

**MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
CITY COUNCIL REGULAR MEETING
THURSDAY, AUGUST 15, 2024
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 Keko Moore; Council members: Martin Vela, Joel Castro, 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; Chris Thomas, Administrative Services Director; Dan Kelinske, Parks and Recreation Director; Paul Chavez, Economic Development Director and Robert E. Lee, Police Chief.

INVOCATION AND PLEDGE OF ALLEGIANCE

Junru Roland, City Manager, gave the invocation. Council member Moore led the Pledge of Allegiance to the American Flag. Council member Garivey led the Pledge to the Texas Flag.

PRESENTATION

Humane - Annual Departmental Presentation.

Autumn Miller, Alvin Animal Adoption Center Manager, gave the annual departmental update before City Council.

PUBLIC COMMENT

John Burkey presented comments regarding upcoming Senior Citizen Center activities, including the "Seniors Got Talent" event scheduled for August 22, 2024, starting at 10:00 a.m. and the Hispanic Heritage Month Exhibit on September 7th at 10:00 a.m.

PUBLIC HEARING

Public hearing to receive comment on the proposed annexation of approximately 107.1041 acres, located near the intersection of County Road 149 and County Road 529, in Brazoria County, Texas.

Mayor Adame opened the public hearing at 7:16 p.m. There were no comments made. Mayor Adame closed the public hearing at 7:17 p.m.

Public hearing to receive comment on the proposed Fiscal Year 2024-25 Annual Budget.

Mayor Adame opened the public hearing at 7:17 p.m. There were no comments made. Mayor Adame closed the public hearing at 7:18 p.m.

CONSENT AGENDA

Consider approval of the August 1, 2024, Budget Workshop meeting minutes.

Consider approval of the August 1, 2024, City Council meeting minutes.

Consider approval of the August 6, 2024, Budget Workshop meeting minutes.

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

OTHER BUSINESS

Discuss and take a record vote to propose an ad valorem tax rate of \$0.68500 per \$100 of assessed valuation for Tax Year 2024 (Fiscal Year October 1, 2024 - September 30, 2025), which exceeds the No New Revenue Rate, and is the same as 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 (\$0.641839 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 2023 tax year (FY24) and the 2024 tax year (FY25). The Voter Approval Rate (\$0.699794 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 (\$0.678381 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 2023 tax year and 2024 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 (\$0.68500 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 FY25, staff is proposing to keep the City's current tax rate of \$0.68500 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 5, 2024, 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 5, 2024, at 7:00 p.m.

Chris Thomas, Director of Administrative Services, presented this item before City Council with explanation.

Council member Starkey moved to approve an ad valorem tax rate of \$0.68500 per \$100 of assessed valuation for Tax Year 2024, to be considered for adoption at a future meeting. Seconded by Council member Vela; motion carried with all members present voting Aye.

Consider setting one (1) public hearing concerning the proposed tax rate for Thursday, September 5, 2024, 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 5, 2024, at 7:00 p.m.

Chris Thomas, Director of Administrative Services, presented this item before City Council with explanation.

Council member Moore moved to approve setting a public hearing concerning the proposed tax rate for Thursday, September 5, 2024, at 7:00 p.m., in the City Council Chambers, City Hall, 216 West Sealy, Alvin, Texas. Seconded by Council member Starkey; motion carried with all members present voting Aye.

Consider Ordinance 24-U, amending Chapter 28, Comprehensive Fee Ordinance of the Code of Ordinances of the City of Alvin, TX, for the purpose of revising certain water and wastewater fees for residential and commercial customers; providing for a ten percent (10%) penalty for late payment; providing for an effective month of October billing cycles for the Fiscal Year 2024-25; and setting forth other provisions related thereto.

The City Ordinance requires that water and sewer rates be increased, at minimum, based on the annual consumer price index rate for all urban consumers (CPI-U) for the Houston-Galveston-Brazoria, Texas area. The ordinance also allows the consideration of other factors to determine if an additional increase in water and sewer rates is warranted. In January 2023, the City held a city council workshop in which the City's consultants presented the results of the Wastewater Master Plan and the Water & Wastewater rate study. The rate study identified the need to increase water and wastewater rates by 14.9% in FY25 to implement the projects identified in the Wastewater Master Plan. However, to mitigate consecutive spikes in water and wastewater rates -- being that we increased rates by 10% in FY24, staff reprioritized some of the utility projects. As a result, for FY25, staff is proposing to increase water and wastewater rates by 5% (9.9% below the planned rate study increase). This calculates to an approximately 4.97 monthly increase for the average residential customer, using 5,000 gallons per month. The revenue generated from the rate increase will be

used to fund the continuation of the Water/Wastewater Master Plan capital improvement program, water and wastewater operations and maintenance needs, as well as the annual principal and interest on bonds and other bond covenant requirements.

