MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
CITY COUNCIL
REGULAR MEETING
THURSDAY, APRIL 6, 2017
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 Gabe Adame; Council members: Adam Arendell, Brad Richards, Chris Sanger, Glenn Starkey, and Keith Thompson.

Staff members present: Sereniah Breland, City Manager; Junru Roland, Assistant City Manager/CFO; Dixie Roberts, City Clerk; Robert Lee, Police Chief, and Dan Kelinske, Parks & Recreation Director; Michelle Segovia, City Engineer; and Brian Smith, Public Services Director.

INVOCATION AND PLEDGE OF ALLEGIANCE

Mike Mayhugh, First United Methodist Church gave the invocation.

Council member Starkey led the Pledge of Allegiance to the American Flag.

Council member Thompson led the Pledge to the Texas Flag.

PUBLIC COMMENT

There were no public comments.

PRESENTATIONS

Life Saving Award; Javier Lopez and James Wallette.
Brian Smith presented lifesaving awards to Javier Lopez and James Wallette for rendering aid to city resident Michael Evans.

Police Department Promotions.
Police Chief Robert Lee announced the following promotions: Tim Hubbard promoted to Captain and pinned by Captain Arendell, and Jake Schauer promoted to Sergeant and pinned by his wife, Kelly Schauer.

Proclamation; Volunteer Appreciation.
Mayor Horn proclaimed the month of April as Volunteer Appreciation month.

Volunteer of the Year Recognition.
Council member Arendell and Mayor Horn presented Milton Morgan the Volunteer of the Year award for his service to the Parks and Recreation Department.

Proclamation; Public Safety Telecommunicators.
Mayor Horn presented a proclamation to Alvin Emergency Services Telecommunicators recognizing April 9-15, 2017 as Public Safety Telecommunicators Week.

Proclamation; Safe Digging Month.
Mayor Horn presented a proclamation to Brenda Keithley, Center Point Energy Area Manager, proclaiming the month of April as Safe Digging.

CONSENT AGENDA: CONSIDERATION AND POSSIBLE ACTION

A. Approve minutes of the March 9, 2017 City Council workshop meeting.

B. Approve minutes of the March 16, 2017 City Council regular meeting.

C. Consider authorizing the City Manager to send a letter to the Brazoria County Mosquito Control District for the continuation of aerial spraying services for the 2017 season.

This is an annual request for authorization from the Brazoria County Mosquito Control District for the continuance of aerial spraying over the City of Alvin. The spraying is performed during massive outbreaks of mosquitoes (typically in summer and fall months) by the contracted aerial sprayer. The County will put out notifications through their respective social media accounts and other means available. The flying schedule depends heavily upon the landing rate counts, weather and wind conditions. As a result of the variables listed, the County is unable to give notice of the specific flying time in advance. Aerial spraying has proven to be an effective measure for mosquito control in Brazoria County.

D. Consider Resolution 17-R-09; finding that CenterPoint Energy Resources d/b/a CenterPoint Energy Entex and CenterPoint Energy Texas Gas' ("CenterPoint" or "Company") Statement of Intent to Increase Rates filing within the City should be denied; finding that the City's reasonable rate case expenses shall be reimbursed by the Company; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and legal counsel.

The City, along with 32 other cities served by CenterPoint Energy Resources d/b/a CenterPoint Energy Entex and CenterPoint Energy Texas Gas ("CenterPoint" or "Company") is a member of the Gulf Coast Coalition of Cities ("GCCC"). The coalition has been in existence since the early 1990s. GCCC has been the primary public interest advocate before the Railroad Commission, the Courts, and the Legislature on gas utility regulation matters for nearly 30 years, and seeks to protect the interest of the City and CenterPoint customers residing in the City.

The City is a gas utility customer of CenterPoint and a regulatory authority with an interest in the rates and charges of CenterPoint. The City retains its rights as a city with original jurisdiction including the right to suspend a rate increase application filed by CenterPoint.

On November 16, 2016, CenterPoint Energy Resources d/b/a CenterPoint Energy Entex and CenterPoint Energy Texas Gas ("CenterPoint") filed a Statement of Intent seeking to increase natural gas rates to all customers residing in its Houston and Texas Coast Divisions. CenterPoint also proposed consolidating the Houston and Texas Coast Divisions into one Texas Gulf Division. In its filing, CenterPoint asserts that it is entitled to a $31 million increase in the Cities, or a 10.4% increase over current adjusted revenues, excluding gas costs.

