

**MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
CITY COUNCIL REGULAR MEETING
THURSDAY, AUGUST 3, 2023
7:00 PM**

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 PM in the Council Chambers at City Hall, with the following members present: Mayor Gabe Adame; Mayor Pro-Tem Chris Vaughn; Councilmembers: Martin Vela, Keko Moore, Glenn Starkey, Richard Garivey and Meagan DeKeyzer.

Staff members present: Junru Roland, City Manager; Suzanne Hanneman, City Attorney; Dixie Roberts, Assistant City Manager/City Secretary; Michael Higgins, Director of Administrative Services; Dan Kelinske, Parks and Recreation Director; Michelle Segovia, City Engineer; Brandon Moody, Director of Public Services and Robert E. Lee, Police Chief.

INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Adame gave the invocation. Council member DeKeyzer led the Pledge of Allegiance to the American Flag. Council member Garivey led the Pledge to the Texas Flag.

PUBLIC HEARING

Public Hearing on the proposed FY 2023-24 Annual Budget.

Mayor Adame opened the public hearing at 7:01 p.m. There were no comments made. Mayor Adame closed the public hearing at 7:02 p.m.

PRESENTATION

Presentation of Law Enforcement Command Officer Program (LECOP) Certification to Lieutenant Shawn Gilcrease - Texas Police Chief Association Training Coordinator Chief Mike Gentry (Retired).

Chief Lee introduced Mike Gentry, the Texas Police Chief Association Training Coordinator, who presented Lieutenant Gilcrease with the Certification of Law Enforcement Command Officer Program. Mayor Adame congratulated Lieutenant on behalf of City Council.

PUBLIC COMMENT

There were no comments from the public.

CONSENT AGENDA

Consider approval of the July 20, 2023 City Council Workshop minutes.

Consider approval of the July 20, 2023 City Council meeting minutes.

Council member Garivey moved to approve the consent agenda as presented. Seconded by Council member Starkey; motion carried with all members present voting Aye.

OTHER BUSINESS

Consider Resolution 23-R-24, establishing a Music Office under the Alvin Convention & Visitors Bureau (CVB), and the subsequent establishment of the Alvin Music Advisory Board under the direction of the Alvin CVB certifying the requirements needed for Alvin's designation as a Texas Music Friendly Community through the Texas Music Office operated out of the Office of the Texas Governor.

In 2016, the Texas Music Office (TMO) created the only Music Friendly Community Program in the US, now known as Music Friendly Texas. Since then, the TMO's Music Friendly Texas program has grown into a fully operational network of over 40 Certified Communities across the state.

The Alvin Convention & Visitor's Bureau (CVB) is working on becoming a Certified Music Friendly Community and one of the steps to becoming certified is to establish a Music Office Liaison within a division of our city government, along with the creation of a Music Advisory Board. A Music Friendly Community can offer various benefits for a city that wants to promote and support its music industry and cultural heritage. A thriving music

industry can boost the local economy by attracting visitors, hosting events, and creating employment opportunities for musicians, event organizers, sound engineers, and other professionals in the music sector. Music is also an essential aspect of culture and can contribute to the city's identity and sense of community. By supporting music, a city can enrich its cultural offerings and provide residents with new experiences. A vibrant music scene can draw in music enthusiasts and tourists around the state. Festivals, concerts, and music-related events can become key attractions that encourage tourism and boost local businesses. Becoming a Music Friendly Community allows Alvin to demonstrate its commitment to supporting the arts, a platform for sharing resources, and being part of a network of music-certified communities to further promote Alvin as a tourist destination.

Resolution 23-R-24 establishes the Alvin CVB as the governmental office responsible for the program and also creates the required advisory board. The board must include at least two (2) members with no more than seven (7) members in total, serving unexpired terms. The board is to be made up of community music industry stakeholders like owners or managers of music venues, and representatives of organizations involved in local music events.

