

**MINUTES  
CITY OF ALVIN, TEXAS  
216 W. SEALY STREET  
REGULAR CITY COUNCIL MEETING AND  
EXECUTIVE SESSION  
THURSDAY NOVEMBER 21, 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, and City Councilmembers: Gabe Adame, Adam Arendell, Joel Castro, Keith Thompson and Martin Vela.

**Staff members present:** Junru Roland, City Manager; Suzanne Hanneman, City Attorney; Dixie Roberts, City Secretary; Michael Higgins, Chief Financial Officer; Dan Kelinske, Parks and Recreation Director; Larry Buehler, Economic Development Director; and Robert E. Lee, Police Chief.

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Matt Hogan with Heights Baptist Church gave the invocation.

Council member Thompson led the Pledge of Allegiance to the American Flag, and Council member Vela led the Pledge to the Texas Flag.

**PRESENTATIONS**

Alvin Animal Adoption Center Departmental Update.

Autumn miller, Shelter Manager, gave a departmental update on the Alvin Animal Adoption Center.

**PUBLIC COMMENT**

There were no petitions or request from the public.

**CONSENT AGENDA**

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

Consider approval of the November 7, 2019 City Council meeting minutes.

Acknowledge receipt of the Quarterly Investment Report ending September 30, 2019.

*In 2013, the City of Alvin adopted the Public Funds Investment Act pursuant to Chapter 2256 of the Texas Government Code. The Code contains certain requirements for investing public funds and how those funds are to be administered. These requirements include annual reviews of the policy, training, internal controls, prudence, ethics, and reporting.*

*The City's investment policy states that the investment officer shall generate quarterly (investment) reports to the City Manager, Mayor, and City council.*

*In summary, as of September 30, 2010, the City of Alvin's investment portfolio totaled **\$83.7 million**, which consists of \$62.2 million invested in the Local Government Investment Pools, \$750,000 in Certificates of Deposits, and \$20 million in the City's bank depository accounts (i.e. checking accounts). Interest earned during the quarter was \$398,375.*

Acknowledge receipt of the 2018 Tax Increment Reinvestment Zone Number Two Annual Report.

*The Kendall Lakes development has a Tax Increment Investment Zone (TIRZ) covering the entire development. A TIRZ is utilized by cities and developers as a way to fund infrastructure inside a development. A TIRZ issues bonds to cover the costs and is reimbursed by the ad valorem (property) taxes collected. Currently no bonds have been issued as the developer is covering infrastructure costs until sufficient development is on the ground to support bond financing. The TIRZ is governed by a board appointed by city council. The board engages a zone administrator to conduct and record all the business activity. The annual report shows the budget, revenues, expenditures, and development activity. The State of*

*Texas requires the city council to formally receive and acknowledge the report and then the zone administrator files all necessary documents with the State of Texas. Staff recommends approval.*

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

### **OTHER BUSINESS**

Accept the resignation of Municipal Court Judge Deanie King effective December 1, 2019.

*On November 11, 2019, Deanie King, the Presiding Municipal Court Judge, submitted her letter of resignation effective December 1, 2019.*

Council member Castro moved to accept the resignation from the Presiding Municipal Court Judge, Deanie King, effective December 1, 2019. Seconded by Council member Thompson; motion carried on a vote of 5 Ayes.

Consider the appointment of Mohamad Ghuneim as Interim Presiding Municipal Court Judge of the Alvin Municipal Court.

*The resignation of Deanie King as the Presiding Municipal Court Judge leaves the Court without a presiding judge. It is imperative that the Court has a presiding judge, who has the authority to approve and sign standing orders for the Court. Judge Ghuneim, who is currently an Associate Judge for Alvin, has agreed to assume the interim role until such time as Council appoints a Presiding Municipal Court Judge.*

Council member Arendell Move to appoint Mohamad Ghuneim as the Interim Presiding Municipal Court Judge of the Alvin Municipal Court, effective December 1, 2019, and shall continue until such time as Council appoints a Presiding Municipal Court Judge. Seconded by Council member Adame; motion carried on a vote of 5 Ayes.

Consider a Memorandum of Understanding between the City of Alvin and Mike Merkel for service as an Associate Municipal Court Judge of the Alvin Municipal Court; and authorize the Mayor to sign.

