

**MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
REGULAR CITY COUNCIL MEETING
THURSDAY FEBRUARY 18, 2016
7:00 P.M.**

CALL TO ORDER

BE IT REMEMBERED that, on the above date, the City Council of the City of Alvin, Texas, met in Regular Session at 7:00 P.M. in the Council Chambers at City Hall, with the following members present: Mayor Paul A. Horn, Councilmembers: Gabe Adame, Terry Droege, Brad Richards, Scott Reed, Roger Stuksa, and Keith Thompson.

Staff members present: Sereniah Breland, City Manager; Bobbi Kacz, City Attorney; Junru Roland, Chief Financial Officer/Assistant City Manager; Dixie Roberts, City Clerk; Robert Lee, Police Chief; Rex Klesel, Fire Chief;

INVOCATION AND PLEDGE OF ALLEGIANCE

Ms. Vangie Gonzales gave the invocation.

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

Council member Reed led the Pledge to the Texas Flag.

PUBLIC COMMENT

There were no public comments.

PRESENTATIONS

Fire Department Update

Chief Klesel gave an update on the Fire Department.

CONSENT AGENDA: CONSIDERATION AND POSSIBLE ACTION

Approve minutes of the February 4, 2016 City Council workshop.

Approve minutes of the February 4, 2016 City Council regular meeting.

Consider Joint Election Agreement And Contract For Election Services with Joyce Hudman, County Clerk, Brazoria County, Texas for the May 7, 2016 Election; and authorize the City Manager to sign.

Acknowledge receipt of the 2015 Racial Profiling Report.

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

OTHER BUSINESS:

Presentation by Belt Harris Pechacek, LLP of the City's Comprehensive Annual Financial Report (CAFR) as of September 30, 2015; and Council's acknowledgment of receipt of the CAFR.

As required by state statute, an independent audit has been completed by the CPA firm of Belt Harris Pechacek, LLP, for the fiscal year ended September 30, 2015. At the end of an audit, Generally Accepted Auditing Standards mandate that auditors must express an opinion on the financial records. For FY15, the City received an unmodified opinion from the auditors – which is the highest form of assurance that our financial statements “give a true and fair view” of the City’s financial position.

Pursuant to Section 103.003 of the Texas Local Government Code, the annual financial statements, including the auditor’s opinion must be filed with the City Secretary within 180 days after the last day of the fiscal year (September 30, 2015). The CAFR, which includes the auditor’s opinion, will be presented to the Mayor and City Council; and to the City Clerk for filing.

Ms. Stephanie Harris, partner with Belt Harris Pechacek, LLP presented the CAFR report.

Council member Thompson moved to acknowledgment receipt of the Comprehensive Annual Financial Report as of September 30, 2015. Seconded by Council member Reed; motion to approve carried on a vote of 6 Ayes.

Consider appointment of Belt Harris Pechacek, LLP as the City’s auditors for the fiscal year ending September 30, 2016; and authorize the Mayor to sign the Auditor’s Engagement Letter.

Chapter 103 of the Local Government Code requires cities to have its records and accounts audited; and a financial statement prepared based on the audit, annually. Belt Harris Pechacek, LLP has served as the City’s independent auditors for seven years, and has an excellent professional/working relationship with management and staff. Belt Harris Pechacek, LLP is proposing a base estimated fee of \$36,416 for the City’s FY16 financial statement audit; with an additional estimated fee of \$7,000, if the City requires a single audit. Staff is requesting that City Council approve the engagement of Belt Harris Pechacek, LLP to provide auditing services for FY16.*

Prior Fiscal Year Engagement

FY15 Base estimated audit fees: \$35,355 (\$7,000 for single audit).

FY15 Actual audit fees: \$42,355.

FY16 Audit Budgets for Comparative Cities:

Lake Jackson: \$42,000

Friendswood: \$45,000

Webster: \$49,500

Deer Park: \$63,600

La Porte: \$66,900

** A single audit is additional auditing procedures that are required if the City receives and expends over \$750,000 of federal funds in a fiscal year.*

Council member Reed moved to approve appointment of Belt Harris Pechacek, LLP as the City’s auditors for the fiscal year ending September 30, 2016; and authorize the Mayor to sign the Auditor’s Engagement Letter. Seconded by Council member Richards; motion carried on a vote of 6 Ayes.

Consider Resolution 16-R-06; accepting a \$10,000 donation from the estate of Diane Collins directed to the Alvin Animal Adoption Center (AAAC) to assist in the adoption of animals at the shelter.

The estate of Alvin resident Diane Collins wishes to donate \$10,000 to the Alvin Animal Adoption Center (AAAC). Ms. Diane Collins was a local resident who passed away in 2015. Ms. Collins made it known to family that she wanted a portion of her estate go to helping animals at the AAAC. Ms. Collin’s executor has advised that the estate wishes to donate \$10,000 to the City of Alvin. Ms. Collin’s asked that this donation be used to sponsor costs associated with animal adoptions (spay/neuter, tags/microchipping and fees) in order to lower the cost of animal adoptions at the AAAC; increasing animal adoptions. City of Alvin Code of Ordinances, Sec. 2-16. - Acceptance of gifts, reads: A gift or donation of property or money with value of five thousand dollars (\$5,000.00) or greater which is given to the city shall be accepted by resolution.

Council member Droege moved to approve Resolution 16-R-06; accepting a \$10,000 donation from the estate of Diane Collins directed to the Alvin Animal Adoption Center (AAAC) to assist in the adoption of animals at the shelter. Seconded by Council member Adame; motion carried on a vote of 6 Ayes.

