

**MINUTES  
CITY OF ALVIN, TEXAS  
216 W. SEALY STREET  
REGULAR CITY COUNCIL MEETING  
THURSDAY NOVEMBER 2, 2017  
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, Scott Reed, Glenn Starkey, and Keith Thompson.

Staff members present: Sereniah Breland, City Manager; Junru Roland, Assistant City Manager/ CFO; Suzanne Hanneman, City Attorney; Dixie Roberts, City Secretary; Michelle Segovia, City Engineer; Dan Kelinske, Director of Parks and Recreation, Robert E. Lee, Chief of Police; and Alexandra Aggor, Interim CVB Director.

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Larry Buehler gave the invocation.

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

Council member Reed led the Pledge to the Texas Flag.

**PRESENTATIONS**

Proclamation – Municipal Court Week.

Mayor Horn presented a proclamation to Judge Donna Starkey; Sonya Cates, Municipal Court Administrator and Melissa Torres, Juvenile Case Manager, declaring the week of November 6-10, 2017 as Municipal Court week.

Finance Departmental Update.

Mr. Junru Roland, Assistant City Manager/ CFO, gave a departmental update. Judge Donna Starkey gave an update on the Municipal Court.

**PUBLIC COMMENT**

Elle Church urged the Council to notify Alvin citizens of the open enrollment of the Affordable Care Act.

**PUBLIC HEARING**

First of two (2) required public hearings to receive comment on the petition for annexation of 10.00 acres, more or less, parcel of land for Sunset Ranch located along Heights Road A/K/A County Road 145, in Brazoria County, Texas.

Mayor Horn opened the public hearing at 7:19 p.m. There were no comments. Mayor Horn closed the public hearing at 7:20 p.m.

First of two (2) required public hearings to receive comment on the petition for annexation of 19.134 acres, more or less, for Forest Heights, Section 6, located along the proposed FM 528 extension between Business 35 and State Highway 6, in Brazoria County, Texas.

Mayor Horn opened the public hearing at 7:20 p.m. There were no comments from the public. Mayor Horn closed the public hearing at 7:21 p.m.

### **CONSENT AGENDA: CONSIDERATION AND POSSIBLE ACTION**

- A. Consider the approval of minutes from the October 19, 2017 City Council meeting.
- B. Consider a final plat of E & S Garcia Subdivision (950 County Road 281), being a subdivision of 5.10 acres in the H. T. & B.R.R. Survey No. 37, A-295, also being out of the South Texas Development Company Subdivision recorded in volume 74, pages 46 and 47, of the Deed Records of Brazoria County, Texas.  
*On September 28, 2017, the Engineering Department received the final plat of E & S Garcia Subdivision for review. The property is located at 950 CR 281 in the City of Alvin's Extraterritorial Jurisdiction (ETJ) and is being platted in order for the property owner to convey Lot 1. This plat complies with all requirements of the City's Subdivision Ordinance. The City Planning Commission unanimously approved the plat at their meeting on October 17, 2017. Staff recommends approval.*
- C. Consider a final plat of Hawkins Trust (3205 FM 2403), being a subdivision of 7.077 acres in the Mary V. O'Donnell Survey, Abstract No. 480 in Brazoria County, Texas, recorded in Brazoria County Clerk's file number(s) 34178 and 34180.  
*On September 28, 2017, the Engineering Department received the final plat of Hawkins Trust for review. The property is located at 3205 FM 2403 and is being platted in order to consolidate parcels for a future building addition. This plat complies with all requirements of the City's Subdivision Ordinance. The City Planning Commission unanimously approved the plat at their meeting on October 17, 2017. Staff recommends approval.*
- D. Consider a final plat of Huntington Place Section 2 (located in the City of Alvin's ETJ at the northeast corner of FM 521 and Juliff Manvel Road), being a subdivision of 19.27 acres of land situated in the William Pettus League Survey, Abstract 68, Fort Bend County, Texas.  
*On September 28, 2017, the Engineering Department received the final plat of Huntington Place Section 2 for review. This section consists of seventy-four (74) single-family residential lots, two (2) blocks, and five (5) reserves, and is located northeast of the intersection of FM 521 and Juliff Manvel Road in the City of Alvin's Extraterritorial Jurisdiction (ETJ) within Fort Bend County. The Master Preliminary Plat of Huntington Place was approved by City Council on June 6, 2017. The property is being subdivided for a new single family residential planned unit development subdivision. This plat complies with all requirements of the City's Subdivision Ordinance. The Planning Commission unanimously approved the plat at their meeting on October 17, 2017. Staff recommends approval.*
- E. Consider a final plat of Alvin Momin Properties (1109 W. Highway 6), being a replat of lots 1 and 2 of the map of Awayseas Enterprizes B.C.C.F. No. 2010018025 situated in the H. T. & B. R.R. Co. Survey Section 16, Abstract No. 453 City of Alvin, Brazoria County, Texas.  
*On September 28, 2017, the Engineering Department received the final plat of Alvin Momin Properties for review. The property is located at 1109 W. Highway 6 and is being platted in order to consolidate parcels for the construction of a convenient store / gas station where the former Alvin Restaurant building is located. This plat complies with all requirements of the City's Subdivision Ordinance. The City Planning Commission unanimously approved the plat at their meeting on October 17, 2017. Staff recommends approval.*
- F. Consider a master preliminary plat of Midtown Park (located north of the existing Midtown Park Section 1 Subdivision on North Gordon), being 43.25 acres being the remainder of a called 57.9559 acres and called 9.9971 acres per B.C.C. No. 2010000890, situated in the Hooper and Wade Survey, Abstract 420 and the Mary O'Donnell Survey, Abstract 485, City of Alvin, County of Brazoria, State of Texas.  
*On September 28, 2017, the Engineering Department received the master preliminary plat of Midtown Park for review. The property is located north of the existing Midtown Park Section 1 subdivision, along the proposed FM 528 Extension and is being subdivided for a new single family residential planned unit development subdivision containing 169 lots and 14 reserves. The Developer plans to construct the subdivision in two sections which will become Midtown Park Sections 2 and 3. This plat complies with all requirements of the City's Subdivision Ordinance. The Planning Commission unanimously approved the plat at their meeting on October 17, 2017. Staff recommends approval.*

