

**MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
CITY COUNCIL
REGULAR MEETING
THURSDAY, JULY 6, 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, Mayor Pro-Tem Brad Richards; Council members: Gabe Adame, Adam Arendell, Scott Reed, Chris Sanger, Glenn Starkey, and Keith Thompson.

Staff members present: Sereniah Breland, City Manager; Suzanne Hanneman, Interim City Attorney; Junru Roland, Assistant City Manager/CFO; Dixie Roberts, City Secretary; Dan Kelinske, Parks & Recreation Director, and Alexandra Aggor, Interim CVB Director.

INVOCATION AND PLEDGE OF ALLEGIANCE

Council member Sanger gave the invocation.

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

PUBLIC COMMENT

Louise Samford of Alvin, Texas asked City Council to send a letter to Congress asking them to stop fighting like children and dividing the Nation.

PRESENTATIONS

Parks and Recreation Month Proclamation.

Mayor Horn presented members of the Parks and Recreation Department with a proclamation proclaiming the month of July, 2017 as Parks and Recreation Month.

Parks and Recreation Departmental Update.

Dan Kelinske presented the Parks and Recreation Departmental Update.

CONSENT AGENDA: CONSIDERATION AND POSSIBLE ACTION

Approve minutes of the June 8, 2017 City Council special workshop.

Approve minutes of the June 15, 2017 City Council regular meeting.

Accept resignation from Missy Jordan for the Planning Commission and the Building Board of Adjustments and Appeals.

Missy Jordan resigned from the Planning Commission and the Building Board of Adjustments and Appeals (BBOAA). This agenda item is the formal acceptance of her resignation.

Council does not have to appoint a new member to the Planning Commission, but can, if they so choose. At this time, there are no applicants who wish to serve on the Planning Commission. The Charter says that the Commission must have at least five (5) members but no more than eleven (11). The Commission currently has ten (10) members, without a replacement member for Ms. Jordan.

A replacement member will need to be appointed to the BBOAA to serve through December, 2018 to fill the unexpired term left vacant by Ms. Jordan. The Board currently has four (4) members and must have at least

five (5). The City Secretary's Office will advertise for a replacement member and will bring this item back to City Council for consideration at a later date.

Consider a Final Plat of Alvin-Manvel Area Chamber of Commerce (105 W. Willis St.) being a replat of lots 10, 11, 12, block 13, Alvin No. 1, a map or plat thereof recorded under volume 32, pages 4 and 5 of the plat records of Brazoria County, Texas.

On June 1, 2017, the Engineering Department received the final plat of Alvin-Manvel Chamber of Commerce for review. The property is located at 105 W. Willis St. and is being platted into one lot to prepare for the future expansion of the Chamber of Commerce building. The plat complies with all requirements of the City's Subdivision Ordinance.

The City of Alvin Planning Commission unanimously approved the plat at their meeting on June 27, 2017. Staff recommends approval.

Consider a final replat of The International Soccer Development Center, LLC. (1156 Fox Meadow), being 60.77 acres of land out of and part of the International Soccer Development Center, LLC., a map or plat thereof recorded under county clerk's file No. 2013046655 of the official public records of Brazoria County, Texas situated in the I & G N R R Company Survey, Abstract 693, City of Alvin.

On June 1, 2017, the Engineering Department received the final replat of The International Soccer Development Center, LLC. The property is located at 1156 Fox Meadow and is being platted to add area to Reserve E and remove undeveloped Reserve D. Currently there is a privately-owned basketball gym on Reserve E, the remainder of the property is undeveloped and no future development is planned at this time. The International Soccer Development Center, LLC. is no longer involved with this property it has returned to its original owner. This plat complies with all requirements of the City's Subdivision Ordinance.

The Planning Commission unanimously approved the plat at their meeting on June 27, 2017. Staff recommends approval.

Consider a final plat of Southern Colony Section 3A (located along the east side of FM 521 north of Juliff-Manvel Road) being a subdivision of 9.783 acres of land situated in the William Hall League, Abstract 31, Fort Bend County, Texas, being a replat of lots 13 and 18, T.W. & J.W.B. House Subdivision, a subdivision recorded in volume 7, page 301 Deed Records of Fort Bend County, Texas.

On June 1, 2017, the Engineering Department received the final plat of Southern Colony Section 3A for review. This section consists of forty-six (46) lots, two (2) reserves, and two (2) blocks, and is located in the City of Alvin's Extraterritorial Jurisdiction (ETJ) along the east side of FM 521 north of Juliff-Manvel Road. 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 City of Alvin Planning Commission unanimously approved the plat at their meeting on June 27, 2017. Staff recommends approval.

Council member Adame moved to approve the consent agenda as presented. Seconded by Council member Arendell; motion carried on a vote of 7 Ayes.

