

**MINUTES**  
**CITY OF ALVIN, TEXAS**  
**216 W. SEALY STREET**  
**REGULAR CITY COUNCIL MEETING AND**  
**EXECUTIVE SESSION**  
**THURSDAY AUGUST 2, 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 Council members: Gabe Adame, Adam Arendell, Joel Castro, Brad Richards and Glenn Starkey.

**Staff members present:** Junru Roland, Interim City Manager/CFO; Suzanne Hanneman, City Attorney; Dixie Roberts, City Secretary; Larry Buehler, Economic Development Director; Ron Smith, EMS Director & Emergency Management Coordinator; Rex Klesel, Fire Chief; Dan Kelinske, Parks & Recreation Director and Robert E. Lee, Police Chief.

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Council member Castro gave the invocation.

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

**PRESENTATIONS**

**Kimley Horn Presentation – Blue Trails.**

Kristina Malleck and Mike Shelton from Kimley Horn gave a presentation on the Mustang Bayou Blue Trail system. The Blue Trail system was adopted as a part of the 2035 Comprehensive plan and was also adopted as part of the 10 year Parks Master plan in 2017. The funding for the feasibility study was included in the FY 17-18. An agreement with Kimley Horn was executed in December of 2018 to prepare the feasibility study. The Park Board was kept updated and solicited feedback to study.

**Departmental Presentation – Parks and Recreation.**

Dan Kelinske, Parks and Recreation Director, gave a departmental update.

**PUBLIC COMMENT**

There were no comments from the public.

**CONSENT AGENDA**

**Approve minutes of the July 19, 2018 City Council workshop.**

**Approve minutes of the July 19, 2018 City Council meeting.**

**Consider an amending plat of Cline Crossing No. 2 (located near the southeast corner of Bypass 35 and Highway 6), being a subdivision of a 21.5083 acre tract located in the I. & G. N. Railroad Company Survey, Abstract 400, City of Alvin, Brazoria County, Texas, and being all of reserves A, B, C, D, E, F, G, and H, block 1, Final Plat of Cline Crossing No. 2, according to the map or plat thereof recorded in Brazoria County Clerk's file no. 2018019058 of the official records of Brazoria County, Texas.**

*On June 28, 2018, the Engineering Department received the amending plat of Cline Crossing No. 2 for review. The property is located near the southeast corner of Bypass 35 and Highway 6 and is being platted in order to enlarge Reserve*

*G to accommodate the storm water detention storage that is required for this site. This plat complies with all requirements of the City's Subdivision Ordinance.*

*The City Planning Commission unanimously approved the plat at their meeting on July 17, 2018.*

Consider a final plat of Stonewall Subdivision (located southeast of the intersection of County Road 143 and County Road 128), being a subdivision of 42.84 acres of land out of the H.T. & B.R.R. Company Survey, Abstract 526, City of Alvin E.T.J., Brazoria County, Texas.

*On June 28, 2018, the Engineering Department received the final plat of Stonewall Subdivision for review. The property is located southeast of the intersection of County Road 143 and County Road 281 in the City of Alvin's Extraterritorial Jurisdiction (ETJ) and is being platted for the development of a modular home subdivision. This final plat consists of thirty-eight (38) lots, seven (7) reserves, and two (2) blocks. The preliminary plat of Stonewall Subdivision was approved by City Council on March 2, 2017. This plat complies with all requirements of the City's Subdivision Ordinance.*

*The City Planning Commission unanimously approved the plat at their meeting on July 17, 2018.*

Consider a final plat of Wickline Plaza (located along FM 1462 near County Road 436), being a subdivision of 17.906 acres out of the Francis Moore League, A-100, Brazoria County, Texas.

*On June 28, 2018, the Engineering Department received the final plat of Wickline Plaza for review. The property is located on the corner of FM 1462 and County Road 436 in the City of Alvin Extraterritorial Jurisdiction (ETJ) and is being platted for conveyance. This plat complies with all requirements of the City's Subdivision Ordinance.*

*The City Planning Commission unanimously approved the plat at their meeting on July 17, 2018.*

Consider Ordinance 18-L, amending Chapter 24, Traffic, of the Code of Ordinances, City of Alvin, Texas, for the purpose of amending and altering the prima facie speed limit established for vehicles under the provisions of §545.356, Texas Transportation Code, upon the basis of an engineering and traffic investigation, upon certain streets and highways, or parts thereof, within the corporate city limits of the City of Alvin, as set out in this ordinance; providing for a penalty, providing for a repealer clause and severability clause, providing for publication, and effective date; and setting forth other provisions related thereto, that along FM 2403 from SH35 to the South Alvin City Limit, a distance of approximately 0.497 miles the speed limit shall be 55 mph.

