

**MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
CITY COUNCIL
REGULAR MEETING
THURSDAY, AUGUST 17, 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 Brad Richards; Council members: Gabe Adame, Adam Arendell, Chris Sanger, Scott Reed, Glenn Starkey, and Keith Thompson.

Staff members present: Sereniah Breland, City Manager; Suzanne Hanneman, Interim City Attorney; Dixie Roberts, City Secretary; Michelle Segovia, City Engineer; Robert E. Lee, Chief of Police; and Ron Schmitz, EMS Director/Emergency Management Coordinator.

INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Horn gave the invocation.

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

Council member Reed led the Pledge to the Texas Flag.

PRESENTATIONS

EMS/Emergency Management Departmental Update.

Ron Schmitz, EMS Director and Emergency Management Coordinator presented the departmental update for EMS and Emergency Management.

PUBLIC COMMENT

Mr. Challette spoke before Council regarding his displeasure with the deep drainage ditches being installed in his neighborhood.

PUBLIC HEARING

Public hearing to receive comment on the proposed Fiscal Year 17-18 Annual Budget. This proposed budget is estimated to raise more total property taxes than last year's budget by \$396,497 which is a 4.07% increase from last year's budget. The estimated property tax revenue to be raised from new property added to the tax roll this year is \$238,325.

Mayor Horn opened the public hearing at 7:26 p.m. There were no public comments. Mayor Horn closed the public hearing at 7:27 p.m.

Public hearing to receive comment on the proposed tax rate of \$0.7880 per \$100 of valuation for the Fiscal Year 2017-2018 (2017 tax year).

Mayor Horn opened the public hearing at 7:27 p.m.

Michael Presson inquired into whether a study has been done on how the tax increase will affect the citizens. The Mayor and Council addressed his concerns.

Ashely Davis requested clarity on the proposed tax rate and budget. Council addressed her inquiry.

David Brower commented lowering taxes where there is a savings. He also mentioned that money should be spent on projects that need fixing.

Richard Chaphousen inquired on when the budget is set. No response was provided.

Mayor Horn stated that this public hearing was for the public have a chance to offer their thoughts on the proposed tax rate. A full discussion of this item was prohibited per the Texas Open Meetings law.

Mayor Horn closed the public hearing at 7:48 p.m.

CONSENT AGENDA

A. Approve minutes of the August 3, 2017 City Council regular meeting.

B. Accept the resignation of Alvin Public Library Board member Nancy Hartney.

Nancy Hartney has submitted her resignation from the Alvin Public Library Board due to her work schedule (resignation letter attached). Her position runs through December, 2017.

Chapter 2 of the Administrative Code states that this board must have at least seven (7) members. At this time, the City Secretary's Office has no other applicants on file who would like to serve on this board. Advertisements will begin in an effort to recruit a replacement member. City Council will consider an appointment to fill this position at a later date. The board meets quarterly; their next meeting is in November. If an applicant doesn't apply between now and November, City Council has the option to wait and consider this appointment in December, when annual board and commission appointments are made.

Current members of the Alvin Public Library Board: Becky Clapsaddle, Sandra Curtner, Shandar Hobbs, Pam Lewis, Debra McDonald and Carrie Parker.

C. Consider the resale of trust property located at 1312 W. Lobitt, Easton Blk 77 Lot 3, .4500 acres, Account #3690-0431-120, Tax Suit #42071 for the sum of \$2,500.

This property is held in trust by the City of Alvin originating in 1992 when the City was the Collector for the Alvin Consolidated Tax Office. The Consolidated Tax Office collected taxes for the City, Alvin ISD, Alvin Community College, and Oak Manor Municipal Utility District (MUD).

If this offer is approved, the City will receive 26.29% of the offer amount of \$2,500 which after the costs are subtracted (\$1914.70) is \$585.30. This offer requires the approval of the City's governing body, because the City is the trust holder. All the other taxing entities listed must also approve this offer in order for the sale to move forward.