OTHER BUSINESS:

Consider Ordinance 17-L, amending Chapter 24½, Manufactured Homes and Manufactured Home Parks of the Code of Ordinances, City of Alvin, Texas, for the purpose of revising provisions that will allow Recreational Vehicle (RV) Resorts to be developed within the city limits of Alvin;

This item is to address changes to the RV Park section of the ordinance. The existing RV Parks in the city will continue to follow the current ordinance, and only if they wish to expand would have to comply with these revisions. City Council adopted Ordinance 07-B in March of 2007, stating that no new RV parks will be allowed within the city limits of Alvin, Texas. This was based on the then existing conditions and standards of RV parks inside the city. There are new design standards and terminology for RV Resorts. These developments include but are not limited to concrete paving on all hard surfaces, wider and deeper parking

slips, swimming pools, business centers, shower and laundry facilities, etc. Ordinance 17-L would allow for consideration of RV Resorts to be developed inside the city following the new criteria spelled out in the ordinance.

At the May 18, 2017 council workshop, a developer with local ties to the community came before council and presented an RV Resort development that included many amenities and deed restrictions for the resort. The presentation showed current resorts and others under construction in the region, demonstrating the type of development that will provide a positive economic impact to our city.

Ms. Hanneman explained the ordinance amending Chapter 24 1/2. Brief discussion was had.

Council member Thompson moved to adopt Ordinance 17-L, amending Chapter 24½, Manufactured Homes and Manufactured Home Parks of the Code of Ordinances, City of Alvin, Texas, for the purpose of revising provisions that will allow Recreational Vehicle (RV) Resorts to be developed within the city limits of Alvin. Seconded by Council member Richards; motion carried with a vote of 7 Ayes.

Consider Addendum No. 14 to the Contract for Refuse Collection and Disposal Services between the City of Alvin and Waste Connections of Texas (formerly Progressive Waste Solutions) to adjust rates paid to Waste Connections of Texas due to the net increase in the revised Consumer Price Index Rate for All Urban Consumers (CPI-U) for the Houston-Galveston-Brazoria, TX area, fuel cost adjustments, and operational costs pursuant to the agreement; and authorize the Mayor to sign.

Summary: *The City's contract with IESI (signed August 18, 2005), with a subsequent name change to Progressive Waste Solutions (August 12, 2012), for refuse collection and disposal service contains a provision for an annual adjustment of compensation paid to the contractor. The contract states that that the contractor shall be compensated in accordance with the CPI-U adjustment and an operating cost adjustment (including a fuel adjustment).*

Waste Connections of Texas (formerly Progressive Waste Solutions) submitted their annual renewal letter evaluating the CPI-U and operational costs (including fuel adjustments) per their contract with the City. The adjustments used to calculate the percentage increase for FY18 are as follows:

CPI-U	+2.000%
Fuel adj.	-4.888%
Operating adj.	+4.500%
Net adjustment for FY18:	1.61%

Based on estimated FY17 end of year projections, the 1.61% contractual increase to the City is approximately \$37,000 for FY18.

History of Rate Contractual Rate Adjustments from Waste Connections of Texas	
Fiscal Year	Increase (decrease)
FY15	3.514%
FY16	(0.43%)
FY17	(0.807%)
FY18 (proposed)	1.61%

Should council approve the contractual rate increase of 1.61%, the effective date would be October 1, 2017. The current contract with Waste Connections ends September 30, 2020.

Mr. Roland summarized Addendum No. 14 for Refuse Collection and Disposal Services.

Council member Adame moved to Addendum No. 14 to the Contract for Refuse Collection and Disposal Services between the City of Alvin and Waste Connections of Texas (formerly Progressive Waste Solutions) to adjust rates paid to Waste Connections of Texas due to the net increase in the revised Consumer Price Index Rate for All Urban Consumers (CPI-U) for the

Houston-Galveston-Brazoria, TX area, fuel cost adjustments, and operational costs pursuant to the agreement; and authorize the Mayor to sign. Seconded by Council member Starkey; motion carried with a vote of 7 Ayes.

Consider Ordinance 17-M, amending Chapter 28, Comprehensive Fee Ordinance for the purpose of revising certain solid waste collection and disposal fees for residential, commercial, and roll-off containers, providing for a (10%) penalty for late payment; providing for an effective date of October 2017 billing cycles; and setting forth other provisions related thereto.

Consider the appointment of members to the Hotel Occupancy Tax Committee.

Summary: *The City's ordinance requires that solid waste rates be increased, at minimum, based on the annual CPI-U index rate for the Houston-Galveston-Brazoria, Texas area. The ordinance also allows the consideration of other factors to determine if an additional increase in solid waste rates is warranted.*

The City accounts for solid waste revenues and expenses in the Sanitation Fund. Over the past few years, the City has been able to sustain a "healthy" fund balance in the Sanitation fund as a result of the CPI-U provision in the City's ordinance. For FY18, the CPI-U has increased by 2%. However, instead of increasing the residential and commercial solid waste rates by 2% in accordance with the CPI-U provision in the City's ordinance, staff is recommending that council approve a 16% decrease in solid waste rates charged to residents; and maintain the current solid waste rates for commercial businesses. This equates to an approximate \$2.38 decrease in the FY18 monthly residential solid waste charge.

