 20, 2018 7:00 P.M. (Council Chambers)

**Alvin City Hall, 216 West Sealy, Alvin, Texas 77511**

*Persons with disabilities who plan to attend this meeting that will require special services please contact the City Clerk's Office at 281-388-4255 or [drobotis@cityofalvin.com](mailto:drobotis@cityofalvin.com) 48 hours prior to the meeting time. City Hall is wheel chair accessible and a sloped curb entry is available at the east and west entrances to City Hall.*

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NOTICE is hereby given of a Regular Meeting and Executive Session of the City Council of the City of Alvin, Texas, to be held on **THURSDAY, SEPTEMBER 20, 2018** at 7:00 p.m. in the Council Chambers at: City Hall, 216 W. Sealy, Alvin, Texas.

### REGULAR MEETING AGENDA

1. **CALL TO ORDER**
2. **INVOCATION AND PLEDGE OF ALLEGIANCE**
3. **PUBLIC COMMENT**
4. **PRESENTATIONS**
  - A. Police Department Update.
5. **CONSENT AGENDA: CONSIDERATION AND POSSIBLE ACTION:** An item(s) may be removed from the Consent Agenda for full discussion by the request of a member of Council. Item(s) removed will automatically become the first item up for discussion under Other Business.
  - A. Consider approval of the September 6, 2018 City Council meeting minutes.
  - B. Consider approval of the September 13, 2018 Special City Council meeting minutes.
  - C. Consider Resolution 18-R-28, adopting the Fiscal Year 2018-2019 City of Alvin Investment Policy; providing for an effective date; and setting forth other related matters.
  - D. Consider a bid award to Brenntag Southwest, Inc. to purchase Sodium Hypochlorite for one (1) year, with the option to extend for one year at the same terms and conditions, for an estimated total of \$60,000; and authorize the City Manager to sign the contract upon legal review.
  - E. Consider Resolution 18-R-30, finding that Texas New Mexico Power Company's ("TNMP") application to change rates within the City should be denied; finding that the City's reasonable rate case expenses shall be reimbursed by the company; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and legal counsel.

- F. Consider Interlocal Agreement with Brazoria County for the Fiscal Year 2018-2019 Asphalt Improvement Project; and authorize the Mayor to sign upon legal review.
- G. Consider annual windstorm renewal from Victor O. Schinnerer & Company, Inc. in an amount not to exceed \$163,128.02, for the City of Alvin windstorm and hail coverage for FY19; and authorize the City Manager to sign the Proposal Acceptance Form.

## 6. OTHER BUSINESS:

Council may approve, discuss, refer, or postpone items under Other Business.

- A. Consider Ordinance 18-O, adopting the annual budget for the City of Alvin, Texas, for Fiscal Year 2018-2019; directing the City Secretary to post a copy of the budget on the City of Alvin website; and setting forth other provisions related thereto.
- B. Consider Ordinance 18-P, adopting a tax rate of \$0.7880 (the current tax rate), which is effectively a 3.26 percent increase in the tax rate; and direct the Tax Assessor-Collector to access, account for, and distribute the property taxes as herein levied.
- C. Consider Resolution 18-R-34, revising the Athletic Facilities Policy for use of parks and recreational facilities; establishing an effective date; and setting forth other matters related thereto.
- D. Consider Resolution 18-R-29, designating one representative and one alternate representative to the Houston-Galveston Area Council (H-GAC) General Assembly for 2019.

## 7. REPORTS FROM CITY MANAGER

- A. Review preliminary list of items for next Council meeting.

## 8. ITEMS OF COMMUNITY INTEREST

Pursuant to 551.0415 of the Texas Government Code reports or an announcement about items of community interest during a meeting of the governing body. No action will be taken or discussed.

- A. Hear announcements concerning items of community interest from the Mayor, Council members, and City staff, for which no action will be discussed or taken.

## 9. EXECUTIVE SESSION

City Council will meet in Executive Session pursuant to:

- A. Texas Government Code Section 551.074 – to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.
  - 1. City Manager employment contract.
  - 2. Municipal Court Judge employment contract.

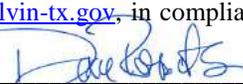
## 10. RECONVENE TO OPEN SESSION

- A. Take action on Executive Session item if necessary.

## 11. ADJOURNMENT

I hereby certify that a copy of this notice was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website: [www.alvin-tx.gov](http://www.alvin-tx.gov), in compliance with Chapter 551, Texas Government Code on MONDAY, September 17, 2018 at 4:00 P.M.



  
Dixie Roberts, City Secretary

Removal Date: \_\_\_\_\_

**\*\* All meetings of the City Council are open to the public, except when there is a necessity to meet in Executive Session (closed to the public) under the provisions of Chapter 551, Texas Government Code. The Council reserves the right to convene into executive session on any of the above posted agenda items that qualify for an executive session by publicly announcing the applicable section of the Open Meetings Act, including but not limited to sections 551.071 (litigation and certain consultation with the attorney), 551.072 (acquisition of interest in real property), 551.073 (contract for gift to city), 551.074 (certain personnel deliberations), or 551.087 (qualifying economic development negotiations).**

# Alvin Police Department

City of Alvin - Departmental Update



# Alvin Police Department



- In 2017 the Department answered:
  - 33,378 Calls for service (12,181 of which were traffic related i.e. traffic stop, reckless driver etc.)
  - 22,572 911 calls (# dispatch received)
  - Wrote 2,934 reports
  - Completed 609 crash reports (CAD 1,285)
  - 2,024 arrests

# Alvin Police Department

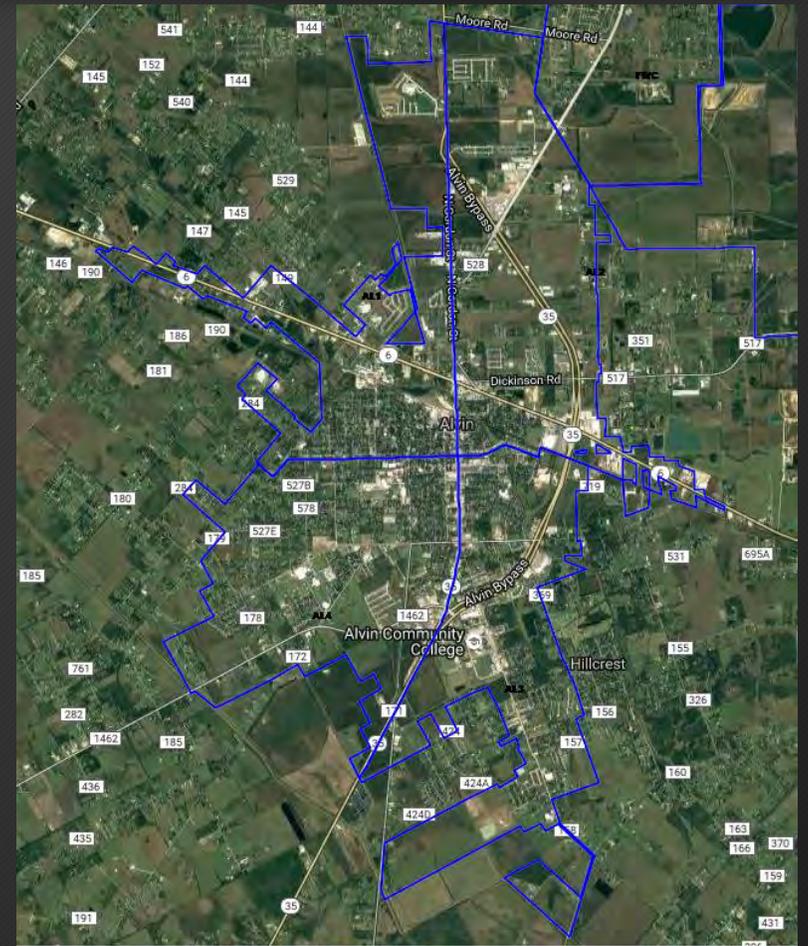


- 49 Sworn officers (currently one in the academy)
- 9 Licensed telecommunication officers (including supervisor)
- 6 Detention Officers
- 4 Records clerks (including supervisor)
- 1 Crime victim liaison
- 1 Payroll clerk/recognition manager
- 1 Executive secretary
- 7 Alvin Animal Adoption Center (including supervisor)

# Alvin Police Department



- The City is divided into 4 districts
  - Each district has an officer assigned to it that is responsible, during their shift, for responding to calls, business and neighborhood patrols, traffic enforcement, etc.
  - Additionally we have adopted a proactive approach to problem solving. Each district has a Lieutenant assigned to it to monitor for and develop solutions to any special issues that are identified by district officers, complaints, routine review of calls and reports, etc.



# Alvin Police Department



- Patrol Division
  - Patrol operates on 12-hour shifts and the division has 4 shifts. A, B, C and D.
  - Each shift consists of a Lieutenant, as Sergeant and 5-6 Officers.
  - Traffic consists of 2 Officers who work 10 hour shifts.
- Criminal Investigation Division
  - CID consists of a Detective Sergeant, 6 investigators and 1 crime prevention officer (doubles as court bailiff).
  - Street Crimes Unit consists of 3 investigators (includes K9)

# Alvin Police Department



- Training
  - Texas Commission on Law Enforcement requires a certain amount of training for sworn officers and licensed telecommunicators during each block of training cycle. A training cycle is 48 months and the current cycle started on September 1, 2017. Each block is 24 months and run odd year to odd year (Sept. 1, 2017 - August 31, 2019).
  - Sworn officers have to have a minimum of 40-hours each block.
  - Telecommunicators have to have a minimum of 20-hours each block.

# Alvin Police Department



- Training
  - Civil rights, racial sensitivity and cultural diversity
  - De-escalation techniques
  - Crisis intervention - interaction with persons with mental impairments
  - Child abuse/neglect
  - Family violence
  - Human trafficking
  - Canine encounters
  - Civilian Interaction Training
  - NCIC/TCIC certification/recertification

# Alvin Police Department



- Training
  - We conduct in-service training using developed subject matter instructors as well as bringing in outside instructors.
  - We also send our personnel to training outside the agency.
  - To date in this training cycle (started Sept. 1, 2017) we have provided:
    - 4,120 training hours to sworn personnel (75 hours each on average)
    - 124 training hours to telecommunicators (14 hours each on average)

# Alvin Police Department



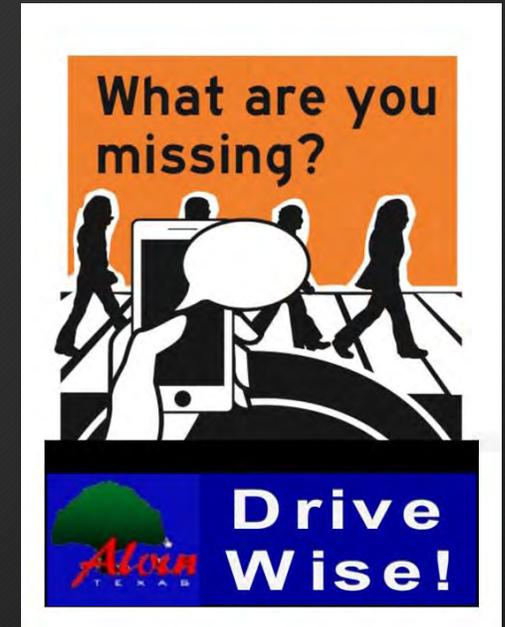
- We also have several active programs:
  - Radar Trailer - deployed in problematic areas or in response to a citizens complaint. Reports are posted on our **website's** crime prevention page.
  - Last year we purchased two semi-portable radar signs which will be moved periodically to maintain effectiveness.



# Alvin Police Department



- We also have several active programs:
  - Lock Your Car - signs
  - Drive Wise Alvin - signs
    - Moved periodically to maintain effectiveness



# Alvin Police Department



- We also have several active programs:
  - Coffee with Cops
  - Rx box - over 1,200 lbs. in 2017
  - Door Hanger Program

**ALVIN POLICE DEPARTMENT TX**

## Coffee with Cops

Let's talk about what's important to you!

If you're interested in scheduling Coffee with Cops at your business contact Ruben Solano at 281-585-7124.



**City of Alvin Code Violation Notice**

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Address: \_\_\_\_\_

Please contact the City of Alvin about the following code violation(s).

**Code Enforcement**  
Please note all Meetings/Calls are returned between 7-8am and 5:00pm  
Phone: 281-388-4337 or 4355 or 4245

<input type="checkbox"/> Lint/ Pile	<input type="checkbox"/> Illegal Sign
<input type="checkbox"/> Fence Repair	<input type="checkbox"/> Junk Vehicle
<input type="checkbox"/> High Weeds/Grass	<input type="checkbox"/> Junk and Debris

**Animal Control**  
Phone: 281-388-4331

<input type="checkbox"/> Aggressive	<input type="checkbox"/> Illegal Animal(s)
<input type="checkbox"/> At Large	<input type="checkbox"/> Neglect
<input type="checkbox"/> Barking/Noise	<input type="checkbox"/> City License Displayed
<input type="checkbox"/> Excessive Number	<input type="checkbox"/> Waste

\*A Code Compliance Officer or Animal Control Officer will be inspecting this violation within the next 3 business days. It is imperative that you take steps to correct the violation to avoid receiving a citation after the normal inspection procedure has been conducted.

**THIS IS NOT A CITATION**

Other: \_\_\_\_\_

Officer: \_\_\_\_\_

# Alvin Police Department



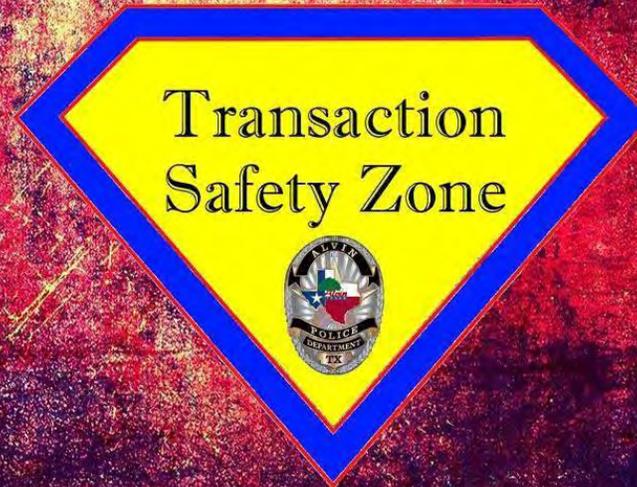
- We also have several active programs:
  - Social Media
    - Traffic Focus
    - Scam Alerts
    - Crime Prevention Tips
      - Adding Traffic Safety Tips
    - Emergency Updates
    - Help Identify



# Alvin Police Department



- We also have several active programs:
  - Safe Transaction Zone



**Use our parking lot or lobby for your next online, in person transaction! It's a safer way to go!**

# Alvin Police Department



- Volunteer Chaplain Program
  - Death notifications
  - Employee outreach
  - Family support
- Citizen Patrol
  - Parking lots
  - Neighborhoods
  - Wrecker standby



**MINUTES**  
**CITY OF ALVIN, TEXAS**  
**216 W. SEALY STREET**  
**REGULAR CITY COUNCIL MEETING AND**  
**EXECUTIVE SESSION**  
**THURSDAY SEPTEMBER 6, 2018**  
**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 a Regular Session at 7:00 p.m. in the Council Chambers at City Hall, with the following members present: Mayor Paul A. Horn and Mayor Pro-Tem Keith Thompson; Council members: Gabe Adame, Adam Arendell, Joel Castro, Brad Richards and Glenn Starkey.

**Staff members present:** Junru Roland, City Manager; Suzanne Hanneman, City Attorney; Grace Cruzen, Deputy City Secretary; Larry Buehler, Economic Development Director; Michelle Segovia, City Engineer; Priya Bhakta, CVB Director; David Chanski, Management Assistant and Robert E. Lee, Police Chief.

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Larry Buehler gave the invocation.

Cody Reid of Troop 400 led the Pledge of Allegiance to the American Flag and the Pledge to the Texas Flag.

**PUBLIC COMMENT**

Fisher Reid of Troop 400, invited members of city council, staff and the public to to the 911 Ceremony on September 11<sup>th</sup> at National Oak Park at 7:00 p.m. The ceremony will consist of flag retirement and a tribute to the military and first responders.

Eugene Bauer addressed the council regarding a traffic stop.

**PRESENTATIONS**

Alvin Upfront Citizens Academy.

David Chanski, Management Assistant, gave a presentation on the Alvin Upfront Citizens Academy to begin on October 8, 2018.

**PUBLIC HEARING**

Public hearing to receive comment on the proposed tax rate of \$0.7880 per \$100 of valuation for the Fiscal Year 2018-2019 (2018 tax year).

Mayor Horn opened the public hearing at 7:07 p.m. There were no public comments. Mayor Horn closed the public hearing at 7:07 p.m.

Public hearing to receive comment regarding the 2018 Water and Wastewater Land Use Assumptions, Capital Improvement Plan, and Impact Fee Study Update.

Mayor Horn opened the public hearing at 7:07 p.m. There were no public comments. Mayor Horn closed the public hearing at 7:08 p.m.

Public hearing to receive comment on the discontinuance and voluntary annexation of the Walton Development, more formerly described as the Brazoria County Municipal Utility Districts (MUD) 48 and MUD 49.

Mayor Horn opened the public hearing at 7:08 p.m. Becky Collins with Walton Global Holdings, Ltd. spoke in favor of the discontinuance and voluntary annexation of the Walton Development, more

formerly described as the Brazoria County Municipal Utility Districts (MUD) 48 and MUD 49. Mayor Horn closed the public hearing at 7:09 p.m.

### CONSENT AGENDA

Consider approval of the August 9, 2018 City Council workshop minutes.

Consider approval of the August 16, 2018 City Council workshop minutes.

Consider approval of the August 16, 2018 City Council meeting minutes.

Consider a final plat of Hertenberger Homes (located along FM 1462 near Eunice Lane), being a subdivision of 3.2494 acres in the Francis Moore League Grant, A-100, also being a partial replat of lot 6 of the Masterson Subdivision recorded in volume 29, page 1, Plat Records of Brazoria County, Texas.

*On August 1, 2018, the Engineering Department received the final plat of Hertenberger Homes for review. The property is located on the corner of FM 1462 and Eunice Lane in the City of Alvin Extraterritorial Jurisdiction (ETJ) and is being platted for conveyance of lots 2 and 3. 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 21, 2018. Staff recommends approval.*

Consider a final plat of Southern Colony Section 4B (located along the east side of FM 521, north of Juliff-Manvel Road), being a subdivision of 28.305 acres of land situated in the William Hall League, Abstract 31, Fort Bend County, Texas, being a replat of lots 13, 18, and 19, T.W. & J.W.B. House Subdivision, a subdivision recorded in volume 7, page 301 Deed Records of Fort Bend County, Texas.

*On August 1, 2018, the Engineering Department received the final plat of Southern Colony Section 4B for review. This final plat consists of 118 lots, 11 reserves, and 6 blocks, and is located in the City of Alvin Extraterritorial Jurisdiction (ETJ) along the east side of FM 521, north of Juliff-Manvel Road. The property is being subdivided for a new single-family residential planned unit development subdivision. 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 21, 2018. Staff recommends approval.*

Consider the extension of Agreement for Beautification Services with Keep Alvin Beautiful in the amount of \$3,000 for the remaining FY18, with a two-year renewal starting FY19 in the amount of \$3,000; and authorize the Mayor to sign, subject to legal review.

*Keep Alvin Beautiful ("KAB") is an organization of volunteers that work to improve the appearance of the City. They encourage the placement, planting, and/or preservation of trees, plants, flowers, shrubbery, etc. for the beautification of the City. KAB plans and coordinates the Citywide cleanup(s) with Waste Connections and the City. They display over 80 flags on the Depot grounds and across Gordon Street on ten (10) different occasions throughout the year. KAB also educates and encourages the community to reduce, reuse and recycle. KAB continues the Yard & Business of the Month awards program, where homes & businesses are recognized for their efforts in beautifying and caring for their properties. This program has helped raise awareness, that the aesthetics of individual properties play an important part to the quality of life within the community.*

*This Agreement shall commence on the effective date of the agreement through September 30, 2018. Thereafter, the terms of this agreement shall automatically renew on October 1, 2018 and October 1, 2019; and shall end on September 30, 2020.*

*Council approved the current KAB agreement on July 20, 2017. With the exception of an additional holiday to display the U.S. flags in the Depot area; and the effective and renewal dates of the contract, there are no changes to the terms of this Agreement.*

Consider Resolution 18-R-33, setting two (2) public hearings for October 4, 2018, and October 18, 2018 for the Strategic Partnership Agreements for the Walton Development, more formerly described as Brazoria County Municipal Utility Districts Number 48 and Number 49.

