

**MINUTES  
CITY OF ALVIN, TEXAS  
216 W. SEALY STREET  
REGULAR CITY COUNCIL MEETING  
AND EXECUTIVE SESSION  
THURSDAY APRIL 4, 2019  
7:00 P.M.**

**CALL TO ORDER**

BE IT REMEMBERED that, on the above date, the City Council of the City of Alvin, Texas, met in Regular Session at 7:00 p.m. in the Council Chambers at City Hall, with the following members present: Paul A. Horn, Mayor; Keith Thompson, Mayor Pro-Tem and Councilmembers: Gabe Adame, Adam Arendell, Joel Castro, Brad Richards, Scott Reed and Glen Starkey.

**Staff members present:** Junru Roland, City Manager; Suzanne Hanneman, City Attorney; Dixie Roberts, City Secretary; Michelle Segovia, City Engineer; Brian Smith, Public Services Director and Robert Lee, Police Chief.

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Wayne Barber with Crossover to Christ Church gave the invocation.

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

**PRESENTATIONS**

Proclamation: Crime Victims' Rights Week – April 7-13.

Mayor Horn presented a proclamation for Crime Victim's Rights Week to Maribel Cooper, Crime Victims Assistance Liaison along with representatives of the Crime Victims Support Group.

Proclamation: Telecommunications Week – April 14-20.

Mayor Horn presented a proclamation for Telecommunication Week to Bobette McGilberry, Police Dispatch Supervisor and staff.

Streets Departmental Presentation.

Brian Smith, Public Services Director, gave an update on the Street Department.

**PUBLIC COMMENT**

There were no public comments

**CONSENT AGENDA**

Consider approval of the March 21, 2019 City Council meeting minutes.

Consider Amending Plat No. 1 of Pecan Bend Section 2 (located at 20202 Deer Run Road, Damon, Texas), being a subdivision of 10.4873 acres in the Edward Robertson League, A-80, also being a replat of tracts 228 and 227 of Pecan Bend Section 2, as recorded in vol. 22, pg.19, plat records of Fort Bend County, Texas.

*On February 28, 2019, the Engineering Department received Amending Plat No. 1 of Pecan Bend Section 2 for review. The property is located at 20202 Deer Run Road in the City of Alvin's Extraterritorial Jurisdiction (ETJ) and is being platted to revise the lot lines for future 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 March 19, 2019. Staff recommended approval.*

Consider a final plat of AEHL Corporation (located at 406 E. Highway 6), being a plat of 4.13 acres of land, the same land as described in document number 2008053855, official records of real property, situated in section 15, H.T. & B.R.R. Company Survey, Abstract 227, Brazoria County, Texas.

*On February 28, 2019, the Engineering Department received the final plat of AEHL Corporation for review. The property is located at 406 E. Highway 6 and is being platted for conveyance of lots 1 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 March 19, 2019. Staff recommended approval.*

Consider a final plat of Brooks Acres (located at 2310 County Road 179), being a subdivision of 10.0 acres, lot 8 of the J.A. Labatt Subdivision, H.T. & B. R. R. Co. Survey, A-474 subdivision, Brazoria County, Texas.

*On February 28, 2019, the Engineering Department received the final Plat of Brooks Acres for review. The property is located at 2310 County Road 179 in the City of Alvin's Extraterritorial Jurisdiction (ETJ) and is being platted for conveyance of lot 2. This plat complies with all requirements of the City's Subdivision Ordinance. The City Planning Commission unanimously approved the plat at their meeting on March 19, 2019. Staff recommended approval.*

Consider a final plat of Southern Colony Section 5 (located in the City of Alvin's ETJ along the east side of FM 521 and north of Juliff-Manvel Road), being a planned unit development subdivision of 2.598 acres of land situated in the William Hall League, Abstract 31, Fort Bend County, Texas.

*On February 28, 2019, the Engineering Department received the Final Plat of Southern Colony Sections 5 for review. This subdivision is in the City of Alvin's Extraterritorial Jurisdiction (ETJ) located along the east side of FM 521 and north of Juliff-Manvel Road. This Final Plat consists of 8 lots, 4 reserves, and 1 block. This plat complies with all requirements of the Planned Unit Development Section of the City's Subdivision Ordinance. The Southern Colony Subdivision currently consists of four previously platted sections. The City Planning Commission unanimously approved the plat at their meeting on March 19, 2019. Staff recommended approval.*

Consider Resolution 19-R-14, authorizing certain officers of the City of Alvin to sign and endorse checks and drafts on the City of Alvin bank accounts.