*Mike Merkel was appointed as an Associate Judge in 2013, and he continued to volunteer his time serving the City, handling the City's magistrations in the Alvin City Jail. Council accepted Merkel's resignation on September 17, 2019.*

*With the resignation of Judge Deanie King, Judge Merkel has agreed to continue serving the City of Alvin, handling the magistrations at the Alvin City Jail. Judge Merkel has agreed to continue in this capacity until such time as City Council appoints a new Presiding Municipal Court Judge, but in no event later than February 28, 2020, unless agreed to in writing by the parties.*

Council member Castro moved to approve a Memorandum of Understanding between the City of Alvin and Mike Merkel for service as an Associate Municipal Judge of the Alvin Municipal Court; compensating Judge Merkel \$450 a month; and authorize the Mayor to sign. Seconded by Council member Adame; motion carried on a vote of 5 Ayes.

Consider Ordinance 19-AA, amending Chapter 8 1/2, Emergency Medical Services of the Code of Ordinances, City of Alvin, Texas for the purpose of revising certain Emergency Medical Services fees; providing for certain exemptions to fees for Emergency Medical Services to be effective November 2019; and setting forth other provisions related thereto.

*In order to partially defray the costs incurred by the City in providing ambulance service, a user fee was set for any transport of a resident and nonresident of the city via the emergency medical service department ambulance system. Prior to October 1, 2019, the fee was voluntary. Effective October 1, 2019, the fee became required for every City resident transported by the City of Alvin emergency medical service department, with the exception of EMS employees and their immediate families, City fire department employees and their immediate families, and fire volunteers. The fee is \$6 per month for residents in residential houses and those living in apartments or mobile home parks serviced by a master meter, \$144 annually for nonresidents, and \$10 per month for commercial businesses.*

*Staff is recommending waivers of the fees for 100% Disabled Veterans and Volunteer Fire Fighters. The waiver for the EMS and Fire Department employees and their families are being recommended for removal.*

*The following items are recommended in the application process for the waiver of the fees for Disabled Veterans application:*

- 1) An application must be submitted by the account holder who is a 100% disabled veteran with a rating designated as such;*
- 2) A qualified account holder is entitled to the EMS fee waiver of one property the account holder applicant owns or resides at;*
- 3) The exemption will apply to all members who have verification that they reside at the address;*
- 4) The application is effective the day it is submitted and cannot be retroactively backdated;*
- 5) For mailed in, emailed, and faxed applications, the date sent or submitted shall be used as the application date. If that day is on a holiday, or a non-City business day, then the date used for the application will be the next business day;*
- 6) The application must be furnished with all information and documentation required so the City staff can determine whether the exemption requirements have been met. This information must be submitted with the application to the City of Alvin Utility Billing Department;*
- 7) Exemption forms that are incomplete must be resubmitted. Missing, incomplete or inaccurate forms will delay the processing and a new date will be used when all of the required documentation has been received;*
- 8) Once this exemption is allowed, an application does not have to be filed again unless the account holder changes or the qualifications for the exemption change;*
- 9) The City of Alvin may require a new application to be filed to confirm current eligibility;*
- 10) If eligibility ends or changes, the account holder must notify the City of Alvin in writing as soon as possible. The City may retroactively adjust the waiver in the event the account owner fails to notify the City and the change has occurred from more than 30 days.*

A discussion was had on Ordinance 19-AA. Council member Vela recommended that a follow-up application procedure be in place.

Council member Thompson moved to approve Ordinance 19-AA, amending Chapter 8 1/2, Emergency Medical Services of the Code of Ordinances, City of Alvin, Texas, for the purpose of revising certain Emergency Medical Services fees; providing for certain exemptions to fees for Emergency Medical Services to be effective November 2019; and setting forth other provisions related thereto. Seconded by Council member Adame; motion carried on a vote of 5 Ayes.

Consider Ordinance 19-BB, amending Chapter 28, Comprehensive Fee Ordinance of the Code of Ordinances of the City of Alvin, Texas for the purpose of setting a rental fee for the use of Audio Visual Equipment at the Alvin Senior; providing for publication; providing for an effective date; and setting forth other provisions related thereto.

*At the regular Senior Citizen Board meeting on May 13, 2019, the Board unanimously approved the purchase of an Optoma 1080p projector and automated projector mount, which retracts from the ceiling allowing use of the projector when needed and concealing it when not in use. Both items were purchased using funds from the Senior Center donation account and installed by Parks Department staff in the West Assembly Room of the Senior Citizen Center. A small sound bar was later installed and connected to the projector to allow for audio.*

*At the regular Senior Citizen Board meeting on November 11, 2019, the Board unanimously recommended adding a \$40 flat fee for the use of the audio / visual equipment provided by the City at the Senior Center as part of the Senior Citizen Center section of Chapter 28 Comprehensive Fee Ordinance.*

*Staff and the Senior Citizen Board recommend approval of the \$40 flat fee for usage of audio/visual equipment provided by the City at the Senior Citizen Center.*

Council member Castro moved to approve Ordinance 19-BB, amending Chapter 28, Comprehensive Fee Ordinance, of the Code of Ordinances, City of Alvin, Texas, for the purpose of setting a rental fee for the use of audio/visual equipment at the Alvin Senior Center; providing for an effective date; and setting forth other provisions related thereto. Seconded by Council member Adame; motion carried on a vote of 5 Ayes.