The proposed water and wastewater rate increases for FY25 are as follows:

WATER RATES	Current Rate	5.00% rate Increase	Proposed Rate
Base 2,000 Gallons			
Residential	\$24.39	\$1.22	\$25.61
Commercial	\$25.59	\$1.28	\$26.87
Per each 1,000 (2,001- 7,000)	\$6.23	\$0.31	\$6.54
Per each 1,000 (7,001- above)	\$9.52	\$0.48	\$10.00

WASTEWATER RATES	Current	5.00% rate Increase	Proposed Rate
Base 2,000 Gallons			
Residential	\$37.81	\$1.89	\$39.70
Commercial	\$38.90	\$1.95	\$40.85
Per each 1,000 (2,001- above)	\$6.23	\$0.31	\$6.54

Staff recommends approval of Ordinance 24-U

Chris Thomas, Director of Administrative Services, presented this item before City Council with explanation.

Council member DeKeyser moved to approve Ordinance 24-U, amending Chapter 28, Comprehensive Fee Ordinance of the Code of Ordinances of the City of Alvin, for the purpose of revising certain water and wastewater fees for residential and commercial customers; providing for a ten percent (10%) penalty for late payment; providing for an effective date on the October 2024 billing cycles for Fiscal Year 2024-2025; and setting forth other provisions related thereto. Seconded by Council member Starkey; motion carried with all members present voting Aye.

Consider Ordinance 24-V, releasing land from the Extraterritorial Jurisdiction of the City of Alvin; providing findings of fact; containing a severability clause; and providing for other matters related thereto.

On or about July 17, 2024, the City received a Petition for Release from the Extraterritorial Jurisdiction of the City from Rebecca Orlando, the owner of approximately 2.00 acres of land located on Brazos River Road in Damon, Texas. This property is on the far west of Alvin's ETJ, as reflected in the Alvin ETJ map, attached. Section 42.105(d) states that the City shall take action on a Petition for Release before either the 45th day after receiving the petition, or the next meeting that occurs after the 30th day after receiving the petition, whichever is later. This Ordinance is being presented within 45 days of receiving the Petition. Staff recommends approval.

City Attorney Suzanne Hanneman presented this item to the City Council, explaining that the property meets state requirements for release and that the municipality has no valid reason to withhold approval. She recommended releasing the land from the Extraterritorial Jurisdiction (ETJ) Territory. Council Member Vela expressed concerns about the release, stating his opposition to removing any property from the City of Alvin's jurisdiction. He empathized with the property owner's challenge of adhering to city platting requirements for a small, distant parcel but suggested that a variance to the subdivision ordinance could resolve the issue without setting a precedent that might hinder future city growth. Council Member Garivey echoed Vela's concerns, particularly regarding the potential negative impact on the city's future growth. Council Member Castro supported the release, stating that the property owner, who cannot vote for city council members, is unfairly subject to city regulations. Council Member Moore added that the City does not benefit from taxes on this property and that the ETJ process is burdensome for both the property owner and the City. Discussion continued.

Council member Castro moved to approve Ordinance 24-V, releasing land from the Extraterritorial Jurisdiction of the City of Alvin; providing findings of fact; containing a severability clause; and providing for other matters related thereto. Seconded by Council member Starkey; motion carried with all members present voting Aye, except for Council members Garivey and Vela, who voted No.

Consider the appointment process of appointing members to the Comprehensive Plan Advisory Committee (CPAC).

The consulting team working on the Alvin Comprehensive Master Plan is requesting an ad-hoc committee be created and composed of area residents, public officials, and business owners to act as a sounding board throughout the process. This committee (CPAC) will meet periodically throughout the duration of the Comp Plan process to review process and findings and offer feedback. I am requesting each council member to email me a list of two or three candidates to be selected for the CPAC. In your recommendation, please keep in mind that members:

- *should be knowledgeable about the issues and challenges facing the City, as well as the opportunities;*
- *should be civic-minded and want to be part of Alvin's future;*
- *must be prepared to **attend at least 6 evening meetings** over the course of the next several months;*
- *will be required to read draft plan elements and provide feedback;*
- *is willing to function as a Comp Plan Ambassador and be willing to discuss the draft Comprehensive Plan with members of the community, if asked.*

Paul Chavez, Economic Development Director, presented this item to the City Council. He informed the Council that the consulting team had requested each member to recommend three individuals to serve on the proposed committee, outlining the necessary requirements and qualifications for committee members. Mr. Chavez asked each member of City Council to email him a list of three recommended individuals to serve on the committee by next Thursday.

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/or 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 September 5, 2024, 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.

Council member Starkey encouraged all to attend the Hispanic Heritage Exhibit event at the Alvin Historical Museum on September 7th.

Council member Moore reminded everyone that the Alvin Yellowjacket Football season starts this week. He encouraged everyone to go support the teams at their scrimmages tomorrow, August 16th at Alvin High School Stadium.

Council member Vela thanked Alvin ISD Police Department for their assistance with some of his traffic concerns as the school year began.

ADJOURNMENT

Mayor Adame adjourned the meeting at 7:47 p.m.

PASSED and APPROVED the 5th of September 2024.

ATTEST:

Gabe Adame, Mayor

Dixie Roberts, City Secretary