Walton Texas, LP, has proposed a new master planned development located on FM 1462 next to the current Savannah Plantation development. The majority of the approximate 817 acres is inside Municipal Utility Districts (MUDs) Number 48 and Number 49. On July 19, 2018, Walton Texas, LP, filed its Petition for Jurisdictional Annexation and Discontinuance. On August 2, 2018 City Council adopted Resolution 18-R-24 calling for two (2) public hearings on this discontinuance and voluntary annexation which will allow for the discontinuance of the MUDs from the boundaries of the City, while allowing the City to retain a five-foot strip around the discontinued property. These two MUDs will become extra territorial jurisdiction (ETJ) MUDs, allowing for faster development and a better method of financing and providing the needed infrastructure. The Strategic Partnership Agreements will spell out how fire, police, garbage collections, water, wastewater, and drainage will be provided. This Resolution sets the public hearings for the Strategic Partnership Agreements. Staff recommends approval.

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

### **OTHER BUSINESS**

#### **Discuss the 2018 Water and Wastewater Land Use Assumptions, Capital Improvement Plan, and Impact Fee Study Update.**

*In accordance with Section 395 of the Texas Local Government Code, an update of the Land Use Assumptions and Capital Improvements Plan relating to Impact Fees was drafted, reviewed, and recommended to City Council by the Council-appointed Impact Fee Advisory Committee on May 15, 2018.*

*A public hearing will be held at this meeting so that the Council may receive input from the public regarding the 2018 Water and Wastewater Land Use Assumptions, Capital Improvements Plan, and Impact Fee Study Update.*

*Following the public hearing, Jimmy Thompson (JET Civil Consulting) and David Kasper (ARKK Engineers, LLC) will present an overview of the Water and Wastewater Impact Fee Study 2018 Update and answer any questions that members of City Council may have.*

*City Council will consider an ordinance to amend the Land Use Assumptions, the Capital Improvements Plan, and to modify the impact fee at the regular meeting of the City Council on October 4, 2018 at 7:00 p.m.*

Jimmy Thompson (JET Civil Consulting) and David Kasper (ARKK Engineers, LLC) presented an overview of the Water and Wastewater Impact Fee Study 2018 Update and addressed questions of the Council.

City Council will consider an ordinance to amend the Land Use Assumptions, the Capital Improvements Plan, and to modify the impact fee at the regular meeting of the City Council on October 4, 2018 at 7:00 p.m.

#### **Consider Resolution 18-R-31, authorizing the award of grant administration services to Grant Works, Inc. for the Texas Hazard Mitigation Assistance Project funded through the Texas Division of Emergency Management (TDEM) and/or Texas Water Development Board (TWDB), and authorize the City Manager to sign the Agreement, subject to legal review.**

*The Hazard Mitigation Grant Program (HMGP) provides federal funds after a major disaster declaration. HMGP is funded by the Federal Emergency Management Agency (FEMA) and administered by the State of Texas, Texas Division of Emergency Management (TDEM). This mitigation grant is designed to prevent or reduce future losses to lives and property through the identification and funding of mitigation measures and to minimize the costs of future disaster response and recovery.*

*A Request for Proposals (RFP) for Grant Administrative Services for disaster recovery grants was advertised on August 5, 2018 and August 12, 2018. The City received one proposal from GrantWorks, Inc. Since 2009, Grant Works, Inc. project managers, planners, and policy experts have developed and implemented more than \$530 million in Hazard Mitigation and Disaster Recovery housing and non-housing programs for more than 70 Texas local governments, including 22 counties. GrantWorks, Inc. has the resources and expertise to assist the City of Alvin in implementing projects in accordance with both state and federal requirements and the City's project schedule. Services include creating project applications that meet federal standards as well as the needs and wishes of the City.*

*Since TDEM has not established a firm deadline for the submission of HMGP applications, time may not permit the proposer to submit an application. However, it should be noted that no application fees will be charged and no payments will be due unless a grant application is submitted and a grant award made to the City. The fee structure includes all services described in the RFP.*

Council member Castro moved to approve Resolution 18-R-31, authorizing the award of grant administration services to Grant Works, Inc. for the Texas Hazard Mitigation Assistance Project funded through the Texas Division of Emergency Management (TDEM) and/or Texas Water Development Board (TWDB), and authorize the City Manager to sign the Agreement, subject to legal review. Seconded by Council member Starkey; motion carried on a vote of 6 Ayes.

Consider Resolution 18-R-32, authorizing Grant Works, Inc. to provide Community Development Block Grant (CDBG) application and project related administrative services for the Community Development Block Grant Disaster Recovery project, and authorize the City Manager to sign the Agreement, subject to legal review.

*Congress has appropriated funding for Community Development Block Grant (CDBG) Disaster Recovery grants, to assist states, counties, and cities to recover unmet needs for long-term recovery after a major disaster declaration. These grants are funded through the United States Department of Housing and Urban Development and are designed to provide assistance to start and/or continue the recovery process.*

*A Request for Proposals (RFP) for Grant Administrative Services for CDBG disaster recovery grants was advertised on August 5, 2018. The City received one proposal from GrantWorks, Inc. Since 2009, Grant Works', Inc. project managers, planners, and policy experts have developed and implemented more than \$530 million in Hazard Mitigation and Disaster Recovery housing and non-housing programs for more than 70 Texas local governments, including 22 counties. GrantWorks, Inc. has the resources and expertise to assist the City of Alvin in implementing projects in accordance with both state and federal requirements and the City's project schedule. Services include identifying and creating project applications that meet FEMA standards as well as the needs and wishes of the City, helping to generate and implement projects that meet General Land Office (GLO) and Housing and Urban Development (HUD) standards.*

*No application fees will be charged and no payments will be due unless a grant award is made to the City. The fee structure includes all services described in the RFP.*

Council member Thompson moved to approve Resolution 18-R-32, authorizing Grant Works, Inc. to provide Community Development Block Grant (CDBG) application and project related administrative services for the Community Development Block Grant Disaster Recovery project, and authorize the City Manager to sign the Agreement, subject to legal review. Seconded by Council member Castro; motion carried on a vote of 6 Ayes.

Consider recommendations from the Hotel Occupancy Tax Fund Committee for the FY19 allocation of Hotel Occupancy Tax Funds.

*Resolutions 17-R-17 and 17-R-19 established the creation of a Hotel Occupancy Tax (HOT) Fund Committee, terms of office and qualifications of the committee, and defines the purpose of the committee.*

*\$55,000 is allocated in the FY19 proposed budget for Major Annual Events in the Hotel Occupancy Tax Fund.*

*Staff received and presented five applications requesting funds from the Major Annual Events account, with requests totaling a \$68,000. The committee meeting was held on August 21, 2018. Committee Members reviewed each of the five-hotel occupancy tax funding applications requesting allocation of funds for FY19. The vote was as follows:*

Event	Amount Requested FY19	Amount Approved By Committee	Vote	Allocated Funds in FY18
Benezy Purple Monkey Fun Run	\$3,000	\$3,000	Unanimous	\$2,850
Music Festival & BBQ Cook-off	\$30,000	\$30,000	Unanimous	\$30,000
ACC Alvin Live Summer Concert Series	\$2,000	\$2,000	Unanimous	\$2,000
Alvin Museum Society	\$18,000	\$18,000	Unanimous	\$6,000
Annual Frontier Day	\$15,000	\$15,000	Unanimous	\$11,150
Total	\$68,000	<b>\$68, 000</b>	Unanimous	\$54,000

*\*In FY18 - \$2,000 was requested/given to the ACC Echocardiography Symposium.*

*Committee members present were: Mark Patterson, Ron Mercer, Jody Droege, Kirti Bhakta, Wendy Del Bello, Lenny Garcia, and Nina Froberg. Two members were absent: John Wennerstrom and Joy Kompanathottathil.*

*Upon approval by city council, staff will formally notify each applicant of council's decision concerning their funding request, and subsequently disburse funds to the eligible recipient(s). No later than 30 days after the event or project, each recipient is required to submit a Post Event Report to the Hotel Occupancy Tax Committee, which will serve as supporting documentation of eligibility for the use of the HOT funds.*

Wendy Del Bello, representative of the HOT Fund Committee presented the committee's proposal to fund all applications submitted for major annual events for a total of \$68,000 in HOT funds to be dispersed in FY19.

Discussion was had. Some members of City Council felt that the committee should have only approved funding up to the allotted budget for FY19 of \$55,000. It was mentioned during a HOT Fund Committee meeting that the City had a rather large surplus of HOT funds to be used. Discussion continued. The committee suggested cutting an equal percentage from each organization in an effort to stay within the allotted \$55,000. Discussion continued.

Council member Thompson moved to approve the amount of \$56,000 by reducing the Music Festival & BBQ Cook-off to \$18,000 for FY19. Seconded by Council member Richards motion carried on a vote of 3 Ayes, with Council member Arendell, Adame and Castro voting No, and Mayor Horn breaking the tie with an Aye vote.

<u>Event</u>	<u>Amount Requested FY19</u>	<u>Amount Approved By Committee</u>	<u>Council Approved</u>	<u>Allocated Funds in FY18</u>
Benezy Purple Monkey Fun Run	\$3,000	\$3,000	\$ 3,000	\$2,850
Music Festival & BBQ Cook-off	\$30,000	\$30,000	\$18,000	\$30,000
ACC Alvin Live Summer Concert Series	\$2,000	\$2,000	\$ 2,000	\$2,000
Alvin Museum Society	\$18,000	\$18,000	\$18,000	\$6,000
Annual Frontier Day	\$15,000	\$15,000	\$15,000	\$11,150
Total	\$68,000	\$68, 000	\$56,000	\$54,000

Discuss the Hotel Occupancy Tax (HOT) Fund Committee.

Mayor Horn explained that he placed this item on the agenda for discussion. He was concerned that this committee places people in a disadvantage, putting them at odds with each other. Following discussion, Councilmember Thompson moved to direct staff to provide Council a recommendation for better guidance for the HOT Fund Committee. Seconded by Councilmember Richards; motion carried on a vote of 4 Ayes and 2 No's by Council member Arendell and Adame.

### **REPORTS FROM CITY MANAGER**

Review preliminary list of items for next Council meeting.

Mr. Junru Roland reviewed the preliminary list for the September 20, 2018 City Council meeting.

### **ITEMS OF COMMUNITY INTEREST**

Hear announcements concerning items of community interest from the Mayor, Council members, and City staff, for which no action will be discussed or taken.

Mrs. Cruzen reviewed items of community interest.

Council member Arendell announced that Alvin ISD will be providing community service throughout Alvin on September 8<sup>th</sup>; Jacob's Farm will be having its first annual festival on September 29<sup>th</sup> from 10 a.m. to 4:00 p.m. and Don's Fish Fry will be held on September 15<sup>th</sup> at Grace Episcopal Church.

Council member Castro expressed his appreciation to the city departments.

Council member Adame thanked Troop 400 for providing tonight's pledges. He also thanked the Impact Advisory Committee and HOT Fund Committee for their work.

Mayor Horn thanked the Impact Advisory Committee for their work.

### **EXECUTIVE SESSION**

Mayor Horn called for an executive session at 8:05 p.m. in accordance to the following:

Texas Government Code Section 551.074 – to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee

- City Manager employment contract.
- Update on the search for and appointment of the presiding Municipal Court Judge.

### **RECONVENE TO OPEN SESSION**

Mayor Horn reconvened the meeting into open session at 9:12 p.m.

Take action on Executive Session item if necessary.

City Manager employment contract.

No action taken.

Update on the search for and appointment of the presiding Municipal Court Judge

Council member Starkey moved to authorize staff to extend a conditional offer of employment for the Municipal Court Judge position and to negotiate the terms of an employment agreement. Seconded Council member Richards; motion carried on a vote of 6 Ayes.

### **ADJOURNMENT**

Mayor Horn adjourned the meeting at 9:14 p.m.

PASSED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Paul A. Horn, Mayor

ATTEST: \_\_\_\_\_  
Dixie Roberts, City Secretary

**MINUTES  
CITY OF ALVIN, TEXAS  
216 W. SEALY STREET  
SPECIAL CITY COUNCIL MEETING  
THURSDAY SEPTEMBER 13, 2018  
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 a Special 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 Keith Thompson; Council members: Gabe Adame, Joel Castro, and Brad Richards.

**Staff members present:** Suzanne Hanneman, City Attorney and Dixie Roberts, City Secretary.

**PLEDGE OF ALLEGIANCE**

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

**PUBLIC HEARING**

Public hearing to receive comment on the discontinuance and voluntary annexation of the Walton Development, more formerly described as the Brazoria County Municipal Utility Districts (MUD) 48 and MUD 49.

Mayor Horn opened the public hearing at 7:02 p.m.

Becky Collins with Walton Global Holdings, Ltd. spoke in favor of the discontinuance and voluntary annexation of the Walton Development, more formerly described as the Brazoria County Municipal Utility Districts (MUD) 48 and MUD 49.

Mayor Horn closed the public hearing at 7:03 p.m.

**ADJOURNMENT**

Mayor Horn adjourned the meeting at 7:03 p.m.

PASSED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Paul A. Horn, Mayor

ATTEST: \_\_\_\_\_  
Dixie Roberts, City Secretary



# AGENDA COMMENTARY

**Meeting Date:** 9/20/2018

**Department:** Finance

**Contact:** Florence Chapa, Interim Finance Director

**Agenda Item:** Consider Resolution 18-R-28, adopting the Fiscal Year 2018-2019 City of Alvin Investment Policy; providing for an effective date; and setting forth other related matters.

**Type of Item:** Ordinance Resolution Contract/Agreement Public Hearing Plat Discussion & Direction Other

**Summary:** Pursuant to Chapter 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. As a result, for fiscal year 2018-19, staff is not recommending any revisions to the City's current investment policy.

**Funding Expected:** Revenue  Expenditure  N/A  **Budgeted Item:** Yes  No  N/A

**Funding Account:** \_\_\_\_\_ **Amount:** \_\_\_\_\_ **1295 Form Required?** Yes  No

**Legal Review Required:** N/A  Required  **Date Completed:** 9/13/2018 SLH

**Supporting documents attached:**

- Resolution 18-R-28
- Exhibit A - Investment Policy
- Exhibit B - Updated Broker/Dealer list
- Certification Award

**Recommendation:** Move to approve Resolution 18-R-28, adopting the Fiscal Year 2018-2019 City of Alvin Investment Policy; providing for an effective date, and setting forth other related matters.

Reviewed by Department Head, if applicable   
Reviewed by City Attorney, if applicable

Reviewed by Chief Financial Officer, if applicable   
Reviewed by City Manager

**RESOLUTION NO. 18-R-28**

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ALVIN, TEXAS, ADOPTING THE CITY OF ALVIN INVESTMENT POLICY FOR THE FISCAL YEAR 2018-2019 FOR THE INVESTMENT OF MUNICIPAL FUNDS; AND SETTING FORTH OTHER RELATED MATTERS.**

**WHEREAS**, Chapter 2256 of the Texas Government Code requires the City Council to annually review its Investment Policy regarding the investment of City funds and funds under its control;

**WHEREAS**, the City Council of the City of Alvin, Texas, desires to adopt its FY 2018-19 Investment Policy pursuant to Chapter 2256 Texas Government Code, Public Funds Investment Act; and

**WHEREAS**, pursuant to the Public Funds Investment Act, the governing body of the City shall adopt a resolution stating it has reviewed the investment policy and investment strategies and that the written instrument so adopted shall record any changes made to either the investment policy or investment strategies; **NOW, THEREFORE**,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALVIN, TEXAS, THAT:**

**Section 1. Findings.** The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

**Section 2.** The FY 2018-19 City of Alvin Investment Policy was reviewed by City Council, includes amendments since the last adoption on September 21, 2017, and is hereby adopted as the investment policy of the City of Alvin, attached hereto as "Exhibit A."

**Section 3.** The City Council approves and adopts the updated list of qualified brokers/dealers that are authorized to engage in investment transactions with the City, attached hereto as "Exhibit B."

**Section 4. Open Meetings.** It is hereby officially found and determined that the meeting at which this resolution was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

**PASSED AND APPROVED** this the \_\_\_\_ day of September 2018.

**THE CITY OF ALVIN, TEXAS**

**ATTEST**

\_\_\_\_\_  
Paul A. Horn, Mayor

\_\_\_\_\_  
Dixie Roberts, City Secretary

# CITY OF ALVIN INVESTMENT POLICY

## **I. PURPOSE AND INTENT**

It is the policy of the City of Alvin that the administration of its funds and the investment of those funds shall be handled as its highest public trust. Investments shall be made in a manner which will provide the maximum security of principal invested through limitations and diversification while meeting the daily cash flow needs of the City and conforming to all applicable State statutes, the City of Alvin Home-Rule Charter, City Ordinances and the standards of the Governmental Accounting Standards Board. The receipt of a market rate of return will be secondary to the requirements for safety and liquidity while incurring minimal risks.

It is the stated intent of the policy to adhere by and to be in conformance with the statute known as Chapter 2256, Public Funds Investment Act, Texas Government Code as amended periodically by the Texas Legislature. Specific interpretation of a section contrary to this intent shall not avoid the remaining policy.

## **II. SCOPE**

Consistent with this Policy the City will endeavor to earn a return on funds invested at the highest investment return possible after taking into account the primary goals of preservation and safety of principal, liquidity of funds invested, and yield. This investment policy applies to the funds of the City of Alvin, which include the following:

- A. General Fund
- B. Special Revenue Funds
- C. Capital Projects Fund
- D. Enterprise Funds
- E. Trust and Agency Funds
- F. Debt Service Fund, including Reserves and I & S Funds
- G. Any other funds created by the City

## **III. OBJECTIVES**

The primary objectives, in priority order, of the City investment activities for all fund groups shall be as follows:

- A. **Preservation and Safety Principal** - Investments of the City shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. To attain this objective, diversification along credit and maturity lines is required so that potential losses on individual securities are a small fraction of the overall portfolio and do not exceed the income generated from the remainder of the portfolio.
- B. **Liquidity** - The investment portfolio will remain sufficiently liquid to enable the City to meet all operating requirements, which might be reasonably anticipated.

C. **Yield** - The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and the cash flow characteristics of the portfolio.

D. **Public Trust** - All participants in the City's investment process shall seek to act responsibly as custodians of public trust. Investment officials shall avoid any transaction which might impair public confidence in the City's ability to govern effectively.

#### IV. AUTHORIZED INVESTMENTS

All City investments shall comply with the Public Funds Investment Act and other applicable laws. Investments authorized by the Public Funds Investment Act are listed in Sections 2256.009 – 2256.016 and Sections 2256.019 – 2256.0201 of the Public Funds Investment Act. It is the policy of the City of Alvin to limit its investments to the following:

##### A. Obligations of the U.S. Treasury Bills and Notes

1. Maximum remaining maturity at time of purchase shall be three (3) years.
2. Maximum portfolio mix for these instruments, inclusive of all types, shall be fifty-percent (50%).

##### B. Local Government Investment Pools that have been authorized by the City Council by rule, ordinance, or resolution in accordance with the Interlocal Cooperation Act, Chapter 791, Texas Government Code, which authorizes local governments in Texas to participate in an investment pool established hereunder.

