

MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
REGULAR CITY COUNCIL MEETING
THURSDAY MARCH 5, 2015
7:00 P.M.

CALL TO ORDER

BE IT REMEMBERED that, on the above date, the City Council of the City of Alvin, Texas, met in Regular Session at 7:00 P.M. in the Council Chambers at City Hall, with the following members present: Mayor Paul A. Horn, Council members: Gabe Adame, Adam Arendell, Scott Reed, Brad Richards, Roger Stuksa and Keith Thompson. Also present: Junru Roland, Interim City Manager; Bobbi Kacz, City Attorney and Dixie Roberts, City Clerk. *Absent: Councilmember Terry Droege.*

INVOCATION

Councilmember Adame gave the invocation.

SPECIAL PRESENTATION

Mayor Horn presented a proclamation proclaiming the month of March, 2105 as DeMolay month.

PLEDGE OF ALLEGIANCE

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

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

APPROVAL OF MINUTES

Approve minutes of the February 10, 2015 City Council Workshop session.

Council member Adame moved to approve the City Council Workshop session meeting minutes of February 10, 2015. Seconded by Council member Stuksa; motion to approve carried on a vote of 6 Ayes.

Approve minutes of the February 19, 2015 City Council Workshop session.

Council member Reed moved to approve the City Council workshop session minutes of February 19, 2015. Seconded by Council member Richards; motion to approve carried on a vote of 6 Ayes.

Approve minutes of the February 19, 2015 Regular City Council meeting

Council member Arendell moved to approve the regular City Council meeting minutes of February 19, 2015. Seconded by Council member Reed; motion to approve carried on a vote of 6 Ayes.

PETITIONS OR REQUESTS FROM THE PUBLIC

There were no requests or petitions from the public.

REPORTS FROM CITIZENS BOARDS, COMMISSIONS, AND COMMITTEES

No reports were given.

PUBLIC HEARINGS

There were no public hearings.

CONSENT AGENDA: CONSIDERATION AND POSSIBLE ACTION

- A. Consider street closures for Opening Day festivities of Alvin Little League Baseball at Lions Park scheduled for Saturday, March 28, 2015 from 8 a.m. to 6:00 p.m.; street closures requested are College Dr. at W. Dumble St. and College Dr. at Stadium Dr. for all incoming and outgoing traffic.
- B. Consider approval of out of state travel for Ron Schmitz (E.M.S. Director) from March 19 - 23, 2015 to White Sands Missile Range, New Mexico, to attend the 26th Annual Bataan Memorial Death March as part of a training deployment of the State of Texas's Emergency Medical Task Force (EMTF).

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

MATTERS REMOVED FROM CONSENT AGENDA

There were no items removed.

OTHER BUSINESS

Request to be on agenda by Janice Knape Steffen, owner of BlueHouse Coffee on the Go, to discuss her desire and intent to operate a coffee delivery service within the city.

Ms. Janice Knape Steffen stated that she is the owner of Blue House Coffee on the Go, a coffee delivery service. She is seeking permission to operate her business within the city. She informed council that she currently has permits to operate with Angleton, Lake Jackson and Brazoria County.

Council member Reed asked if Ms. Steffen had enlisted the use of a commissary, as required.

Ms. Steffen stated that she was in the process of acquiring a commissary. The other cities are not requiring the use of a commissary.

Council member Reed informed Ms. Steffen that the city wants to see her business succeed, but rules and regulations have to be followed.

Discussion continued on the type of services offered by Blue House Coffee, the commissary required by the State, the city's mobile vendor and corridor ordinances.

Mr. Kendall Steffen stated that they are seeking an exception to the corridor ordinance in order to be able to deliver coffee along the corridor. He stated that they will not be "soliciting" business, but will be delivering as requested.

Discussion continued.

Ms. Kacz, City Attorney stated that the mobile vendor and the food and food establishment ordinances need to be revised. She suggested that council hold a workshop to discuss the needed revisions to the ordinances. City Council concurred.