- G. Consider a lease agreement with Alvin Community College for the use of college owned property, known as Hugh Adams Park for a period of ten (10) years, and authorize the Mayor to sign said agreement.

*The current lease agreement between the City of Alvin and the Alvin Community College began September 27, 2007 and expired on September 27, 2017. City staff began working on a revision of the agreement with Alvin Community College in July 2017.*

*Some notable changes/additions to the original agreement include:*

- *Establish the 10<sup>th</sup> of October as the annual due date for the \$1.00 property lease fee*
- *Establish a renewable option to extend the lease agreement up to two (2) additional five (5) year periods*
- *As a cost savings to the City, allow the City Engineering Department to create a map of the premises rather than pay a professional surveyor*
- *Allow the City to retain ownership of personal property & removable fixtures installed on premises*
- *Establish the City as responsible agency for payment of utilities on premises (Water meter for onsite water fountain is already billed to the City)*
- *Establish City as responsible party to carry casualty insurance on improvements and equipment on the premises and liability insurance for bodily injury rather than just liability insurance*

*The Alvin Community College Board of Regents unanimously approved the ten (10) year lease agreement at their meeting on August 17, 2017.*

- H. Formally accept the resignation from City Council At Large Position 2 Member, Chris Sanger.

*Council will consider accepting the resignation letter from City Council At Large Position 2, Chris Sanger dated October 19, 2017. If accepted, the following item for City Council consideration is to call a special election for Saturday, February 3, 2018, to fill the unexpired term of this position. This term goes through May 2019.*

- I. Consider Resolution 17-R-30, calling and establishing the procedures for the February 3, 2018 Special Election in Alvin, Texas, and providing for related matters thereto.

*The proposed resolution is calling for a Special Election for Saturday, February 3, 2018, to elect a member to fill the unexpired term of City Council At Large Position 2. The term of this vacant position goes through the May 2019 election.*

*The City of Alvin will contract with the Brazoria County Elections Office to conduct this Special Election. Brazoria County has the necessary voting equipment required to conduct such election. The City Secretary's Office will handle the filings and all required paperwork and postings as required by state election law.*

*The first day to file for a place on the ballot for this vacancy will be on Monday, November 6, 2017, continuing through Monday, December 4, 2017.*

*Early Voting will begin on Wednesday, January 17, 2018, and will go through Tuesday, January 30, 2018. The weekend day of Early Voting will be held on Saturday, January 20th from 10am-3pm.*

*Both the Early and Election Day voting will be held at the Alvin Library, 105 S. Gordon Street, Alvin, Texas.*

*The estimated cost for this special election is \$13,000. This amount does not include the cost of a potential run-off.*

*A joint election agreement with Brazoria County for this election will be brought before City Council for consideration at the November 16, 2017 meeting.*

Council member Adame moved to approve the consent agenda as presented. Seconded by Council member Reed; motion to approve carried on a vote of 4 Ayes.