1. Maximum weighted maturity of ninety (90) days.
2. To be eligible to receive funds from and invest funds on behalf of the City, the investment pool shall furnish to the investment officer an offering circular or other similar disclosure instrument that contains, at a minimum, the following information:
  - (a) the types of investments in which money is allowed to be invested;
  - (b) the maximum average dollar-weighted maturity allowed, based on the stated maturity date, of the pool;
  - (c) the maximum stated maturity date any investment security within the portfolio has;
  - (d) the objectives of the pool;
  - (e) the size of the pool;
  - (f) the names of the members of the advisory board of the pool and dates their terms expire;
  - (g) the custodian bank that will safe-keep the pool's assets;
  - (h) whether the intent of the pool is to maintain a net asset value of one dollar and the risk of market price fluctuation;
  - (i) whether the only source of payment is the assets of the pool at market value or whether there is a secondary source of payment,

- such as insurance or guarantees, and a description of the secondary source of payment;
  - (j) the name and address of the independent auditor of the pool;
  - (k) the requirements to be satisfied for an entity to deposit funds in and withdraw funds from the pool and any deadlines or other operating policies required for the City to invest funds in and withdraw funds from the pool; and
  - (l) the performance history of the pool, including yield, average dollar-weighted maturities, and expense ratios.
3. To maintain eligibility to receive funds from and invest funds on behalf of the City the investment pool must furnish to the investment officer the following:
- (a) investment transaction confirmations; and
  - (b) a monthly report that contains, at a minimum, the following information:
    - i. the types and percentage breakdown of securities in which the pool is invested.
    - ii. the current average dollar-weighted maturity, based on the stated maturity date, of the pool;
    - iii. the current percentage of the pool's portfolio in investments that have stated maturities of more than one year;
    - iv. the book value versus the market value of the pool's portfolio, using amortized cost valuation;
    - v. the size of the pool;
    - vi. the number of participants in the pool;
    - vii. the custodian bank that is safekeeping the assets of the pool;
    - viii. a listing of daily transaction activity of the City;
    - ix. the yield and expense ratio of the pool;
    - x. the portfolio managers of the pool; and
    - xi. any changes or addenda to the offering circular.
4. A public funds - investment pool must be continuously rated no lower than AAA or AAA-m or at an equivalent rating by at least one nationally recognized rating service. A public funds investment pool created to function as a money market mutual fund must mark its portfolio to market daily and, to the extent reasonably possible, stabilize at a \$1 net asset value. If the ratio of the market value of the portfolio divided by the book value of the portfolio is less than 0.995 or greater than 1.005, portfolio holdings shall be sold as necessary to maintain the ratio between 0.995 and 1.005. In addition to the requirements of its investment policy and any other forms of reporting, a public funds investment pool created to function as a money market mutual fund shall report yield to its investors in accordance with regulations of the federal Securities and Exchange Commission applicable to reporting by money market funds.

- C. Repurchase Agreements - Fully collateralized direct repurchase agreements having a defined termination date, secured by direct obligations of the U.S. Treasury or U.S. agencies and instrumentalities, in market value of not less than one-hundred and two percent (102 %) of the principal amount of the City funds disbursed, pledged to the City, held in the City's name and deposited at the time the investment is made with a third party selected or approved by the City and placed through a primary government securities dealer, as defined by the Federal Reserve or a financial institution doing business in the State of Texas
1. Maximum maturity at purchase shall not exceed ninety (90) days with a total weighted average maturity, at any point in time, not to exceed thirty (30) days.
  2. Portfolio mix of repurchase agreements shall be:
    - (a) Overnight repurchase agreements - No limit
    - (b) 30-day repurchase agreements - Not to exceed 15%
    - (c) 60-day repurchase agreements - Not to exceed 10%
    - (d) 90-day repurchase agreements –Not to exceed 5%
- D. Certificates of Deposits issued by national and state banks domiciled in the State of Texas that are guaranteed or insured by the FDIC or its successor(s)
1. All certificates of deposits, in excess of the FDIC, must be collateralized and collateral must be held by a third party selected or approved by the City and valued on a monthly basis. The percentage of collateralization will adhere to law for deposits.
  2. Maximum maturity on any certificate shall be three (3) years from the time of purchase and the portfolio mix shall not exceed forty percent (40%).
- E. Certificate of Deposits made in accordance with the following conditions:
1. A broker that has its main office or a branch office in Texas and is selected from a list adopted by the City
  2. the funds are invested by the City through a depository institution that has its main office or a branch office in Texas and that is selected by the City
  3. the broker or the depository institution selected by the City under Subdivision (2) arranges for the deposit of the funds in certificates of deposit in one or more federally insured depository institutions, whenever located, for the City's account;
  4. the full amount of the principal and accrued interest of each of the certificates of deposit is insured by the United States or an instrumentality of the United States;
  5. the depository institution selected by the City under Subdivision (2), an entity described by Section 2257.041(d), or a clearing broker dealer registered with the Securities and Exchange Commission and operating pursuant to Security and Exchange Commission Rule 15c3 3 (17C.F.R. Section 240.15c3 3) as custodian for the Authority with respect to the certificates of deposit issued for the City's account.

- F. Municipals - Obligations of states, agencies, counties, cities and other political subdivisions of any state having been rated as to investment quality by a nationally recognized rating agency and having received a rating of not less than "A" or its equivalent.
  - 1. Maximum maturity shall be two years from the date of purchase
  - 2. The portfolio mix shall not exceed thirty percent (30%).
  
- G. Federal Instruments - Eligible for purchase are notes and discount notes of the Federal Home Loan Mortgage Association, Federal National Mortgage Association and Student Loan Marketing Association.
  - 1. Maximum maturity at purchase shall be four (4) years.
  - 2. Maximum portfolio mix for these instruments, inclusive of all types, shall not exceed fifty percent (50%).
  
- H. Other obligations, the principal and interest of which are unconditionally guaranteed or insured by or backed by the full faith and credit of the United States or the State of Texas or their respective agencies and instrumentalities including obligations that are fully guaranteed or insured by the Federal Deposit Insurance Corporation or by the explicit full faith and credit of the United States.
  
- I. No-load. SEC registered and regulated money market mutual fund with a minimum rating of AAA-, or at an equivalent rating by at least one (1) nationally recognized rating service.
  
- J. Overnight balances remaining with the City's depository institution subject to a written depository agreement. These are interest-bearing accounts, fully collateralized by pledged U.S. and Texas State government securities.
  
- K. Although additional types of securities and instruments are approved for investment, they are not eligible for investment by the City under this policy. An amended version of this policy approved by the City Council is required prior to investments in any other investment instrument not specified herein.

**V. MONITORING THE RATING CHANGES IN INVESTMENTS**

Consistent with Section 2256.021, Texas Government Code, as amended, the Investment Officer shall monitor all investments that require a minimum rating under subchapter A of Chapter 2256 such that any such investment that does not have the minimum rating shall no longer constitute an authorized investment. Such investments that do not have the required minimum rating shall be liquidated within thirty (30) days of the investment's failure to maintain its required minimum rating.

**VI. INVESTMENT STRATEGY FOR EACH OF THE FUND GROUPS**

The investment strategy for each of the fund groups identified in the Scope section is set forth as follows:

**A. General Fund Investment Objectives:**

1. Diversification to eliminate risk of loss resulting from over concentration of assets in a specific maturity, specific issuer or specific class of investment instruments
2. Matching of regular operational expenditures of funds with investment interest, maturing investments and other income sources of the funds
3. Selection of maturities that provide for stability of income and liquidity
4. Short-term investments
5. The dollar weighted average maturity of 730 days or less will be calculated using the stated final maturity dates of each security.

**B. Special Revenue Funds Investment Objectives:**

1. Diversification to eliminate risk of loss resulting from over concentration of assets in a specific maturity, specific issuer or specific class of investment instruments
2. Matching of regular operational expenditures of funds with investment interest, maturing investments and other income sources of the funds
3. Selection of maturities that provide for stability of income and liquidity
4. Short-term investments

**C. Capital Projects Fund Investment Objectives:**

1. Diversification to eliminate risk of loss resulting from over concentration of assets in a specific maturity, specific issuer or specific class of investment instruments
2. Matching of regular operational expenditures of funds with investment interest, maturing investments and other income sources of the funds
3. Selection of maturities that provide for stability of income and liquidity
4. Short-term investments

**D. Enterprise Funds Investment Objectives:**

1. Diversification to eliminate risk of loss resulting from over concentration of assets in a specific maturity, specific issuer or specific class of investment instruments
2. Matching of regular operational expenditures of funds with investment interest, maturing investments and other income sources of the funds
3. Selection of maturities that provide for stability of income and liquidity
4. Short-term investments

**E. Trust and Agency Funds Investment Objectives:**

1. Diversification to eliminate risk of loss resulting from over concentration of assets in a specific maturity, specific issuer or specific class of investment instruments

2. Matching of regular operational expenditures of funds with investment interest, maturing investments and other income sources of the funds
3. Selection of maturities that provide for stability of income and liquidity
4. Short-term investments

**F. Debt Service Fund Investment Objectives:**

1. Diversification to eliminate risk of loss resulting from over concentration of assets in a specific maturity, specific issuer or specific class of investment instruments
2. Matching of debt service required expenditures of funds with investment interest, maturing investments and other income sources of the funds
3. Selection of maturities that provide for stability of income and liquidity
4. Short-term investments

**G. Investment Objectives of Any Other Funds Created by the City:**

1. Diversification to eliminate risk of loss resulting from over concentration of assets in a specific maturity, specific issuer or specific class of investment instruments
2. Matching of regular operational expenditures of funds with investment interest, maturing investments and other income sources of the funds
3. Selection of maturities that provide for stability of income and liquidity
4. Investment of bond proceeds in accordance with the provisions of the bond ordinance, resolution or trust indenture authorizing the issuance of bonds.

**H. Priorities Used for Determination**

The separate investment strategies for these fund groups have been determined by using the following priorities in order of importance:

1. Understanding of the suitability of the investment to the financial requirements of the City;
2. Preservation and safety of principal;
3. Liquidity;
4. Marketability of the investment if the need arises to liquidate the investment before maturity;
5. Diversification of the investment portfolio; and
6. Yield

**VII. INVESTMENT OFFICER**

The Chief Financial Officer is designated the investment officer of the City and is responsible for investment decisions and activities which shall be conducted under the direction of the City Manager. The investment officer shall develop and maintain written and administrative procedures for operation of the investment program, which must be consistent with the pertinent federal and state laws and this Policy. In order to optimize total return through active portfolio management and preservation of capital, resources shall be allocated to the cash management program. The commitment of resources shall include financial and staffing considerations. The investment officer shall designate a staff

person as a liaison/deputy in the event circumstances require timely action and the investment officer is not available. No officer or designee may engage in an investment transaction except as provided under the terms of this Policy and the procedures established.

#### **A. Training**

The investment officer, under Section 2256.008 of the Public Funds Investment Act, shall attend at least ten (10) hours of investment training within twelve months after assuming duties. At least ten (10) hours of training must be received every two (2) consecutive years beginning October 1<sup>st</sup> of the first year. This training shall be approved or endorsed by Government Treasurers Organization of Texas (GTOT), Government Finance Officers Association of Texas (GFOAT), the Texas Municipal League (TML), or North Central Texas Council of Governments.

#### **B. Internal Controls**

The investment officer is responsible for establishing and maintaining an internal control structure designed to prevent losses of public funds arising from fraud, theft, misuse, employee error, misrepresentations of third parties, unanticipated changes in financial markets or imprudent actions by any person involved in the investment program. Cash flow forecasting is designed to protect and sustain cash flow requirements of the City. The internal control structure shall be designed to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes that (1) the cost of a control should not exceed the benefits likely to be derived, and (2) the valuation of costs and benefits requires estimates and judgments by management.

The internal control shall address the following points:

1. Control of Collusion - Collusion is a situation where two or more employees are working in conjunction to defraud their employer
2. Separation of Transaction Authority from Accounting and Record Keeping - By separating the person who authorizes or performs the transaction from the people who record or otherwise account for the transaction, a separation of duties is achieved.
3. Custodial Safekeeping - Securities purchased from any bank or dealer including appropriate collateral (as defined by State Law) shall be placed with an independent third party for custodial safekeeping.
4. Avoidance of Bearer Form Securities - Book entry securities are much easier to transfer and account for since actual delivery of a document never takes place. Delivered securities must be properly safeguarded against loss or destruction. The potential for fraud and loss increases with physically delivered securities.
5. Clear delegation of Authority to Subordinate Staff Member - Subordinate staff member must have a clear understanding of their authority and responsibilities to avoid improper actions. Clear delegation of authority also preserves the internal control structure that is contingent on the various staff positions and their respective responsibilities.

6. Written Confirmation of Telephone Transactions for Investments and Wire Transfers - Due to the potential for error and improprieties arising from telephone transactions, all telephone transactions should be supported by written communications and approved by the appropriate person. Written communications may be via fax, if on letterhead, and the safekeeping institution has a list of authorized signatures.
7. Development of a Wire Transfer Agreement with the Lead Bank or Third Party Custodian - This agreement should outline the various controls, security provisions, and delineated responsibilities of each party making and receiving wire transfers.
8. Documentation of transactions and strategies.
9. Transfer of funds on behalf of the City shall only be to an account in the name of the City of Alvin at the City's depository bank.

### **C. Prudence**

Investments shall be made with judgment and care under circumstances then prevailing that a person of prudence, discretion and intelligence would exercise in the management of the person's own affairs, not for speculation, but for investment, considering the probable safety of capital and the probable income to be derived. The standard of care shall be the "prudent person" standard and shall be applied in the context of managing an overall portfolio. In other words, in determining whether the investment officer has exercised prudence with respect to an investment decision, the determination shall be made taking into consideration (i) the investment of all funds or funds under the City's control over which the officer has responsibility rather than a consideration as to the prudence of a single investment and (ii) whether the investment decision was consistent with this Investment Policy.

### **D. Limitation of Personal Liability**

The investment officer and those delegated investment authority, acting in accordance with the law and this Policy and exercising due diligence and prudence, shall not be held personally responsible for a specific security's credit risk or market price changes, provided that the deviations are reported immediately to the City Council and the City Manager and appropriate action is taken to control adverse conditions.

All participants in the investment process must seek to act responsibly as custodians of the public trust. Investment officials shall endeavor to avoid any transaction that might impair public confidence in the City of Alvin's ability to govern effectively.

### **E. Ethics and Conflicts of Interest**

If the investment officer has a personal business relationship with an entity seeking to sell an investment to the City, he/she shall file a statement with the Texas Ethics Commission and City Council disclosing the personal business interest. If the investment officer is related within the second degree by affinity or consanguinity, as determined under Chapter 573 of the Government Code, to an individual seeking

to sell an investment to the City, he/she shall file a statement with the Texas Ethics Commission and City Council disclosing the relationship.

## **F. Reporting Requirements**

The investment officer shall generate quarterly reports, which shall be submitted to the City Manager, Mayor, and City Council at the second regularly scheduled Council Meeting after the end of each quarter. The report shall cover the investment transactions for all funds identified in the Scope section for the preceding quarter. The report will include the following:

1. A detailed description of the City's investment position on the date of the report;
2. A summary statement of each pooled fund group that states the:
  - (a) beginning market value for the reporting period;
  - (b) additions and changes to the market value during the period; and
  - (c) ending market value for the period; and
  - (d) fully accrued interest for the reporting period.
3. A statement delineating the book value and market value of each separately invested asset at the beginning and end of the reporting period by the type of asset and fund type invested;
4. The maturity date of each separately invested asset that has a maturity date;
5. The account or fund or pooled group fund in the City for which each individual investment was acquired;
6. Overall weighted average maturity of the portfolio;
7. Overall current yield of the portfolio;
8. A statement of compliance of the investment portfolio as it relates to the investment strategy expressed in this Policy and the requirements of the Public Funds Investment Act;
9. Any additional information sufficient to permit an independent audit.

The report shall be signed by the investment officer. The City, in conjunction with its annual financial audit, shall conduct a compliance audit of management controls on investments and adherence to this Policy.

## **G. Compliance**

Quarterly reports must be formally reviewed at least annually by an independent auditor and reported to the governing body. (The City is exempt from this review if it only invests in money market mutual funds, investment pools or accounts offered by its depository bank in the form of CDs or money market accounts) PFIA 2256.023 (d).

## **VIII. REVIEW AND ADOPTION OF INVESTMENT POLICY**

The City of Alvin Investment Policy shall be reviewed on an annual basis by the City Council and shall be formally adopted by Resolution of the City Council.

## **IX. DIVERSIFICATION LIMITATIONS**

At a minimum, diversification standards by security type and issuer shall be:

U.S Treasury and Securities with U.S. Government guarantee	Not to Exceed 50%
U.S. Government Agencies and Instrumentalities	Not to Exceed 50%
Certificates of Deposits	Not to Exceed 40%
CDARS	Not to Exceed 40%
Money Market Funds	Not to Exceed 30%
Local Government Investment Pools	Not to be less than 50%
Repurchase Agreements:	
Overnight repurchase agreements	No limit
30-day repurchase agreements	Not to Exceed 15%
60-day repurchase agreements	Not to Exceed 10%
90-day repurchase agreements	Not to Exceed 5%

## **X. EXISTING INVESTMENTS**

Any investments currently held that do not meet the guidelines of this Policy shall be reviewed to determine ability to liquidate. If the security cannot be liquidated because of material adverse changes in value since the time of purchase, and holding the security to maturity does not negatively affect disbursement or cash flow, a recommendation of holding the security to maturity is acceptable. At all times, liquidations shall be effected taking into account the prudent person standard.

## **XI. PROHIBITED INVESTMENTS**

There is an absolute prohibition on investments in any of the following investment instruments:

- A. Obligations whose payment represents the coupon payments on the outstanding principal balance of the underlying mortgage-backed security collateral and pays no principal; interest-only strips.
- B. Obligations whose payment represents the principal stream of cash flow from the underlying mortgage-backed security collateral and bears no interest; principal-only strips.
- C. Collateralized mortgage obligations that have a stated final maturity date of greater than 10 years.

- D. Collateralized mortgage obligations the interest rate of which is determined by an index that adjusts opposite to the changes in a market index; inverse floaters.
- E. The City will not invest in mortgage backed derivative products.
- F. The City will not invest in commercial paper.
- G. The City is not authorized to invest in the aggregate more than 15 percent of its monthly average fund balance, excluding bond proceeds and reserves and other funds held for debt service, in mutual funds described in §2256.014 Section (b) of the Public Funds Investment Act.

## **XII. INVESTMENT OF BOND PROCEEDS**

Bond proceeds may be invested in accordance with the provisions of the bond ordinance, resolution or trust indenture authorizing the issuance of the bonds. To the extent of any inconsistency between the provisions of this Policy and the operative bond instrument, the investment terms contained in the operative bond instrument shall control; provided however, that no such investment of bond proceeds shall be made in investments which are not authorized by this Policy.

## **XIII. PERFORMANCE STANDARDS**

The investment portfolio will be managed in accordance with the parameters specified within this policy. The portfolio should earn a market average rate of return during a market/economic environment of stable interest rates. The market price of investments acquired with public funds should be monitored at least quarterly. Portfolio performance shall be compared to appropriate benchmark on a regular basis. The City's portfolio shall be compared to the rate of return of the Three (3) month Treasury Bill as reported by the U.S. Department of the Treasury..

## **XIV. QUALIFIED INSTITUTIONS**

A Depository Bank shall be selected through the City's banking services procurement process, which shall include a formal request for proposal (RFP). In selecting a depository, the credit worthiness of institutions and the ability to meet the City's banking needs shall be considered, and the Chief Financial Officer shall conduct a comprehensive review of each prospective depository. No deposit of public funds shall be made except in a qualified depository as established and defined by state laws. Banks and Savings and Loan Associations seeking to establish eligibility for the competitive certificates of deposit purchase programs shall submit a current audited financial statement and must comply with the requirements of the Public Funds Investment Act and other applicable laws.

The City shall maintain a list of financial institutions and brokers/dealers that have been selected by credit worthiness and authorized to provide investment services pursuant to this Policy. These may include "primary" dealers reporting to the Market Reports Division of the Federal Reserve Board of New York, also known as the "Primary Government Security Dealers" unless a comprehensive credit and capitalization analysis reveals that other firms are adequately financed to conduct public business. Investment officials shall not knowingly conduct business with any firm with whom public entities have sustained

losses on investments. All Securities dealers shall provide the City with references from public entities they are currently serving.

Brokers/Dealers that desire to become qualified bidders for investment transactions must submit the following documents: audited financial statements, proof of Financial Industry Regulatory Authority (FINRA) certificate, and certification of having read the City's investment policy signed by a qualified representative of the organization acknowledging that the organization has implemented reasonable procedures and controls in an effort to preclude imprudent investment activities arising out of investment transactions conducted between the City and the organization that are not authorized by the City's investment policy, except to the extent that this authorization is dependent on an analysis of the makeup of the City's entire portfolio or requires and interpretation of subjective investment standards.

*"Qualified representative"* means a person who holds a position with a business organization, who is authorized to act on behalf of the business organization, and who is one of the following:

- A. For an organization doing business that is regulated by or registered with a securities commission, a person who is registered under the rules of the Financial Industry Regulatory Authority;
- B. For a state or federal bank, a savings bank, or a state or federal credit union, a member of the loan committee for the bank or branch of the bank or a person authorized by corporate resolution to act on behalf of and bind the banking institution; or
- C. For an investment pool, the person authorized by the elected official or board with authority to administer the activities of the investment pool to sign the certification on behalf of the investment pool.

An annual review of all qualified financial institutions and broker/dealers will be conducted by the investment officer and adopted by the council.