Consider a variance request submitted by Robert Findley, on behalf of Genesis Energy LLC, for a reduction in the amount of insurance required for the pipeline permit that was granted by Ordinance 14-HH in November 2014.

In November 2014 Ordinance 14-HH was approved by Council granting Genesis Energy LLC a permit to reroute an existing 8" crude oil pipeline that was constructed in the late 1930s and currently runs under the warehouse facility located at 715 N. 2nd Street that is owned by GP Assets. Genesis has requested that their contractor be allowed to reduce the amount of insurance coverage provided for the portion of the work that is in the Dryer Street right-of-way from the \$25,000,000 per occurrence and aggregate, as required by the ordinance, to \$10,000,000 for each occurrence and aggregate which is more in line with pipeline industry standard.

Council member Reed moved to approve a variance request submitted by Robert Findley, on behalf of Genesis Energy LLC, for a reduction in the amount of insurance required for the pipeline permit that was granted by Ordinance 14-HH in November 2014. Seconded by Council member Thompson; motion to approve carried on a vote of 6 Ayes.

Consider a plat requested under the Final Plat Procedure for Heritage South, 23.5136 acres consisting of Pecan Ridge Subdivision, which are Lots 1 and 2, of a 4.1319 acre tract of a 4.9996 acre tract, and of a 10.9800 acre tract in the City of Alvin, Brazoria County, Texas.

In November 2014 Ordinance 14-HH was approved by Council granting Genesis Energy LLC a permit to reroute an existing 8" crude oil pipeline that was constructed in the late 1930s and currently runs under the warehouse facility located at 715 N. 2nd Street that is owned by GP Assets. Genesis has requested that their contractor be allowed to reduce the amount of insurance coverage provided for the portion of the work that is in the Dryer Street right-of-way from the \$25,000,000 per occurrence and aggregate, as required by the ordinance, to \$10,000,000 for each occurrence and aggregate which is more in line with pipeline industry standard.

Council member Thompson moved approve a plat requested under the Final Plat Procedure for Heritage South, 23.5136 acres consisting of Pecan Ridge Subdivision, which are Lots 1 and 2, of a 4.1319 acre tract of a 4.9996 acre tract, and of a 10.9800 acre tract in the City of Alvin, Brazoria County, Texas. Seconded by Council member Arendell; motion to approve carried on a vote of 5 Ayes, with Council member Stuksa voting No.

Consider Ordinance 15-I amending the City of Alvin 2014-2015 Fiscal Year Budget by increasing (decreasing) certain expenditures and increasing (decreasing) certain revenues to the individual budget accounts in all funds set forth in the attached Exhibit "A".

City Council considered each proposed budget amendment presented by number:

GENERAL FUND

Animal Shelter Program

#1	111-3501-18-1001	Salaries	\$13,063	
	111-3501-18-1009	TMRS	\$2,238	
	111-3501-18-1011	FICA	\$1,000	
	111-9001-00-3252	Insurance	\$4,700	
			\$21,000	Hire 1 full time Kennel Tech

Council member Thompson moved to approve budget amendment #1 as stated above; Seconded by Council member Richards; motion to approve carried on a vote of 6 Ayes.

HUMAN RESOURCE S

DEPARTMENT

#2	111-2503-00-1001	Salaries	\$(16,830)	
	111-1005-00-1009	TMRS	\$(2,883)	
	111-1005-00-1011	FICA	\$(1,287)	
			\$(21,000)	Postpone hiring HR Director

Council member Stuksa moved to approve budget amendment #2 as stated above; Seconded by Council member Adame; motion to approve carried on a vote of 6 Ayes.

**MUNICIPAL COURT
TECHNOLOGY FUND**

#3	124-2502-00-3100	Contractual Services	\$2,000	Copy Machine
	124-300000	Fund Balance	\$2,000	

Council member Richards moved to approve budget amendment #3 as stated above; Seconded by Council member Arendell; motion to approve carried on a vote of 6 Ayes.