*This resolution adds Michael Higgins, Chief Financial Officer, as an authorized City Official on the City of Alvin bank accounts, effective April 8, 2019. Staff recommended approval of Resolution 19-R-14.*

Consider Resolution 19-R-15, updating the designation of persons authorized to act on behalf of the City of Alvin in connection with TexPool.

*This resolution adds Michael Higgins, Chief Financial Officer, as an authorized representative on all current TexPool accounts, effective 4/8/2019. TexPool is the largest and oldest local government investment pool in the state of Texas. TexPool currently provides investment services to over 2,000 communities throughout Texas. Staff recommended approval of Resolution 19-R-15.*

Consider Resolution 19-R-16, updating the designation of persons authorized to act on behalf of the City of Alvin in connection with TexSTAR.

*This resolution adds Michael Higgins, Chief Financial Officer, as an authorized representative on all current TexSTAR accounts, effective 4/8/2019. TexSTAR is an investment service for Local Governments. Staff recommended approval of Resolution 19-R-16.*

Consider Resolution 19-R-17, updating the designation of persons authorized to act on behalf of the City of Alvin in connection with Texas CLASS.

*This resolution adds Michael Higgins, Chief Financial Officer, and Paul A. Horn, Mayor, as authorized representatives on all current Texas Class accounts, effective 4/8/2019. In addition, the resolution removes Florence Chapa, Interim Finance Director, as an authorized representative, and approves read only access to Florence Chapa as the Controller. Texas Cooperative Liquid Assets Securities System Trust (Texas Class) is a local government investment pool. Staff recommended approval of Resolution 19-R-17.*

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

## **OTHER BUSINESS**

**Consider Resolution 19-R-13, authorizing publication of Notice of Intention to issue Certificates of Obligation; authorizing the preparation of the preliminary official statements and notices of sale; declaring intent to reimburse certain prior capital costs; and providing for other matters related thereto.**

*The City is currently planning the issuance of Certificates of Obligation (“Certificates”) to finance the costs associated with the (i) design, construction, and equipment of a fire and emergency medical services station, (ii) the design, construction and equipment of street and drainage improvements, and (iii) the costs of professional services incurred in connection therewith.*

*Under Section 271.049 of the Texas Local Government Code, the City is required to publish notice of its intention to issue the Certificates before city council may approve an ordinance authorizing the sale of the Certificates. The public notice must state:*

- 1.) the time and place tentatively set for the passage of the order or ordinance authorizing the issuance of the certificates,*
- 2.) the purpose of the certificates to be authorized,*
- 3.) the maximum amount of certificates that can be authorized; and*
- 4.) the manner in which the certificates will be paid for, whether by taxes, revenues, or a combination of the two.*

*Resolution 19-R-13 authorizes the publication of the statutorily required notice. In addition, Resolution 19-R-13 authorizes the City’s administrative staff, with the assistance of Bond Counsel (Bracewell LLP) and Financial Advisors (US Capital Advisors LLC), to proceed with the preparation of the preliminary official statements\* and notices of sale for the proposed certificates, and a separate series of Water and Sewer System Revenue Bonds that are currently planned to be issued (via Revenue Bonds) concurrently with the certificates.*

### **Contents of the Notice of Intention to Issue the Certificates**

*The contents of the notice of intention to issue the Certificates are dictated by state law. The maximum par amount listed in the notice of intention sets the maximum amount of certificate proceeds that may be used for the purposes outlined above. To date, the City has not bid out the cost of the projects, as a result, the amount reflected in the Notice of Intent is the maximum estimated costs of the Fire/EMS station and Drainage Project as provided by Joiner Architects Inc. and Dannenbaum Engineering Inc., respectively. **If the final costs of the projects come in lower than the maximum estimated (noted on the Notice of Intent), the City will not issue the full par amount listed in the notice.***

### **Pledging of Resources for the Certificates**

*The Certificates will be secured by a pledge of ad valorem taxes and a limited pledge of a subordinate lien of the net revenues of the City’s water and sanitary sewer system. The pledge of water and sewer system revenues will be a de minimis limited pledge of net revenues in a total amount not to exceed \$1,000. The City does not intend to pay the debt service on the Certificates from the net revenues of the City’s water and sewer system and is not required to do so as a result of the limited pledge (beyond the \$1,000 pledged). However, state law requires the attachment of a valid pledge of revenues in order to issue certificates of obligation.*

*The City is limited in the sources of revenue from which it may make a valid pledge of revenues for this purpose and has traditionally used a de minimis pledge of the net revenues of its water and sewer system. For example, state law prohibits the City from pledging sales taxes to the payment of the Certificates. As a result, the City cannot replace the limited pledge of water and sewer revenues with a pledge of sales tax revenues. However, to the extent that the projects funded from with the Certificates are eligible for payment from sales tax revenues, the City could in the future use sales tax revenues to pay the portion of debt service on the Certificates allocable to the projects eligible to be funded from the sales taxes.*

*\* Preliminary Official Statement – prospectus on a pending new issue, circulated usually to gauge the level of interest among prospective investors by giving the broad information (but without indicating the price of the issue)*

Council member Starkey moved to approve Resolution 19-R-13, authorizing publication of Notice of Intention to issue Certificates of Obligation; authorizing the preparation of the preliminary official statements and notices of sale; declaring intent to reimburse certain prior capital costs; and providing for other matters related thereto. Seconded by Council member Richards; motion carried on a vote of 6 Ayes.

