

**MINUTES**  
**CITY OF ALVIN, TEXAS**  
**216 W. SEALY STREET**  
**REGULAR CITY COUNCIL MEETING AND**  
**EXECUTIVE SESSION**  
**THURSDAY SEPTEMBER 6, 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 a Regular Session at 7:00 p.m. in the Council Chambers at City Hall, with the following members present: Mayor Paul A. Horn and Mayor Pro-Tem Keith Thompson; Council members: Gabe Adame, Adam Arendell, Joel Castro, Brad Richards and Glenn Starkey.

**Staff members present:** Junru Roland, City Manager; Suzanne Hanneman, City Attorney; Grace Cruzen, Deputy City Secretary; Larry Buehler, Economic Development Director; Michelle Segovia, City Engineer; Priya Bhakta, CVB Director; David Chanski, Management Assistant and Robert E. Lee, Police Chief.

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Larry Buehler gave the invocation.

Cody Reid of Troop 400 led the Pledge of Allegiance to the American Flag and the Pledge to the Texas Flag.

**PUBLIC COMMENT**

Fisher Reid of Troop 400, invited members of city council, staff and the public to to the 911 Ceremony on September 11<sup>th</sup> at National Oak Park at 7:00 p.m. The ceremony will consist of flag retirement and a tribute to the military and first responders.

Eugene Bauer addressed the council regarding a traffic stop.

**PRESENTATIONS**

Alvin Upfront Citizens Academy.

David Chanski, Management Assistant, gave a presentation on the Alvin Upfront Citizens Academy to begin on October 8, 2018.

**PUBLIC HEARING**

Public hearing to receive comment on the proposed tax rate of \$0.7880 per \$100 of valuation for the Fiscal Year 2018-2019 (2018 tax year).

Mayor Horn opened the public hearing at 7:07 p.m. There were no public comments. Mayor Horn closed the public hearing at 7:07 p.m.

Public hearing to receive comment regarding the 2018 Water and Wastewater Land Use Assumptions, Capital Improvement Plan, and Impact Fee Study Update.

Mayor Horn opened the public hearing at 7:07 p.m. There were no public comments. Mayor Horn closed the public hearing at 7:08 p.m.

Public hearing to receive comment on the discontinuance and voluntary annexation of the Walton Development, more formerly described as the Brazoria County Municipal Utility Districts (MUD) 48 and MUD 49.

Mayor Horn opened the public hearing at 7:08 p.m. Becky Collins with Walton Global Holdings, Ltd. spoke in favor of the discontinuance and voluntary annexation of the Walton Development, more

formerly described as the Brazoria County Municipal Utility Districts (MUD) 48 and MUD 49. Mayor Horn closed the public hearing at 7:09 p.m.

### CONSENT AGENDA

Consider approval of the August 9, 2018 City Council workshop minutes.

Consider approval of the August 16, 2018 City Council workshop minutes.

Consider approval of the August 16, 2018 City Council meeting minutes.

Consider a final plat of Hertenberger Homes (located along FM 1462 near Eunice Lane), being a subdivision of 3.2494 acres in the Francis Moore League Grant, A-100, also being a partial replat of lot 6 of the Masterson Subdivision recorded in volume 29, page 1, Plat Records of Brazoria County, Texas.

*On August 1, 2018, the Engineering Department received the final plat of Hertenberger Homes for review. The property is located on the corner of FM 1462 and Eunice Lane in the City of Alvin Extraterritorial Jurisdiction (ETJ) and is being platted for conveyance of lots 2 and 3. This plat complies with all requirements of the City's Subdivision Ordinance.*

*The City Planning Commission unanimously approved the plat at their meeting on August 21, 2018. Staff recommends approval.*

Consider a final plat of Southern Colony Section 4B (located along the east side of FM 521, north of Juliff-Manvel Road), being a subdivision of 28.305 acres of land situated in the William Hall League, Abstract 31, Fort Bend County, Texas, being a replat of lots 13, 18, and 19, T.W. & J.W.B. House Subdivision, a subdivision recorded in volume 7, page 301 Deed Records of Fort Bend County, Texas.