### **OTHER BUSINESS**

- A. Consider Ordinance 17-U, authorizing the issuance of the City of Alvin, Series 2017 Texas General Obligation Refunding Bonds, for the purpose of refunding the City's outstanding City of Alvin, Series 2011 Tax and Revenue Certificates of Obligation and the City of Alvin, Series 2011 General

Obligation Refunding Bonds in accordance with specified parameters; levying a tax in payment thereof; and enacting other provisions relating thereto.

*There is an opportunity to refinance some of the City's debt in order to reduce the debt service cost for the City. At the time this potential refunding was presented to the City, the net present value savings was calculated to be approximately \$281,223; an average annual savings of \$20,087 over the next 14 years (from 2018 through 2031).*

*Jim Gilley, Managing Director for U.S. Capital Advisors (our Financial Advisor), and Jonathan Frels (Bracewell & Giuliani LLP Bond Counsel) will be present to discuss the refunding of the City of Alvin, Series 2017 General Obligation Refunding Bonds.*

Council member Reed moved to approve Ordinance 17-U, authorizing the issuance of the City of Alvin, Series 2017 Texas General Obligation Refunding Bonds, for the purpose of refunding the City's outstanding City of Alvin, Series 2011 Tax and Revenue Certificates of Obligation and the City of Alvin, Series 2011 General Obligation Refunding Bonds in accordance with specified parameters; levying a tax in payment thereof; and enacting other provisions relating thereto. Seconded by Council member Thompson; motion carried on a vote of 4 Ayes.

B. Receive and acknowledge receipt of the Financial and Investment Report as of September 30, 2017.

*The City Charter requires the Chief Financial Officer to report on the financial condition of the City. In addition, the City's investment policy requires the Chief Financial Officer to submit an investment report to the City Manager, the Mayor, and City Council each quarter.*

Mr. Junru Roland, Assistant City Manager/ CFO, gave a presentation on the financial and investment report.

Council member Thompson moved to receive and acknowledge receipt of the Financial and Investment Report as of September 30, 2017. Seconded by Council member Reed; motion carried on a vote of 4 Ayes.

C. Consider recommendations from the Hotel Occupancy Tax Fund Committee on the allocation of Hotel Occupancy Tax Funds.

*Resolutions 17-R-17 and 17-R-19 established the creation of a Hotel Occupancy Tax (HOT) Fund Committee, terms of office and qualifications of the committee, and defines the purpose of the committee.*

*Resolution (17-R-17) restricted membership to seven (7) members. The council increased the maximum number of members allowed to serve on the committee to eleven (11), as established through Resolution (17-R-19).*

*The council approved \$54,000 to be allocated for Major Annual Events in the Hotel Occupancy Tax Fund as part of the approved budget for FY18.*

*Staff received and presented six applications requesting funds from the Major Annual Events account, with requests totaling a maximum of \$52,850.*

*The first meeting of the committee was held on August 15, 2017. Members were informed of the duties of the committee, the Open Meetings Act, the Code of Conduct and engaged in discussion with Texas Hotel & Lodging Association attorney, Brian Sullivan.*

*Committee members present at the August 15th meeting were: Kirti Bhakta, Wendy Del Bello, Jody Droege, Nina Froberg, Lenny Garcia, Joy Kompanathottathil, Ron Mercer, Mark Patterson and John Wennerstrom. Two members were absent: Dhara Bhatt and Olivia Finney.*

*The second meeting of the committee was held on September 12, 2017. Committee Members reviewed each of the six hotel occupancy tax funding applications requesting allocation of funds for FY18. The vote was as follows:*

| Event                                | Amount Requested    | Amount Approved  | Vote      |
|--------------------------------------|---------------------|------------------|-----------|
| Beneezy Purple Monkey Fun Run        | \$2,850             | \$2,850          | Unanimous |
| Music Festival & BBQ Cook-off        | \$15,000 - \$30,000 | \$30,000         | Unanimous |
| ACC Alvin Live Summer Concert Series | \$2,000             | \$2,000          | Unanimous |
| ACC Echocardiography Symposium       | \$2,000             | \$2,000          | Unanimous |
| Alvin Museum Society                 | \$6,000             | \$6,000          | Unanimous |
| 44 <sup>th</sup> Annual Frontier Day | \$10,000            | \$10,000         | Unanimous |
| Total                                | \$37,850 - \$52,850 | <b>\$52, 850</b> | Unanimous |

Committee members present at the September 12th meeting were: Dhara Bhatt, Wendy Del Bello, Jody Droege, Nina Froberg, Lenny Garcia, Ron Mercer, Mark Patterson and John Wennerstrom. Three members were absent: Kirti Bhakta, Olivia Finney and Joy Kompanathottathil.