## **XV. SAFEKEEPING**

All instruments purchased by the City shall be held in third party safekeeping by an institution designated as primary agent and shall be conducted on a delivery versus payment basis. The primary agent shall issue a safekeeping receipt with securities held in the City's name to the City listing the specific instrument, rate, maturity and other pertinent information. The City shall enter into a formal agreement with an institution of such size and expertise as is necessary to provide the services needed to protect and secure the investment assets of the City, as may be required by state or federal law. Safekeeping procedures shall be reviewed annually by the City's independent auditor and the Committee.

## **XVI. COMPETITIVE SELECTION OF INVESTMENT INSTRUMENTS**

Before the City invests surplus funds, a "bid" process shall be conducted. Bids will be solicited from at least three financial institutions or brokers/dealers. If a specific maturity date is required, either for cash flow purposes or for conformance to maturity guidelines, bids will be requested for instruments which meet the maturity requirement.

The City will consider a successful bid that conforms to this Policy and the law and that provides the highest rate of return with the required maturity. Records will be kept of the bids offered, the bids accepted, and a brief explanation of the decision, which was made regarding the investment.

## **XVII. COLLATERALIZATION**

Collateralization is required for all uninsured collected balances, plus accrued interest, if any. Except for government securities, as security for deposits, the financial institution or broker/dealer shall pledge securities equal to 102 percent of the investment or be adequately covered by FDIC insurance.

Evidence of the pledged collateral shall be maintained by the Chief Financial Officer and held by an independent third party with whom the City has a current custodial agreement. Any financial institution requesting substitution of collateralized securities must contact the Investment Officer for approval and settlement. The substituted security's value will be equal to or greater than the required security value. Written notification of the substitution must be provided to the bank or safekeeping agent prior to any security release.

Collateralized securities such as repurchase agreements shall be purchased using the delivery vs. payment procedure.

In cases where the City purchased any securities from its depository institution, under the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA), valid collateral pledges for deposits against the FDIC must meet the following requirements:

- A. The security agreement must be in writing.
- B. It must be executed contemporaneously with the acquisition of the asset by the depository institution.
- C. It must be approved by the depository institution's board of directors or loan committee, and that approval must be reflected in the minutes of the board of committee.
- D. It must be an official record of the depository institution continuously since it was executed.

## EXHIBIT "B"

### List of Authorized Broker/Dealers

AMEGY BANK  
ALLEGIANCE BANK  
AMERICAN BANK  
BANK OF AMERICA  
BANK OF HOUSTON  
BANK OF NEW YORK  
BANK OF TEXAS  
BANK OF THE WEST  
BBVA COMPASS  
CAPITAL ONE  
CAPITAL BANK  
CENTRAL BANK  
CHASEWOOD BANK  
CITIBANK N.A.  
COMERICA BANK  
COMMERCIAL STATE BANK  
COMMUNITY BANK OF TEXAS  
COMMUNITY STATE BANK  
COASTAL SECURITIES  
ENCORE BANK  
ENTERPRISE BANK  
FEDERATED INVESTORS, INC.  
FIDELITY INVESTMENTS  
FIRST BANK OF CONROE  
FIRST BANK OF TEXAS  
FIRST BANK AND TRUST  
FIRST COMMUNITY BANK  
FIRST NATIONAL BANK  
FIRST NATIONAL BANK BASTROP  
FIRST TEXAS BANK  
FISERV INVESTOR SERVICES  
FIRST SOUTHWEST ASSET MANAGEMENT INC  
FOUNDERS BANK  
FROST BANK  
GREEN BANK  
HERITAGE BANK  
HERRING NATIONAL BANK  
HOMETOWN BANK N.A.  
HOUSTON COMMUNITY BANK  
HOUSTON SAVINGS  
ICON BANK  
INDEPENDENCE BANK  
INTERNATIONAL BANK OF COMMERCE  
JP MORGAN CHASE  
LIBERTAD BANK  
LEGACY TEXAS BANK  
LOCAL GOVT INVESTMENT COOPERATIVE  
LONE STAR BANK  
LONE STAR INVESTMENT POOL  
MAIN STREET BANK  
MBIA TEXAS CLASS  
MERRILL LYNCH, INC.  
MIDSOUTH BANK NA  
METRO BANK  
MEMORIAL CITY BANK  
MOODY NATIONAL BANK  
MORGAN KEEGAN, INC.  
MORGAN STANLEY  
NEW FIRST NATIONAL BANK OF ROSENBERG  
OASIS CAPITAL BANK  
OMNI BANC  
PARTNERS BANK OF TEXAS  
PATRIOT BANK  
PLAINS CAPITAL BANK  
PLAINS STATE BANK  
POST OAK BANK  
PREFERRED BANK  
PROSPERITY BANK  
RBC CAPITAL MARKETS  
REGIONS BANK  
SECURITY STATE BANK  
SPIRIT OF TEXAS BANK  
SOUTHWEST SECURITIES  
STATE BANK OF TEXAS  
STERLING BANK  
TEXPOOL  
TEXSTAR INVESTMENT POOL  
TEXAN BANK (formerly Bank of Fort Bend)  
TEXAS CAPITAL BANK  
TEXAS CLASS INVESTMENT POOL  
TEXAS COMMUNITY BANK  
TEXAS FIRST BANK  
TEXAS INDEPENDENT BANK  
TEXAS SAVINGS BANK  
TEXAS CITIZENS BANK  
THE BANK OF RIVER OAKS  
THE RIGHT BANK FOR TEXAS  
TRADITION BANK  
TRUSTMARK NATIONAL BANK  
TRI STAR FINANCIAL  
UNITY NATIONAL BANK  
US BANK  
VISTA BANK TEXAS  
WALLIS STATE BANK  
WELLS FARGO  
WESTBOUND BANK  
WHITNEY BANK  
WOODFOREST NATIONAL BANK

# Government Treasurers' Organization of Texas

March 10, 2017

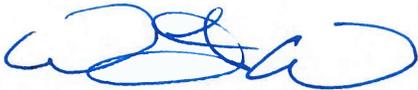
Junru Roland  
Assistant City Manager/Chief Financial Officer  
City of Alvin  
216 West Sealy St  
Alvin, TX 77511

Dear Junru Roland:

On behalf of the Investment Policy Review Committee, I am pleased to inform you that the Government Treasurers' Organization of Texas (GTOT) has awarded the **Certificate of Distinction** to the City of Alvin, Texas, for its Investment Policy. Members of the Review Committee congratulate the Board for its commitment to maintaining a comprehensive written investment policy that meets the criteria set forth in the GTOT Investment Policy Review Checklist.

Congratulations once again on an excellent policy and thank you for participating in our certification program. Your certificate is being mailed under separate cover and is good for a two-year period ending March 31, 2019.

Sincerely,



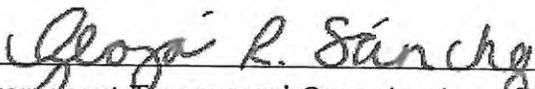
Wally Waits, Chair  
GTOT Investment Policy Review Committee

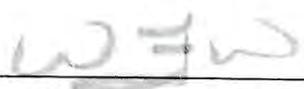
Government Treasurers' Organization of Texas  
**Certification of Investment Policy**

Presented to

*City of Alvin*

for developing an investment policy that meets the requirements of the Public Funds Investment Act and the standards for prudent public investing established by the Government Treasurers' Organization of Texas.

  
Government Treasurers' Organization of Texas  
President

  
Investment Policy Review Committee  
Chairperson

For the two-year period ending March 31, 2019



# AGENDA COMMENTARY

**Meeting Date:** 9/20/2018

**Department:** Public Services

**Contact:** Brian Smith, Director of Public Services

**Agenda Item:** Consider a bid award to Brenntag Southwest, Inc. to purchase Sodium Hypochlorite for one (1) year with the option to extend for one year at the same terms and conditions for an estimated total of \$60,000; and authorize the City Manager to sign the contract upon legal review.

**Type of Item:**  Ordinance  Resolution  Contract/Agreement  Public Hearing  Discussion & Direction

**Summary:** Sodium Hypochlorite chemical is used to disinfect effluent (treated wastewater) from the City's wastewater treatment plant.

On August 14, 2018, bids were opened and Brenntag Southwest Inc. was the lowest qualified bidder for Sodium Hypochlorite at \$.7675 per gallon. The projected annual cost for Sodium Hypochlorite in FY18 at \$.7675 per gallon is \$60,000. Last year, \$58,780 was spent on Sodium Hypochlorite at \$.77 per gallon.

Upon Council approval an award letter will be sent to vendor and City departments.

**Funding Expected:** Revenue  Expenditure  N/A  **Budgeted Item:** Yes  No  N/A

**Funding Account:** 211-6003-00-2425 **Amount:** \_\_\_\_\_ **1295 Form Required?** Yes  No

**Legal Review Required:** N/A  Required  **Date Completed:** 9/13/2018 SLH

## Supporting documents attached:

- Bid Tabulation

**Recommendation:** Move to award bid to Brenntag Southwest, Inc. to purchase Sodium Hypochlorite for one (1) year with the option to extend for one year at the same terms and conditions for an estimated total of \$60,000; and authorize the City Manager to sign the contract upon legal review.

Reviewed by Department Head, if applicable

Reviewed by City Attorney, if applicable

Reviewed by Chief Financial Officer, if applicable

Reviewed by City Manager

**CITY OF ALVIN BID TABULATION  
SODIUM HYPOCHLORITE  
B-18-13**

<b>DATE OF BID OPENING TUESDAY, AUGUST 14, 2018 2:15PM</b>	<b>BIDDER'S NAME</b>	Brenntag Southwest, Inc.	DXI Industries, Inc.	Univar USA
		1632 Haden Road	1919 Jacintoport Blvd.	8201 S. 212 <sup>th</sup>
		Houston, Texas 77015	Houston, Texas 77015	Kent, WA 98032-1994
	<b>QUOTED BY</b>	Gayle Tullier	Janel Bakk	
	<b>CONTACT</b>	Gayle Tullier	Janel Bakk	
	<b>TELEPHONE</b>	713-330-8570	281-457-4848	253-872-5000
	<b>FAX</b>	713-450-4699	281-457-4807	253-572-5041
BID PRICE		\$.7675 / gallon	\$.88 / gallon	No Bid
DELIVERY TIME		2-4 days	3 days	No Bid



# AGENDA COMMENTARY

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**Meeting Date:** 9/20/2018

**Department:** City Attorney

**Contact:** Suzanne L. Hanneman, City Attorney

**Agenda Item:** Consider Resolution 18-R-30, finding that Texas-New Mexico Power Company's ("TNMP") application to change rates within the City should be denied; finding that the City's reasonable rate case expenses shall be reimbursed by the company; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and legal counsel.

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**Type of Item:** Ordinance Resolution Contract/Agreement Public Hearing Plat Discussion & Direction Other

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**Summary:** The City of Alvin is a member of the Gulf Coast Coalition of Cities (GCCC), a coalition of cities known alternatively as the Cities Served by Texas-New Mexico Power Company ("TNMP Cities"). TNMP Cities has been an important interest advocating before the Public Utility Commission and the Courts on electric utility regulation matters for a number of years.

On May 30, 2018, Texas-New Mexico Power Company ("TNMP" or "Company") filed an application to change rates with cities retaining original jurisdiction. In the filing, the Company sought to increase system-wide transmission and distribution rates by \$33.3 million, or approximately 16.6% over present revenues. This equated to a 23.4% increase in residential rates and a 11.8% increase in street lighting rates. If approved, monthly rates would increase by approximately \$12.21 for an average residential customer.

In May 2018, TNMP Cities engaged the services of two consultants, Mr. Lane Kollen and Mr. Richard Baudino, to review the Company's filing. The consultants identified numerous unreasonable expenses and proposed significant reductions to the Company's request. Accordingly, the TNMP Cities' attorneys recommend that all members adopt the Resolution denying the rate change. Once the Resolution is adopted, TNMP will have 30 days to appeal the decision to the Public Utility Commission of Texas, where the appeal will be consolidated with TNMP's filing (i.e., PUC Docket No. 48401) currently pending at the Commission.

The law permits the City to suspend the rate change for 90 days after the date the rate change would otherwise be effective. In accordance with the law, on June 21, 2018, Council passed Resolution 18-R-22 suspending the July 5, 2018 effective date of Texas-New Mexico Power Company's (TNMP's) requested rate change.

Under a pending settlement between parties (including TNMP Cities) and TNMP, the Company's request is substantially reduced. Under the proposed settlement, the Company would be permitted a \$10 million increase, or approximately a 6.6% increase in its revenues. This would result in a 9.9% increase to residential rates and no increase to street lighting rates. However, that settlement remains in the process of being finalized. The requested Council action is therefore denial of TNMP's original, \$33.3 million proposed increase.

---

**Funding Expected:** Revenue  Expenditure  N/A  **Budgeted Item:** Yes  No  N/A

**Funding Account:** \_\_\_\_\_ **Amount:** \_\_\_\_\_ **1295 Form Required?** Yes  No

**Legal Review Required:** N/A  Required  **Date Completed:** 9/17/2018 SLH

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**Supporting documents attached:**

- Resolution 18-R-30
- 

**Recommendation:** Move to approve Resolution 18-R-30, finding that Texas-New Mexico Power Company's ("TNMP") application to change rates within the City should be denied; finding that the City's reasonable rate case expenses shall be reimbursed by the company; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and legal counsel.

---

Reviewed by Department Head, if applicable

Reviewed by City Attorney, if applicable

Reviewed by Chief Financial Officer, if applicable

Reviewed by City Manager

**RESOLUTION 18-R-30**

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ALVIN, TEXAS, FINDING THAT TEXAS-NEW MEXICO POWER COMPANY’S (“TNMP”) APPLICATION TO CHANGE RATES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY’S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.**

**WHEREAS**, the City of Alvin, Texas (“City”) is an electric utility customer of Texas-New Mexico Power Company (“TNMP” or “Company”), and a regulatory authority with an interest in the rates and charges of TNMP; and

**WHEREAS**, the City is a member of Cities Served by Texas-New Mexico Power Company (“TNMP Cities”), a coalition of similarly situated cities served by TNMP that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in TNMP’s service area; and

**WHEREAS**, on or about May 30, 2018, TNMP filed with the City an application to increase system-wide transmission and distribution rates by \$33.3 million or approximately 16.6% over present revenues. The Company asks the City to approve a 23.4% increase in residential rates and a 11.8% increase in street lighting rates; and

**WHEREAS**, the TNMP Cities is coordinating its review of TNMP’s application and working with the designated attorneys and consultants to resolve issues in the Company’s filing; and

**WHEREAS**, through review of the application, the TNMP Cities’ consultants determined that TNMP’s proposed rates are excessive; and

**WHEREAS**, TNMP Cities’ members and attorneys recommend that members deny TNMP’s application.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALVIN, TEXAS:**

**Section 1.** That the rates proposed by TNMP to be recovered through its electric rates charged to customers located within the City limits, are hereby found to be unreasonable and shall be denied.

**Section 2.** That the Company shall continue to charge its existing rates to customers within the City.

**Section 3.** That the City's reasonable rate case expenses shall be reimbursed in full by TNMP within 30 days of the adoption of this Resolution.

**Section 4.** That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.

**Section 5.** That a copy of this Resolution shall be sent to TNMP, care of Scott Seamster, Associate General Counsel, 577 N. Garden Ridge Blvd., Lewisville, Texas 75067, and to Chris Brewster, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, Texas 78767-1725, or cbrewster@lglawfirm.com.

**PASSED AND APPROVED** on this the \_\_\_\_\_ day of September 2018.

**CITY OF ALVIN, TEXAS**

**ATTEST:**

By: \_\_\_\_\_  
Paul A. Horn, Mayor

By: \_\_\_\_\_  
Dixie Roberts, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Suzanne L. Hanneman, City Attorney



# AGENDA COMMENTARY

**Meeting Date:** 9/20/2018

**Department:** Public Services

**Contact:** Brian Smith, Director of Public Services

**Agenda Item:** Consider Interlocal Agreement with Brazoria County for the Fiscal Year 2018-2019 Asphalt Improvement Project; and authorize the Mayor to sign upon legal review.

**Type of Item:** Ordinance Resolution Contract/Agreement Public Hearing Plat Discussion & Direction Other

**Summary:** The proposed Interlocal Agreement between the City and the County provides the mechanisms for the County to provide the City of Alvin with equipment and personnel to assist in the construction, improvement, maintenance and/or repair of two miles of asphalt streets in various locations within the city limits of Alvin. The City of Alvin entered into this partnership with Brazoria County in 1991, and has continued to use the program since that time. This program provides for low cost paving and rehabilitation of asphalt streets and has improved over 34 miles of asphalt streets since the start in 1991. In the last four years, the program has achieved the rehabilitation and paving of 74,000 linear feet of asphalt or 13 miles, averaging 2.3325 miles per year.

Should City Council authorize this agreement, staff will make recommendations of streets to be serviced using the Asphalt Street Assessment.

This agreement has already been approved and signed by the Brazoria County Judge, L.M. "Matt" Sebesta.

**Funding Expected:** Revenue  Expenditure  N/A  **Budgeted Item:** Yes  No  N/A

**Funding Account:** 312-5501-00-9011 **Amount:** \$300,000 **1295 Form Required?** Yes  No

**Legal Review Required:** N/A  Required  **Date Completed:** 9/13/2018 SLH

**Supporting documents attached:**

•

**Recommendation:** Move to approve an Interlocal Agreement with Brazoria County for the Fiscal Year 2018-2019 Asphalt Improvement Project; and authorize the Mayor to sign upon legal review.

Reviewed by Department Head, if applicable

Reviewed by City Attorney, if applicable

Reviewed by Chief Financial Officer, if applicable

Reviewed by City Manager

THE STATE OF TEXAS §

COUNTY OF BRAZORIA §

### **INTERLOCAL AGREEMENT**

This agreement is made at Angleton, Brazoria County, Texas between BRAZORIA COUNTY, TEXAS acting through its Commissioners' Court (hereinafter "COUNTY"), and the CITY OF ALVIN, acting through its Mayor (hereinafter "CITY").

NOW THEREFORE, THE COUNTY AND THE CITY agrees as follows:

1.0 The term of this agreement shall be from October 1, 2018, to September 30, 2019. The AGREEMENT may be renewed annually by the written approval of COUNTY and CITY.

1.1 Pursuant to the Interlocal Cooperation Act, Texas Government Code, Chapter 791 and the Texas Transportation Code, Section 251.012, the COUNTY agrees to provide personnel and equipment at its own expense to assist in the construction, improvement, maintenance and/or repair of a street or alley located within the corporate limits of the CITY OF ALVIN, subject to the approval of the County Engineer as set forth in Section 1.3, including sub grade preparation, base preparation, asphalt paving, culverts and ditch work, herbicide spraying, painting and striping roads, installation of permanent traffic signs, and other routine road maintenance operations. Any work performed on the City's streets and alleys which are not an integral part of, or a connecting link to, other

roads and highways is allowed if such work is determined to be a benefit to the County by Commissioners' Court. The CITY will provide materials, including fuel used by the equipment for these projects. All such materials shall be paid for by the CITY, and may be purchased through the County's suppliers. The CITY shall reimburse the cost of any work performed or obtained by the COUNTY, which is determined to be beyond the scope of this agreement, to the County.

1.2 The county work authorized by this AGREEMENT may be done:

- (1) By the COUNTY through use of county equipment;
- (2) By an independent contractor with whom the COUNTY has contracted for the provision of certain services and materials, conditioned on the CITY providing a purchase order to such independent contractor for the full amount of such services or materials.

1.3 During the term of this AGREEMENT when COUNTY work is requested, the Mayor of the City shall submit a request in writing to the County Engineer. The County Engineer and the Mayor of the City shall agree in writing as to the location and type of assistance to be provided pursuant to this AGREEMENT. It is expressly understood between the parties that the COUNTY shall have no authority or obligation to provide any service or work on any city street or alley not so agreed to in writing. The County Engineer is authorized to sign an acceptance statement for

each project at the appropriate time and authorize the work subject to be completed as the Road and Bridge Department schedules permit.

1.4 The parties intend that the COUNTY in performing such services shall act as an independent contractor and shall have control of the work and the manner in which it is performed. The COUNTY shall not be considered an agent, employee, or borrowed servant of the CITY.

1.5 For and in consideration of the above agreement by the County, the CITY agrees to provide all warning and safety signs and other safety protections as required when such work is being performed by the COUNTY.

1.6 The parties further agree that such work and materials are provided by the COUNTY without warranty of any kind to the CITY or any third party, and that the COUNTY has no obligation to provide any supplemental warranty work after a project's completion. The CITY agrees to provide any engineering or design work required for work done pursuant to this agreement.