*On August 1, 2018, the Engineering Department received the final plat of Southern Colony Section 4B for review. This final plat consists of 118 lots, 11 reserves, and 6 blocks, and is located in the City of Alvin 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 Planning Commission unanimously approved the plat at their meeting on August 21, 2018. Staff recommends approval.*

Consider the extension of Agreement for Beautification Services with Keep Alvin Beautiful in the amount of \$3,000 for the remaining FY18, with a two-year renewal starting FY19 in the amount of \$3,000; and authorize the Mayor to sign, subject to legal review.

*Keep Alvin Beautiful ("KAB") is an organization of volunteers that work to improve the appearance of the City. They encourage the placement, planting, and/or preservation of trees, plants, flowers, shrubbery, etc. for the beautification of the City. KAB plans and coordinates the Citywide cleanup(s) with Waste Connections and the City. They display over 80 flags on the Depot grounds and across Gordon Street on ten (10) different occasions throughout the year. KAB also educates and encourages the community to reduce, reuse and recycle. KAB continues the Yard & Business of the Month awards program, where homes & businesses are recognized for their efforts in beautifying and caring for their properties. This program has helped raise awareness, that the aesthetics of individual properties play an important part to the quality of life within the community.*

*This Agreement shall commence on the effective date of the agreement through September 30, 2018. Thereafter, the terms of this agreement shall automatically renew on October 1, 2018 and October 1, 2019; and shall end on September 30, 2020.*

*Council approved the current KAB agreement on July 20, 2017. With the exception of an additional holiday to display the U.S. flags in the Depot area; and the effective and renewal dates of the contract, there are no changes to the terms of this Agreement.*

Consider Resolution 18-R-33, setting two (2) public hearings for October 4, 2018, and October 18, 2018 for the Strategic Partnership Agreements for the Walton Development, more formerly described as Brazoria County Municipal Utility Districts Number 48 and Number 49.

Walton Texas, LP, has proposed a new master planned development located on FM 1462 next to the current Savannah Plantation development. The majority of the approximate 817 acres is inside Municipal Utility Districts (MUDs) Number 48 and Number 49. On July 19, 2018, Walton Texas, LP, filed its Petition for Jurisdictional Annexation and Discontinuance. On August 2, 2018 City Council adopted Resolution 18-R-24 calling for two (2) public hearings on this discontinuance and voluntary annexation which will allow for the discontinuance of the MUDs from the boundaries of the City, while allowing the City to retain a five-foot strip around the discontinued property. These two MUDs will become extra territorial jurisdiction (ETJ) MUDs, allowing for faster development and a better method of financing and providing the needed infrastructure. The Strategic Partnership Agreements will spell out how fire, police, garbage collections, water, wastewater, and drainage will be provided. This Resolution sets the public hearings for the Strategic Partnership Agreements. 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 6 Ayes.

### **OTHER BUSINESS**

#### **Discuss the 2018 Water and Wastewater Land Use Assumptions, Capital Improvement Plan, and Impact Fee Study Update.**

*In accordance with Section 395 of the Texas Local Government Code, an update of the Land Use Assumptions and Capital Improvements Plan relating to Impact Fees was drafted, reviewed, and recommended to City Council by the Council-appointed Impact Fee Advisory Committee on May 15, 2018.*

*A public hearing will be held at this meeting so that the Council may receive input from the public regarding the 2018 Water and Wastewater Land Use Assumptions, Capital Improvements Plan, and Impact Fee Study Update.*

*Following the public hearing, Jimmy Thompson (JET Civil Consulting) and David Kasper (ARKK Engineers, LLC) will present an overview of the Water and Wastewater Impact Fee Study 2018 Update and answer any questions that members of City Council may have.*

*City Council will consider an ordinance to amend the Land Use Assumptions, the Capital Improvements Plan, and to modify the impact fee at the regular meeting of the City Council on October 4, 2018 at 7:00 p.m.*

Jimmy Thompson (JET Civil Consulting) and David Kasper (ARKK Engineers, LLC) presented an overview of the Water and Wastewater Impact Fee Study 2018 Update and addressed questions of the Council.

City Council will consider an ordinance to amend the Land Use Assumptions, the Capital Improvements Plan, and to modify the impact fee at the regular meeting of the City Council on October 4, 2018 at 7:00 p.m.

