

**MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
REGULAR CITY COUNCIL MEETING
& EXECUTIVE SESSION
THURSDAY JULY 7, 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; Mayor Pro-tem Gabe Adame; Council members: Adam Arendell, Chris Sanger, Glenn Starkey, Keith Thompson, and Brad Richards.

Staff members present: Sereniah Breland, City Manager; Bobbi Kacz, City Attorney; Junru Roland, CFO/Assistant City Manager; Dixie Roberts, City Clerk; Robert Lee, Police Chief; Dan Kelinske, Parks Director; Michelle Segovia, City Engineer and Brian Smith, Public Services Director.

INVOCATION AND PLEDGE OF ALLEGIANCE

Larry Buehler, Director of Economic Development gave the invocation.

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

Council member Arendell led the Pledge to the Texas Flag.

PUBLIC COMMENT

Ms. Pat Drachenberg, Alvin resident, addressed her concerns over the proposed placement of a sidewalk in front of her home along the Mustang Road project. She stated that she is against the placement of such sidewalk and encouraged members of council to vote against the placement of such.

Mr. Ricky Forrest, Alvin resident, addressed council regarding veterans, public safety and leadership.

PRESENTATIONS

Proclamation; Parks and Recreation Month; July 2016.

Mayor Horn presented a proclamation to Dan Kelinske, Parks Director recognizing the month of July 2016 as Parks and Recreation Month.

Presentation of the 2016 Citizen Survey Results.

Junru Roland, CFO/Assistant City Manager gave a presentation on the results of the 2016 Citizen Survey.

CONSENT AGENDA

Approve minutes of the June 16, 2016 City Council workshop.

Approve minutes of the June 16, 2016 City Council meeting.

Acknowledge receipt of the 2015 tax year annual report for Tax Increment Reinvestment Zone Number Two City of Alvin (Kendall Lakes TIRZ).

The Kendall Lakes development has a Tax Increment Investment Zone (TIRZ) covering the entire development. A TIRZ is utilized by cities and developers as a way to fund infrastructure inside a development. A TIRZ issues bonds to cover the costs and is reimbursed by the ad valorem (property) taxes collected. Currently no bonds have been issued as the developer is covering infrastructure costs until sufficient development is on the ground to support bond financing. The TIRZ is governed by a board appointed by city council. The board engages a zone administrator to conduct and record all the business activity. The annual report shows the budget, revenues, expenditures, and development activity. The State of Texas requires the city council to formally receive and acknowledge the report and then the zone administrator files all necessary documents with the State of Texas. The TIRZ Board met on 6-21-16, reviewed, and approved the annual report.

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

OTHER BUSINESS

Reconsider bid award to Mar-Con Services, LLC for the construction of the Mustang Road Improvement Project in an amount not to exceed \$1,102,780.46, which includes the alternate bid item; and authorize the City Manager to sign the contract upon legal review.

On May 31, 2016 bids were opened for the Mustang Road Improvement Project and Mar-Con Services LLC. was the qualified low bidder. The Engineering Department has worked with this contractor before and was highly satisfied with the work performed.

Project Budget: \$1,500,000.00 Contract Amount: \$1,011,872.50 Alternate Bid Item: \$38,394.60 (Construction of a new sidewalk along the west side of the road) 5% Contingency: \$52,513.36 Total Amount: \$1,102,780.46 (Project is \$397,219.54 below budget) The project consists of the removal and replacement of concrete pavement, curb, driveways, sidewalk, storm sewer pipe, inlets, and manholes along the existing alignment of Mustang Road from S. Gordon Street to Bypass 35. The existing Mustang Road intersection with S. Gordon Street will be permanently closed and relocated 650 feet south on currently vacant property that was acquired by the City of Alvin in 1999. This project has been in design for the past three years and has been in the planning stage since 2003. On January 7, 2016 a City Council workshop was held to discuss the project, as well as, to hear concerns from a resident that lives along Mustang Road regarding the plan to construct a new sidewalk along the west side of the roadway as a part of this project. The Council discussed the proposed sidewalk and the intersection realignment at length and direction was given to staff to bid the sidewalk along the west side of the road as an alternate item that could be included or removed at Council's discretion at the time of bid award.

The Mustang Road and S. Gordon intersection is being relocated in an effort to ease traffic congestion at the S. Gordon and South Street signal controlled intersection. This relocation has been approved/permitted by the Texas Department of Transportation (TXDOT). The project is scheduled to start in early July and has a construction time of 180 days. The \$397,219.54 in excess funds will remain in the Sales Tax Fund, to be used for future street improvements.