## II.

2.0 The Parties expressly acknowledge that the City's and the County's authority to indemnify and hold harmless any third party is governed by [Article XI, Section 7 of the Texas Constitution](#), and any provision that purports to require indemnification by the City or the County is invalid. Nothing in this Agreement requires that either the City or County incur debt, assess or collect funds, or create a sinking fund.

2.1 Payment for services or materials under this agreement shall be payable from current revenues available to the paying party.

III.

3.0 Either party may terminate this agreement upon thirty (30) day's written notice to the other party.

3.1 Nothing herein shall be construed to make either party a purchaser or consumer of goods or services from the other.

3.2 Nothing herein shall be construed to create any rights in third parties.

SIGNED AND ENTERED this the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

BRAZORIA COUNTY, TEXAS

\_\_\_\_\_

By: L.M. "Matt" Sebesta Jr.  
Brazoria County Judge

By: Mayor

DATE: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
CITY SECRETARY

**City of Alvin**  
**Interlocal Agreement Project Request Summary FY-19**

STREET/LOCATION	LIMITS (TO – FROM)	LENGTH (FT)	WIDTH (FT)	WORK DESCRIPTION (Major Street Projects ONLY)	<i>FOR OFFICE USE ONLY</i>

**Note:** Each page submitted must be approved by the Mayor.  
**Return to:** County Engineer's Office

**Please return your completed Project Request to the attention of Mandie Kelly prior to December 15, 2018.**

\_\_\_\_\_  
*Approved By: Mayor*



# AGENDA COMMENTARY

**Meeting Date:** 9/20/2018

**Department:** City Manager

**Contact:** Junru Roland, City Manager

**Agenda Item:** Consider annual windstorm renewal from Victor O. Schinnerer & Company, Inc. in an amount not to exceed \$163,128.02 for the City of Alvin windstorm and hail coverage for FY19, and authorize the City Manager to sign the Proposal Acceptance Form.

**Type of Item:** Ordinance Resolution Contract/Agreement Public Hearing Plat Discussion & Direction Other

**Summary:** 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 includes 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, 2018.

VOSCO canvassed the open marketplace and approached 17 different carriers on behalf of the City of Alvin. Each carrier modeled and reviewed multiple layers (i.e., primary, buffers, and excess), as well as various terms (deductibles, extensions of coverage, etc.) in an attempt to yield the most competitive placement available. Of the 17 carriers that were approached, 6 declined to submit a proposal, 5 carriers only offered excess coverage, with the remaining carriers offering outrageous deductibles and/or high premiums. VOSCO did not approach Texas Windstorm Insurance Association (TWIA) for FY19 because the City has approximately \$16 million in scheduled value that would not qualify for coverage under TWIA, and TWIA's annual premium for the limited coverage would be in the ballpark of \$160,000.

VOSCO is proposing 2 options:

1. Option 1 – AmRisc Carriers

- |                                |  |
|--------------------------------|--|
| a. Total Insurable Value Limit | \$33.3 million                                       |
| b. Deductible                  | \$10,000 per occurrence (wind/hail)                  |
| c. Deductible                  | \$165,000 per occurrence (wind-driven precipitation) |
| d. Annual Premium              | \$163,128.02   |

2. Option 2 – AmRisc Carriers

- |                                |  |
|--------------------------------|--|
| a. Total Insurable Value Limit | \$33.3 million                                       |
| b. Deductible                  | \$25,000 per occurrence (wind/hail)                  |
| c. Deductible                  | \$165,000 per occurrence (wind-driven precipitation) |

d. Annual Premium \$160,429.51

Even though the FY19 annual premium for option #1 is \$2,698 more than option #2, the deductible per occurrence for option #1 is \$15,000 less than option #2. With that, staff recommends that City Council approve Option #1 for windstorm coverage for FY19.

AmRisc currently writes coverage for several entities in Texas, including but not limited to: Dickinson, Manvel, Sweeny, Pearland, Bay City, Friendswood, Kemah, Lake Jackson, Oyster Creek, Richwood, and Brazoria.

For FY18 the windstorm coverage for the City included the following:

- a. Total Insurable Value Limit \$32.9 million
- b. Deductible \$10,000 per occurrence (wind/hail)
- c. Annual Premium \$162,713.25

**Funding Expected:** Revenue  Expenditure  N/A  **Budgeted Item:** Yes  No  N/A

**Funding Account:** Multiple Accounts **Amount:** \_\_\_\_\_ **1295 Form Required?** Yes  No

**Legal Review Required:** N/A  Required  **Date Completed:** 9/17/2018 SLH

**Supporting documents attached:**

- Windstorm proposals

**Recommendation:** Move to approve annual windstorm renewal Option #1 from Victor O. Schinnerer & Company Inc. in an amount not to exceed \$163,128.02 for the City of Alvin windstorm and hail coverage for FY19, and authorize the City Manager to sign the Proposal Acceptance Form.

Reviewed by Department Head, if applicable

Reviewed by Chief Financial Officer, if applicable

Reviewed by City Attorney, if applicable

Reviewed by City Manager



VICTOR O.  
SCHINNERER  
& COMPANY, INC.

September 11, 2018

Mr. Junru Roland  
Chief Financial Officer  
City of Alvin  
216 W Sealy St  
Alvin, TX 77511

**RE: Wind/Hail Renewal Proposal**  
Expiring Policy(s): AMR60567 (primary)  
NADC04447017 (ded buyback)  
Renewal Date: October 1, 2018

Dear Mr. Roland:

Enclosed is your 2018-2019 Windstorm Renewal Proposal with an expiration date of October 1, 2018 prepared by Victor O. Schinnerer & Co., Inc., (VOSCO) your windstorm insurance agent.

VOSCO has prepared your renewal proposal by using your expiring windstorm insurance policy and information received from or shared with Texas Municipal League Intergovernmental Risk Pool (TMLIRP) as part of our relationship with them.

Please refer to the attached proposal for specifics regarding limits, deductibles, coinsurance and other additional optional coverages available. For actual terms, conditions, limitations, exclusions and warranties, please refer to the insurance policy specifically.

If you have any questions or find items needing to be amended, please contact me at (800) 284-4747 to discuss.

When you elect to bind coverage, please email signed acceptance forms to [belinda.g.wallace@schinnerer.com](mailto:belinda.g.wallace@schinnerer.com) no later than **September 21, 2018** to maintain continuous coverage.

Sincerely,

Belinda G. Wallace  
Account Executive/Asst Vice President

cc: Michael Kuykendall, TMLIRP/Austin  
Linda Morvant, TMLIRP/Houston

### MARKETS APPROACHED

Company	Response
Arrowhead	Declined
AXIS	Indicated full limits at a 2% deductible for \$200,000+
Catalytic	Indicated full limits with \$25,000 deductible for \$200,000+
Colony	Excess only
Endurance	Declined, unable to compete with rate or deductible
Hallmark	Excess only
ICAT	Declined, not targeting municipalities
Ironshore	Declined, not targeting wind/hail only on new business
James River	Excess only
Markel	Excess only
OneBeacon	Excess only
RLI	Declined, construction on 30% of TIV being 1940 - 1970
Scottsdale	Excess only
Swiss Re	Declined, unable to compete with rate or deductible
V3	Declined, unable to compete with rate or deductible
Velocity	Indicated full limits with \$25,000 deductible for \$190,000+
Westchester	\$200,000+ or \$10 million primary with a % deductible

Victor O. Schinnerer & Company, Inc.  
Windstorm & Hail Proposal

City of Alvin

October 1, 2018 to October 1, 2019

Option	Carrier	Property Type	Total Limit	Coinsurance	Valuation Basis	Deductible (Per Occurrence)	Premium	Policy/ Inspection Fee	Surplus Lines Taxes & Fees	Total Policy Cost
1	AmRisc Carriers (Primary)	Commercial	\$33,268,032	Nil	Replacement Cost	\$25,000 Wind/Hail \$165,000 Wind Driven Precipitation	\$140,500.00	\$12,290.00	\$7639.51	<b>\$163,128.02</b>
	Underwriters at Lloyds	Deductible Buyback	\$33,268,032	Waived		Buydown of \$15,000 for total deductible of <b>\$10,000 Wind/Hail \$165,000 Wind Driven Precipitation</b>	\$1,925.00	\$645.00	\$128.51	

Option	Carrier	Property Type	Total Limit	Coinsurance	Valuation Basis	Deductible (Per Occurrence)	Premium	Policy/ Inspection Fee	Surplus Lines Taxes & Fees	Total Policy Cost
2	AmRisc Carriers	Commercial	\$33,268,032	Nil	Replacement Cost	\$25,000 Wind/Hail \$165,000 Wind Driven Precipitation	\$140,500.00	\$12,290.00	\$7,639.51	<b>\$160,429.51</b>

**HURRICANE SEASON IS FROM JUNE 1 – NOVEMBER 30**

*(refer to Designated Named Storms)*

## Account Summary

<b>Option 1 (based on expiring)</b>	1) This option is based on the expiring windstorm schedule with minimal changes determined by a comparison of items covered on the expiring windstorm policy and items currently on the TMLIRP schedule.
<b>Option 2</b>	1) This option is based on the same windstorm schedule as Option 1, with only a change in total deductible.

**PROPOSAL ACCEPTANCE FORM**

This form must be signed and returned to Victor O. Schinnerer & Company, Inc. no later than **Sept 21, 2018.**

**Please Return To:**

Victor O. Schinnerer & Company, Inc.  
3100 Wilcrest Drive, Ste 200  
Houston, TX 77042  
Phone: (713) 787- 2405  
[Belinda.G.Wallace@Schinnerer.com](mailto:Belinda.G.Wallace@Schinnerer.com)

**PREMIUM PAYMENT**

**Windstorm & Hail Coverages Accepted**

Selection	Option #	Total Limit	Premium
<input type="checkbox"/>	1	33,268,032	\$163,128.02
<input type="checkbox"/>	2	33,268,032	\$160,429.51

*By accepting this proposal, you acknowledge and understand a minimum policy premiums may apply, you have met all eligibility requirements regarding flood coverage at certain locations and you have reviewed the windstorm location's schedule and are in agreement with the locations and limits used in this proposal .*

I, the undersigned, as an authorized representative of:

**City of Alvin**

do hereby accept on behalf of the above named political subdivision the portions of the proposal as indicated above.

Signature of Authorized

Official: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**TMLIRP OFFICE USE ONLY**

Contribution: \_\_\_\_\_ Verified by: \_\_\_\_\_ Contract #: \_\_\_\_\_

New Member       Member Re-awarding       Member Adding Coverage



**QUOTATION CONFIRMATION**

**AGENCY:** Victor O. Schinnerer & Co., Inc.  
6644882

**QUOTATION EXP. DATE:** 10/1/2018

We are pleased to confirm the following quotation that has been received from the carrier shown below. Please note that this quotation is based on the coverage, terms and conditions listed below, which may be different from those requested in your original submission.

The terms of the quotation are as follows:

**Insured Name:** City of Alvin  
216 W Sealy St,  
Alvin, TX 77511

**AmRisc Carriers:** Underwriters at Lloyd's - Contract Facilities- AM Best A XV  
Indian Harbor Insurance Company - AM Best A XV  
QBE Specialty Insurance Co - AM Best A XV  
Steadfast Insurance Company - AM Best A+ XV  
General Security Indemnity Company of Arizona – AM Best A XV  
United Specialty Insurance Company – AM Best A VIII  
Lexington Insurance Company – AM Best A XV  
Safety Specialty Insurance Company – AM Best A+ XIV  
International Insurance Company of Hannover – AM Best A+ XV

**Term:** 10/1/2018 to 10/1/2019

**TIV:** \$33,268,032

**Covered Location:** Per Schedule on File with AmRisc

**Interest Covered:**  Real Property  
 Business Personal Property  
 Other

**Perils Covered:** Wind & Hall Only

**Limit:** \$33,268,032 Per Occurrence - as per schedule, not to exceed any one Location's combined stated values

<b>Sub-Limits:</b>	\$1,000,000 \$100,000  \$250,000 \$25,000 25% \$100,000 \$25,000 \$100,000 \$250,000 \$100,000 \$15,000	Accounts Receivable Contractors Equipment; unscheduled: owned, leased, rented or borrowed, subject to a \$25,000 Max Any One Item Course of Construction Course of Construction Soft Costs or \$5,000,000, whichever is less - Debris Removal Electronic Data & Media Errors or Omissions Extra Expense/Expediting Expense Fine Arts Fire Brigade Charges Fungus, Molds, Mildew, Spores, Yeast (Annual Aggregate)
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\$100,000	Leasehold Interest
\$100,000	Limited Pollution Coverage (Annual Aggregate)
\$25,000	Lock Replacement
\$100,000	Miscellaneous Unnamed Locations
\$1,000,000	Newly Acquired Property (60 Days)
Included	in Building Limit - Ordinance or Law - Coverage A
20% Per Bldg	subject to a Max of \$1,000,000 Per Occurrence - Ordinance or Law - Coverage B & C Combined
Included	in Building Limit - Ordinance or Law - Coverage E
\$100,000	Plants, Lawns, Trees or Shrubs, limited to \$25,000 Any One plant, lawn, tree or shrub
\$100,000	Professional Fees (Annual Aggregate)
\$10,000	Reclaiming, Restoring or Repairing Land Improvement
\$25,000	Reward Reimbursement
\$100,000	Service Interruption (72 Hour Qualifying Period)
\$25,000	Spoilage
\$100,000	Transit
\$50,000	Underground pipes, flues & drains
\$1,000,000	Valuable Papers and Records
As Per Schedule	Sinkhole Loss Extension (AR Sinkhole 02 17)
\$250,000	Wind Driven Precipitation (WDP-1)

*Sublimits apply Per Occurrence, unless noted otherwise. Sublimits are part of, not in addition to, the Limit of Liability shown above.*

**Deductibles:** \$25,000 Per Occurrence - Wind/hail

\$165,000 Per Occurrence - Wind Driven Precipitation

**Valuation:** Replacement Cost

**Coinsurance:** Nil

**Forms:** AmRisc Compass

**Endorsements:** AR TRIA COV 02 15  
Standard forms/ends, available upon request.

**Terms & Conditions:**

- No Flat Cancellations
- 90 Day Notice of Cancellation, except 10 days for nonpayment of premium or material misstatement
- Thirty-Five Percent (35%) Minimum Earned Premium, Subject to the AmRisc Earned Premium Provision
- Fees are fully earned and nonrefundable
- Nonpayment of premium(s) is considered insured's request to cancel - Requested cancellations are subject to short-rate calculations and severe penalties
- Reinstatement penalties shall apply as per AmRisc Payment Terms and Conditions
- Any AP or RP under \$500 shall be waived, except AP for new perils or coverages added.
- All quotes and binders are subject to satisfactory inspections, recommendation compliance and financials. Inspections shall be ordered by AmRisc, L.P.
- All coverages are as per the standard forms and endorsements in use by AmRisc, L.P. at the time of binding, unless otherwise noted
- Carriers' participation may change at the time of binding or throughout the coverage period

Specific Terms & Conditions:

- 1) Coverage explicitly excludes all flooding, including but not limited to flooding during windstorm events.
- 2) Coverage excludes all damage directly or indirectly caused by any Named Storm in existence upon AmRisc receipt of written request to bind.
- 4) This AmRisc Authorization or AmRisc Binder is based on the information submitted on the AmRisc App-SOV. In the event there is conflicting material information between that information shown on the AmRisc App-SOV and other submitted information (Acord forms/etc), the information as shown on the AmRisc App-SOV shall take precedence.

**Warrants:**

**Warrant no loss or damage in the last 5 years that would have been covered under the WDP-1.**

<b>Premium:</b>	<b>\$140,500.00</b>
<b>Policy Fee</b>	<b>\$750.00</b>
<b>Inspection Fee</b>	<b>\$1,000.00</b>
<b>Broker Fee</b>	<b>\$10,540.00</b>
<b>Surplus Lines Tax:</b>	<b>\$7,410.32</b>
<b>Stamping Office Fee:</b>	<b>\$229.19</b>
<b>Total:</b>	<b>\$160,429.51</b>

**Option to ELECT Terrorism Coverage:**

<b>TRIPRA Premium:</b>	<b>\$7,027.00</b>
<b>Additional Taxes:</b>	<b>\$351.34</b>
<b>Total including TRIPRA:</b>	<b>\$167,807.85</b>

**TERRORISM OPTION OFFER**

**Peril(s): "Terrorism" as defined by and per terms of TRIPRA legislation ONLY**

**Forms: per Issuing Company(ies). Copy of wording available upon request**

**Premium: \$7,027.00**



## QUOTATION CONFIRMATION

**AGENCY:** Victor O. Schinnerer & Co., Inc.  
6981721

**QUOTATION EXP. DATE:** 10/1/2018

We are pleased to confirm the following quotation that has been received from the carrier shown below. Please note that this quotation is based on the coverage, terms and conditions listed below, which may be different from those requested in your original submission.

The terms of the quotation are as follows:

**Insured Name:** City of Alvin  
216 W Sealy St,  
Alvin, TX 77511

**Carrier:** Lloyd's of London

**Term:** 10/1/2018 to 10/1/2019

**TIV:** \$33,268,032

**Covered Location:** Per Schedule on File

**Interest Covered:** [X] Real Property  
[X] Business Personal Property  
[X] Other

**Perils Covered:** Wind/Hail Only

**Limit of Liability:** Difference between \$25,000 Each Occurrence and the Insured's Retention  
Maximum Recoverable \$15,000 Each Occurrence

**Insured's Retention:** \$10,000 Each Occurrence

**Forms:** Wording: Deductible Buy Back – Stevens 16 - LSW1882 amended.  
Cyber Exclusion 1.  
Radioactive Contamination Exclusion 2.  
Sanctions Exclusion 3.  
Seepage and Pollution / Debris Removal Exclusion 4  
Terrorism Exclusion 5.  
War Exclusion 6.  
60 days, 10 days for non payment Cancellation Clause – Condition 2.  
Fraudulent Claim - Condition 6.  
Land, Water and Air Exclusion; Seepage and/or Pollution and/or Contamination  
Exclusion; Debris Removal Endorsement – NMA 2340 NB if following Lloyd's delete  
this. If O/L is a US insurer use this & type "deleted" by exclusion 4 above.  
U.S. Terrorism Risk Insurance Act of 2002 as amended Not Purchased Clause – LMA 5219  
Biological or Chemical Materials Exclusion – NMA 2962  
Electronic Data Endorsement B - NMA 2915 amended section 1.b. deleted.  
Microorganism Exclusion (Absolute) - LMA 5018

**Asbestos Endorsement - LMA 5019 Listed Perils amended in Section A to Windstorm / Hail only.**  
**Minimum Earned Premium LSW 757 amended to 100%.**  
**Texas Surplus Lines Clause LMA 9079**  
**Texas Complaints Notice LMA**

**Terms & Conditions:**

- No Flat Cancellations**
- 100% Minimum Earned Premium**
- Fees are fully earned and nonrefundable**
- Nonpayment of premium(s) is considered insured's request to cancel - requested cancellations are subject to short-rate calculations and severe penalties**

**Specific Conditions:**

- Overlying Deductible is \$25,000 Per Occurrence**
- Choice of Law and Jurisdiction: This Policy shall be governed by the laws of the State of Texas and subject to the jurisdiction of a court of competent jurisdiction within the United States of America, as determined in accordance with the provisions of Condition 12 of this Policy.**
- Service of Suit Clause (USA) – Condition 12 of the wording naming Mendes and Mount of: 750 Seventh Avenue, New York, New York 10019-6829**
- Loss record (5 years): None**

<b>Premium:</b>	<b>\$1,925.00</b>
<b>Policy Fee</b>	<b>\$500.00</b>
<b>Broker Fee</b>	<b>\$145.00</b>
<b>Surplus Lines Tax:</b>	<b>\$124.65</b>
<b>Stamping Office Fee:</b>	<b>\$3.86</b>
<b>Total:</b>	<b>\$2,698.51</b>

**Again, keep in mind that the coverages offered in this quotation may differ from that requested in the application. Failure to provide the requested coverage shall impose no liability on CRC Insurance Services or its companies.**

**Thank you for giving us the opportunity to work on your business.**



**QUOTATION CONFIRMATION**

**AGENCY:** Victor O. Schinnerer & Co., Inc.  
6644882

**QUOTATION EXP. DATE:** 10/1/2018

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216 W Sealy St,  
Alvin, TX 77511