Land Value: \$ 29,160

Total Taxes due (from all entities): \$21,314

City of Alvin Taxes due: \$5,604

Offer: \$2,500

This property went out for public resale through Brazoria County in 2014 with a minimum bid of \$7,882, an offer was not received. In 2016 the property went out again for public resale with a minimum bid of \$5,000, an offer was not received. In July 2017, an offer was received for half of the offer amount requested in 2016 which is \$2,500, which is up for Council consideration at this time.

Net to Distribute to Taxing Entities		
Brazoria County	13.09%	\$76.62
Alvin ISD	49.11%	\$287.46
ACC	7.45%	\$43.59
BC C&R#3	4.06%	\$23.74
City of Alvin	26.29%	\$153.89

D. Consider an Interlocal Agreement with the Gulf Coast Regional 9-1-1 Emergency Communications District; and authorize the City Manager to sign.

In order for the City of Alvin (Alvin Police Department) to maintain and operate a Public Safety Answering Point (PSAP) in the Gulf Coast Regional 9-1-1 Emergency Communication District program region, an interlocal agreement must be in place. The scope of the interlocal, in brief, is that the 9-1-1 system (equipment/software) will be provided by the Gulf Coast Regional 9-1-1 Emergency Communication District and in return the Police Department will staff the PSAP 24 hours a day 7 days a week, routinely test the equipment to insure readiness and operability, train PSAP answer point staff adequately for the task and to keep Gulf Coast Regional 9-1-1 apprised of equipment status and operability, etc. The interlocal agreement will need to be renewed every two years.

This interlocal was previously named "Interlocal Agreement for E9-1-1 Public Safety Answering Point Services" and was made with the Houston-Galveston Area Council (H-GAC). This current agreement is still with H-GAC just under the new title of the Gulf Coast Regional 9-1-1 Emergency Communication District. Previous agreements were signed in 2013 and 2015.

Staff recommends approval.

Council Member Sanger asked that Item D be removed from the Consent Agenda: Consider an Interlocal Agreement with the Gulf Coast Regional 9-1-1 Emergency Communications District; and authorize the City Manager to sign

Council member Adame moved to approve the consent agenda as presented excluding item D. Seconded by Council member Thompson; motion carried with a vote of 7 Ayes.

OTHER BUSINESS

Consider an Interlocal Agreement with the Gulf Coast Regional 9-1-1 Emergency Communications District; and authorize the City Manager to sign. *This item was removed from the consent agenda by Council member Sanger.*

Council member Sanger asked a few questions regarding the purpose of this agreement. Ms. Breland, City Manager stated that this agreement is needed in order to keep the 9-1-1 call center operational.

Council member Sanger moved to approve an Interlocal Agreement with the Gulf Coast Regional 9-1-1 Emergency Communications District; and authorize the City Manager to sign. Seconded by Council member Richards; motion carried with a vote of 7 Ayes.

Consider Ordinance 17-P, amending Chapter 20, Streets and Sidewalks, of the Code of Ordinances by adding a new Article V. "Network Nodes" for the purpose of updating the city's Right-of-Way Management Ordinance and adopting a design manual to comply with Chapter 284 of the Texas Local Government Code; providing a severability clause; providing a savings clause; providing an effective date; and setting forth other provisions related thereto.

The City of Alvin is responsible to maintain and operate the roadways and provide access to the right of way on behalf of the citizens of Alvin. The ROW ordinance established the authority of the city to regulate the ROW, provides a framework for a right of way permitting process and establishes the authority of the city to regulate the ROW. Without this regulation, the placement of facilities within the ROW would conflict with the primary uses of the ROW and would reduce the efficient use of limited space for facilities.

This new article will address the recent changes to the legislative landscape which inhibits cities from regulating small cell towers in the public right of way. These "micro" facilities are more numerous and targeted than traditional cell towers. The expansion of small cell networks is expected to continue to increase. The recently passed Chapter 284 of the Local Government Code is onerous to cities since it:

- *Preempts local authority to regulate the ROW;*
- *Allows easy deployment from cell phone providers;*

- Limits fees cities can collect;
- Allows attachments on any type of pole;
- Allows attachments on existing poles; and allows adding new poles to attach network nodes.