*On June 5, 2018, the City received a letter from the Director of Transportation Operations for the Texas Department of Transportation (TXDOT), notifying the City of a change to the posted speed limit along FM 2403 from SH 35 to the South Alvin City Limit. TXDOT revised the speed limit based on a Speed Zone Study that they conducted. In order for this change to be enforceable, the City must approve an ordinance to amend Chapter 24 Traffic to incorporate the revised speed limit. Ordinance 18-L amends Chapter 24 therefore accomplishing this goal. The speed limit change is as follows:*

- 1. Along FM 2403 from SH 35 to the South Alvin City Limit, a distance of approximately 0.497 mile, the speed limit shall be 55 MPH.*

*Staff recommends approval of Ordinance 18-L.*

Council member Adame moved to approve the consent agenda as presented. Seconded by Council member Arendell; motion to approve carried on a vote of 5 Ayes.

## **OTHER BUSINESS**

Acknowledge resignation of Presiding Municipal Court Judge Donna Starkey, effective August 31, 2018.

*Donna Starkey has served the Municipal Court of the City of Alvin, beginning in 1992 as an Alternate Judge, and from 1996 to present as the Presiding Judge.*

Council member Starkey moved to acknowledge resignation of Presiding Municipal Court Judge Donna Starkey, effective August 31, 2018. Seconded by Council member Arendell; motion carried on a vote of 5 Ayes.

Consider Resolution 18-R-24, setting two (2) public hearings for September 6, 2018 and September 13, 2018 for the voluntary annexation and discontinuation of the Walton Property, more formerly described as 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. This Resolution 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. This is the first step of a developer's agreement that will be presented to City Council in an upcoming meeting.*

*Staff recommends approval.*

Council member Castro moved to approve Resolution 18-R-24, setting two (2) public hearings for September 6, 2018 and September 13, 2018 for the voluntary annexation and discontinuation of the Walton Property, more formerly described as Municipal Utility Districts Number 48 and Number 49. Seconded by Council member Starkey; motion carried on a vote of 5 Ayes.

Consider Resolution 18-R-23, acknowledging receipt of the Land Use Assumptions and Capital Improvements Plan relating to Impact Fees, and scheduling a public hearing on Impact Fees for September 6, 2018.

*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 and reviewed by the Council-appointed Impact Fee Advisory Committee. Resolution 18-R-23 acknowledges receipt of the Water and Wastewater Impact Fee Study 2018 Update, that includes the updated Land Use Assumptions and Capital Improvements Plan, and sets the date for the public hearing for Impact Fees to be held on September 6, 2018.*

*An impact fee is a fee that can be imposed by a local government on a new or proposed development project to pay for a portion of the costs of providing public services to the new development. These fees are based on growth assumptions and the capital improvements needed to support growth.*

*Staff recommends approval.*

Council member Arendell moved to approve Resolution 18-R-23, acknowledging receipt of the Land Use Assumptions and Capital Improvements Plan relating to Impact Fees, and scheduling a public hearing on Impact Fees for September 6, 2018. Seconded by Council member Richards; motion carried on a vote of 5 Ayes.

Consider a Memorandum of Understanding between the Alvin Community College District (ACC) and the City of Alvin to construct an emergency egress road for Briscoe Park on ACC property.

*The purpose of this MOU is to create an emergency access/egress road to serve Briscoe Park that runs through ACC's property. The emergency egress road will connect the existing Briscoe Park Drive/Nature's Way to the existing paved area in the location of ACC's Transportation/Maintenance Yard.*

*ACC has agreed that it will allow the City to construct an emergency egress road on its property that will connect Briscoe Park Drive and the existing paved area in the location of ACC's Transportation/Maintenance building on College Circle, and has agreed to permit the City reasonable access to the site for construction and maintenance activities associated with the emergency egress road.*

*This emergency egress road design will require approximately two hundred thirty (230) feet of concrete road and the installation of a new manual gate at the rear of ACC's Transportation/Maintenance Yard where the egress road ties into the paved area. The City will install two (2) Knox lock boxes with padlock keys, one (1) installed near the existing gate, and one (1) on the new manual gate on a pole by two (2) locking removable bollards to be placed at the location where the new road will connect to Briscoe Park Drive.*

*The City anticipates the road will be completed no later than December 31, 2018. This project, if approved, will go through the public bidding process. Staff recommends approval.*

Council member Arendell moved to approve a Memorandum of Understanding between the Alvin Community College District (ACC) and the City of Alvin to construct an emergency egress road for Briscoe Park on ACC property. Seconded by Council member Starkey; motion carried on a vote of 5 Ayes.

Discuss and take a record vote to propose a tax rate of \$0.7880 per \$100 of assessed valuation, which is a tax increase of 3.26% above the effective tax rate, to be adopted at a future meeting.

