

**MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
REGULAR CITY COUNCIL MEETING AND
EXECUTIVE SESSION
THURSDAY NOVEMBER 7, 2019
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 Glenn Starkey; Councilmembers: Gabe Adame, Joel Castro, Brad Richards and Keith Thompson.

Staff members present: Junru Roland, City Manager; Suzanne Hanneman, City Attorney; Dixie Roberts, City Secretary; Michelle Segovia, City Engineer; Larry Buehler, Director of Economic Development; Dan Kelinske, Parks and Recreation Director; Rex Klesel, Fire Chief; Ron Schmitz, EMS Director/EM Coordinator and Todd Arendell, Police Captain.

INVOCATION AND PLEDGE OF ALLEGIANCE

Wayne Barber with Crossover to Christ Community Church gave the invocation.

Council member Joel Castro led the Pledge of Allegiance to the American Flag; and Council member Keith Thompson led the Pledge to the Texas Flag.

PRESENTATIONS

Municipal Court Week Proclamation.

Mayor Horn presented a proclamation to Judge Deanie King; Alternate Judge Mohamad Ghuneim and Court staff recognizing the week of November 4th as Municipal Court Week.

PUBLIC COMMENT

J. R. Tyson gave an update on state and local events that recently occurred. He reminded Council of the 2020 Census and to consider on how the census will be conducted. He also commented that the May 2020 local election is an important one.

John Burkey highlighted the upcoming Senior Citizen's Center events for the months of November and December.

CONSENT AGENDA: CONSIDERATION AND POSSIBLE ACTION

Consider approval of the October 17, 2019 City Council Regular meeting minutes.

Accept resignation from Planning Commission member Charles Buckelew.

Charles Buckelew submitted his resignation from the Planning Commission for his term ending on December 31, 2020 due to health issues. This agenda item is the formal acceptance of his resignation.

With the resignation of Mr. Buckelew, there are now eight (8) members on this commission. The Charter states that the commission is to be comprised of at least five (5) members, with no more than eleven (11) members. There is no need to fill this position at this time as it leaves no vacancy. All board and commission appointments will be considered at the December 7, 2019 City Council meeting.

Consider Ordinance 19-Z, annexing 3.97 acres of land, more or less, located along State Highway 35 and Moore Road, in Brazoria County, Texas; approving a service plan for the annexed area; making findings of fact; providing a severability clause; and providing an effective date.

On August 27, 2019, DGOGalvintx10252018, LLC., petitioned the City to annex approximately 3.97 acres for the purpose of constructing a Dollar General Store. Council authorized the commencement of annexation procedures on September 5, 2019, in Resolution 19-R-35. Public hearings were held on October 3, 2019 and October 17, 2019. This ordinance will finalize the annexation of approximately 3.97 acres of land of the Lenamon Grove Addition, located along State Highway 35 and Moore Road, in Brazoria County, Texas. The Ordinance includes the Municipal Service Plan.

Council member Adame moved to approve the consent agenda as presented. Seconded by Council member Thompson; motion to approve carried on a vote of 5 Ayes.

OTHER BUSINESS

Consider Ordinance 19-Y, amending Chapter 24-½, Manufactured Homes and Manufactured Home Parks, of the Code of Ordinances, City of Alvin, Texas for the purpose of amending Article V. Recreational Vehicle Parks and Resorts, by not allowing for the construction of new Recreational Vehicle Resorts; providing for a penalty; and setting forth other provisions related thereto.

On July 6, 2017 Council approved Ordinance 17-L which defined and allowed for the construction of Recreational Vehicle Resorts. Since Ordinance 17-L was approved there has been one RV Resort (along Nelson Road) approved and will start construction soon.

On July 30, 2019 a joint workshop was held with the City Council and the City Planning Commission, at this workshop the Recreational Vehicle Ordinance was discussed, and Council conveyed to the Planning Commission that they would consider proposed amendments to the ordinance.

On September 17, 2019, the Planning Commission discussed the Recreational Vehicle Ordinance and requested that Staff draft an amendment to the ordinance that would prevent the construction of new Recreational Vehicle Resorts. Staff drafted the amendment to the ordinance (Ord. 19-Y) and presented it to the Planning Commission on October 15, 2019 for their consideration. The Planning Commission voted 5 votes to 1 vote to approve Ordinance 19-Y. Commission Member Hartman voted against the ordinance, stating that he felt there needed to be requirements in the ordinance allowing for the construction of new RV Resorts. Staff recommended approval of Ordinance 19-Y.