Council previously passed Resolution 16-R-29 which suspended the December 21, 2016, effective date of CenterPoint's rate increase for the maximum period permitted by law, to allow the City to evaluate the filing, determine whether the filing complies with the law, and if lawful, to determine what further strategy to pursue, including settlement and ultimately to approve reasonable rates.

In November, the Gulf Coast Coalition of Cities (GCCC) engaged the services of two consultants, Ms. Connie Cannady and Mr. Karl Nalepa, to review the Company's filing. The consultants identified numerous unreasonable expenses and proposed significant reductions to the Company's request. Accordingly, GCCC's attorney recommends that all GCCC members adopt the Resolution denying the rate change. Once the Resolution is adopted, CenterPoint will have 30 days to appeal the decision to the Railroad Commission where the appeal will be consolidated with CenterPoint's filing for the environs and those cities that have relinquished their original jurisdiction (i.e. Gas Utility Docket No. 10567) currently pending at the Commission.

Under the law, cities with original jurisdiction over this matter have 125 days from the initial filing to take final action on the application. By the agreement of the parties, this deadline was suspended until April 7, 2017. As such, all cities with original jurisdiction will need to adopt the resolution no later than April 7, 2017.

E. Consider bid award for the replacement of two (2) 14-yard dump trucks to Houston Freightliner Inc., in an amount not to exceed $192,838.

On February 13, 2017, the City advertised a notice to bidders for the purchase of two 14-yard dump trucks. Those bids were publicly opened on February 28, 2017. All of the bids received met the requirements set forth in the City's invitation to bid for the dump trucks. Houston Freightliner Inc. was the lowest bidder and showed a savings of $1,000 vs a HGAC contract. The results of the bids received are as follows:

Bidder	*Bid Proposal*
Houston Freightliner Inc.	*$192,838*
Vanguard Truck Center of Houston	*$218,546*
Southwest International Trucks	*$218,800*
Southwest International Trucks	*$225,920*

The acquisition of two new dump trucks was approved and adopted by city council in the FY17 budget. The two new Freightliner dump trucks will replace two International dump trucks (1999 and 2000 models) with comparable features, that have exceeded the 15-year replacement cycle. The current dump trucks will be auctioned in a public sale, once the new trucks arrive.

Dump trucks are used in the daily operations of Streets and Drainage to haul spoil to and from various projects.

Council member Sanger asked to remove Item E - *Consider bid award for the replacement of two (2) 14-yard dump trucks to Houston Freightliner Inc., in an amount not to exceed $192,838* from the consent agenda.

Council member Adame moved to approve the consent agenda excluding Item E as presented. Seconded by Council member Arendell; motion carried on a vote of 7 Ayes.

OTHER BUSINESS:

Consider bid award for the replacement of two (2) 14-yard dump trucks to Houston Freightliner Inc., in an amount not to exceed $192,838.

This item was removed from the consent agenda by Council member Sanger for discussion. Discussion had.

Council member Adame moved to award bid for the replacement of two (2) 14-yard dump trucks to Houston Freightliner Inc., in an amount not to exceed $192,838. Seconded by Council member Starkey; motion carried on a vote of 7 Ayes.

Consider a Final Plat of Briscoe Building Complex (1410 S. Gordon St.), being a subdivision of 2.785 acres of land, situated in block "E" of the subdivision of the H.T. & B.R.R. Company Survey, Section 14, Abstract 449, Brazoria County, Texas, and being out of that certain tract described in a deed to Briscoe Building Corporation recorded in volume 631, page 538, deed records of Brazoria County, Texas.

On March 1, 2017, the Engineering Department received the final plat of the Briscoe Building Complex for review. The property is located at 1410 S. Gordon St. and is being subdivided to sell vacant lots 2 and 3 for possible future development. This plat complies with all requirements of the City's Subdivision Ordinance. The Subdivision Ordinance requires that the plat comply with the adopted Thoroughfare Plan which is the reason for the right-of-way dedication across vacant Lot 2. Acquiring right-of-way via donation during the platting and development process saves the City money in the future when roadways are widened and require additional right-of-way. A prime example of acquiring right-of-way during the platting process would be the 120' wide right-of-way that was donated when the Midtown Park Subdivision was platted, in preparation for the FM 528 extension.

The City Planning Commission did not send a recommendation forward regarding this plat since two separate motions that were made, at the meeting on March 21, 2017, ended in a tie (three (3) commission members were absent) and therefore failed. The first motion, made by Commission Member Reed, was to approve the plat without the required right-of-way dedication across Lot 2. The second motion, made by Commission Member Starkey, was to approve the plat as presented. Staff recommends approval.

