

MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
REGULAR CITY COUNCIL MEETING
THURSDAY APRIL 5, 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 Regular 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 Brad Richards; Councilmembers: Gabe Adame, Joel Castro, Scott Reed, Glen Starkey, and Keith Thompson.

Staff members present: Sereniah Breland, City Manager; Suzanne Hanneman, City Attorney; Junru Roland, Assistant City Manager/CFO; Grace Cruzen, Deputy City Secretary; Michelle Segovia, City Engineer; Dan Kelinske, Parks and Recreation Director and Robert E. Lee, Police Chief.

INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Horn gave the invocation.

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

OATH OF OFFICE

Oath of Office to newly elected official.

Municipal Court Judge, Donna Starkey, administered the oath of office to City Council Member At-Large Position 2, Joel Castro.

PRESENTATIONS

Proclamation – Crime Victims’ Rights Week.

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.

PUBLIC COMMENT

Mr. Randy Race addressed the Council to express his concern about the students from Hasse Elementary exiting the school from Tovrea Road leaving trash in neighbor’s ditches, walking in the middle of the road and trespassing.

Ms. Colleen Dunn, expressed concerns regarding the students of Hasse Elementary exiting the school through Tovrea road and the problems it has created.

CONSENT AGENDA

Approve minutes of the March 15, 2018 City Council meeting.

Consider authorizing the City Manager to send a letter to the Brazoria County Mosquito Control District for the continuation of aerial spraying services for the 2018 season.

This is an annual request for authorization from the Brazoria County Mosquito Control District for the continuance of aerial spraying over the City of Alvin. The spraying is performed during massive outbreaks of mosquitoes (typically in summer and fall months) by the contracted aerial sprayer. The County will put out notifications through their respective social media accounts and other means available. The flying schedule depends heavily upon the landing rate counts, weather and wind conditions. As a result of the variables listed, the County is unable to give notice of the specific flying time in advance.

Consider Resolution 18-R-14, declaring the results of the March 24, 2018 Special Runoff Election for the purpose of electing a member to fill the vacancy of City Council At Large Position 2.

The official canvassing for this election will be held on Tuesday April 3, 2018, at 6:00 p.m. in the 1st floor conference room at City Hall. This is the statutory last day to canvass this election. Per the State Election Code, a full quorum of the governing body is not required for the canvassing of an election and may be completed with two (2) members of the governing body in attendance. The official election returns will be read aloud by the City Secretary at the canvass and an affidavit will be signed declaring the official results.

Resolution 18-R-14 formally declares the results of this election in resolution and minute format, where it will be maintained as an official record of the City. Staff recommended the approval of Resolution 18-R-14.

Consider the adoption of the Fiscal Year 2019-2023 Capital Improvement Program.

The City of Alvin 2019-2023 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 2019-2023 CIP was presented previously to the City Council in a workshop meeting on February 15, 2018, based on feedback that was received during that meeting, the only change that was made to the document was the addition of the Alvin Parkway Signage Project (Project # ST2001) shown on page 36 with funding proposed in fiscal years 2020, 2021, and 2022.

The City Planning Commission unanimously approved the 2019-2023 CIP at their meeting on March 20, 2018. Staff recommended approval.

Consider Resolution 18-R-12, acknowledging and accepting a sidewalk easement granted to the City of Alvin by Goal Line Investments, LLC located on West Phillips Street near Seventh Street.

Goal Line Investments, LLC is currently constructing homes at 1611, 1613, and 1615 West Phillips Street. Pursuant to Sec. 21-42 - Sidewalks, ADA ramps, driveways and driveway approaches of the City's Code of Ordinances states that sidewalks, Americans with Disabilities Act (ADA) ramps, driveways and driveway approaches shall be required and shall be constructed in accordance with the City's Design Criteria, Section IV H. and Section VI A. 6. a. (attached). This means the builder/owner is required to install a sidewalk as part of the building permit process. Once constructed, the City will be responsible for the maintenance and repair of the sidewalk. This property is located on West Phillips Street near Seventh Street and currently there is not sufficient room in the existing right-of-way of West Phillips Street to construct a sidewalk without encroaching upon the roadside ditch, therefore a sidewalk easement is required. This resolution formally acknowledges the City's acceptance of this sidewalk easement being granted to the City by Goal Line Investments, LLC.

Consider a final plat of Midtown Park Section 2, (located north of Midtown Park Section 1 near the intersection of Gordon Street and FM 528) being a subdivision of 26.64 acres out of a called 43.2539-acre tract being the remainder of a called 57.9559-acre tract and a called 9.9971-acre tract, recorded under document No. 2010000890, official public records of Brazoria County, Texas situated in the Hooper and Wade Survey, abstracts 420, 421 and 485, City of Alvin, County of Brazoria, State of Texas.