**Consider the adoption of the City of Alvin 2020-2024 Capital Improvement Program.**

*The City of Alvin 2020-2024 Capital Improvement Program (CIP) includes anticipated drainage, street, water, wastewater, parks, and facilities projects planned for the next five years. Each year Staff will review / adjust the plan as necessary and present to the Planning Commission, Parks & Recreation Board and City Council as required by the City Charter prior to the start of the budget process for the upcoming fiscal year. Once the CIP is approved each year then the City Council / Staff will work to fund the projects through the budget for the upcoming fiscal year. Approval of the CIP does not guarantee that funds will be available in the respective fiscal years for implementation of the projects.*

*The 2020-2024 CIP was presented previously to the City Council in a workshop meeting on February 12, 2019. The City Planning Commission unanimously approved the 2020-2024 CIP at their meeting on March 19, 2019. Staff recommended approval.*

Council member Reed moved to approve the adoption of the City of Alvin 2020-2024 Capital Improvement Program. Seconded by Council member Arendell; motion carried on a vote of 6 Ayes.

**Consider Resolution 19-R-18, authorizing the display of the national motto, "In God We Trust" on City of Alvin public safety vehicles; and discuss the potential display of said motto at various city facilities.**

*Council member Joel Castro expressed an interest in displaying "In God We Trust" in the City Council Chambers, as well as on City of Alvin public safety vehicles. The City currently has 53 public safety vehicles, in which it would cost the City roughly \$75 per vehicle to display "In God We Trust" on the vehicles. The costs associated with displaying "In God We Trust" in the City Council chambers is to be determined, as it will depend on the location of the display.*

**Recent Ruling**

*Attorney General Ken Paxton ruled in 2015 that displaying "In God We Trust" on patrol vehicles "is a passive use of a motto steeped in our nation's history that does not coerce citizen approval or participation." The motto does not force people who disagree with it to participate in prayer or religion, he said, and is allowed under the U.S. Constitution. According to the Original Motto Project, a group that aims to replace "In God We Trust" with "E Pluribus Unum," or "out of many, one" as the national motto, more than 300 law enforcement departments nationwide have the "In God We Trust" stickers on their vehicles. More than 50 of those departments are in Texas, which have added the words since Paxton's 2015 ruling.*

Council member Castro moved to approve Resolution 19-R-18, authorizing the display of the national motto, "In God We Trust" on City of Alvin public safety vehicles; and discuss the potential display of said motto at various city facilities. Seconded by Council member Starkey; motion carried on a vote of 6 Ayes.

**Consider the cancellation of the April 18, 2019 City Council meeting.**

*Thursday, April 18, 2019 city offices will be closed in observance of Good Friday. As a result, staff proposes to cancel the April 18, 2019 regular city council meeting.*

Council member Starkey moved to approve the cancellation of the April 18, 2019 City Council meeting. Seconded by Council member Arendell; motion carried on a vote of 6 Ayes.

**REPORTS FROM CITY MANAGER****Items of Community Interest and review preliminary list of items for next Council meeting.**

Mr. Roland presented items of community interest and reviewed the preliminary list of items for the next 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. Roberts reviewed items of community interest.

Council member Reed gave a positive feedback on the workshop on the homeless ordinance and tonight's invocation.

Council member Castro announced the reopening of the Alvin Opry and the candidate forum on April 16<sup>th</sup>.

Council member Adame announced the annual Alvin Noon Lions Club on April 12<sup>th</sup>.

Council member Starkey inquired about the city employee who found a wallet and requested that they be publicly commended.

### **EXECUTIVE SESSION**

Mayor Horn called for an executive session at 7:40 p.m. in accordance to the following:

A. **Section 551.074 of the Local Government Code: Deliberation on the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.**

1. City Manager Evaluation.

### **RECONVENE TO OPEN SESSION**

Mayor Horn reconvened the meeting into open session at 7:49 p.m.

### **ADJOURNMENT**

Mayor Horn adjourned the meeting at 7:49 p.m.

PASSED and APPROVED the 2<sup>nd</sup> day of May 2019.

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Paul A. Horn, Mayor

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