Consider Ordinance 16-B; amending Chapter 15, Miscellaneous Offenses, Section 9.1 – Noise; by revising the list of sound nuisances, establishing maximum permissible sound levels defined by decibel, establishing exemptions, and providing regulations for business sound permits, and setting forth other related provisions thereto.

The existing ordinance regulating sound nuisances does not establish a decibel level and current enforcement is forced to rely on the 85 decibel level established by state law. The proposed Ordinance 16-B establishes a maximum permissible sound level of 65 decibels during daytime and 60 decibels during nighttime in residential areas and 70 decibels both day and night for nonresidential properties. The proposed ordinance also sets forth the method and manner of measuring noise levels. The existing ordinance does not address vibrational nuisances but this will be prohibited in the proposed ordinance.

The existing ordinance requires that a private individual or business obtain a one-time use noise permit for every individual event held. Ordinance 16-B allows for the issuance of a yearly sound/noise permit for businesses which in the normal course of their business provide an area for outside live or recorded music. Private individuals will still be required to obtain a single use permit for each event.

Ordinance 16-B also better defines what constitutes noise violations by animals including creating a rebuttable presumption when 3 or more citations or 3 or more complaints from more than one household occur within 60 days. Lastly, Ordinance 16-B removes language referencing outdated technology such as steam engines and cassettes.

Council member Stuksa moved to adopt Ordinance 16-B; amending Chapter 15, Miscellaneous Offenses, Section 9.1 – Noise; by revising the list of sound nuisances, establishing maximum permissible sound levels defined by decibel, establishing exemptions, and providing regulations for business sound permits, and setting forth other related provisions thereto. Seconded by Council member Adame; motion carried on a vote of 6 Ayes.

Consider Resolution 16-R-05; supporting the Brazoria County Commissioners' Court action to pursue State of Texas and Federal Restore Act grants for the restoration and modernization of the Quintana Beach public fishing pier and for the ecosystems restoration of the lower San Bernard River by dredging open the silted mouth of the San Bernard River; and setting forth other provisions related thereto.

Reopening the mouth of the San Bernard River is critical to maintaining this balance along the Texas coast. Our wetland areas and beaches are at risk and this project will help restore the natural river flow and the water quality needed to sustain these treasures. The beneficial use of the dredge material from the river dredging project will be used to help sustain our beaches and revitalize wetlands areas. The opening of the river also provides numerous second and third order economic benefits to industry, the state and the nation. During high water events, with the river mouth closed, the water backs up the river which creates a flood hazard for the industry and local citizens along the river. Additionally, this backwash also creates an unnatural current along the Gulf Intracoastal Waterway (GIWW) which impedes the ability of barges to safely navigate this portion of the GIWW. This unnatural current increases sediment flow causing increased siltation and draft restrictions which requires more dredging along the waterway to correct the problem. Our industry is highly dependent upon a fully capable GIWW.

Council member Thompson moved to adopt Resolution 16-R-05; supporting the Brazoria County Commissioners' Court action to pursue State of Texas and Federal Restore Act grants for the restoration and modernization of the Quintana Beach public fishing pier and for the ecosystems restoration of the lower San Bernard River by dredging open the silted mouth of the San Bernard River; and setting forth other provisions related thereto. Seconded by Council member Droege; motion carried on a vote of 6 Ayes.

REPORTS FROM CITY MANAGER

Review preliminary list of items for next Council meeting.

Ms. Breland reviewed the preliminary list for the March 3, 2015 City Council meeting.

Items of Community Interest.

Mrs. Roberts reviewed items of community interest.

REPORTS FROM COUNCIL MEMBERS

Pursuant to S.B. No. 1182, City Council Members 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.

Announcements and requests from Council members.

Council member Thompson thanked Mr. Roland and staff for their hard work. He also thanked Chief Klesel and the Fire Department for their dedicated service.

Council member Reed thanked Mr. Roland and staff for their hard work. He also thanked the Diane Collins family for their donation to the Animal Shelter and Ms. Vangie Gonzales for giving the invocation.

Council member Richards thanked the Finance Department for their hard work.

Council member Droege thanked Mr. Roland and staff for their hard work. He also mentioned that Alvin Independent School District will host the Turtle Race fundraiser this coming Saturday.

Council member Adame thanked Mr. Roland for his financial leadership.

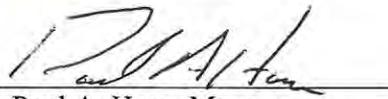
Council member Stuksa stated that the Nolan Ryan exhibit would be moving to Waco. He encouraged all those who may not yet have had the opportunity to visit the exhibit to do so before it is moved.

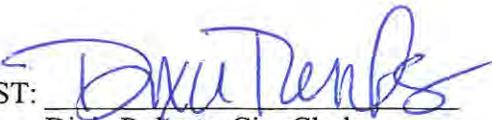
Mayor Horn thanked the Fire Department and their families for their dedicated service to the City.

ADJOURNMENT

Council member Richards moved to adjourn the meeting at 7:40 p.m. Seconded by Council member Thompson; with all members present voting "Aye" and Council member Adame voting "No"; motion carried on a vote of 5 Ayes.

PASSED and APPROVED this 3 day of March, 2016.


Paul A. Horn, Mayor

ATTEST: 
Dixie Roberts, City Clerk