**AmRisc Carriers:** Underwriters at Lloyd's - Contract Facilities- AM Best A XV  
Indian Harbor Insurance Company - AM Best A XV  
QBE Specialty Insurance Co - AM Best A XV  
Steadfast Insurance Company - AM Best A+ XV  
General Security Indemnity Company of Arizona – AM Best A XV  
United Specialty Insurance Company – AM Best A VIII  
Lexington Insurance Company – AM Best A XV  
Safety Specialty Insurance Company – AM Best A+ XIV  
International Insurance Company of Hannover – AM Best A+ XV

**Term:** 10/1/2018 to 10/1/2019

**TIV:** \$33,268,032

**Covered Location:** Per Schedule on File with AmRisc

**Interest Covered:** [X] Real Property  
[X] Business Personal Property  
[X] Other

**Perils Covered:** Wind & Hail Only

**Limit:** \$33,268,032 Per Occurrence - as per schedule, not to exceed any one Location's combined stated values

<b>Sub-Limits:</b>	\$1,000,000 \$100,000  \$250,000 \$25,000 25% \$100,000 \$25,000 \$100,000 \$250,000 \$100,000 \$15,000	Accounts Receivable Contractors Equipment; unscheduled: owned, leased, rented or borrowed, subject to a \$25,000 Max Any One Item Course of Construction Course of Construction Soft Costs or \$5,000,000, whichever is less - Debris Removal Electronic Data & Media Errors or Omissions Extra Expense/Expediting Expense Fine Arts Fire Brigade Charges Fungus, Molds, Mildew, Spores, Yeast (Annual Aggregate)
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\$100,000	Leasehold Interest
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\$25,000	Lock Replacement
\$100,000	Miscellaneous Unnamed Locations
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\$25,000	Reward Reimbursement
\$100,000	Service Interruption (72 Hour Qualifying Period)
\$25,000	Spoilage
\$100,000	Transit
\$50,000	Underground pipes, flues & drains
\$1,000,000	Valuable Papers and Records
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\$250,000	Wind Driven Precipitation (WDP-1)

*Sublimits apply Per Occurrence, unless noted otherwise. Sublimits are part of, not in addition to, the Limit of Liability shown above.*

**Deductibles:** \$25,000 Per Occurrence - Wind/hall

\$165,000 Per Occurrence - Wind Driven Precipitation

**Valuation:** Replacement Cost

**Coinurance:** Nil

**Forms:** AmRisc Compass

**Endorsements:** AR TRIA COV 02 15  
Standard forms/ends, available upon request.

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**Warrants:**

**Warrant no loss or damage in the last 5 years that would have been covered under the WDP-1.**

<b>Premium:</b>	<b>\$140,500.00</b>
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<b>Inspection Fee</b>	<b>\$1,000.00</b>
<b>Broker Fee</b>	<b>\$10,540.00</b>
<b>Surplus Lines Tax:</b>	<b>\$7,410.32</b>
<b>Stamping Office Fee:</b>	<b>\$229.19</b>
<b>Total:</b>	<b>\$160,429.51</b>

**Option to ELECT Terrorism Coverage:**

<b>TRIPRA Premium:</b>	<b>\$7,027.00</b>
<b>Additional Taxes:</b>	<b>\$351.34</b>
<b>Total including TRIPRA:</b>	<b>\$167,807.85</b>

**TERRORISM OPTION OFFER**

**Peril(s): "Terrorism" as defined by and per terms of TRIPRA legislation ONLY**

**Forms: per Issuing Company(ies). Copy of wording available upon request**

**Premium: \$7,027.00**

City of Alvin  
2018 SOV - Submitted

* Bldg No.	Location Name	*Street Address	*City	*State Code	*Zip	County	*ISO Const	Construction Description	*Orig Year Built	*Real Property Value (\$)	Personal Property Value (\$)	Other Value \$ (outdoor prop & Eqpt must be sch'd)	BI/Rental Income (\$)	*Total TIV	*Square Footage	Flood Zone
1	City Hall w/Flag Pole	216 W Sealy St	Alvin	TX	77511	Brazoria	4	Masonry Noncombustible	1971	\$2,138,569	\$600,000	\$0	\$0	\$2,738,569	16,048	X
5	Office w/Garage	709 E House St	Alvin	TX	77511	Brazoria	3	Noncombustible	1981	\$549,329	\$200,000	\$0	\$0	\$749,329	4,588	X
6	Fire Station w/80kw Generator/Comm Tower/Flag Pole	302 W House St	Alvin	TX	77511	Brazoria	2	Joisted Masonry	1966	\$1,103,388	\$200,000	\$0	\$0	\$1,303,388	10,739	X
7	Fire Substation w/25kw Generator/Comm Tower	110 Medic Ln	Alvin	TX	77511	Brazoria	4	Masonry Noncombustible	1986	\$269,147	\$30,000	\$0	\$0	\$299,147	3,200	X
8	Library w/Flag Pole/(2)Brick Walls/(2)Gates	105 S Gordon St	Alvin	TX	77511	Brazoria	4	Masonry Noncombustible	1994	\$2,565,463	\$182,263	\$0	\$0	\$2,747,726	18,273	X
9	Shop #B	1100 W Hwy 6	Alvin	TX	77511	Brazoria	3	Noncombustible	1970	\$306,456	\$50,000	\$0	\$0	\$356,456	3,150	X
10	Office w/Warehouse #A	1100 W Hwy 6	Alvin	TX	77511	Brazoria	3	Noncombustible	1970	\$937,864	\$60,589	\$0	\$0	\$998,453	14,855	X
11	Museum w/Flag Pole	304 W Sealy St	Alvin	TX	77511	Brazoria	4	Masonry Noncombustible	1940	\$1,142,798	\$0	\$0	\$0	\$1,142,798	7,236	X
12	Administration Bldg w/40kw Generator/(2)WoodFences	800 Dyche Ln	Alvin	TX	77511	Brazoria	3	Noncombustible	1984	\$275,348	\$50,000	\$0	\$0	\$325,348	5,200	X
14	Blower Bldg w/Pumps/Motors/Equip	7100 S CR 160	Alvin	TX	77511	Brazoria	4	Masonry Noncombustible	1961	\$208,718	\$500,000	\$0	\$0	\$708,718	616	A
15	Service Facility #C	1100 W Hwy 6	Alvin	TX	77511	Brazoria	3	Noncombustible	1970	\$104,674	\$50,000	\$0	\$0	\$154,674	4,058	X
16	Senior Citizens Center	309 W Sealy St	Alvin	TX	77511	Brazoria	4	Masonry Noncombustible	1940	\$1,064,818	\$79,000	\$0	\$0	\$1,143,818	10,931	X
17	Police Station/Comm Tower/Generator/Flag/Walls	1500 S Gordon St	Alvin	TX	77511	Brazoria	4	Masonry Noncombustible	1997	\$3,299,548	\$2,000,000	\$0	\$0	\$5,299,548	19,152	X
25	Museum-Old Railroad Depot	119 E Willis St	Alvin	TX	77511	Brazoria	1	Frame	1910	\$253,803	\$0	\$0	\$0	\$253,803	2,151	X
26	Equipment Shed/Storage	1100 W Hwy 6	Alvin	TX	77511	Brazoria	3	Noncombustible	1980	\$185,071	\$20,000	\$0	\$0	\$205,071	5,776	X
38	Fire Station #3/100kw Generator/Flag/(2)Light Pole	2700 FM 1462	Alvin	TX	77511	Brazoria	4	Masonry Noncombustible	2007	\$746,907	\$11,000	\$0	\$0	\$757,907	5,623	X
46	Control Building	7100 S CR 160	Alvin	TX	77511	Brazoria	4	Masonry Noncombustible	1984	\$6,411	\$0	\$0	\$0	\$6,411	108	X
47	Generator-500KW	7100 S CR 160	Alvin	TX	77511	Brazoria	7		0	\$183,915	\$0	\$0	\$0	\$183,915	0	A
48	RES Pump Building	7100 S CR 160	Alvin	TX	77511	Brazoria	4	Masonry Noncombustible	1984	\$50,445	\$0	\$0	\$0	\$50,445	629	X
49	Sulfur Dioxide Shed	7100 S CR 160	Alvin	TX	77511	Brazoria	1	Frame	1984	\$5,990	\$0	\$0	\$0	\$5,990	336	A
50	Chlorine Building	7100 S CR 160	Alvin	TX	77511	Brazoria	4	Masonry Noncombustible	1984	\$54,334	\$0	\$0	\$0	\$54,334	760	X
51	Old Storage Building	7100 S CR 160	Alvin	TX	77511	Brazoria	1	Frame	1984	\$7,672	\$0	\$0	\$0	\$7,672	270	X
52	Maintenance Shop	7100 S CR 160	Alvin	TX	77511	Brazoria	4	Masonry Noncombustible	1961	\$23,541	\$0	\$0	\$0	\$23,541	450	X
53	Old Blower Building	7100 S CR 160	Alvin	TX	77511	Brazoria	4	Masonry Noncombustible	1961	\$36,573	\$0	\$0	\$0	\$36,573	768	X
57	Concession Stand at Bob Briscoe Park	3625 Natures Way (Bob Briscoe Park)	Alvin	TX	77511	Brazoria	1	Frame	2009	\$262,736	\$50,000	\$0	\$0	\$312,736		A
59	Animal Control/Generator/Fence/Gate/Flag Pole	550 W Highway 6	Alvin	TX	77511	Brazoria	4	Masonry Noncombustible	2014	\$1,522,600	\$350,000	\$0	\$0	\$1,872,600	7,271	AE
2	Westend Concession w/Restroom	2200 Westpark Dr	Alvin	TX	77511	Brazoria	2	Joisted Masonry	1975	\$90,591	\$0	\$0	\$0	\$90,591	980	X
3	500k gal-Elevated Water Tank w/Fence	800 Dyche Ln	Alvin	TX	77511	Brazoria	3	Noncombustible	1987	\$1,446,416	\$0	\$0	\$0	\$1,446,416	0	X
4	500k gal-Elevated Water Tank	5425 Mustang Rd	Alvin	TX	77511	Brazoria	3	Noncombustible	1987	\$1,494,339	\$0	\$0	\$0	\$1,494,339	0	X
13	Lab w/Office/Shelter/Equipment	7100 S CR 160	Alvin	TX	77511	Brazoria	4	Masonry Noncombustible	1984	\$2,228,530	\$500,000	\$0	\$0	\$2,728,530	3,416	X
18	Field Box/Storage Building	2200 Westpark Dr	Alvin	TX	77511	Brazoria	2	Joisted Masonry	1975	\$53,703	\$0	\$0	\$0	\$53,703	1,296	X
19	Concession w/Restroom	1500 W South St	Alvin	TX	77511	Brazoria	2	Joisted Masonry	1975	\$64,843	\$0	\$0	\$0	\$64,843	1,600	X
20	Restroom	1060 College Dr	Alvin	TX	77511	Brazoria	2	Joisted Masonry	2000	\$188,435	\$0	\$0	\$0	\$188,435	1,050	X
21	Playground Equipment	800 Shaw St	Alvin	TX	77511	Brazoria			1999	\$63,057	\$0	\$0	\$0	\$63,057	0	X
22	Playground Equipment	2200 Westpark Dr	Alvin	TX	77511	Brazoria			1999	\$63,057	\$0	\$0	\$0	\$63,057	0	X
23	Playground Equipment	1200 Newman St	Alvin	TX	77511	Brazoria			1999	\$63,057	\$0	\$0	\$0	\$63,057	0	A
24	Score Booth #1	2200 Westpark Dr	Alvin	TX	77511	Brazoria	2	Joisted Masonry	2000	\$7,882	\$0	\$0	\$0	\$7,882	100	X
27	Score Booth #2	2200 Westpark Dr	Alvin	TX	77511	Brazoria	2	Joisted Masonry	2000	\$7,882	\$0	\$0	\$0	\$7,882	100	X

City of Alvin  
2018 SOV - Submitted

* Bldg No.	Location Name	*Street Address	*City	*State Code	*Zip	County	*ISO Const	Construction Description	*Orig Year Built	*Real Property Value (\$)	Personal Property Value (\$)	Other Value \$ (outdoor prop & Eqpt must be sch'd)	BI/Rental Income (\$)	*Total TIV	*Square Footage	Flood Zone
28	Pool	919 Bayou Dr	Alvin	TX	77511	Brazoria			1954	\$525,473	\$10,000	\$0	\$0	\$535,473	0	A
29	Restroom	2200 Westpark Dr	Alvin	TX	77511	Brazoria	2	Joisted Masonry	2001	\$146,817	\$0	\$0	\$0	\$146,817	676	X
30	Lighting	2200 Westpark Dr	Alvin	TX	77511	Brazoria			0	\$420,378	\$0	\$0	\$0	\$420,378	0	X
31	Pump House at Pool w/Pumps/Equipment	919 Bayou Dr	Alvin	TX	77511	Brazoria	2	Joisted Masonry	2003	\$124,747	\$0	\$0	\$0	\$124,747	576	A
32	Lighting	1060 College Dr	Alvin	TX	77511	Brazoria			0	\$157,642	\$0	\$0	\$0	\$157,642	0	X
33	Lighting	1500 W South St	Alvin	TX	77511	Brazoria			0	\$173,406	\$0	\$0	\$0	\$173,406	0	X
34	Eastend Concession w/Restroom	2200 Westpark Dr	Alvin	TX	77511	Brazoria	3	Noncombustible	1975	\$173,091	\$0	\$0	\$0	\$173,091	1,412	X
35	Score Booth #3	2200 Westpark Dr	Alvin	TX	77511	Brazoria	2	Joisted Masonry	2000	\$5,675	\$0	\$0	\$0	\$5,675	96	X
36	Picnic Shelter	2200 Westpark Dr	Alvin	TX	77511	Brazoria	1	Frame	1980	\$3,153	\$0	\$0	\$0	\$3,153	480	X
37	Picnic Shelter #1	2200 Westpark Dr	Alvin	TX	77511	Brazoria	4	Masonry Noncombustible	2001	\$13,032	\$0	\$0	\$0	\$13,032	400	X
39	Bath House/Restroom/Office	919 Bayou Dr	Alvin	TX	77511	Brazoria	2	Joisted Masonry	2003	\$306,771	\$0	\$0	\$0	\$306,771	2,899	X
40	(2)Picnic Shelters	919 Bayou Dr	Alvin	TX	77511	Brazoria	4	Masonry Noncombustible	2003	\$33,420	\$0	\$0	\$0	\$33,420	800	A
41	Parking Shelter	302 W House St	Alvin	TX	77511	Brazoria	3	Noncombustible	2004	\$5,465	\$0	\$0	\$0	\$5,465	760	X
42	Storage Building	1080 W Snyder St	Alvin	TX	77511	Brazoria	1	Frame	1984	\$18,181	\$0	\$0	\$0	\$18,181	720	X
43	Fence 1040ft w/(5)Gates	1080 W Snyder St	Alvin	TX	77511	Brazoria			0	\$20,178	\$0	\$0	\$0	\$20,178	0	A
44	Chlorine Building	1080 W Snyder St	Alvin	TX	77511	Brazoria	1	Frame	2000	\$2,417	\$0	\$0	\$0	\$2,417	100	X
45	Pump House	1080 W Snyder St	Alvin	TX	77511	Brazoria	3	Noncombustible	1957	\$65,369	\$0	\$0	\$0	\$65,369	1,520	A
54	Generator - ONAN w/Cummins Engine	7100 CR 160 @ WWTP	Alvin	TX	77511	Brazoria			2011	\$94,585	\$0	\$0	\$0	\$94,585		A
55	Generator - Energy Pac w/ISUZU Engine	110 W Hwy 6 @ PSF1100	Alvin	TX	77511	Brazoria			2011	\$63,057	\$0	\$0	\$0	\$63,057		A
56	Storage Bldg	709 E House St	Alvin	TX	77511	Brazoria	1	Frame	2001	\$6,306	\$5,000	\$0	\$0	\$11,306		X
58	500k gal Elevated Water Tower	3625 N Bypass	Alvin	TX	77511	Brazoria	3	Noncombustible	2009	\$1,786,607	\$0	\$0	\$0	\$1,786,607		AO
60	Batting Cage	1060 College Dr	Alvin	TX	77511	Brazoria			2005	\$83,038	\$0	\$0	\$0	\$83,038	0	A
61	Playground Equipment	3502 Mustang Rd	Alvin	TX	77511	Brazoria			2002	\$119,367	\$0	\$0	\$0	\$119,367	0	A
62	Playground Equipment	1185 S Magnolia	Alvin	TX	77511	Brazoria			2009	\$51,899	\$0	\$0	\$0	\$51,899	0	A
64	10x10 Picnic Shelter	575 E Hathaway	Alvin	TX	77511	Brazoria	4	Masonry Noncombustible	2011	\$7,266	\$0	\$0	\$0	\$7,266	0	A
65	Fence-Free Standing	2200 West Park Dr	Alvin	TX	77511	Brazoria	3	Noncombustible	2002	\$137,012	\$0	\$0	\$0	\$137,012	0	A
66	Fence-Freestanding	1060 College Dr	Alvin	TX	77511	Brazoria	3	Noncombustible	1999	\$119,367	\$0	\$0	\$0	\$119,367	0	A
67	Fence-Free Standing	1500 W South St	Alvin	TX	77511	Brazoria	3	Noncombustible	2000	\$34,253	\$0	\$0	\$0	\$34,253	0	A
68	Rotary Pavilion	118 S Magnolia	Alvin	TX	77511	Brazoria	3	Noncombustible	2011	\$50,861	\$0	\$0	\$0	\$50,861	0	A
69	Bridge	118 S Magnolia	Alvin	TX	77511	Brazoria	3	Noncombustible	2003	\$116,253	\$0	\$0	\$0	\$116,253	0	A
70	Park Pavilions	919 Bayou Dr	Alvin	TX	77511	Brazoria	3	Noncombustible	2011	\$50,861	\$0	\$0	\$0	\$50,861	0	A
71	Park Pavilion	3625 Briscoe Dr	Alvin	TX	77511	Brazoria	3	Noncombustible	2011	\$21,797	\$0	\$0	\$0	\$21,797	0	A
72	Fence-Free Standing (Dog Park)	3625 Briscoe Dr	Alvin	TX	77511	Brazoria	3	Noncombustible	2013	\$31,139	\$0	\$0	\$0	\$31,139	0	A
73	Lights/Light Poles	3625 Briscoe Dr	Alvin	TX	77511	Brazoria			2009	\$155,696	\$0	\$0	\$0	\$155,696	0	A
74	Playground Equipment	3625 Briscoe Dr	Alvin	TX	77511	Brazoria			2014	\$72,658	\$0	\$0	\$0	\$72,658	0	A
75	Playground Equipment	1500 W South St	Alvin	TX	77511	Brazoria			2015	\$45,033	\$0	\$0	\$0	\$45,033	2,622	A
TOTALS:										\$28,320,180	\$4,947,852	\$0	\$0	\$33,268,032		



# AGENDA COMMENTARY

**Meeting Date:** 9/20/2018

**Department:** City Manager's Office

**Contact:** Junru Roland, City Manager

**Agenda Item:** Consider Ordinance 18-O, adopting the annual budget for the City of Alvin, Texas, for Fiscal Year 2018-2019; directing the City Secretary to post a copy of the budget on the City of Alvin website; and setting forth other provisions related thereto.

**Type of Item:** Ordinance Resolution Contract/Agreement Public Hearing Plat Discussion & Direction Other

**Summary:** On July 19, 2018, the City Manager presented the FY 2018-2019 proposed budget to City Council. Subsequently, two budget workshops were held on August 2, 2018, and August 9, 2018, whereby City Council and staff reviewed the proposed budget.

State law and the City's Charter require that the City enact an annual budget. The City Charter requires that an ordinance to establish appropriation must be approved by a favorable vote of a majority of the members of the City Council.

Click [here](#) to view the FY18-19 Proposed Budget.

**Funding Expected:** Revenue  Expenditure  N/A  **Budgeted Item:** Yes  No  N/A

**Funding Account:** \_\_\_\_\_ **Amount:** \_\_\_\_\_ **1295 Form Required?** Yes  No

**Legal Review Required:** N/A  Required  **Date Completed:** 9/13/2018 SLH

**Supporting documents attached:**

- Ordinance 18-O
- FY18-19 Proposed Budget (see link provided above)

**Recommendation:** Move to approve Ordinance 18-O, adopting the budget for the City of Alvin, Texas for Fiscal Year 2018-2019; directing the City Clerk to post a copy of the budget on the City of Alvin website; and setting forth other provisions related thereto.