Upon approval by council, staff will formally notify each applicant of council's decision concerning their funding request, and subsequently disburse funds to the eligible recipient(s). No later than 30 days after the event or project, each recipient is required to submit a Post Event Report to the Hotel Occupancy Tax Committee, which will serve as supporting documentation of eligibility for the use of the HOT funds.

Alexandra Aggor, Interim CVB Director gave a report on the Hotel Occupancy Tax Fund Committee's recommendation.

Following discussion, Council member Reed moved to increase funding of the Frontier Day by \$1,150. Seconded by Council member Starkey; motion carried on a vote of 4 Ayes.

Council member Reed moved to approve the recommendation of the Hotel Occupancy Tax Fund Committee for the total amount of \$54,000. Seconded by Council member Thompson; motion carried on a vote of 4 Ayes.

| Event                                | Amount Recommended by HOT Committee | Amount Approved by Council | Vote      |
|--------------------------------------|-------------------------------------|----------------------------|-----------|
| Beneezy Purple Monkey Fun Run        | \$2,850                             | \$2,850                    | Unanimous |
| Music Festival & BBQ Cook-off        | \$30,000                            | \$30,000                   | Unanimous |
| ACC Alvin Live Summer Concert Series | \$2,000                             | \$2,000                    | Unanimous |
| ACC Echocardiography Symposium       | \$2,000                             | \$2,000                    | Unanimous |
| Alvin Museum Society                 | \$6,000                             | \$6,000                    | Unanimous |
| 44 <sup>th</sup> Annual Frontier Day | \$10,000                            | \$11,150                   | Unanimous |
| Total                                | \$52,850                            | <b>\$54, 000</b>           | Unanimous |

## **REPORTS FROM CITY MANAGER**

Review preliminary list of items for next Council meeting.

Ms. Breland reviewed the preliminary list for the November 16, 2017 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.

Mrs. Roberts reviewed items of community interest.

Council member Thompson thanked the Parks Department and those that participated in the Trick or Treat Trail; he commended the Houston Astros and reminded all of the Motorcycle Rally in Galveston this weekend and to drive safely.

Council member Reed recognized the Parks Department, Municipal Court and Finance Department for its job performance.

Council member Adame reminded those in attendance of the November 7th election. He inquired about remaining storm debris in the area of Willis and 3<sup>rd</sup> Street. The City Manager addressed his question. Council member Adame inquired about conducting an IT audit.

Council member Starkey mentioned that he received good feed-back from citizens on the Trick or Treat Trail and he recognized the city employees for their job performance.

**EXECUTIVE SESSION**

Mayor Horn called for an executive session at 8:09 p.m. in accordance to the following:

SECTION 551.072 of the Government Code: Deliberation regarding the purchase, exchange, lease or value of real property.

**RECONVENE TO OPEN SESSION**

Mayor Horn reconvened the meeting into open session at 8:25 p.m.

Consider the purchase of an approximate 4.6-acre parcel of land for the intended use as a site for the future construction of a new Fire/EMS station; and authorize the Mayor to sign all related documents.

Council member Starkey moved to approve the purchase approximately 4.6-acres on South Street between Bellaire and Mustang Bayou, for the future construction of a new Fire/EMS station for \$310,000; and authorize the Mayor to sign all related documents necessary for the purchase. Seconded by Council member Reed; motion carried with all City Council members present voting Aye.

Consider a Memorandum of Understanding with the Brazoria County Conservation and Reclamation District #3 to reflect the City's intent to convey an approximately twenty-three (23) acre tract of land containing an approximately 17-acre lake to the Brazoria County C&R#3 for regional detention.

Council member Starkey moved to approve the Memorandum of Understanding with the Brazoria County Conservation and Reclamation District #3 to reflect the City's intent to legally convey an approximately twenty-three (23) acre tract of land containing an approximately 17-acre lake to the Brazoria County C&R#3 for regional detention. Seconded by Council member Thompson; motion carried with all City Council members present voting Aye.

**ADJOURNMENT**

Mayor Horn adjourned the meeting at 8:28 p.m.

PASSED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Paul A. Horn, Mayor

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