

**MINUTES**  
**CITY OF ALVIN, TEXAS**  
**216 W. SEALY STREET**  
**REGULAR CITY COUNCIL MEETING**  
**THURSDAY FEBRUARY 1, 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, Adam Arendell, Glen Starkey, and Keith Thompson.

**Staff members present:** Sereniah Breland, City Manager; Suzanne Hanneman, City Attorney; Junru Roland, Assistant City Manager/CFO; Dixie Roberts, City Secretary; Larry Buehler, Economic Development Director; Ron Schmitz, EMS Director/EMC and Robert Lee, Police Chief.

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Mayor Horn gave the invocation.

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

**PRESENTATIONS**

**Current Construction Projects.**

Sereniah Breland, City Manager, reviewed construction projects including the asphalt pavement projects, Dyche Lane Water Tower, Kost and Durant Street detention ponds and the construction of Betty Nelson Elementary School.

Larry Buehler, Economic Development Director, reviewed commercial and residential projects including McCoy's Building Supply, China Classic Wok, the retail center at 1240 FM 1462, Gear Jammin Classics, JSC Credit Union, Gordon Street Tavern Grant Project, Westover Plaza, Forrest Heights Sect. 7, and Martha's Vineyard and Sunset Ranch.

**PUBLIC COMMENT**

Louise Sanford, addressed the Council urging the City Council to pray for our Country. She showed the Council a letter she received from the White House.

Dylan McGinnis addressed the Council to request that owning snakes in the city limits of Alvin be made legal.

**PUBLIC HEARING**

- A. **Public Hearing to receive comment on a taxicab license application submitted by LBR Taxi to operate a taxi service in the City of Alvin.**

*The City's Code of Ordinances requires that a new taxi service submit a Taxi Service Application to the City Secretary's Office. This application is reviewed and then forwarded to the Chief of Police and the City's Health Inspector for vetting. Once completed, a public hearing is held before City Council. A notice of public hearing was advertised in the Alvin Sun on Sunday, January 21, 2018.*

*LBR Taxi submitted the required application for the operation of two taxicabs. All information has been vetted by the City's Inspector and Police Department. This is simply a formal hearing to provide members of the public the opportunity to offer comments before City Council regarding the company's potential service.*

*After the public hearing is held, all vehicles will be inspected by the City and the application process will be finalized.*

*Apparently, the sole taxi service provider in the City of Alvin is no longer in business. LBR Taxi stated that they have had many requests for service in Alvin, thus the reason for their application.*

Mayor Horn opened the public hearing at 7:22 p.m.

Lisa Ragus, owner of LBR Taxi, explained the need for a taxi service in Alvin.

Mayor Horn closed the public hearing at 7:24 p.m.

### **CONSENT AGENDA**

A. **Approve minutes of the January 18, 2018 City Council meeting.**

B. **Acknowledgement of the 2017 Annual Racial Profiling Report.**

*Article 2.134 of the Texas Code of Criminal Procedure requires that not later than March 1st of each year law enforcement agencies submit a report containing the previous year's incident-based data to the Texas Commission on Law Enforcement (TCOLE) and to the governing body of that agency's city or county. Since all patrol vehicles routinely used to make traffic stops are equipped with audio and video recording devices, Alvin PD receives a partial exemption on reporting requirements, which means that only stops that result in a citation or arrest are used for this report. This report has been submitted to TCOLE as required. The most current information available from the U.S. Census Bureau is from the 2010 census. Alvin demographics at that time were 63.83% not Hispanic or Latino and 36.17% Hispanic or Latino. The 63.83% not Hispanic or Latino included 58.7% White, 3.1% Black or African American with the remaining 2% being American Indian and Alaska native (.57%), Asian (.89%) or native Hawaiian/other Pacific native (.02%). Alvin ISD currently lists its composition as 44% Hispanic, 29.4% White, 15.6% African American, 8.6% Asian and 2.4% other. Although the numbers listed by Alvin ISD are more recent than the U.S. Census data, the numbers posted by Alvin ISD cover the entire school district, not just the City of Alvin, and are based solely on enrolled students and not general population.*