#### **Consider Resolution 18-R-31, authorizing the award of grant administration services to Grant Works, Inc. for the Texas Hazard Mitigation Assistance Project funded through the Texas Division of Emergency Management (TDEM) and/or Texas Water Development Board (TWDB), and authorize the City Manager to sign the Agreement, subject to legal review.**

*The Hazard Mitigation Grant Program (HMGP) provides federal funds after a major disaster declaration. HMGP is funded by the Federal Emergency Management Agency (FEMA) and administered by the State of Texas, Texas Division of Emergency Management (TDEM). This mitigation grant is designed to prevent or reduce future losses to lives and property through the identification and funding of mitigation measures and to minimize the costs of future disaster response and recovery.*

*A Request for Proposals (RFP) for Grant Administrative Services for disaster recovery grants was advertised on August 5, 2018 and August 12, 2018. The City received one proposal from GrantWorks, Inc. Since 2009, Grant Works, Inc. project managers, planners, and policy experts have developed and implemented more than \$530 million in Hazard Mitigation and Disaster Recovery housing and non-housing programs for more than 70 Texas local governments, including 22 counties. GrantWorks, Inc. has the resources and expertise to assist the City of Alvin in implementing projects in accordance with both state and federal requirements and the City's project schedule. Services include creating project applications that meet federal standards as well as the needs and wishes of the City.*

*Since TDEM has not established a firm deadline for the submission of HMGP applications, time may not permit the proposer to submit an application. However, it should be noted that no application fees will be charged and no payments will be due unless a grant application is submitted and a grant award made to the City. The fee structure includes all services described in the RFP.*

Council member Castro moved to approve Resolution 18-R-31, authorizing the award of grant administration services to Grant Works, Inc. for the Texas Hazard Mitigation Assistance Project funded through the Texas Division of Emergency Management (TDEM) and/or Texas Water Development Board (TWDB), and authorize the City Manager to sign the Agreement, subject to legal review. Seconded by Council member Starkey; motion carried on a vote of 6 Ayes.

Consider Resolution 18-R-32, authorizing Grant Works, Inc. to provide Community Development Block Grant (CDBG) application and project related administrative services for the Community Development Block Grant Disaster Recovery project, and authorize the City Manager to sign the Agreement, subject to legal review.

*Congress has appropriated funding for Community Development Block Grant (CDBG) Disaster Recovery grants, to assist states, counties, and cities to recover unmet needs for long-term recovery after a major disaster declaration. These grants are funded through the United States Department of Housing and Urban Development and are designed to provide assistance to start and/or continue the recovery process.*

*A Request for Proposals (RFP) for Grant Administrative Services for CDBG disaster recovery grants was advertised on August 5, 2018. The City received one proposal from GrantWorks, Inc. Since 2009, Grant Works', Inc. project managers, planners, and policy experts have developed and implemented more than \$530 million in Hazard Mitigation and Disaster Recovery housing and non-housing programs for more than 70 Texas local governments, including 22 counties. GrantWorks, Inc. has the resources and expertise to assist the City of Alvin in implementing projects in accordance with both state and federal requirements and the City's project schedule. Services include identifying and creating project applications that meet FEMA standards as well as the needs and wishes of the City, helping to generate and implement projects that meet General Land Office (GLO) and Housing and Urban Development (HUD) standards.*

*No application fees will be charged and no payments will be due unless a grant award is made to the City. The fee structure includes all services described in the RFP.*

Council member Thompson moved to approve Resolution 18-R-32, authorizing Grant Works, Inc. to provide Community Development Block Grant (CDBG) application and project related administrative services for the Community Development Block Grant Disaster Recovery project, and authorize the City Manager to sign the Agreement, subject to legal review. Seconded by Council member Castro; motion carried on a vote of 6 Ayes.

Consider recommendations from the Hotel Occupancy Tax Fund Committee for the FY19 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.*

*\$55,000 is allocated in the FY19 proposed budget for Major Annual Events in the Hotel Occupancy Tax Fund.*

*Staff received and presented five applications requesting funds from the Major Annual Events account, with requests totaling a \$68,000. The committee meeting was held on August 21, 2018. Committee Members reviewed each of the five-hotel occupancy tax funding applications requesting allocation of funds for FY19. The vote was as follows:*

Event	Amount Requested FY19	Amount Approved By Committee	Vote	Allocated Funds in FY18
Benezy Purple Monkey Fun Run	\$3,000	\$3,000	Unanimous	\$2,850
Music Festival & BBQ Cook-off	\$30,000	\$30,000	Unanimous	\$30,000
ACC Alvin Live Summer Concert Series	\$2,000	\$2,000	Unanimous	\$2,000
Alvin Museum Society	\$18,000	\$18,000	Unanimous	\$6,000
Annual Frontier Day	\$15,000	\$15,000	Unanimous	\$11,150
Total	\$68,000	<b>\$68, 000</b>	Unanimous	\$54,000