The legislation does allow cities to adopt a design manual that includes additional installation and construction details. Staff has prepared a Wireless Services Design Manual that includes guidelines to assist wireless service providers with their design of facilities in Alvin public right of way. The manual provides additional guidance for providers and will supplement the ordinance.

Ms. Hanneman, City Attorney gave a brief overview of this ordinance.

Council member Arendell moved to Ordinance 17-P, amending Chapter 20, Streets and Sidewalks, of the Code of Ordinances by adding a new Article V. "Network Nodes" for the purpose of updating the city's Right-of-Way Management Ordinance and adopting a design manual to comply with Chapter 284 of the Texas Local Government Code; providing a severability clause; providing a savings clause; providing an effective date; and setting forth other provisions related thereto. Seconded by Council member Sanger; motion carried with a vote of 7 Ayes.

Consider an appointment to fill the unexpired term of Nancy Hartney on the Alvin Public Library Board.

Article IV of the Charter states that the Alvin Public Library Board shall have at least seven (7) members. Five (5) members shall reside within the corporate limits of the City, and two (2) members may reside within Brazoria County.

With Ms. Hartney's recent resignation, the board now has six (6) members: Becky Clapsaddle, Sandra Curtner, Shandar Hobbs, Pam Lewis, Debra McDonald and Carrie Parker. City Council must fill one vacant position on this board.

One (1) application is on file with interest in serving on the Public Library Board. Applicant information is listed in the spreadsheet attached.

Council member Sanger filed a Conflict of Interest form with the City Secretary and recused himself for this item.

Council member Thompson moved to appoint Liz Sanger to fill the unexpired term of Nancy Hartney on the Alvin Public Library Board. Seconded by Council member Richards; motion carried with a vote of 6 Ayes.

REPORTS FROM CITY MANAGER

Review preliminary list of items for next Council meeting.

Ms. Breland reviewed the preliminary list for the next 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. Roberts reviewed items of community interest.

Council member Thompson thanked Ron Schmitz, EMS Director and Emergency Management Coordinator, for the presentation for the presentation on his departmental update. He welcomed back Police Chief Lee.

Council member Reed thanked Ron Schmitz, EMS Director and Emergency Management Coordinator, for the presentation on his departmental update. He expressed sympathy to the citizens that incurred a tax increase.

Council member Arendell thanked Ron Schmitz on his departmental presentation. He also congratulated Grace Cruzen, Deputy City Secretary, for passing the final test of the Texas Municipal Clerk's certification program.

Council member Richards thanked the department heads for the work they do.

Council member Adame thanked Ron Schmitz on his departmental presentation and expressed thanked the citizen who spoke at the public hearing and assured them that their concerns are being heard.

Council member Starkey expressed his appreciation to first responders. He announced that the Coffee with Cops had a good turn out and he encouraged citizens to attend. He congratulated the Alvin Museum Society for its presentation of the Riders of the Orphan Train; he cautioned everyone that school was back in session and to watch out for the children walking. Council member Starkey gave a commendation to the Parks Department for maintaining the city grounds as well as the city employees working outside.

Mayor Horn announced that he attended the Senior Citizen Center's open house.

EXECUTIVE SESSION

Mayor Horn called for an executive session at 7:55 p.m. in accordance to the following:

SECTION 551.072 of the Government Code: Deliberation regarding the purchase, exchange, lease or value of real property.

RECONVENE TO OPEN SESSION

Mayor Horn reconvened the meeting into open session at 8:42 p.m.

Consider action, if any, on item regarding the purchase, exchange, lease or value or real property discussed in Executive Session.

No action.

ADJOURNMENT

Mayor Horn adjourned the meeting at 8:42 p.m.

PASSED and APPROVED this _____ day of _____, 2017.

Paul A. Horn, Mayor

ATTEST: _____
Dixie Roberts, City Secretary