*The 2017 racial profiling report is representative of our population in general and does not indicate racial profiling bias. No complaints of racial profiling were filed with the Alvin Police Department in 2017.*

*In 2017, the State Legislature passed the Sandra Bland Act (SB1849) which, among other things, repealed Section 2.135 of the Code of Criminal Procedure, which allowed for a partial exemption for racial profiling data collection to agency's which had cameras installed in all vehicles routinely used to make traffic stops. With the repeal of this section, a significant increase in the amount of data collected from traffic stops has occurred and will be reported on the 2018 racial profiling report. The 2018 report will include data on gender, race or ethnicity, (if race was known prior to the stop), reason for the stop, street address or approximate location of the stop, whether a search was conducted, if a search was conducted the reason for the search, if contraband was discovered, description of contraband, result of the stop (verbal warning, written warning, citation, arrest and if use of force resulting in bodily injury occurred), if an arrest occurred whether it was a penal law, traffic law, city ordinance or warrant. The Alvin Police Department started collecting this required new data on January 1, 2018, by means of an automatic report that is created by our in-car computer system each time a traffic stop is initiated, and which must be completed by each officer upon conclusion of that stop. As a redundancy, our Brazos ticket writing platform also captures this data as well.*

C. **Consider Resolution 18-R-03, calling and establishing the procedures for the May 5, 2018 General Election in Alvin, Texas, and providing for related matters thereto.**

*This resolution is calling for a General Election for Saturday, May 5, 2018, to elect members to City Council District B, District C, and At Large Position 1.*

*The City of Alvin will contract with the Brazoria County Elections Office to conduct this election. Brazoria County has the voting equipment required to conduct elections. 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 May 2018 ballot was on Wednesday, January 17, 2018, and will continue through Friday, February 16, 2018.*

*Early Voting will begin on Monday, April 23, 2018, and will go through Tuesday, May 1, 2018, and will be held at the Alvin Library. Voters can cast their ballot at any Early Voting location throughout Brazoria County.*

**Early Voting Locations:** Angleton: East Annex, 1524 E. Mulberry; Alvin: Alvin Library, 105 S. Gordon; Brazoria: Brazoria Library, 620 S. Brooks; Freeport: Freeport Library, 410 Brazosport Blvd; Lake Jackson: Lake Jackson Library, 250 Circle Way; Manvel: North Annex, 7313 Corporate Drive.; Pearland East: Tom Reid Library, 3522 Liberty Drive; Pearland West: Westside Event Center, 2150 Countryplace Pkwy; Shadow Creek: Pearland Westside Library, 2803 Business Center Dr #101; Sweeny: Sweeny Community Center, 205 W. Ashley Wilson Rd.; West Columbia: New Precinct 4 Building, 121 N. 10<sup>th</sup> Street

**Early voting dates and hours:** April 23-27; 8am-5pm; April 28; 7am-7pm; April 30-May 1; 7am-7pm

Election Day voting will be held at the Alvin Library and the Nolan Ryan Center. Voters can also cast their ballot at any Voting Center in Brazoria County. Staff is awaiting a list from Brazoria County specifying all the locations to be used as Voting Centers throughout the County on Election Day.

An election contract with Brazoria County for the May 5<sup>th</sup> General Election will be brought before Council for consideration within the next month.

**D. Consider a License Agreement with Clear Creek Independent School District for usage of Briscoe Park including the adjacent 42.2 acres of City owned property, for skills training, and authorize the City Manager to sign said agreement.**

Brian Jackson is a U.S. Army Captain and instructor of the Creekside Intermediate School Leadership Development Corps program. In November 2017, he requested use of Briscoe Park and adjacent property owned by the City of Alvin to host a bivouac (camp-out) for up to 30 students and chaperones March 11-13, 2018 (including overnights). During the bivouac, the students would be learning useful skills such as creating shelters (tents and improvised shelters), preparing food, conducting first aid, emergency signaling, land navigation and terrain association. Captain Jackson also stated he intends to partner with Alvin High School Junior ROTC.

Staff recommends approval of the License Agreement between the City of Alvin and Creekside Intermediate School Leadership Development Corps for usage of Briscoe Park to include adjacent City owned property of approximately 42.2 acres. Liability waivers will be signed, and students will be well chaperoned during the event.