*\*In FY18 - \$2,000 was requested/given to the ACC Echocardiography Symposium.*

*Committee members present were: Mark Patterson, Ron Mercer, Jody Droege, Kirti Bhakta, Wendy Del Bello, Lenny Garcia, and Nina Froberg. Two members were absent: John Wennerstrom and Joy Kompanathottathil.*

*Upon approval by city 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.*

Wendy Del Bello, representative of the HOT Fund Committee presented the committee's proposal to fund all applications submitted for major annual events for a total of \$68,000 in HOT funds to be dispersed in FY19.

Discussion was had. Some members of City Council felt that the committee should have only approved funding up to the allotted budget for FY19 of \$55,000. It was mentioned during a HOT Fund Committee meeting that the City had a rather large surplus of HOT funds to be used. Discussion continued. The committee suggested cutting an equal percentage from each organization in an effort to stay within the allotted \$55,000. Discussion continued.

Council member Thompson moved to approve the amount of \$56,000 by reducing the Music Festival & BBQ Cook-off to \$18,000 for FY19. Seconded by Council member Richards motion carried on a vote of 3 Ayes, with Council member Arendell, Adame and Castro voting No, and Mayor Horn breaking the tie with an Aye vote.

<u>Event</u>	<u>Amount Requested FY19</u>	<u>Amount Approved By Committee</u>	<u>Council Approved</u>	<u>Allocated Funds in FY18</u>
Benezy Purple Monkey Fun Run	\$3,000	\$3,000	\$ 3,000	\$2,850
Music Festival & BBQ Cook-off	\$30,000	\$30,000	\$18,000	\$30,000
ACC Alvin Live Summer Concert Series	\$2,000	\$2,000	\$ 2,000	\$2,000
Alvin Museum Society	\$18,000	\$18,000	\$18,000	\$6,000
Annual Frontier Day	\$15,000	\$15,000	\$15,000	\$11,150
Total	\$68,000	\$68, 000	\$56,000	\$54,000

Discuss the Hotel Occupancy Tax (HOT) Fund Committee.

Mayor Horn explained that he placed this item on the agenda for discussion. He was concerned that this committee places people in a disadvantage, putting them at odds with each other. Following discussion, Councilmember Thompson moved to direct staff to provide Council a recommendation for better guidance for the HOT Fund Committee. Seconded by Councilmember Richards; motion carried on a vote of 4 Ayes and 2 No's by Council member Arendell and Adame.

### **REPORTS FROM CITY MANAGER**

Review preliminary list of items for next Council meeting.

Mr. Junru Roland reviewed the preliminary list for the September 20, 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. Cruzen reviewed items of community interest.

Council member Arendell announced that Alvin ISD will be providing community service throughout Alvin on September 8<sup>th</sup>; Jacob's Farm will be having its first annual festival on September 29<sup>th</sup> from 10 a.m. to 4:00 p.m. and Don's Fish Fry will be held on September 15<sup>th</sup> at Grace Episcopal Church.

Council member Castro expressed his appreciation to the city departments.

Council member Adame thanked Troop 400 for providing tonight's pledges. He also thanked the Impact Advisory Committee and HOT Fund Committee for their work.

Mayor Horn thanked the Impact Advisory Committee for their work.

### **EXECUTIVE SESSION**

Mayor Horn called for an executive session at 8:05 p.m. in accordance to the following:

Texas Government Code Section 551.074 – to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee

- City Manager employment contract.
- Update on the search for and appointment of the presiding Municipal Court Judge.

### **RECONVENE TO OPEN SESSION**

Mayor Horn reconvened the meeting into open session at 9:12 p.m.

Take action on Executive Session item if necessary.

City Manager employment contract.

No action taken.

Update on the search for and appointment of the presiding Municipal Court Judge

Council member Starkey moved to authorize staff to extend a conditional offer of employment for the Municipal Court Judge position and to negotiate the terms of an employment agreement. Seconded Council member Richards; motion carried on a vote of 6 Ayes.

### **ADJOURNMENT**

Mayor Horn adjourned the meeting at 9:14 p.m.

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

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

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