CONTINGENCY FUND

#4	311-9001-00-3530	Reserved Contingency	\$5,000	Keep Alvin Beautiful Contribution
	311-300000	Fund Balance	\$5,000	

Council member Arendell moved to approve budget amendment #4 as stated above; Seconded by Council member Reed; motion to approve carried on a vote of 6 Ayes.

**HOTEL OCCUPANCY
TAX FUND**

#5	121-1006-14-3172	Shooting Range	\$7,800	
	121-300000	Fund Balance	\$7,800	NSSF Shot Show Conference

Council member Reed moved to approve budget amendment #5 as stated above; Seconded by Council member Arendell; motion to approve carried on a vote of 6 Ayes.

IMPACT FEE FUND

#6	210-5001-17-3100	Contractual Services	\$300,000	Engineering for Dyche Lane Elevated Storage Tank
#7	210-5001-17-3100	Contractual Services	\$66,700	Utility Master Plan
	210-300000	Fund Balance	\$366,700	

Council member Thompson moved to approve budget amendment #6 as stated above; Seconded by Council member Richards; motion to approve carried on a vote of 6 Ayes.

Council member Arendell moved to approve budget amendment #7 as stated above; Seconded by Council member Adame; motion to approve carried on a vote of 6 Ayes.

EMS FUND

#8	213-3503-00-1001	Salaries	\$26,196	
	213-3503-00-1009	TMRS	\$4,490	
	213-3503-00-1011	FICA	\$2,004	
			\$32,690	Salary increase for EMTs, paramedics, and supervisors
#9	213-402070	ESD Revenue	\$41,830	Additional Funds from 2015 Emergency Service District Contract

Council member Adame moved to approve budget amendment #8 as stated above; Seconded by Council member Arendell; motion to approve carried on a vote of 6 Ayes.

Council member Adame moved to approve budget amendment #9 as stated above; Seconded by Council member Thompson; motion to approve carried on a vote of 6 Ayes.

SALES FAX FUND

#10	312-5501-00-9025	Detention Improvements	\$200,000	Preliminary cost to start Detention Project
	312-300000	Fund Balance	\$200,000	

Council member Adame moved to approve budget amendment #10 as stated above; Seconded by Council member Stuksa; motion to approve carried on a vote of 6 Ayes.

Council member Arendell moved to approve Ordinance 15-I amending the City of Alvin 2014-2015 Fiscal Year Budget by increasing (decreasing) certain expenditures and increasing (decreasing) certain revenues to the individual budget accounts in all funds set forth in the attached Exhibit "A"; on first reading. Seconded by Council member Thompson; motion to approve carried on a vote of 6 Ayes.

Consider Resolution 15-R-08 opposing Senate Bill 343 and any other legislation which would erode the authority of a Home Rule Municipality.

Regarding the current legislative session, Senator Don Huffines (Dallas area) filed Senate Bill 343. Senate Bill 343 would have the effect of turning home rule cities into general law cities. This bill absolutely erodes the powers of a home rule municipality to adopt ordinances affecting the City's ability to govern its citizens. Under the bill, city voters and locally-elected officials would have to get the state legislature's permission to enact any local ordinance, rule, or regulation. The Texas Municipal League has written to Senator Huffines and also published a white paper regarding this bill. Both are attached for review. Should Council adopt this Resolution, a copy will be sent to all elected representatives for the City and to Senator Huffines.

Council member Arendell moved to adopt Resolution 15-R-08 opposing Senate Bill 343 and any other legislation which would erode the authority of a Home Rule Municipality. Seconded by Council member Richards; motion to approve carried on a vote of 6 Ayes.