Consider Resolution 19-R-42, adopting the 2019 Alvin Senior Center rules and Regulations and setting forth other matters related thereto.

*The Alvin Senior Center Rules and Regulations is a document which identifies the mission, participant eligibility, management, reservations, and overall operational guidelines related to the Alvin Senior Center. Staff along with the Senior Citizen Board collectively reviewed and recommended revisions to the current Senior Center Rules and Regulations, which were originally adopted by Resolution 16-R-18 on October 20, 2016.*

*Changes include:*

- 1. **Code of Conduct** – added additional descriptions of behavior and clothing that would constitute a violation of the policy.*
- 2. **Senior Group Benefits**, Section 5-C – added language to include access to audio/visual equipment.*
- 3. **Rental of Audio / Visual Equipment** – listing \$40 fee per fee ordinance (fee waived for Senior Groups per Section 5-C of policy).*

Council member Arendell moved to approve Resolution 19-R-42, adopting the 2019 Alvin Senior Center Rules and Regulations; and setting forth other matters related thereto. Seconded by Council member Adame; motion carried on a vote of 5 Ayes.

Consider Resolution 19-R-41, casting votes for the Board of Directors of the Brazoria County Appraisal District.

*This resolution is to cast votes for candidates to serve on the Board of Directors of the Brazoria County Appraisal District. This board of directors is an authoritative body of individuals that govern our local appraisal district and serves as part of the local property tax system equation of checks and balances.*

*The directors have no authority to set values or appraisal methods. The chief appraiser is appointed by and serves at the pleasure of the appraisal district board of directors. It is the responsibility of the chief appraiser to carry out the appraisal district's legal duties, hire staff, administer the annual appraisal process, and operate the appraisal office.*

*Every other year each governing body within Brazoria County is allotted a certain number of votes to cast toward the nominated candidates on the ballot. The City of Alvin is allotted **66 votes**. City Council may cast all 66 votes for one candidate or distribute the votes among any number of the nominated candidates. Each governing body must vote by written resolution and submit to the Chief Appraiser before December 15, 2019.*

*Candidates: Tommy King (Alvin Representative), Ro'Vin Garrett, Timothy Hardesty, A J Jenkins, Gail Robinson, Glenn Salyer, George Sandars, Susan Spoor, and Angie Taylor.*

*In 2015 and 2017 City Council cast all the City's votes for Tommy King.*

Council member Castro moved to approve Resolution 19-R-41, casting 66 votes for Tommy King to serve on the Board of Directors of the Brazoria County Appraisal District Board. Seconded by Council member Adame; motion carried on a vote of 5 Ayes.

**Comments from Council**

Council member Vela wished all a Happy Thanksgiving.

Council member Arendell wished all a happy and safe Thanksgiving. He thanked the Animal Shelter staff for the departmental update presentation.

Council member Castro wished all a happy and safe Thanksgiving. He expressed his appreciation to the Senior Citizen's Center staff for hosting the Senior's Thanksgiving luncheon.

Council member Adame thanked the Senior staff for hosting the Thanksgiving Luncheon. He expressed concern about the oak tree not being lit and the condition of the train depot. He wished all a Happy Thanksgiving.

**Report from City Manager**

Mr. Roland reported on items of community interest; and reviewed the preliminary list for the December 5<sup>th</sup> council meeting.

**Report from Staff**

Dixie Roberts, City Secretary, announced the Home for the Holiday event on December 6<sup>th</sup> and 7<sup>th</sup>.

**EXECUTIVE SESSION**

Mayor Horn called for an executive session at 7:38 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.**

1. City Attorney Evaluation.

**RECONVENE TO OPEN SESSION**

Mayor Horn reconvened the meeting into open session at 8:14 p.m.

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

Council member Castro moved to approve Amendment 3 to the City Attorney's, Suzanne Hanneman, contract and authorize the Mayor to sign. Seconded by Council member Thompson; motion carried on a vote of 5 Ayes.

**ADJOURNMENT**

Mayor Horn adjourned the meeting at 8:15 p.m.

PASSED and APPROVED the 5th day of December 2019.



Paul A. Horn, Mayor

ATTEST:   
Dixie Roberts, City Secretary