On March 1, 2018, the Engineering Department received the final plat of Midtown Park Section 2 for review. The property is located north of Midtown Park Section 1 near the intersection of Gordon Street and FM 528. This section consists of seventy-nine (79) single-family lots, nine (9) reserves, and five (5) blocks. The Midtown Park Subdivision currently consists of one previously platted section containing 85 single-family residential lots of which approximately 83 have homes on them. This plat complies with all requirements of the City's Subdivision Ordinance.

The Planning Commission unanimously approved the plat at their meeting on March 20, 2018.

Consider a master preliminary plat of Mustang Crossing, being a subdivision of 71.53 acres of land located in the Hooper & Wade survey, abstract 488, Brazoria County, Texas.

On March 1, 2018, the Engineering Department received the master preliminary plat of Mustang Crossing for review. The property is located along FM 1462 and is north and west of Mustang Crossing Sections 1, 2, and 4. This master preliminary plat consists of 246 single-family residential lots, 8 reserves, and 9 blocks. The Developer plans to construct the subdivision in three sections which will become Mustang Crossing Sections 5, 6, and 7. This plat complies with all requirements of the City's Subdivision Ordinance.

The Planning Commission unanimously approved the plat at their meeting on March 20, 2018.

Consider a final plat of Rosharon Service Center (located along the south side of FM 1462, just east of FM 521), being a subdivision of 34.7314 acres of land in the Andrew Robinson Survey, abstract 125, Brazoria County, Texas.

On March 1, 2018, the Engineering Department received the final plat of Rosharon Service Center for review. The property is in the City of Alvin's Extraterritorial Jurisdiction (ETJ) along the south side of FM 1462 and east of FM 521. The property is being platted to consolidate the three parcels of land into one for the future development of the CenterPoint Energy Rosharon Service Center. 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 20, 2018.

Consider a final plat of 1st Oak Creek Addition (23538 W. Highway 6), being 5.4655 acres situated in the H.T.B. & R.R. Co. Survey, section 21, abstract No. 230 as recorded in volume 21, page 186, Brazoria County deed records, Texas.

On March 1, 2018, the Engineering Department received the final plat of 1st Oak Creek Addition for review. The property is located at 23538 W. Highway 6 in the City of Alvin's Extraterritorial Jurisdiction (ETJ) and is being platted for the future construction of a Manufactured Home Sales Center. Being that this site is in the ETJ all building permits will be issued by Brazoria County and the Corridor Land Use and Manufactured Home Ordinances do not apply. 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 20, 2018.

Item D - Consider the adoption of the Fiscal Year 2019-2023 Capital Improvement Program was removed by Council member Adame.

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

OTHER BUSINESS

Consider the adoption of the Fiscal Year 2019-2023 Capital Improvement Program.

This item was removed from the consent agenda by Council member Adame. Council member Adame requested clarification on the adoption of the CIP. The City Manager addressed his question.

Council member Adame moved to approve the adoption of the Fiscal Year 2019-2023 Capital Improvement Program. Seconded by Council member Reed; motion carried on a vote of 6 Ayes.

Consider the issuance of a 30-day notice of intent to terminate an agreement with Oriental Building Services, Inc. for janitorial services for City of Alvin facilities.

On May 4, 2017, City Council approved Addendum No. 1 for a one (1) year renewal to the Janitorial Services Contract in the amount of \$90,780.48 with Oriental Building Services, Inc. (OBS). This was the first of three optional yearly renewals currently set to expire September 30, 2018. OBS currently provides janitorial service to the following locations: City Hall, Public Services Facility, Library, Senior Citizens' Center, Museum, Convention and Visitors Bureau, Portable Restroom Trailer, Bob Briscoe Park Restrooms, Lions Park Restrooms, Pearson Park Restrooms, Morgan Park Restrooms, Bob S. Owen Pool Restrooms, National Oak Park Restrooms, Alvin Girl Scout House, Police Department and Alvin Animal Adoption Center. Staff recommended the renewal based on the ongoing efforts of OBS management to provide thorough and consistent janitorial service.

Under section 4.01 of the Janitorial Services Contract, “The City of Alvin may cancel this contract without cause upon thirty (30) days advance written notice to contractor.”

Staff recommends the issuance of a thirty-day notice of termination to OBS on April 9, 2018, with an effective termination date of 12:00 p.m., Wednesday, May 8, 2018. Staff’s recommendation is based on the contractor’s inability to provide thorough and consistent janitorial service outlined in the scope of services. Staff has met with said contractor multiple times and has outlined the performance expectations and improvements needed under this contract.

Between October 2017 through February 2018

- City Hall - 12 reports of lack of thoroughness in cleaning
- Public Services Facility - 11 reports of lack of thoroughness in cleaning
- Nine reports of “no show” janitorial staff to clean National Oak Park Restroom, Train Depot and Animal Adoption Center

Should City Council elect to terminate the OBS contract, City staff will immediately publicly re-bid janitorial services for the City; and bring to City Council another contract for consideration within 30 days.

Council member Starkey moved to approve the issuance of a 30-day notice of intent to terminate an agreement with Oriental Building Services, Inc. for janitorial services for City of Alvin facilities. Seconded by Council member Adame; motioned carried on a vote of 6 Ayes.