**E. Consider a master preliminary plat of Southern Colony Section 4A, 4B, & 4C, being a subdivision of 90.989 acres of land situated in the William Hall League, abstract 31, Fort Bend County, Texas; being a partial replat of the T.W. & J.H.B. House subdivision, a subdivision recorded in volume 7, page 301, deed records of Fort Bend County, Texas; plat records of Fort Bend County, Texas.**

On December 21, 2017, the Engineering Department received the Master Preliminary Plat of Southern Colony Sections 4A, 4B, and 4C for review. This subdivision is in the City of Alvin's Extraterritorial Jurisdiction (ETJ) located along the east side of FM 521 and north of Juliff-Manvel Road. This Preliminary Plat consists of 381 lots, 26 reserves, and 11 blocks. This plat complies with all requirements of the Planned Unit Development Section of the City's Subdivision Ordinance.

The Southern Colony Subdivision currently consists of three previously platted sections.

The City Planning Commission unanimously approved the plat at their meeting on January 23, 2018. Staff recommends approval.

**F. Consider the purchase of a new ambulance, replacing Unit #755, out of the City's Vehicle Replacement Program, from Frazer, Ltd. through the Houston-Galveston Area Council Cooperative Purchasing Program, in an amount not to exceed \$157,276.32.**

In September of 2017, Ambulance Unit #754 (a 2010 Type 2 van) with 73,200 miles, suffered engine failure that would require an engine replacement for repair. This unit had been plagued with mechanical issues in recent years and was due to be replaced in FY19. Also in September, Ambulance Unit #755 (a 2011 Type 1 box) with 181,300 miles, suffered catastrophic engine failure. This unit was also due to be replaced in FY19. We are requesting replacement of one ambulance now because the unit is being replaced early and the available replacement funds are not adequate to replace both units. Unit #754 has \$59,250 available in the replacement fund and Unit #755 has \$105,000 available. Ambulance chassis are on an eight-year replacement schedule and the ambulance box is on a 16-year replacement schedule. Funding for the second ambulance will be discussed for the FY19 budget.

The City maintains a fleet of five ambulances, three that are staffed daily and two that act as reserve for special events or maintenance rotation. As a result of these vehicles being out of service, other vehicles are not rotated as often and

*limits our ability to up-staff for planned events or large incidents. Because of this immediate risk to public health and safety, if approved, the City will purchase the ambulance through the Houston-Galveston Area Council (H-GAC) Cooperative Purchasing Program in lieu of requests for bids to avoid further delays in the replacement process. The purchase of this ambulance will bring our fleet up to four units. Because our current three units are newer models (2015 & 2016) the requirement for maintenance rotation has been low, allowing us to delay the replacement of the fifth ambulance.*

Council member Starkey requested to remove item D - Consider a License Agreement with Clear Creek Independent School District for usage of Briscoe Park including the adjacent 42.2 acres of City owned property, for skills training, and authorize the City Manager to sign said agreement.

Council member Adame requested to remove item F- Consider the purchase of a new ambulance, replacing Unit #755, out of the City's Vehicle Replacement Program, from Frazer, Ltd. through the Houston-Galveston Area Council Cooperative Purchasing Program, in an amount not to exceed \$157,276.32.

Council member Arendell moved to approve the remaining items of the consent agenda. Seconded by Council member Thompson; motion carried on a vote of 5 Ayes.

#### **OTHER BUSINESS:**

Consider a license agreement with Clear Creek Independent School District for usage of Briscoe Park including the adjacent 42.2 acres of city owned property, for skills training, and authorize the City Manager to sign said agreement. *(Item D was removed from the consent agenda by Council member Starkey.)*

Council member Starkey asked for an explanation of the license agreement. The City Manager and Parks Director provided an explanation. Following discussion, Council member Starkey moved to approve an agreement with Clear Creek Independent School District for usage of Briscoe Park including the adjacent 42.2 acres of city owned property, for skills training, and authorize the City Manager to sign said agreement. Seconded by Council member Richards; motion carried on a vote of 5 Ayes.