Consider awarding a bid to Napco Chemical Company to purchase Sodium Bisulfite for one (1) year with an option to continue for an additional year at the same price and conditions for an estimated total of \$30,000.00.

On February 10, 2015 bids were opened and Napco Chemical Company was the lowest bidder at \$1.65 per gallon. Estimated total cost of Sodium Bisulfite is \$30,000 from account 211-6003-00-2425. Sodium Bisulfite is used at the WWTP to process wastewater. Upon Council approval, an award letter will be sent to the vendor and City departments.

Council member Thompson moved to award a bid to Napco Chemical Company to purchase Sodium Bisulfite for one (1) year with an option to continue for an additional year at the same price and conditions for an estimated total of \$30,000.00. Seconded by Council member Reed; motion to approve carried on a vote of 6 Ayes.

Consider awarding a bid to JDB Services, Inc. as the primary vendor and to Cherry Crush Concrete as a secondary vendor to purchase stabilized sand for (1) one year with an option to continue for an additional year at the same price and conditions for an estimated total cost of \$45,000.00.

On February 10, 2015 bids were opened and JDB Services, Inc. was the low bidder. In previous years, the equipment at the vendor's plants to make stabilized sand periodically broke down. In order to purchase the material for a job, we were sent to a second vendor on an emergency basis. If awarded, we will use the primary first and if they cannot produce the product, we will go to secondary vendor. Upon Council approval, an award letter will be sent to the vendor and city departments. Stabilized sand is used as a base material for streets, driveways, setting culverts, and installation of sewer and water lines. Estimated total cost for stabilized sand is \$45,000 from accounts: 312-5501-00-2375 Streets, 211-6001-00-2500 Water, 211-6002-00-2500 Sewer.

Council member Reed moved award a bid to JDB Services, Inc. as the primary vendor and to Cherry Crush Concrete as a secondary vendor to purchase stabilized sand for (1) one year with an option to continue for an additional year at the same price and conditions for an estimated total cost of \$45,000.00. Seconded by Council member Thompson; motion to approve carried on a vote of 6 Ayes.

REPORTS FROM CITY MANAGER

Review preliminary list of items for the Council meeting of March 5, 2015.

Mr. Roland reviewed the preliminary list for the March 19, 2015 City Council meeting.

Announcements/Items of Community Interest

Mr. Roland reported that the City of Alvin will be participating in the Great Texas Warrant Roundup beginning March 7, 2015. He also reported that on March 9, 2015 TXDOT will be close CR 149 to replace the wooden bridge, which will be closed for 5 to 6 months. Mr. Roland stated that live streaming of council meetings should be available within the next few months via the city website.

REPORTS FROM COUNCILMEMBERS

Pursuant to S.B. No. 1182, City Councilmembers may make a report or an announcement about items of community interest during a meeting of the governing body. No action will be taken or discussed.

Council member Thompson thanked members of staff for their efforts in the cleanup of the wooded area along Mustang Road.

Council member Reed spoke against the recent comments made on social media that stated city council was not interested in helping its citizens. He stated that city council works for the citizenry and does what is best for the city overall.

Council Richards requested that the newspaper verify information before printing.

Council member Adame asked for an update on the Kost Street detention pond project. He also reported that the Boy Scouts are honoring City Council member Droege and his wife on March 31st at Joe's Barbeque for their continued support and dedication to the community.

Council member Stuksa stated that he is happy to see that work has begun on the detention pond at Kost and South Street.

Mayor Horn reported that the City of Alvin was well represented at the Brazoria County Day festivities in Austin this past week. Staff and members of council met with state representatives and various agencies regarding issues important to our community.

ADJOURNMENT

Council member Stuksa moved to adjourn the meeting at 7:51p.m. Seconded by Council member Arendell; motion to adjourn carried on a vote of 6 Ayes.

PASSED and APPROVED this _____ day of _____, 2015.

Paul A. Horn, Mayor

ATTEST: _____
Dixie Roberts, City Clerk