The purpose of the board is to review and update the Alvin Music Directory database for the Texas Music Commission to use to promote the Texas Music Industry. The board will also collaborate with community partners on music-related programs or events from organizations that are considered non-profits. Participation in the TMO's Music Friendly Texas program provides Texas communities with a network for fostering music industry development. It sends a clear message to industry professionals that certified communities are serious about attracting and developing music industry growth. CVB staff has reached out to several individuals who meet the above criteria and are willing to serve on the Music Advisory Board. Staff has contacted the TMO and has tentatively set a date for the required TMO sponsored Music Friendly Texas virtual workshop for the community.

There is no cost associated with the program. For more details, please visit: <https://gov.texas.gov/music/page/music-friendly-communities>. The City of Alvin is currently designated as a Film-Friendly Texas Certified Community. Staff recommends approval of Resolution 23-R-24.

Athlyn Roberts, the Marketing and Tourism Officer, presented this item before City Council with explanation.

Council member Moore moved to approve Resolution 23-R-24 establishing a Music Office under the Alvin Convention & Visitors Bureau (CVB), and the subsequent establishment of the Alvin Music Advisory Board under the direction of the Alvin CVB certifying the requirements needed for Alvin's designation as a Texas Music Friendly Community through the Texas Music Office operated out of the Office of the Texas Governor. Seconded by Council member Garivey; motion carried with all members present voting Aye.

Consider a Memorandum of Understanding with the Texas Music Office within the Office of the Governor and the Alvin Convention Visitors Bureau for ongoing maintenance of the Alvin Music dataset within the Texas Music Industry Directory; and authorize the City Manager to sign upon legal review.

This Memorandum of Understanding (MOU) establishes an agreement between the Texas Music Office within the Office of the Governor (OOG) and the city of Alvin (City) for the ongoing maintenance of the Alvin dataset within the Texas Music Directory. The purpose of this agreement is to ensure that the information related to musicians, bands, venues, studios, and other music-related entities in the Alvin area is accurate and up-to-date. It serves as a framework for cooperation to support the promotion of the music industry within the state of Texas, specifically for the City of Alvin.

Athlyn Roberts, the Marketing and Tourism Officer, presented this item before City Council with explanation.

Council member Moore moved to approve a Memorandum of Understanding with the Texas Music Office within the Office of the Governor and the Alvin Convention Visitors Bureau for ongoing maintenance of the Alvin Music dataset within the Texas Music Industry Directory; and authorize the City Manager to sign upon legal review. Seconded by Council member Starkey; motion carried with all members present voting Aye.

Consider Ordinance 23-P, amending Chapter 21, Subdivisions and Property Development, of the Code of Ordinances of the City of Alvin, Texas, for the purpose of amending Article VII. Park Land Dedication and Development Fee; providing for penalties; providing for severability; and setting forth other provisions related thereto.

Originally approved in 2006, Section 21-130 Subdivisions and Property Development, Article VII Park Dedication and Development Fee, sets the Park Dedication and Development fee at \$300 per dwelling. At that time, it was not included in the Comprehensive Fee Ordinance, Chapter 28 of the Code of Ordinances of the City of Alvin, Texas.

At the May 2, 2023 regular Park Board meeting, the Board voted unanimously to recommend raising the fee from \$300 to \$700 per dwelling. The board felt \$700 was appropriate based on current land value per acre, and that the fee had not been adjusted since originally approved in 2006. Staff recommends removing the fee listed in Chapter 21 and adding it to the Chapter 28 Comprehensive Fee ordinance. This will be accomplished through Ordinance 23-P to be considered in the next agenda item.

Dan Kelinske, Director of Parks and Recreation, presented this item before City Council with explanation.

Council member Vela moved to approve Ordinance 23-P, amending Chapter 21, Subdivisions and Property Development, of the Code of Ordinances of the City of Alvin, Texas, for the purpose of amending Article VII. Park Land Dedication and Development Fee; providing for penalties; providing for severability; and setting forth other provisions related thereto. Seconded by Council member Vaughn; motion carried with all members present voting Aye.

Consider Ordinance No. 23-Q, amending Chapter 28 Comprehensive Fee Ordinance, of the Code of Ordinances of the City of Alvin, Texas, for the purpose of revising various fees including Park Land Dedication Fees; providing for an effective date; and setting forth other provisions related thereto.