*The tax rate adoption process consists of the comparison of three (3) rates: the effective tax rate, the rollback rate and the city's proposed tax rate.*

*The effective tax rate (\$0.763094 per \$100 of assessed valuation) is the total tax rate needed to raise the same amount of property tax revenue from the same properties on the tax roll in both the 2017 tax year (FY18) and the 2018 tax year (FY19).*

*The rollback tax rate (\$0.837548 per \$100 of assessed valuation) is the highest tax rate that the City may adopt before voters are entitled to petition for an election to limit (or rollback) the proposed rate to the rollback rate.*

*The proposed tax rate (\$0.788000 per \$100 of assessed valuation) is the rate proposed to generate property tax revenues to be used for the general maintenance and operational costs of providing city services; the principal and interest on bonds and other debt secured by property tax revenues; and the following general capital projects up for your consideration for FY19, to be discussed at the budget workshop on August 9, 2018:*

- *Park Improvements*
- *Wayfinding Signage (design)*
- *Blue Trails Project (design)*
- *Business Incentive Program*
- *Public Safety Equipment*

*According to the Local Government Code, when a city initially proposes a tax rate that exceeds the lower of the rollback rate or the effective tax rate, the city council must vote to place a proposal to adopt the proposed rate on the agenda of a future meeting as an action item. If the motion passes, the governing body must schedule two public hearings on the city's proposed tax rate.*

*For FY19, staff is proposing to maintain the city's current tax rate of \$0.7880 per \$100 of assessed valuation. Because the city's proposed tax rate exceeds the lower of the effective tax rate or the rollback tax rate, two public hearings are required to be held before adopting the proposed tax rate.*

*The city council will consider adopting the city's "final" tax rate at the regular meeting of the city council on September 20, 2018, at 7:00 p.m.*

Council member Arendell move to approve a proposed tax rate of \$0.7880 per \$100 of assessed valuation, which is a tax increase of 3.26% above the effective tax rate. Seconded by Council member Richards; motion carried with a vote of 5 Ayes.

Roll Call Vote:

Council member Thompson - Absent

Council member Reed-Absent

Council member Arendell - Aye

Council member Richards - Aye

Council member Castro – Aye  
Council member Adame - Aye  
Council member Starkey - Aye

Consider setting two (2) public hearings concerning the proposed tax rate on Thursday, August 16, 2018 at 7:00 p.m. and Thursday, September 6, 2018 at 7:00 p.m. in the City Council Chambers, City Hall, 2016 West Sealy, Alvin, Texas.

*The City's proposed tax rate exceeds the effective tax rate. As a result, the Local Government Code requires the city council to set two public hearings on the proposed tax rate, prior to adoption. The second public hearing may not be held earlier than the third day after the date of the first public hearing.*

*The city council will consider adopting the final tax rate at the regular meeting of the City Council on September 20, 2018 at 7:00 p.m.*

Council member Starkey moved to set two (2) public hearings concerning the proposed tax rate on Thursday, August 16, 2018 at 7:00 p.m. and Thursday, September 6, 2018 at 7:00 p.m. in the City Council Chambers, City Hall, 2016 West Sealy, Alvin, Texas. Seconded by Council member Richards; motion carried on a vote of 5 Ayes.

### **REPORTS FROM CITY MANAGER**

Review preliminary list of items for next Council meeting.

Mr. Junru Roland, Interim City Manager, reviewed the preliminary list of items for the August 16, 2018 City Council meeting.

### **ITEMS OF COMMUNITY INTEREST**

Mrs. Roberts reviewed items of community interest.

Council member Richards thanked the city staff and employees for the great job they do.

Council member Adame congratulated Judge Starkey upon her retirement and Sonya Cates, Court Administrator, for receiving her municipal court manager certification from the National Center for State Courts.

Council member Starkey reminded everyone that school will be starting soon and to be cautious on the roads.

Mayor Horn thanked the staff for the preparation of the proposed budget.

### **EXECUTIVE SESSION**

Mayor Horn called for an executive session at 7:52 p.m. in accordance to the following:

City Council will meet in Executive Session pursuant to Texas Government Code 551.072 – deliberation regarding the purchase, exchange, lease or value of real property, commonly called the Fairway Property.

### **RECONVENE TO OPEN SESSION**

Mayor Horn reconvened the meeting into open session at 8:14 p.m.

Consider an offer and sales contract for the city owned 20 acre and 10 acre tracts of land, commonly called the Fairway Property.

Council member Arendell's absence noted.

Council member Starkey motioned to enter into a contract with Benson development, LLC toward the sale of the city-owned 19.96 acre and 10.74-acre tracts of land located off Nelson Road for the asking price of \$275,000 for each tract toward residential development as specified in the sales contract that includes the special provision addendum, and authorize the City Manager to sign, pending legal review. Seconded by City Council member Adame; motion carried on a vote of 4 ayes.

**ADJOURNMENT**

Mayor Horn adjourned the meeting at 8:15 p.m.

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

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

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