(This item was considered as the fourth item on the agenda but is recorded here to maintain the integrity of the outline of the agenda.)

No action taken; Ordinance 19-Y was referred to Planning Commission.

Consider Resolution 19-R-40, accepting the petition for annexation of 5.058 acres, more or less, parcel of land located at 3513 County Road 161, in Brazoria County, Texas; setting an annexation schedule that includes public hearings on December 5, 2019 and December 19, 2019; providing for open meetings and other related matters.

Blake and Kelley Lacy are petitioning the City to annex approximately 5.058 acres of land, located at 3513 County Road 161, for the purpose of developing the tract by constructing a multi-phase business park. This Resolution will set two public hearings for December 5, 2019, and December 19, 2019. Staff recommended approval of Resolution 19-R-40.

Council member Castro moved to approve Resolution 19-R-40, accepting the petition for annexation of 5.058 acres, more or less, parcel of land located at 3513 County Road 161, in Brazoria County, Texas; setting an annexation schedule that includes public hearings on December 5, 2019 and December 19, 2019; providing for open meetings and other related matters. Seconded by Council member Adame; motion carried on a vote of 5 Ayes.

Consider a Memorandum of Understanding (MOU) between the City of Alvin and the Brazoria County Conservation and Reclamation District No. 3 (C&R#3) for the development of the new Fire/EMS building to be located at the northeast corner of South Street and Bellaire Boulevard, as it

relates to providing for adequate stormwater detention and floodplain fill mitigation storage for the site; and authorize the Mayor to sign.

This MOU allows for the City and C & R #3 to work in cooperation to provide the required stormwater detention and floodplain mitigation storage for the development of the combination Fire and EMS Station to be constructed on the 5.4 acres of City owned property located at the northeast corner of South Street and Bellaire Boulevard.

As stated in the MOU, the C & R #3 would provide up to 5 acre-feet of stormwater detention and floodplain fill mitigation storage for the site in one of their existing regional detention pond facilities at no charge to the City. An additional amount of floodplain fill mitigation storage, not to exceed ten (10) acre-feet, is available for the City to purchase from the district for \$15,000 per acre-foot (not to exceed \$150,000) which is \$5,000 less per acre-foot than the district currently charges. The Fire/EMS site, as currently designed, requires approximately 14 acre-feet of detention and floodplain fill mitigation storage. C&R #3 approved the MOU at their meeting on November 5, 2019. Funding would come from the 2019 Certificate of Obligations. Staff recommended approval of the MOU.

(This item was considered as the first item on the agenda but is recorded here to maintain the integrity of the outline of the agenda.)

Council member Castro moved to approve a Memorandum of Understanding (MOU) between the City of Alvin and the Brazoria County Conservation and Reclamation District No. 3 (C&R#3) for the development of the new Fire/EMS building to be located at the northeast corner of South Street and Bellaire Boulevard, as it relates to providing for adequate stormwater detention and floodplain fill mitigation storage for the site; and authorize the Mayor to sign. Seconded by Council member Richards; motion carried on a vote of 5 Ayes.

Consider a Chapter 380 Agreement with Cline Crossing Partners, Ltd. to permit the construction of certain improvements necessary for the operation of a Class “A” apartment development; and authorize the Mayor to sign said Agreement upon legal review.

On October 17, 2019, the Cline Crossing Partners, Ltd. (the Company) submitted a proposal to the City requesting certain administrative actions to permit the construction of certain improvements necessary for the operation of a Class “A” apartment development, which is defined as upscale, luxury apartments, enhanced greenspace/landscaping, enhanced swimming pool, and a clubhouse/common space/business center, etc., which will appreciate in value. These improvements will have an estimated value of \$12,500,000. The City will allow for up to 24 units per building, and all other portions of the City of Alvin Ordinances will be followed by the developer/owner. The agreement will be for three (3) years to ensure the improvements are completed and the new value is created. Staff recommends approval of this Agreement.

(This item was considered third on the agenda but is recorded here to maintain the integrity of the outline of the agenda.)

Council member Adame moved to approve a Chapter 380 Agreement with Cline Crossing Partners, Ltd. to permit the construction of certain improvements necessary for the operation of a Class “A” apartment development; and authorize the Mayor to sign said Agreement upon legal review. Seconded by Council member Castro; motion carried on a vote of 5 Ayes.