This item was requested to come back before City Council for discussion and consideration.

Ms. Breland stated that there were some questions by members of council as to whether or not the current subdivision ordinance requires the installation of a sidewalk at this location.

Ms. Kacz reviewed the development requirements according to the current subdivision ordinance. She explained that by the City not installing said sidewalk, it will weaken the city's ability to enforce this ordinance upon the development or redevelopment of property along the west side of the roadway. She referred to the requirements of the Thoroughfare Plan and the recommendation of the city engineer to install a new sidewalk that will tie in with the existing sidewalk along the west side of the roadway.

Discussion continued regarding safety concerns had when sidewalks are not installed. Members of Council felt that there needed to be continuity in the sidewalk installation process. Discussion continued.

Council member Thompson moved to approve the bid award to Mar-Con Services, LLC for the construction of the Mustang Road Improvement Project in an amount not to exceed \$1,102,780.46, which includes the alternate bid item; and authorize the City Manager to sign the contract upon legal review. Seconded by Council member Sanger; motion carried on a vote of 4 Ayes; with Council member's Adame and Arendell voting No.

Consider final plat of Country Lane Estates, being a subdivision of 8 acres (4455 County Road 172) out of lots 8 and 9 of the Otto Redeker Subdivision as recorded in volume 89, page 448, Deed Records, Brazoria County, Texas, situated in the Francis Moore League, abstract 100, Brazoria County, Texas.

On June 1, 2016 the Engineering Department received the final plat of Country Lane Estates for review. The property is located at 4455 County Road 172 in the City of Alvin Extraterritorial Jurisdiction (ETJ) and is being platted in order for the owner of the property to sell the 3.8 acres of land (Lot 2) adjacent to her homestead (Lot 1). The City Planning Commission unanimously approved the plat at their meeting on June 21, 2016.

Council member Sanger moved to approve the final plat of Country Lane Estates, being a subdivision of 8 acres (4455 County Road 172) out of lots 8 and 9 of the Otto Redeker Subdivision as recorded in volume 89, page 448, Deed Records, Brazoria County, Texas, situated in the Francis Moore League, abstract 100, Brazoria County, Texas. Seconded by Council member Thompson; motion to carried on a vote of 6 Ayes.

Consider Debris Removal Contract extension with Crowder Gulf, LLC as primary and Ash Britt, Inc. as secondary for a one (1) time extension of five (5) years with the same conditions and pricing; and authorize City Manager to sign the contract.

The primary purpose of these services is to ensure that the entire debris removal, hauling, and disposal process is done properly, expeditiously and is eligible for reimbursement under Federal Emergency Management Agency (FEMA) Public Assistance Program and Governor's Division of Emergency Management (GDEM) guidelines.

At the May 19, 2011 council meeting, the Debris Removal Services contract was awarded to Crowder Gulf, LLC as primary and Ash Britt, Inc. as secondary for a period of five (5) years with an option to extend one (1) time for an additional five (5) years with the same prices and conditions. The renewal term of the contracts expires December 31, 2021.

Council member Arendell moved to approve the Debris Removal Contract extension with Crowder Gulf, LLC as primary and Ash Britt, Inc. as secondary for a one (1) time extension of five (5) years with the same conditions and pricing; and authorize City Manager to sign the contract. Seconded by Council member Thompson; motion carried on a vote of 6 Ayes.

Consider Debris Monitoring Contract with True North Emergency Management as primary and O'Briens Response Management as secondary for a one (1) time extension of five (5) years with the same conditions and pricing as the 2011 contracts; and authorize the City Manager to sign the contract.

The primary purpose of these services is to ensure that the entire debris removal, hauling, and disposal process is done properly, expeditiously and is eligible for reimbursement under Federal Emergency Management Agency (FEMA) Public Assistance Program and Governor's Division of Emergency Management (GDEM) guidelines.

At the May 19, 2011 council meeting, the Debris Monitoring, Recovery and other related services contract was awarded to True North Emergency Management as primary and O'Briens Response Management as secondary for a period of five (5) years with an option to extend one term for an additional five (5) years with same prices and conditions. The term of these renewal contracts expires December 31, 2021.

Council member Starkey moved to approve the Debris Monitoring Contract with True North Emergency Management as primary and O'Briens Response Management as secondary for a one (1) time extension of five (5) years with the same conditions and pricing as the 2011 contracts; and

authorize the City Manager to sign the contract. Seconded by Council member Richards; motion carried on a vote of 6 Ayes.

Consider bid award to Forde Construction Company, Inc. for the 2016 Asphalt Pavement Project in an amount not to exceed \$782,716.20; and authorize the City Manager to sign the contract upon legal review.