Residential Solid Waste Rates		
FY17 Rate	16% Reduction	Proposed FY18 Rate
\$14.89	(\$2.38)	\$12.51

Should council elect to apply the CPI-U adjustment per ordinance, then both, residential and commercial rates will reflect a 2% increase, effective October 2017 billing cycles.

Mr. Roland reviewed the details of this ordinance as presented.

Council member Reed moved to adopt Ordinance 17-M, amending Chapter 28, Comprehensive Fee Ordinance for the purpose of revising certain solid waste collection and disposal fees for residential, commercial, and roll-off containers, providing for a (10%) penalty for late payment; providing for an effective date of October 2017 billing cycles; and setting forth other provisions related thereto. Seconded by Council member Richards; motion carried with a vote of 7 Ayes.

Consider the appointment of members to the Hotel Occupancy Tax Committee.

Resolution 17-R-17 establishes 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. Members of the committee will review applications from organizations applying for HOT funds and make initial funding recommendations to the City Council. City Council will make the final decision on the allocation of funds. The resolution states that this committee shall have at least three (3) hotelier members, with no more than seven (7) members total, and shall meet at least once quarterly.

HOT Fund Committee members must be a representative of the hotel industry; an owner or manager of a tourist attraction; and/or a representative of an organization involved in the allowable use categories of the tax code governing HOT funds.

Hoteliers and key community groups were notified in-person and by phone. Four (4) out of the five (5) hoteliers in Alvin applied to serve on this committee. The following individuals submitted a committee application: Dhara Bhatt, Kirti Bhakta, Sharon Dickerson, Olivia Finney, Nina Froberg, Joy Kompanathottahill, Ron Mercer, Dan Moore, Mark J. Patterson, and Roger Stuksa. A detailed spreadsheet of applicant information is included in the packet. Once the committee is established, staff will work with members to find a suitable date and time to hold meetings.

Council member Thompson moved to appoint Dhara Bhatt, Kirti Bhakta, Olivia Finney, Joy Kompanathottathil (hotelier representatives) and Nina Froberg, and Ron Mercer (tourist

representatives) to the HOT Fund Committee. Seconded by Council member Sanger; motion carried with a vote of 7 Ayes.

Since more civic club representatives applied to be on the Committee than membership allows, Council asked that a Resolution allowing for a maximum of eleven (11) members be brought back for Council consideration at the next meeting.

REPORTS FROM CITY MANAGER

Review preliminary list of items for next Council meeting.

Ms. Breland reviewed the preliminary list for the July 20, 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, City Secretary, reviewed items of community interest.

Council member Thompson thanked Mr. Kelinske for the Parks Department presentation and the Fire Department and all first responders who helped with the fires had this past weekend.

Council member Reed thanked Mr. Kelinske and the Parks Department.

Council member Arendell thanked Mr. Kelinske for the Parks Department presentation and the Fire Department and all first responders who helped with the structure fires had this past weekend.

Council member Richards thanked all employees for the City for the outstanding service they provide.

Council member Sanger asked the City Manager about a citation give to a helicopter during the Fourth of July festivities. Ms. Breland stated that she would send this information out to the Council.

Council member Adame thanked Mr. Kelinske and the Parks and Recreation Department for the July 4th festivities. He also thanked staff for sending out the economic development report relating to the Music Festival. Council member Adame thanked the community for coming together to help the families affected by the fires this past weekend, and asked the City put information out on social media regarding donation sites once coordinated.

Council member Starkey reminded everyone to be safe during the hot summer months; remember to drink plenty of water and stay hydrated, especially first responders and those that work outside in the elements.

EXECUTIVE SESSION

Mayor Horn called for an executive session at 7:45 p.m. in accordance to the following:

Section 551.071 of the Government Code: Consultation between governmental body and its attorney to seek advice of attorney about pending or contemplated litigation or a settlement offer or a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act.

RECONVENE TO OPEN SESSION

Mayor Horn reconvened the meeting at 8:01 p.m.

Consider authorization of severance payment and/or settlement offer regarding the City Attorney's employment agreement.

Council member Reed moved to approve a settlement regarding the City Attorney's employment agreement and authorize the Mayor to sign the agreement. Seconded by Council member Arendell; motion carried on a vote of 5 Ayes, with Council member Thompson and Sanger voting No.

ADJOURNMENT

Mayor Horn adjourned the meeting at 8:01 p.m.

PASSED and APPROVED this _____ day of _____, 2017.

Paul A. Horn, Mayor

ATTEST: _____
Dixie Roberts, City Secretary