Consider Ordinance 18-G, amending Ordinance 17-R, passed and approved September 21, 2017, same being an ordinance approving and adopting the City of Alvin’s Budget for Fiscal Year 2017-2018 for the purpose of amending the mid-year budget and providing for supplemental appropriation and/or transfer of certain funds as set forth in the attached Exhibit A.

At the end of fiscal year 2017 (FY17), the City exceeded budget expectations in the General Operating Fund (\$540,000) and the Utility Operating Fund (\$500,000). The FY17 budget savings are a result of savings in personnel costs; materials and supplies expenditures ending FY17 under budget; and other operational savings. It is the practice of the City to use any prior year budget savings that may occur at the end of a fiscal year to subsidize the funding of the City’s Capital Improvement Program (CIP).

Staff has identified capital items that could be funded in the current fiscal year (FY18) utilizing FY17 budget savings. Staff requests that council amend the FY18 budget to transfer the FY17 budget savings from the General Operating Fund to the General Capital Projects Fund to earmark \$450,000 for the design and project management services costs for the new Fire/EMS facility; with the remaining \$90,000 budget savings to used for other capital projects that will be proposed to be expended in the FY19 budget. Also, staff recommends that council authorize the transfer of budget savings from the Utility Operating Fund to the Utility Capital Projects Fund to fund the Northwest/Northeast Sewer Basin Study (\$100,000) – which was identified in the Utility Master Plan – with the remaining \$400,000 budget savings to be used to reduce the need to issue debt for other capital projects related to the Utility Master Plan.

Council member Thompson moved to approve Ordinance 18-G, amending Ordinance 17-R, passed and approved September 21, 2017, same being an ordinance approving and adopting the City of Alvin’s Budget for Fiscal Year 2017-2018 for the purpose of amending the mid-year budget and providing for supplemental appropriation and/or transfer of certain funds as set forth in the attached Exhibit A. Seconded by Council member Richards; motion carried on a vote of 6 Ayes.

Consider Resolution 18-R-13, authorizing the Mayor to accept a Special Warranty Deed conveying approximately 4.00 acres of land of the Dolson and Nelson Subdivision from Brazoria County, Texas to the City of Alvin to be utilized as a City park for the general welfare and benefit of the public.

The City of Alvin has maintained this property as part of Marina Park for a number of years. During the update of the Parks and Recreation Master Plan adopted by City Council on June 15, 2017, one of the short-term goals (1-3 years) included taking ownership of the 4.0 acres of land as part of Marina Park for future parkland development. This conveyance accomplishes that goal and will provide growth for future park space.

Council member Starkey moved Resolution 18-R-13, authorizing the Mayor to accept a Special Warranty Deed conveying approximately 4.00 acres of land of the Dolson and Nelson Subdivision from Brazoria County, Texas to the City of Alvin to be utilized as a City park for the general welfare and benefit of the public. Seconded by Council member Richards; 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 April 19, 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.

Ms. Cruzen reviewed the items of community interest.

Council member Thompson congratulated Joel Castro as the newly elected member to Council At Large Position 2.

Council member Reed expressed condolences to the students that recently passed away. He wished Mary Dearing best of luck upon her retirement and congratulated Council member Castro on his election.

Council member Richards congratulated Council member Castro on his election and offered his support.

Council member Castro thanked everyone who voted for him and looked forward to working with Council and serving the citizens.

Council member Adame congratulated Council member Castro on his election and reminded everyone that Prom is on Saturday and to be cautious on the road.

Council member Starkey congratulated Council member Castro on his election and offered a word of encouragement. He announced that last week was Vietnam Veteran's Day in Brazoria County and expressed his gratitude to fellow veterans.

Mayor Horn recognized Council member Jacob Balderas from Rosenberg, Texas who was in attendance tonight to offer support to Council member Castro. He mentioned that Council member Balderas was the youngest Council member prior to Castro being elected.

EXECUTIVE SESSION

Mayor Horn convened the meeting to closed session at 7:36 p.m. citing Section 551.074 of the Local Government Code – Deliberation on the appointment, employment, evaluation, discipline, or dismissal of a public officer or employee or to hear a complaint or charge against an officer or employee unless the officer or employee who is subject of the deliberation or hearing requests a public hearing.

Discuss the employment contract of the City Attorney.

RECONVENE TO OPEN SESSION

Mayor Horn reconvened the meeting into open session at 7:57 p.m.

EXECUTIVE SESSION ACTION ITEMS

Consider and take appropriate action, if any, regarding the employment contract of the City Attorney.

Council member Castro moved to approve Amendment No. 1 to the Agreement of Professional Services and Employment Contract of the City Attorney. Seconded by Council member Thompson; motion carried on a vote of 6 Ayes.

ADJOURNMENT

Mayor Horn adjourned the meeting at 7:58 p.m.

PASSED and APPROVED this _____ day of _____, 2018.

Paul A. Horn, Mayor

ATTEST: _____
Dixie Roberts, City Secretary