On June 21, 2016 bids were opened for the 2016 Asphalt Pavement Project and Forde Construction Company, Inc. was the qualified low bidder. This Contractor has never worked on a City of Alvin project. Engineering Staff has verified references for this contractor and all references were highly satisfied with the work performed. The 2016 Asphalt Pavement Project includes the reclamation, stabilization, and asphalt overlay of the following streets: Callaway Drive (Adoue St. to South St.), W. Dumble Street (Callaway Dr. to Kost St.), Fairview Drive (end of concrete pavement to Second St.), Grace Street (Westfield St. to South St.), Meadowlark Lane (Rowan Burton Rd. to end), Mary Street (Grace St. to W. South St.), Oak Park Drive (S. Gordon St. to Elm St.), and S. Lee Street (W. South St. to end). The streets included in this project were determined based on the recommendations from the 2014 Asphalt Pavement Assessment by JET Consulting.

The project is scheduled to start in mid to late July and has a construction time of 90 calendar days. The \$1,643.80 in excess funds will be returned to the Sales Tax Fund to be used for future street projects.

Council member Adame moved to approve the bid award to Forde Construction Company, Inc. for the 2016 Asphalt Pavement Project in an amount not to exceed \$782,716.20; and authorize the City Manager to sign the contract upon legal review. Seconded by Council member Richards; motion to carried on a vote of 6 Ayes.

Consider Resolution 16-R-17 amending the City's Personnel Policy Manual clarifying a holiday pay benefit; establishing an effective date; and setting forth other matters related thereto.

This amendment to the recently adopted Personnel Policy Manual ("PPM") clarifies a provision of the holiday pay benefit. This applies to employees that are required to work on a holiday as defined in the PPM. This revision caps the time & a half (1.5x) of the hourly rate of pay for hours actually worked on a holiday to twelve (12) hours. The twelve-hour maximum is proposed in order to provide an equitable solution to the various 8 hour, 10 hour, 12 hour and 24 hour shifts of city employees being paid at time & a half for time worked on holidays.

Council member Thompson moved to approve Resolution 16-R-17 amending the City's Personnel Policy Manual clarifying a holiday pay benefit; establishing an effective date; and setting forth other matters related thereto. Seconded by Council member Adame; motion to 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 July 21, 2016 City Council meeting.

Items of Community Interest.

Mrs. Roberts reviewed items of community interest.

REPORTS FROM COUNCIL MEMBERS

Announcements and requests from Council members.

Council member Thompson thanked the Parks Department for the July 4th fireworks display. He also thanked members of staff who helped with the signage and signals at the intersection of Mustang Road and SH35. He also encouraged those who need to get in out of the summer heat to visit the Cooling Zone located at the Alvin Library.

Council member Arendell thanked staff for their work on the citizen survey. He asked staff to look into the complaints received regarding the placement of storage containers on property for an extended amount of time.

Council member Richards thanked staff for the work done on the July 4th fireworks display. He also stated that he would like to see the shooting range item be placed on the next Council agenda for discussion.

Council member Sanger thanked staff for the work done on the July 4th fireworks display and for the work done on the recent citizen survey. He also stated that he would like to look into the possible creation of a Home Ownership Board.

Council member Adame stated that he would like an update on the proposed disc golf course. He also gave kudos to staff for the July 4th fireworks display.

Council member Starkey thanked staff for the work done on the citizen survey. He also thanked Ms. Kacz for the information provided to Council.

Mayor Horn stated that he was concerned at the number of fireworks going off throughout the city. He also stated that the Mayor of Friendswood recently notified him that the Homebuilders Association will be building a home in Alvin for a wounded veteran. He encouraged local businesses to support this project.

EXECUTIVE SESSION

Mayor Horn called for an Executive Session at 8:14 p.m. in accordance to the following:

Section 551.071(2) Attorney consultation to receive attorney advice and counsel in connection with the city's legal rights, duties, privileges, and obligations related to the ongoing negotiations of a Collective Bargaining Agreement.

RECONVENE TO OPEN SESSION

Mayor Horn reconvened the meeting into open session at 8:44 p.m.

Consider action(s), if any, on item(s) discussed in Executive Session.

No action.


ADJOURNMENT

Council member Richards moved to adjourn the meeting at 8:44 p.m. Seconded by Council member Sanger; motion carried on a vote of 6 Ayes.

PASSED and APPROVED this 21 day of July, 2016.


Paul A. Horn, Mayor

ATTEST:


Dixie Roberts, City Clerk