Originally approved in 2006, Section 21-130 Subdivisions and Property Development Article VII Park Dedication and Development Fee, sets the Park Dedication and Development fee at \$300 per dwelling, and was not included in the Comprehensive Fee ordinance, Chapter 28 of the Code of Ordinances of the City of Alvin, Texas.

At the May 2, 2023 regular Park Board meeting, the Board voted unanimously to recommend raising the fee from \$300 to \$700 per dwelling. The board felt \$700 was appropriate based on current land value per acre and the fee had not been adjusted since originally approved in 2006. Staff recommends approval of Ordinance 23-Q, adding the cash payment in lieu of land dedication into Chapter 28.

Dan Kelinske, Director of Parks and Recreation, presented this item before City Council with explanation.

Council member Starkey moved to approve Ordinance No. 23-Q, amending Chapter 28 Comprehensive Fee Ordinance, of the Code of Ordinances of the City of Alvin, Texas, for the purpose of revising various fees including the Park Land Dedication Fees; providing for an effective date; and setting forth other provisions related thereto. Seconded by Council member Vela; motion carried with all members present voting Aye.

Consider an award of request for proposals (RFP 23-04) to Horticare Landscape Management for landscape maintenance services for flowerbeds of City-owned buildings, parks, and other City property and rights-of-way, in an amount not to exceed \$82,772.00; and authorize the City Manager to sign the agreement upon legal review.

At the March 7, 2023 budget workshop, City Council directed staff to focus on better servicing the exterior of city properties -- in particular landscaping. Thereafter, on March 16, 2023, City Council adopted Ordinance 23-E which expanded the use of funds received in the Tree Preservation Fund to be used for beautification activities in the form of landscaping, tree planting and the like and for the maintenance thereof, to improve public property.

As a result, staff is asking City Council's consideration to award a service contract from the results of a public request for pricing RFP 23-04 to Horticare Landscape Management, in an amount not to exceed \$82,772; to provide for landscape services of flowerbeds for the following locations: City Hall, Museum, Senior Center, Train Depot, Public Service Facility, Recreation Station, Police Department, Animal Adoption Center, National Oak Park, Ruben Adame Park, Newman Park, Lions Park, Sealy Park, Entry Sign (Hwy 6 from Manvel) Entry Sign (Gordon & Hwy 6), Depot Sign, Gordon Street Bridge, Downtown parking lot, property at W. Willis & N. Gordon. Landscape Maintenance Services RFP 23-04 was opened on July 12, 2023, and advertised on June 25, 2023 and July 2, 2023.

Other bidders included:

Chacon Landscaping	\$2,330.00
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*Chacon Landscaping bid was rejected as non-conforming to the scope of the requested services.

Staff recommends awarding a Landscape Maintenance Services agreement to Horticare Landscape Management. This agreement will be funded out of the Tree Preservation Fund.

Dan Kelinske, Director of Parks and Recreation, presented this item before City Council with explanation.

Council member DeKeyzer moved to approve an award of a Request for Proposal (RFP 23-04) to Horticare Landscape Management for landscape maintenance services for flowerbeds of City-owned buildings, parks, and other City property and rights-of-way in an amount not to exceed \$82,772.00; and authorize the City Manager to sign the agreement upon legal review. Seconded by Council member Starkey; motion carried with all members present voting Aye.

Discuss and take a record vote to propose an ad valorem tax rate of \$0.6650 per \$100 of assessed valuation for Tax Year 2023 (Fiscal Year October 1, 2023 - September 30, 2024), which exceeds the No New Revenue Rate, and is lower than the City's current ad valorem tax rate, to be considered for adoption at a future meeting.

The tax rate adoption process consists of the comparison of four (4) rates: the No New Revenue Rate, the Voter Approval Rate, the De Minimis Rate and the City's Proposed Tax Rate.

The No New Revenue Rate (\$0.541302 per \$100 of assessed valuation) is a hypothetical benchmark tax rate. It is used to calculate the total tax rate needed to raise the same amount of property tax revenue from the same properties on the tax roll in both the 2022 tax year (FY23) and the 2023 tax year (FY24).