Consider the purchase of a new ambulance, replacing Unit #755, out of the City's Vehicle Replacement Program, from Frazer, Ltd. through the Houston-Galveston Area Council Cooperative Purchasing Program, in an amount not to exceed \$157,276.32. *(Item F was removed from the consent agenda by Council member Adame.)*

Council member Adame inquired information on vehicle unit #755. Ron Schmitz, EMS Director/EMC provided information.

Following discussion, Council member Starkey moved to approve the purchase of a new ambulance, replacing Unit #755, out of the City's Vehicle Replacement Program, from Frazer, Ltd. through the Houston-Galveston Area Council Cooperative Purchasing Program, in an amount not to exceed \$157,276.32. Seconded by Council member Richards; motion carried on a vote of 5 Ayes.

Consider Resolution 18-R-04, authorizing a revised Developer Agreement with Don Barras Development, LLC toward the construction of the St. James Senior Residential Development.

*In June 2017, the City entered into an Agreement with Don Barras Development, LLC (the "Company"), 1300 Plantation, Alvin, Texas, for a senior residential development. Due to additional market analysis that will enhance the overall development, the Company is requesting an Amendment to the original Agreement. Meyers Research, a national market research and consulting firm specializing in the real estate industry, completed a regional analysis of senior facilities in the Primary Market Area (PMA) that is within a 10-mile radius of the site.*

*The Company still intends to construct a senior residential development and a commercial development (the "Improvements"), in the extra territorial jurisdiction (ETJ) of the City of Alvin and be annexed into the City of Alvin, located along the proposed FM 528 Extension between Business 35 and State Highway 6. The Company will now be adding an assisted living component to the site. The Company expects the senior residential development will provide twelve (12) buildings, housing 120 single-story units with parking, and will be age-restricted for one resident to be at least 55 years of age, and no residents shall be under 50 years of age.*

*The Company submitted a letter requesting annexation on May 17, 2017, the annexation to be acted upon by the City upon completion of the senior residential development. Based on the market report, the modifications to the Agreement are:*

- 1. Each independent living unit will now have 1.5 parking spaces per unit instead of the original 2 parking spaces per unit due to the addition of 30 detached garages/storage units (only for residents).*
- 2. 70 independent living units will be constructed in phase 1 and 50 additional independent living units will be constructed as part of phase 2 of the project.*
- 3. An assisted living component is now planned for the project in phase 3.*
- 4. There will be a new timetable included in the agreement to reflect current scheduling of the project. This will include closing on the land, start of construction, and phasing the project.*

Larry Buehler, Economic Development Director, presented this item before the Council. Mr. Don Barras provided an estimated timeline of the construction project.

Following discussion, Council member Arendell moved to approve Resolution 18-R-04, authorizing a revised developer agreement with Don Barras Development, LLC toward the construction of the St. James Senior Residential Development. Seconded by council member Starkey; motion carried on a vote of 5 Ayes.

### **REPORTS FROM CITY MANAGER**

Review preliminary list of items for next Council meeting.

Ms. Breland reviewed the preliminary list for the February 15, 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.

Mrs. Roberts reviewed items of community interest.

Council member Thompson wished the candidates luck on the upcoming special election to fill the At Large Position 2 vacancy.

Council member Arendell explained why the Council cannot respond to citizens under petitions and request.

Council member Adame announced the Alvin Education Foundation Turtle Race and Fun Run on Saturday, February 17, 2018.

Council member Starkey encouraged everyone to vote. He mentioned the kudos that was given to the Utility Department on Facebook for fixing a water break late at night.

### **EXECUTIVE SESSION**

City Council will meet in Executive Session pursuant to Texas Government Code 551.072 – deliberation regarding the purchase, exchange, lease or value of real property.

Mayor Horn adjourned the meeting into executive session at 7:49 p.m.

**RECONVENE TO OPEN SESSION**

Take action on Executive Session item if necessary.

Mayor Horn reconvened the meeting into open session at 8:22 p.m. No action was taken.

**ADJOURNMENT**

Mayor Horn adjourned the meeting at 8:22 p.m.

PASSED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

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

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