Reviewed by Department Head, if applicable

Reviewed by City Attorney, if applicable

Reviewed by Chief Financial Officer, if applicable

Reviewed by City Manager

**ORDINANCE NO. 18-O**

**AN ORDINANCE OF THE CITY OF ALVIN, TEXAS, ADOPTING THE BUDGET FOR THE CITY OF ALVIN, TEXAS, FOR FISCAL YEAR 2018-19; DIRECTING THE CITY SECRETARY TO POST A COPY OF THE BUDGET ON THE CITY OF ALVIN WEBSITE; AND SETTING FORTH OTHER PROVISIONS RELATED THERETO.**

**WHEREAS**, State Law and the City's Home Rule Charter require that the City enact an annual budget; and

**WHEREAS**, the City desires to comply with sound budgetary principles and protect the citizens of the City by maintaining a fund balance adequate to cover the needs of the City during fiscal year 2018-19; and

**WHEREAS**, the budget for fiscal year 2018-19 reflects Council's best efforts at providing a balanced budget and maintaining the necessary fund balance to meet the City's needs;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALVIN, TEXAS;**

**Section 1.** That the City Council hereby adopts the recitals and findings set forth in the preamble hereof.

**Section 2.** That the City Council hereby adopts the City of Alvin Annual Budget for fiscal year 2018-19, a copy of which is attached hereto and incorporated herein by reference. Such budget is adopted by the favorable vote of a majority of the members of the City Council of the City of Alvin in a Council meeting duly assembled in accordance with Article VII of the Home-Rule Charter of the City of Alvin, Texas.

**Section 3.** That the City Council files the budget with the City Secretary and directs the City Secretary to post a copy of the budget on the City of Alvin website.

**Section 4. Open Meetings Act.** It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

**PASSED and APPROVED** on the \_\_\_\_ day of September 2018.

**CITY OF ALVIN, TEXAS:**

**ATTEST**

By: \_\_\_\_\_  
Paul A. Horn, Mayor

By: \_\_\_\_\_  
Dixie Roberts, City Secretary



# AGENDA COMMENTARY

Meeting Date: 9/20/2018

Department: City Manager's Office

Contact: Junru Roland, City Manager

**Agenda Item:** Consider Ordinance 18-P, adopting a tax rate of \$0.7880 (the current tax rate), which is effectively a 3.26 percent increase in the tax rate; and direct the Tax Assessor-Collector to access, account for, and distribute the property taxes as herein levied.

**Type of Item:** Ordinance Resolution Contract/Agreement Public Hearing Plat Discussion & Direction Other

**Summary:** A taxing unit may not impose property taxes an any year until the governing body has adopted a tax rate for that year, and the annual tax rate must be set by ordinance, resolution or order, depending on the method prescribed by law for adoption of a law by the governing body. The vote on the ordinance, resolution, or order setting the tax rate must be separate from the vote adopting the budget.

For a taxing unit, other than a school district, the vote on the ordinance, resolution, or order setting a tax rate that exceeds the effective tax rate must be a record vote, and at least 60 percent of the members of the governing body must vote in favor of the ordinance, resolution, or order.

According to the Texas Tax Code 26.05(b), a motion to adopt an ordinance, resolution, or order setting a tax rate that exceeds the effective tax rate must be made in the following form: "I move that the property tax rate be increased by the adoption of a tax rate of (specify tax rate), which is effectively a (insert percentage by which the proposed tax rate exceeds the effective tax rate) percent increase in the tax rate."

For Tax Year 2018, staff is proposing that city council adopt a tax rate of \$0.7880 per \$100 of taxable assessed value, which is 3.26% above the 2018 effective tax rate of \$0.763094.

Tax Year	2013	2014	2015	2016	2017	2018
Tax Rate	\$0.8436	\$0.8386	\$0.8386	\$0.7980	\$0.7880	<b>\$0.7880</b>

**Funding Expected:** Revenue  Expenditure  N/A  **Budgeted Item:** Yes  No  N/A

**Funding Account:** \_\_\_\_\_ **Amount:** \_\_\_\_\_ **1295 Form Required?** Yes  No

**Legal Review Required:** N/A  Required  **Date Completed:** 9/13/2018 SLH \_\_\_\_\_

**Supporting documents attached:**

- Ordinance 18-P

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**Recommendation:** Move to approve Ordinance 18-P, adopting a tax rate of \$0.7880, which is effectively a 3.26 percent increase in the tax rate; and direct the Tax Assessor-Collector to access, account for, and distribute the property taxes as herein levied.

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Reviewed by Department Head, if applicable

Reviewed by City Attorney, if applicable

Reviewed by Chief Financial Officer, if applicable

Reviewed by City Manager

**ORDINANCE NO. 18-P**

**AN ORDINANCE OF THE CITY OF ALVIN, TEXAS, LEVYING A PROPERTY TAX RATE FOR THE YEAR 2018; DIRECTING THE TAX ASSESSOR-COLLECTOR TO ASSESS, ACCOUNT FOR, AND DISTRIBUTE THE PROPERTY TAXES AS HEREIN LEVIED.**

**WHEREAS**, Section 26.05 (a) of the Texas Tax Code requires taxing authorities to adopt a property tax rate by September 30 of each year or within sixty (60) days after receipt of the certified appraisal roll; and

**WHEREAS**, Section 26.05(a) of the Texas Tax Code requires the total property tax rate be approved in two components: (1) Maintenance and Operations; and (2) Debt Service; and

**WHEREAS**, Section 26.05(b) of the Texas Tax Code requires that if the ordinance sets a tax rate that, if applied to the total taxable value, will impose an amount of taxes to fund maintenance and operation expenditures of the taxing unit that exceeds the amount of taxes imposed for that purpose in the preceding year, the taxing unit must include in the ordinance in type larger than the type used in any other portion of the ordinance the following statement: "THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE;" and if the tax rate exceeds the effective maintenance and operations rate, include the following statement: "THE TAX RATE WILL EFFECTIVELY BE RAISED BY (INSERT PERCENTAGE BY WHICH THE TAX RATE EXCEEDS THE EFFECTIVE MAINTENANCE AND OPERATIONS RATE) PERCENT AND WILL RAISE FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$ (INSERT AMOUNT)."

**WHEREAS**, Section 26.05 (b) of the Tax Code is applicable this year because the tax rate to be adopted exceeds the effective tax rate, and exceeds the effective maintenance and operations rate. **NOW, THEREFORE:**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALVIN, TEXAS:**

That there be and is hereby levied for the year 2018 on all real and personal property within the City limits of the City of Alvin, Texas, except so much thereof as may be exempt by the Constitution and laws of the State of Texas and of the United States the following:

**Section 1.** An ad valorem tax of and at the rate of \$0.724301 on the One Hundred Dollars valuation of the real and personal property and mineral royalties owned within the City limits of Alvin on the first day of January 2018 to provide for the current expenses of the City of Alvin, Texas (General Fund).

**Section 2.** An ad valorem tax of and at the rate of \$0.01263489 on the One Hundred Dollars valuation of the real and personal property situated and owned within the City limits of Alvin on the first day of January 2018 to pay current interest and to provide a Sinking Fund on the General Obligation Refunding Bonds, Series 2012.

**Section 3.** An ad valorem tax of and at the rate of \$0.01430406 on the One Hundred Dollars valuation of the real and personal property situated and owned within the City limits of Alvin on the first day of January 2018 to pay current interest and to provide a Sinking Fund on the General Obligation Refunding Bonds, Series 2011.

**Section 4.** An ad valorem tax of and at the rate of \$0.01570852 on the One Hundred Dollars valuation of the real and personal property situated and owned within the City limits of Alvin on the first day of January 2018 to pay current interest and to provide a Sinking Fund on the Certificate of Obligations, Series 2011.

**Section 5.** An ad valorem tax of and at the rate of \$0.01383076 on the One Hundred Dollars valuation of the real and personal property situated and owned within the City limits of Alvin on the first day of January 2018 to pay current interest and to provide a Sinking Fund on the Tax Anticipation Note, Series 2013.

**Section 6.** An ad valorem tax of and at the rate of \$0.00722120 on the One Hundred Dollars valuation of the real and personal property situated and owned within the City limits of Alvin on the first day of January 2018 to pay current interest and to provide a Sinking Fund on the General Obligation Refunding Bonds, Series 2017.

**Section 7.** Taxes are to be calculated on the basis of one hundred percent (100%) of assessed value for the 2018 tax year.

**THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.**

**THE TAX RATE WILL EFFECTIVELY BE RAISED BY 3.03 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$5.18.**

A total tax rate of all property was set at \$0.788000 per One Hundred Dollars valuation, and such total tax rate was adopted by favorable majority of the members of the City Council of the City of Alvin, Texas in a Council meeting duly assembled in accordance with the Home-Rule Charter of the City of Alvin, Texas, and such action is hereby ratified, confirmed and affirmed.

Section 7. That the recorded vote of the City Council on this ordinance is:

Council Members voting FOR adoption:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Council Members voting AGAINST adoption:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Council Members absent:

\_\_\_\_\_

**Section 8.** This ordinance is adopted in compliance with Article VII of the City Charter.

**Section 9. Open Meetings Act.** It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

**PASSED AND APPROVED** on first and final reading on the \_\_\_\_\_ day of September 2018.

**CITY OF ALVIN, TEXAS**

**ATTEST**

By: \_\_\_\_\_  
Paul A. Horn, Mayor

By: \_\_\_\_\_  
Dixie Roberts, City Secretary



# AGENDA COMMENTARY

**Meeting Date:** 9/20/2018

**Department:** Parks and Recreation

**Contact:** Dan Kelinske, Director

**Agenda Item:** Consider Resolution 18-R-34, revising the Athletic Facilities Policy for use of parks and recreational facilities; establishing an effective date; and setting forth other matters related thereto.

**Type of Item:** Ordinance Resolution Contract/Agreement Public Hearing Plat Discussion & Direction Other

**Summary:** The Athletic Facilities Policy is designed to ensure all City facilities are utilized in a safe and efficient manner. The policy provides priority use of athletic facilities for those associations requiring perpetual use, and provide recreational service(s) or to meet a community need. Recommended changes to this policy occur as necessary and are the result of collaborative efforts between the Alvin Sport Associations (ASA), the Parks and Recreation Board, and Parks Department staff. Changes to this policy were previously approved by City Council on March 6, 2014 with Resolution 14-R-05.

On August 7, 2018, a joint meeting was held between the Alvin Sport Associations, the Parks and Recreation Advisory Board, and Parks Department staff, to review and discuss proposed changes to the Athletic Facilities Policy. And on September 4, 2018, the Parks and Recreation Board unanimously approved changes to the Athletic Facilities Policy.

The proposed changes to the current Athletic Facilities Policy upon adoption of Resolution 18-R-34 include:

- Guidance for NON-Alvin Sport Associations to become an Alvin Sport Association (ASA);
- Requiring all ASAs to conduct background checks on all volunteer or paid employees that interact with youth;
- Waiving athletic field light usage fee up to eight hours per month per ASA (maximum monthly value \$280); and
- Annual inspection of concession area operated by ASA (where applicable) by Health Inspector and Fire Marshal.

**Funding Expected:** Revenue  Expenditure  N/A  **Budgeted Item:** Yes  No  N/A

**Funding Account:** \_\_\_\_\_ **Amount:** \_\_\_\_\_ **1295 Form Required?** Yes  No

**Legal Review Required:** N/A  Required  **Date Completed:** 9/17/2018 SLH

**Supporting documents attached:**

- Res. 18-R-34
- Exhibit "A" Athletic Facilities Policy

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**Recommendation:** Move to approve Resolution 18-R-34, revising the Athletic Facilities Policy for use of parks and recreational facilities; establishing an effective date; and setting forth other matters related thereto.

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Reviewed by Department Head, if applicable

Reviewed by City Attorney, if applicable

Reviewed by Chief Financial Officer, if applicable

Reviewed by City Manager

**RESOLUTION NO. 18-R-34**

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ALVIN, TEXAS, REVISING THE CITY'S ATHLETIC FACILITIES POLICY FOR USE OF THE CITY'S PARKS AND RECREATIONAL FACILITIES; ESTABLISHING AN EFFECTIVE DATE; AND SETTING FORTH OTHER RELATED MATTERS.**

**WHEREAS**, the City of Alvin provides Park and Recreational facilities for which procedures and guidelines are needed to keep an attractive appearance and the ability to properly maintain the facilities;

**WHEREAS**, establishing Procedures and Guidelines for the City of Alvin and the Alvin Sports Association to control the use, planning, and maintenance of the City of Alvin Park and Recreational facilities in a safe and efficient manner is warranted; and

**WHEREAS**, establishing and revising Procedures and Guidelines for the City of Alvin Athletic Facilities Policy, attached hereto as Exhibit "A" (and incorporated herein by reference), upon review and consideration by the City Council approves and authorizes this action, **NOW, THEREFORE**,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALVIN, TEXAS, THAT:**

**Section 1. Findings.** The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

**Section 2. Proceedings.** That the revised Procedures and Guidelines for the City of Alvin Athletic Facilities Policy attached hereto as Exhibit "A" are hereby adopted.

**Section 3. Open Meetings.** It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

**PASSED AND APPROVED** this the \_\_\_\_ day of September 2018.

**CITY OF ALVIN, TEXAS**

**ATTEST:**

By: \_\_\_\_\_  
Paul A. Horn, Mayor

By: \_\_\_\_\_  
Dixie Roberts, City Secretary

# CITY OF ALVIN

# ATHLETIC FACILITIES POLICY

PARKS AND RECREATION DEPARTMENT

~~2014~~2019 Policy

(Exhibit A – Res. ~~14-R-05~~18-R-34)

**CITY OF ALVIN**  
**POLICY FOR USE OF PARK AND RECREATIONAL FACILITIES**

The policy for use of City of Alvin Park and Recreational facilities is ~~composed~~ comprised of procedures, regulations, and guidelines designed to ensure that all facilities are utilized in a safe and efficient manner. The City of Alvin develops and maintains park and recreational facilities to serve the residents of Alvin.

Priority use of the athletic facilities is reserved for associations requiring the on-going, scheduled use of a facility to provide a recreational service or to meet a community recreational need. “Sports Association,” as defined for the purpose of this document, is a non-profit organization under the terms of a 501(C)(3) status of the ~~IRS~~-Internal Revenue Service that conducts its own affairs within the framework of policies established by the City of Alvin for use of City facilities and is recommended by the Park and Recreation Advisory Board.

**CITY OF ALVIN**  
**ATHLETIC FACILITIES PROCEDURES AND GUIDELINES**

**PARTIES:**

The City of Alvin, hereinafter referred to as the “City<sub>2</sub>”<sup>5</sup> and the City of Alvin Parks and Recreation Department, hereinafter referred to as “Parks<sub>2</sub>”<sup>5</sup> and the Alvin Sports Association, hereinafter referred to as the “ASA<sub>2</sub>”<sup>5</sup> which consists of Alvin Little League Baseball (ALLB), Alvin Youth Soccer Association (AYSA), Alvin Girls Softball Association (AGSA), ~~5~~-Raiders Football, Yellowjackets Football, Alvin I.S.D. (AISD), and Alvin Community College (ACC)<sub>2</sub> are parties to this ~~agreement~~Agreement. Each organization shall designate one (1) person to act as the contact person for the sports association<sub>2</sub> and shall submit the person’s name, title, address, home and work phone numbers to Parks. The ASA entities are responsible for updating their contact information as changes occur. The Director of Parks, or his designee, shall act as the City’s liaison to the ASA.

A Non-Association group seeking to become an ASA may apply using the Checklist for ASA use of City Athletic Facilities, under the following conditions:

- Applicant is based within the City limits of Alvin;
- Use of facilities does not interfere or coincide with existing ASA or City usage;
- Applicant does not offer the same sport already provided by an existing ASA e.g. Football, Baseball, Softball, or Soccer;
- Applicant is providing a different type of sport currently not provided by an existing ASA e.g. Lacrosse, Rugby, Field Hockey, etc.;
- Applicant has demonstrated or can demonstrate a sustained demand for the sport;
- Proof of current non-profit status or application submittal under the terms of a 501 (c)(3) to the IRS;
- Failure to obtain non-profit 501 (c)(3) status with the IRS within twelve (12) months from the date of application, applicant shall forfeit ASA status with the City of Alvin.

Non-Association groups or individuals seeking reserved use of city athletic facilities may do so under the following conditions:

- Individual applicant is an Alvin resident.
- Times and dates do not conflict with City or ASA use.
- Use of facilities does not exceed four (4) consecutive days (i.e., Monday through Sunday tournament from 6:30 a.m. to 10:30 p.m.).
- Payment is rendered in advance based on a charge of Thirty-Five Dollars (\$35.00) per hour per field for daytime use and Sixty Dollars (\$60.00) per hour per field for use of field lights.
- Application is made at least thirty (30) days prior to anticipated use, unless otherwise approved by the Director of Parks and Recreation.
- A security/clean up deposit will be required of Two Hundred dollars (\$200.00).
- Satisfactory arrangements are made for refuse collection and sanitation by City Staff/Parks. All or part of the deposit could be relinquished.
- If necessary, a fee is presented to defray the cost of additional security forces supplied by the City for the proposed use or activity.
- Proof of insurance or a signed waiver of liability not holding City responsible for injury or damages.

- Can only use fields as designed, cannot alter fields in any way.

### **CONDITIONS FOR USE:**

All Organizations shall be required to attend the annual scheduling meeting. At this meeting, the organization shall submit their requests in writing. Written requests shall be accompanied by a proof of liability insurance naming the City as an additional insured, a list of the ASA Board of Directors with appropriate addresses and phone numbers, proof of their non-profit status, and tryout, practice, game schedules, and light schedules. Upon completion of registration, each organization shall provide a list of the total number of participants, and shall also indicate the total number of participants who live outside the legal boundaries of the corporate city limits of the City of Alvin.

All Organizations shall conduct background checks on all volunteers and/or paid employees who will interact with youth, and shall maintain documentation of completed background checks for review upon request by the City. If the background checks reveal that an employee or volunteer is unsuitable for working with youth, the Organization shall not allow the volunteer or employee to interact with youth. A person should be disqualified and prohibited from serving as a volunteer if the person has been found guilty of the following crimes:

For purposes of this policy; guilty shall mean that a person was found guilty following a trial, entered a guilty plea, entered a no contest plea accompanied by a court finding of guilt (regardless of adjudication), or received court directed programs in lieu of conviction.

### **SEX OFFENSES**

- All Sex Offenses – Regardless of the amount of time since offense.

Examples include: ~~child molestation, rape, sexual assault, sexual battery, sodomy, prostitution, solicitation, indecent exposure, etc.~~

### **FELONIES**

- All Felony Violent Offenses – Regardless of the amount of time since offense.

Examples include: murder, manslaughter, aggravated assault, kidnapping, robbery, ~~aggravated Burglary, etc.~~

- All Felony offenses other than violence or sex within the past 10 years.

Examples include: drug offenses, theft, embezzlement, fraud, child endangerment, etc.

### MISDEMEANORS

- All misdemeanor violence offenses within the past 7 years

Examples include: ~~simple~~ assault, ~~battery, domestic~~ family violence assault, ~~hit & run~~ failure to stop and give information, theft, etc.

- Two or more misdemeanor drug ~~&~~ and alcohol offenses within the past 7 years.

Examples include: driving ~~under the influence~~ while intoxicated, ~~simple~~ drug possession, ~~drunk and disorderly~~ disorderly conduct, public intoxication, possession of drug paraphernalia, etc.

### PENDING CASES

Individuals found to have pending court cases for any of the disqualifying offenses will be disqualified. –If the disposition of the pending case does not meet the criteria for the disqualification as listed above, the individual would then be cleared and reinstated.

### **DETERMINING FACILITY USE:**

Use of any park and recreational facilities shall be determined by “historical precedent” for any certain facility during a specific season. “Historical precedent”<sup>2,3</sup> for the purpose of this document, is defined to mean “that particular group in the organization, which has been first to establish a continued use of a specific facility, for a designated time frame or season, and which has more than one use of occurrence.”<sup>2</sup> The ASA will be granted priority use of a facility by the City on a per season basis; however, facilities will remain open for public use (and for other organizations) when such use does not interfere with the ASA’s scheduled activities. Use by the public will be on first come first served basis, providing facilities are not reserved by groups or individuals. The City reserves the right to schedule facilities during times when facilities are not being utilized. All scheduled use of facilities will be determined by the City. The City may designate “down time” for maintenance, regeneration time and/or emergency times.