Council member moved to approve a Final Plat of Briscoe Building Complex (1410 S. Gordon St.), being a subdivision of 2.785 acres of land, situated in block "E" of the subdivision of the H.T. & B.R.R. Company Survey, Section 14, Abstract 449, Brazoria County, Texas, and being out of that certain tract described in a deed to Briscoe Building Corporation recorded in volume 631, page 538,

deed records of Brazoria County, Texas. Seconded by Council member Richards; motion carried on a vote of 4 Ayes with Council member's Sanger and Arendell voting No.

Consider a Master Preliminary Plat of Huntington Place (located in the City of Alvin's ETJ at the northeast corner of FM 521 and Juliff Manvel Road), being a subdivision of 231.520 acres of land situated in the William Pettus League Survey, Abstract 68, Fort Bend County, Texas, being out of and part of lots 1-9, 39, 40 and 41, Emigration Land Company, a subdivision recorded in volume 618, page 725, deed records of Fort Bend County, Texas and with consideration of a variance to the City's Code of Ordinances Section 21-110 (b)(4) regarding lot size and Section 21-110 (b)(5) regarding lot width.

On March 1, 2017, the Engineering Department received the Master Preliminary Plat of Huntington Place for review. This subdivision is in the City of Alvin's ETJ at the northeast corner of FM 521 and Juliff-Manvel Road. This Preliminary Plat consists of 940 lots, 31 reserves and 21 blocks.

Master Preliminary Plats of Huntington Place were originally approved by the City in 2007 and 2010 but have since expired since they are only valid for a period of five years. Both plats had lots that were a minimum of 50 feet wide and 5,500 square feet in area, meeting the current ordinance.

LJA Engineering, Inc., on behalf of the Developer, Woodmere Development Co. has requested two variances to the City Code of Ordinances. The variances being requested are as follows:

1. *A variance to Section 21-110(b)(5) which states that all lots within planned unit development subdivisions are required to have a minimum front lot width of fifty (50) feet. Woodmere Development Co. has requested to be permitted to construct lots with a minimum width of forty-five (45) feet for reasons outlined in the attached letter.*
2. *A variance to Section 21-110(b)(4) which states that all lots within planned unit development subdivisions are required to have lots with a minimum area of five thousand five hundred (5,500) square feet. Woodmere Development Co. has requested to be permitted to construct lots with a minimum area of five thousand four hundred (5,400) square feet for reasons outlined in the attached letter.*

The City Planning Commission voted by a margin of five (5) votes to three (3) votes (three (3) commission members were absent) to deny approval of the plat and the two (2) variance requests, at their meeting on March 21, 2017. The five commission members that voted to deny the plat did not give a reason for their no votes, however from the discussion it was apparent that they were not in favor of the reduced lot sizes and that little attempt was made on the Developer's part to try and meet the required lot size. Staff recommends denial.

This item was removed from consideration by the requestor. No action was taken.

REPORTS FROM CITY MANAGER

Review preliminary list of items for next Council meeting.

Ms. Breland reviewed the preliminary list of items for the next Council meeting.

Items of Community Interest.

Mrs. Roberts reviewed items of community interest.

REPORTS FROM COUNCIL MEMBERS

Announcements and Items of Community Interest.

Council member Thompson thanked the City's volunteers and congratulated police staff on their promotions.

Council member Arendell thanked all the City's volunteers and congratulated Milton Morgan on receiving the Volunteer of the Year award.

Council member Richards thanked all the volunteers, city staff and department heads for the work they do.

Council member Sanger thanked all the City's volunteers and encouraged others to get involved.

Council member Adame thanked the city employees for coming to the aid of the Evan's family and thanked all City volunteers. He also encouraged everyone to attend the Lion's Club casino night fundraiser on May 5th.

Council member Starkey congratulated the police staff on their promotions and thanked all City volunteers.

EXECUTIVE SESSION

Mayor Horn called for an executive session at 7:41 p.m. in accordance with the following:

SECTION 551.071 - of the Government Code: Consultation between governmental body and its attorney to seek advice of attorney about pending or contemplated litigation or a settlement offer or a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act.

RECONVENE TO OPEN SESSION

Mayor Horn reconvened the meeting into open session at 8:46 p.m.

ADJOURNMENT

Mayor Horn adjourned the meeting at 8:46 p.m.

PASSED and APPROVED this _____ day of _____, 2017.

_____
Paul A. Horn, Mayor

ATTEST: _____
Dixie Roberts, City Clerk