The Voter Approval Rate (\$0.704404 per \$100 of assessed valuation) is the highest tax rate that the City may adopt without voter approval and requires an election (petition or mandatory) to go above the rate.

The De Minimis Rate (\$0.626621 per \$100 of assessed valuation) is a hypothetical benchmark tax rate that will generate \$500,000 more in property tax revenues on properties on the tax roll in 2022 tax year and 2023 tax year, as well as pay the annual principal and interest on bonds and other debt secured by property tax revenues.

The Proposed Tax Rate (\$0.6650 per \$100 of assessed valuation) is the rate proposed to generate property tax revenues to be used for the general maintenance and operational costs of providing City services and paying the annual principal and interest on bonds and other debt secured by property tax revenues.

According to the Local Government Code, when a city initially proposes a tax rate that exceeds the lower of the Voter Approval Rate or the No New Revenue Rate, the city council must vote to place a proposal to adopt the proposed rate on the agenda of a future meeting as an action item. If the motion passes, the governing body must schedule one public hearing on the City's proposed tax rate.

For FY24, staff is proposing to lower the City's current tax rate of \$.71000 to \$0.66500 per \$100 of taxable assessed valuation. Because the City's Proposed Tax Rate exceeds the lower of the No New Revenue Rate and is less than the Voter Approval Rate, one (1) public hearing is required to be held before adopting the proposed tax rate. This public hearing is scheduled for September 7, 2023, prior to the regular meeting at 7:00 p.m. The City Council will consider adopting the City's "final" tax rate at the regular meeting of the City Council on September 7, 2023, at 7:00 p.m.

Junru Roland, City Manager, presented this item before City Council with explanation. Discussion was had on amending the tax rate proposed by the City Manager. Council member Vela proposed a tax rate of 0.68500 instead of 0.66500 as proposed in the FY 24 Proposed Budget.

Council member Vela moved to propose an ad valorem tax rate of \$0.68500 per \$100 of assessed valuation for Tax Year 2023, to be considered for adoption at a future meeting. Seconded by Council member Vaughn; motion carried with all members present voting Aye.

Consider setting one (1) public hearing concerning the proposed tax rate for Thursday, September 7, 2023, at 7:00 p.m., in the City Council Chambers, City Hall, 216 West Sealy, Alvin, Texas.

The City's proposed tax rate exceeds the No New Revenue tax rate but is less than the Voter Approval Rate. As a result, the Local Government Code requires City Council to set (1) public hearing on the proposed tax rate. The City Council will consider adopting the final tax rate at the regular meeting of the City Council on September 7, 2023, at 7:00 p.m.

Council member Garivey moved to set a public hearing concerning the proposed tax rate for Thursday, September 7, 2023, at 7:00 p.m., in the City Council Chambers, City Hall, 216 West Sealy, Alvin, Texas. Seconded by Council member Moore; motion carried with all members present voting Aye.

Consider, if any, requests from individual council members for an item or items to be placed on the upcoming agenda for the next regularly scheduled meeting.

No items were requested by any Council members to be placed on the upcoming agenda.

REPORTS FROM THE CITY MANAGER

Items of Community Interest and review preliminary list of items for next Council meeting.

Mr. Junru Roland announced items of community interest.

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.

Council member Vaughn extended prayers to Council member Castro for his health.

Council member Vela thanked the Mayor, staff and the Parks and Recreation Department for a successful Townhall meeting. He also extended thanks to Alvin Fire Department Volunteers for responding to a fire on Gordon Street during record high temperatures. Council member Vela also wished Ms. Roland a very Happy Birthday.

Council member Garivey mentioned the upcoming HEB Kids Day, Saturday August 5. Alvin Fire and Police Departments will be there with activities for the kids.

ADJOURNMENT

Mayor Adame adjourned the meeting at 7:33 p.m.

PASSED and APPROVED the 17th of August, 2023.

ATTEST:

Gabe Adame, Mayor

Dixie Roberts, City Secretary