AGSA – Pearson Park

ALLB – Morgan Park, Lions Park

AYSA – Briscoe Park, two east playing fields

Alvin Raiders – Briscoe Park, one northwest playing field

Alvin Yellowjackets – Briscoe Park, one southwest playing field

A Sports Association's percentage of non-resident participation may be considered when determining the number of facilities available for use by the Sports Association. Joint use of facilities by different Sports Associations will be considered and encouraged. In the event that cooperation between different Sports Associations cannot be achieved regarding field usage, the Parks Department shall act in the best interest of the community by establishing field usage.

**SPECIAL USE OF FACILITIES:**

The City of Alvin reserves the right to host athletic leagues, tournaments, special events, and programs at all public park facilities. The City will make every effort to schedule special events during non-peak use time periods.

The Parks Director must approve any Sports Association arrangements with other organizations for use of public facilities. Organizations or individuals wishing to host clinics, workshops, and/or programs that are performed by agencies other than the ASA are requested to schedule such programs with the City at least thirty (30) days prior to the beginning of the program. (See page 4, Conditions for Use.) Individual teams hosting tournaments as fundraisers must submit a written request to host such tournaments through the sponsoring sports organization. The ASA shall ultimately be responsible that all City requirements for field usage are upheld. Should the organization decline this, the host team shall be considered a non-Sports Association group and subject to the non-Alvin Sports Association's fees and policies.

**HOURS AVAILABLE FOR USE:**

City parks are open daily to the public from 6:30 a.m. until 10:30 p.m. All park facility usage must be completed no later than 10:30 p.m. unless otherwise approved by the Parks Director.

**FACILITY KEYS:**

Where applicable, keys will be provided to the restrooms, concession and storage buildings. If requested, a maximum of three (3) keys will be issued for each facility. Sports Associations will be assessed a Fifty Dollar (\$50.00) deposit per key. Key deposits will be refunded upon return of issued keys, at the end of scheduled use periods. All keys for City facilities shall not be duplicated or reproduced, and **all keys shall be returned** to the Parks director within 30 days, should the association completely vacate the sports park facility.

## **UTILITIES:**

ASA's utilizing lighted facilities will be required to pay fees for use of lights after the allotted eight (8) hours per month given by the City for the use of the league pin. The league pin will be established at the beginning of each season. Each pin outside of the league pin will not receive any light credit. No refunds will be issued. The reserved use of lights will be assessed at a rate of Thirty-Five Dollars (\$35.00) per hour per field. The City will pay the costs associated with providing water. The City will not be responsible for any costs associated with any type of utility services at facilities that are not owned and maintained by the City.

## **AUTOMATED LIGHTING SYSTEM**

The City has installed the ~~remote-control~~remote-control units for lights at Pearson, Morgan, Lions and Briscoe Parks. The system will replace the need for Parks Department personnel to manually turn the lights on and off. Therefore, each ASA shall monitor the times lights are used as they will be charged for the actual light usage. Each ASA has been issued a distinct personal identification number (PIN) allowing that organization to turn on and off the sports field lighting manually. The PIN number shall be assigned to representatives designated in writing by the ASA to the City. Actual light usage shall be downloaded and billed by the 15<sup>th</sup> each month by the Alvin Parks and Recreation Department. Payment will be due within thirty (30) days of the billing date. Failure to pay any outstanding invoice shall result in the suspension of that ASA's personal identification number (PIN) until the outstanding invoice is paid in full.

## **CONCESSION/STORAGE BUILDINGS/RESTROOMS:**

Scheduled use of restrooms or concession/storage buildings will be on per season basis, with use determined by the historical presence of an Alvin Sports Association at a specific facility. Only one ASA per season will be granted priority use of a specific building unless another Sports Association requests use of the building during the same time frame. The Sports Association with priority use of the building may choose to share use, contingent upon the City's approval. The non-priority association (sharing) is approved on a per season basis and must adhere to rules of the primary Association. A Five Hundred Dollar (\$500.00) damage deposit will be required prior to any use of restrooms or concession/storage buildings, and with repair of damage to be paid by such deposit. If there is damage or misuse of restrooms during league use, a clean up/damage fee of Fifty Dollars (\$50.00) will be assessed to the Sports Association per

incident per restroom. All sports associations shall deposit concession stand trash in dumpsters supplied by the City in each park. The City may use the concession and storage areas during City sponsored activities. The City also reserves the right to enter into contracts with private companies for concession operation services.

All Sports Associations are required to furnish all equipment and supplies necessary to operate the concession area and shall maintain in a sanitary manner, all restrooms, concession and storage facilities. Associations agree to abide by any and all health code requirements for food service, food permits, as required by city ordinance and state law and will annually set up and undergo inspection by the Health Inspector and Fire Marshall prior to the first game of the season. Sports Associations are subject to all penalties of applicable laws and any major infractions may result in loss of privileges and/or damage deposit.

The addition of new storage facilities may be added with the review and written permission from the Parks and the City. All equipment stored at a concession/storage building must be removed at the end of the Sports Association's season, unless otherwise approved by the City. Storage of flammable, hazardous, or toxic substances or materials, on City property, is not permitted. Sports Associations must not block access to facility equipment such as air conditioners, heaters, breaker panels, circuit panels, etc. Also, these groups must follow all City fire code regulations.

The City shall be responsible for repairs and upkeep of the restrooms and concession/storage buildings that are the result of normal wear and tear and aging. Each Sports Association will be responsible for repairs stemming from damages incurred to the facility due to the Sports Association's negligent or irresponsible use.

**THE CITY OF ALVIN WILL NOT BE HELD LIABLE AND WILL BE HELD HARMLESS FOR ANY CONTENTS OWNED AND STORED BY ANY ASA IN ANY BUILDING PERTAINING, BUT NOT LIMITED TO, THEFT, VANDALISM, STORM DAMAGE OR ANY ACT CAUSING DAMAGE OR DESTRUCTION OF ASA OWNED CONTENTS.**

**STORAGE OF CONTENTS BY ANY ASA IS AT THE RISK AND FINANCIAL OBLIGATION FOR REPAIR OR REPLACEMENT OF CONTENTS BY THE ASA.**

**IF, AND WHEN, THE CITY OF ALVIN DETERMINES THE STORAGE BUILDING NEEDS TO BE REMOVED AND/OR TORN DOWN FOR ANY REASON, THE CITY WILL GIVE ASA FORTY-FIVE (45) DAYS TO RELOCATE THEIR STORAGE CONTENTS AT THE EXPENSE OF ASA.**

\_\_\_\_\_

Signature of Acknowledgement

\_\_\_\_\_

ASA Organization

**VANDALISM:**

Sports Associations with access to facilities should make every effort to mitigate vandalism by securing all doors, windows, or any other point from which persons could enter. The City will share in the responsibility of deterrence by providing sufficient lighting, frequent security patrols, overall security assessment, and other measures upon the review and permission of the Parks Director.

Repairs to City facilities caused by vandalism will be the responsibility of the City, unless the vandalized facility was vacated before being properly secured by the ASA. The City will repair or replace as necessary, the following equipment: air conditioners and/or ~~+~~ heaters, electrical and lighting systems, phone systems, plumbing systems, or others upon review and permission of the Parks Director. The ASA will be responsible for replacing or repairing vandalized items which are built by the ASA. The City shall not be responsible for loss and/or damages to any property, equipment, supplies, etc. not owned by the City.

## **PARK AND ATHLETIC FACILITY ORDINANCES:**

1. City parks are open daily to the public from 6:30 a.m. until 10:30 p.m. except as otherwise restricted at specific park facilities and lighted use. Strict compliance will be enforced.
2. The possession or consumption of alcoholic beverages is prohibited at all ~~city~~City parks and athletic facilities, unless otherwise permitted.
3. All pets must be on a leash at all times, except in designated off leash area.
4. Motorized vehicles are prohibited to drive or park on ~~city~~City property without prior approval as per ~~city~~City ordinance.
5. Trash must be disposed in proper receptacles by all associations preceding or concluding an event. Failure to do so shall result in a \$200.00 clean-up fee.

## **MAINTENANCE OF PARK AND RECREATIONAL FACILITIES:**

The City will provide a level of maintenance service to all park and recreation facilities that ensures the safe and efficient use of facilities by the ASA and the general public. It is the Sports Association's responsibility to report hazardous or dangerous facility conditions to the City immediately. The City will not provide maintenance or upkeep to property or facilities that are not owned by the City.

The ASA and non-ASA organizations will be responsible for and bear all costs associated with the operation and maintenance of any and all league, season, or sport specific upkeep to the facility (i.e., chalking foul/boundary lines, football lines, dragging infields, screening, etc.). The ASA and non-ASA organizations shall furnish their own equipment, materials, and/or supplies for operating their games and events (i.e., starting blocks, bases, soccer goals, public address systems, nets, etc.). AGSA and ALLB shall provide proper maintenance of the dirt infield areas year-round at their respective athletic complexes. Proper maintenance shall include; expertise, labor and equipment to provide sport specific, industry accepted, field maintenance practices and techniques in order to keep the infields in playable condition. Non-ASA softball and baseball associations having scheduled usage at any athletic complex shall properly maintain the dirt infield areas during and after each usage. ALLB shall mow the turf infields at their respective complexes throughout their playing seasons. All ASA may be required at the request of the Parks Director to mow playing field turf during scheduled seasonal play. This does not preclude the use of these fields by other organizations if approved by the Parks Director.

Work requests shall be called or emailed to the Parks and Recreation office or faxed to (281)-331-7516. Please give ample notice so ~~we~~Parks can schedule repairs.

**PARKING:**

Alvin Sports Associations, organizations and individuals are entitled to use parking areas located at each park. No entity shall have the authority to charge, impose or imply collecting fees of any amount from users of the parking areas. All users are required to obey all traffic laws and regulations when utilizing park roadways. “No parking” areas, as designated by posted signs, will be strictly enforced. Handicapped parking spaces are available at each established parking area. In addition, the ASA shall be responsible for the overall cleanliness of all on and off premise parking areas used during their activities.

**POLICING REQUIREMENTS:**

The City will share the responsibility of keeping all facilities clean of trash, ~~debris~~debris, and litter. The City expects each ASA to not leave trash/recycling containers full or overflowing during and after their activities. In addition, all Sports Associations, ~~organizations~~organizations, and individuals should make every effort to police the facilities, buildings, parking areas and common areas for trash, debris and litter associated with their activities. All trash, debris and litter shall be deposited in the trash receptacles or dumpster on the park grounds.

**ENHANCEMENTS:**

The ASA shall not install, ~~build~~build, or perform any type of facility or property improvements without the express written consent of the Parks Director. Requests for improvements must be submitted in writing to the Parks and Recreation Director at least sixty (60) days prior to the desired date of performing the improvement. All requests require approval of the Parks Director. All improvements may require Council action and must meet the City’s inspection codes and/or ordinance requirements.

**RESTROOM FACILITIES:**

Restroom facilities are available at Lions, Morgan, Briscoe and Pearson Parks. The cleaning of restrooms and provision of necessary supplies is the *joint responsibility* of the City

and each association, organization and individual. The City does not encourage the use of restroom facilities at private or semi-public facilities located adjacent to City owned parks.

**EMERGENCIES AND ACCIDENTS:**

ASA, organizations and individuals shall report any and all accidents that require medical attention by health care professionals. Accidents involving the condition or maintenance of facilities should be reported to the Parks and Recreation office at the beginning of the first business day following the accident. After hour emergencies involving immediate maintenance of the facility shall be reported immediately by contacting the Alvin Police Department at (281) 388-4370. The Police Department will contact the proper on-call staff representative.

**CAPITAL IMPROVEMENT PROJECTS:**

ASA wishing the City to consider funding specific capital improvement projects shall submit in writing a detailed description of the type of project for consideration (i.e., scoreboards, bleachers, etc). Written requests should be submitted to the Parks Director by February 1 of each year in order to be reviewed by the Parks Board, and approved by March 1 of each year for consideration in the following fiscal years' program budget. The City's fiscal year runs October 1 - September 30. Approval of projects is based on priority need and available funding.

**TERMINATION CLAUSE:**

ASA using City of Alvin Athletic Facilities may terminate their relationship with the City of Alvin voluntarily or involuntarily. Voluntary termination shall constitute a written letter of intent sent to the Parks Director from the Sport Association. Upon such notification, the Parks Director or his/her designee shall conduct a ~~walk-through~~walk-through inspection of the park premises and structures for damage, collect all keys to park facilities, and ensure all light usage has been paid in full prior to issuing any refundable deposit. Involuntary termination shall constitute any association who fails to perform to the expectations outlined in the aforementioned sections of the Athletic Facilities Policy. As such, the association shall be subject to loss of park usage privileges up to and including termination as a recognized as an ASA and forfeiture of any refundable deposit paid by the Association.

In the event of an involuntary termination, the Parks Director shall provide written notice to the Sport Association listing any/all violations and allowing the Association reasonable time to bring all violations into acceptable and sustained compliance.

**CHECKLIST FOR**

**ALVIN SPORTS ASSOCIATIONS'**

**USE OF CITY ATHLETIC FACILITIES**

- Application submitted within a minimum ~~of thirty~~of thirty (30) ~~days~~ days of planned use
- City of Alvin is named as an additional insured on the ~~certificate~~ Certificate of ~~insurance~~ Insurance
- Daily lighted use schedule.
- Last season's financial statement, upon request
- List of association's ~~board~~ Board of ~~directors~~ Directors including name, address, contact number and email address
- Tryout, practice and game schedules
- Contact person's name, title, address, including home, mobile and work phone numbers, fax numbers and email address
- This signed statement for Athletic Facility Policy of Compliance;
- Five Hundred Dollar (\$500.00) Damage Deposit, if applicable, for usage of restrooms and/or concession stands
- Proof of non-profit status under the terms of a 501 (c)(3) status with the IRS

\_\_\_\_\_  
Name of Organization

\_\_\_\_\_  
Contact Person Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

\_\_\_\_\_  
Address

Phone: ~~Work~~ \_\_\_\_\_ ~~Home~~ \_\_\_\_\_

Mobile \_\_\_\_\_ Email \_\_\_\_\_

**CHECKLIST FOR**  
**PRIVATE INDIVIDUAL OR NON-ASSOCIATION GROUPS**  
**USE OF CITY ATHLETIC FACILITIES**

- Application is made at least -thirty (30) days prior to anticipated use
- Dates of planned use ~~don't~~ do not exceed four (4) -consecutive days
- Payment prior to use has been made
- Signed statement of athletic facility compliance
- Signed waiver of liability
- Arrangements for additional sanitation facilities, refuse and traffic control are approved by the City of Alvin
- Two Hundred Dollar \$200 Damage Deposit or clean-up fee
- Contact person's name, title, home address, home, mobile and work phone numbers, fax and email address

\_\_\_\_\_  
Name of Organization

\_\_\_\_\_  
Contact Person Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

\_\_\_\_\_  
Address

Phone:      ~~Work~~ \_\_\_\_\_      ~~Home~~ \_\_\_\_\_

Mobile \_\_\_\_\_      ~~Fax~~ \_\_\_\_\_

Email \_\_\_\_\_



# AGENDA COMMENTARY

**Meeting Date:** 9/20/2018

**Department:** City Secretary

**Contact:** Dixie Roberts, City Secretary

**Agenda Item:** Consider Resolution 18-R-29, designating one representative and one alternate representative to the Houston-Galveston Area Council (H-GAC) General Assembly for 2019.

**Type of Item:**  Ordinance  Resolution  Contract/Agreement  Public Hearing  Discussion & Direction

**Summary:** 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 H-GAC General Assembly.

Each year City Council is asked to appoint elected officials to serve as members to this assembly. Appointments must be made by October 19, 2018.

Prior year appointments:

2018: Council member Arendell (representative); Council member Richards (alternate).

2017: Council member Arendell (representative); Council member Richards (alternate).

2016: Council member Arendell (representative); Council member Richards (alternate).

**Funding Expected:** Revenue  Expenditure  N/A  **Budgeted Item:** Yes  No  N/A

**Funding Account:** \_\_\_\_\_ **Amount:** \_\_\_\_\_ **1295 Form Required?** Yes  No

**Legal Review Required:** N/A  Required  **Date Completed:** 9/13/2018 SLH \_\_\_\_\_

**Supporting documents attached:**

- Res 18-R-29
- H-GAC Letter

**Recommendation:** Move to approve Resolution 18-R-29, designating \_\_\_\_\_ to serve as the representative and \_\_\_\_\_ to serve as the alternate representative on the H-GAC General Assembly for 2019.

Reviewed by Department Head, if applicable

Reviewed by City Attorney, if applicable

Reviewed by Chief Financial Officer, if applicable

Reviewed by City Manager

**RESOLUTION NO. 18-R-29**

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ALVIN, TEXAS, DESIGNATING ONE REPRESENTATIVE AND ONE ALTERNATE REPRESENTATIVE TO THE HOUSTON-GALVESTON AREA COUNCIL (H-GAC) GENERAL ASSEMBLY FOR 2019.**

**WHEREAS**, H-GAC's Bylaws provide that each member Home Rule City with a population under 25,000 as of the last (2010) Federal Census is entitled to designate one (1) representative and one (1) alternate to the 2019 H-GAC General Assembly;

**WHEREAS**, this governing body desires to exercise its right to designate the said representative and alternate representative to the 2019 H-GAC General Assembly;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALVIN, TEXAS:**

**Section 1.** That the facts and recitations set forth in the preamble of this resolution are hereby, adopted, ratified, and confirmed.

**Section 2.** That City Council member \_\_\_\_\_ is hereby designated as City of Alvin's Representative for the GENERAL ASSEMBLY of the Houston-Galveston Area Council for the year 2019.

**Section 3.** That the Official Alternate authorized to serve as the voting representative should the above-named representative become ineligible, or resign, is City Council member \_\_\_\_\_.

**Section 4.** That the Executive Director of the Houston-Galveston Area Council be notified of the designation of the above-named representative and alternate.

**Section 5.** That this resolution shall take effect immediately from and after its passage, in accordance with the provisions of the State Statutes of the State of Texas.

**Section 6.** Open Meetings Act. It is hereby officially found and determined that the meeting at which this resolution was passed was open to the public and public notice of the time, place and purpose of said meeting was given, all as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

**PASSED AND APPROVED** on this \_\_\_\_\_ day of September 2018.

**CITY OF ALVIN, TEXAS**

**ATTEST**

By: \_\_\_\_\_  
Paul A. Horn, Mayor

By: \_\_\_\_\_  
Dixie Roberts, City Secretary

Rec'd 8/21/18



August 16, 2018

Hon. Paul Horn  
Mayor  
City of Alvin  
216 W Sealy St  
Alvin, TX 77511

Dear Mayor Horn:

I am writing regarding the appointment of your city's representative to H-GAC's 2019 General Assembly.

H-GAC's Bylaws provide that each member Home Rule city with a population under 25,000 as of the last (2010) Federal Census is entitled to designate one representative and one alternate to the H-GAC General Assembly, which will meet in early 2019.

I am enclosing the appropriate form for your city's use in officially designating a representative and an alternate. The two designees must be elected official members of your city's governing body. Please return the completed form by fax to 713-993-2414 or email [cynthia.jones@h-gac.com](mailto:cynthia.jones@h-gac.com).

A dinner meeting of Home Rule city representatives is scheduled for the evening of November 1. At that meeting, your 2018 Home Rule Cities' H-GAC Board of Directors representatives will report on this year's activities and look ahead to issues and progress in 2019.

We are sending a copy of these designation materials to your city secretary as well. We would appreciate receiving your city's designation form no later than October 19. If you have any questions during the designation process, please call Rick Guerrero at 713-993-4598.

Sincerely,

Chuck Wemple

CW/cj

Enclosure  
cc: City Secretary



**DESIGNATION OF REPRESENTATIVE AND ALTERNATE  
HOUSTON-GALVESTON AREA COUNCIL  
2019 GENERAL ASSEMBLY**

\*\*\*\*\*

**BE IT RESOLVED**, by the Mayor and City Council of \_\_\_\_\_, Texas,  
that \_\_\_\_\_ be, and is hereby designated as its Representative  
to the **GENERAL ASSEMBLY** of the Houston-Galveston Area Council for the year 2019.

**FURTHER**, that the Official Alternate authorized to serve as the voting representative should  
the hereinabove named representative become ineligible, or should he/she resign, is  
\_\_\_\_\_.

**THAT** the Executive Director of the Houston-Galveston Area Council be notified of the  
designation of the hereinabove named representative and alternate.

**PASSED AND ADOPTED**, this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

By: \_\_\_\_\_