Consider an award of bid to DivisionOne Construction for the construction of the new Fire/EMS Station to be located at the northeast corner of South Street and Bellaire Boulevard in an amount not to exceed \$11,673,900; and authorize the City Manager to sign the contract upon legal review.

On September 17, 2019, sealed proposals were received and opened for the Fire and EMS Station #1 replacement project. Joiner Architects, the City’s consultant that designed the project, reviewed all nine (9) bids that were received and is recommending DivisionOne Construction for this project.

This project consists of building a 29,310 square foot facility to house the Fire and EMS administration and equipment – replacing a 50-year-old fire station and a 40-year-old EMS station. Funding for the construction of this project will come from the 2019 Certificates of Obligation Bonds. This project is scheduled to start November 2019, with move-in scheduled for November 2020.

Original Project Estimate \$14,131,290 (including contingency)

Contract Amount	\$11,118,000
Contingency (5%):	\$555,900
Total Amount	\$11,673,900

A representative from Joiner Architects will be in attendance at the council meeting to review the results of the proposals and answer any questions had.

(This item was considered second but is recorded here to maintain the integrity of the outline of the agenda.)

Council member Thompson moved to award of bid to DivisionOne Construction for the construction of the new Fire/EMS Station to be located at the northeast corner of South Street and Bellaire Boulevard in an amount not to exceed \$11,673,900; and authorize the City Manager to sign the contract upon legal review. Seconded by Council member Starkey; motion carried on a vote of 6 Ayes.

Discuss and consider an exemption from the EMS Utility Fee.

Staff was asked to place on the agenda for discussion and consideration the waiver of the EMS Utility Fee for Utility account holders who are 100% disabled veterans. Currently the City's Ordinance allows a waiver of the EMS Fee for the EMS and Fire Department staff and their families.

A discussion was had on considering an exemption from the EMS Utility Fee for veterans that are 100% disabled. Following discussion, Council directed staff to revise the ordinance to exempt from the EMS Utility Fee veterans that are 100% disabled and volunteers who are first responders.

Consider an Agreement with Kimley Horn for professional design services for the Hike and Bike Trail Phase III, in amount not to exceed \$85,300; and authorize the City Manager to sign said Agreement upon legal review.

In FY2019, City Council approved \$100,000 in the General Projects Fund for the design of Phase III of the Hike and Bike Trail. In October 2018, staff approved an agreement with Kimley-Horn at a cost of \$9,760.00 to perform a feasibility study which included a technical memorandum documenting conceptual engineering plan to establish alignments, schedule and an opinion of probable construction cost (OPCC).

Since the conclusion of the feasibility study, on August 15, 2019, Fairway Lakes property was sold to Benson Development for residential development, and the lake itself was conveyed to Conservation and Reclamation District #3. These entities, along with other developments in the immediate vicinity (Pulte Homes and Whitestone MGH Holding), have expressed interest in the final design of the Hike and Bike Trail, as they feel it is an important amenity for future homeowners of that area.

At this time, staff along with the Parks and Recreation Board, are recommending design of the trail from Nelson Road at Fairway Drive to Alvin Community College, leaving the crossing of the Bypass for a future "Phase IV". Staff recommended approval of a design agreement with Kimley-Horn which includes a Topographic Survey, Preliminary Design and Drainage Analysis in the amount of \$85,300.

Council member Castro moved to approve an agreement with Kimley-Horn to provide professional design services for the Hike and Bike Trail Phase III, in amount not to exceed \$85,300; and authorize the City Manager to sign said Agreement upon legal review. Seconded by Council member Thompson; motion carried on a vote of 5 Ayes.

REPORTS FROM CITY MANAGER

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

Mr. Junru Roland announced items of community interest; and he reviewed the preliminary list for the November 21st City Council meeting.

ITEMS OF COMMUNITY INTEREST

Mrs. Roberts reviewed items of community interest.

Council member Starkey reminded that Veteran's Day is approaching.

EXECUTIVE SESSION

Mayor Horn called for an executive session at 8:06 p.m. in accordance to the following:

Section 551.074 of the Local Government Code: Deliberation on the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

Municipal Court Judge

Associate Municipal Court Judge

RECONVENE TO OPEN SESSION

Mayor Horn reconvened the meeting into open session at 9:51 p.m.

Take action on Executive Session item(s) if necessary.

No action was taken.

ADJOURNMENT

Mayor Horn adjourned the meeting at 9:51 p.m.

PASSED and APPROVED the 21st day of November 2019.

Paul A. Horn, Mayor

ATTEST: _____
Dixie Roberts, City Secretary