

**MINUTES
CITY OF ALVIN
216 W. SEALY STREET
SPECIAL CITY COUNCIL MEETING
JANUARY 26, 2010
6:00 PM**

1. CALL TO ORDER

BE IT REMEMBERED that, on the above date, the City Council of the City of Alvin, Texas, met in special session at 6:05 P.M. in the First Floor Conference Room at City Hall, with the following members present; Mayor Gary Appelt, Councilmembers Eddie Murray, Eileen Cross, Charles Batty, III, Jim Landriault, Kerry Collins-Leggett, Greg Bullard and Roger Stuksa. Also present were Billy Gerber, Deputy Building Official; Bobbi Kacz, City Attorney; Jerry Collins, Paralegal; Michelle Lira, Community Development Director; David Kocurek, Public Works Director; Ron Schmitz, EMS Director; Paul Horn, City Manager; Ed Hersh, Director of Parks and Recreation; Roy Sosa, Building Official; Mike Merkel, Chief of Police; Suzy Kou, Finance Director and Julie Siggers, CVB Director.

II. INVOCATION

Paul Horn gave the invocation.

III. PLEDGE OF ALLEGIANCE

Councilmember Cross led the Pledge of Allegiance.

IV. PETITIONS AND REQUESTS FROM THE PUBLIC

There were no petitions or requests from the public.

V. APPROVAL OF MINUTES

A. Consideration was given for approval of the Minutes of December 8, 2009. Councilmember Stuksa moved to approve the Minutes of December 8, 2009. The motion was seconded by Councilmember Landriault. The motion carried on a vote of 7 Ayes.

VI. REPORT FROM CITIZENS, BOARDS, COMMISSIONS AND COMMITTEES.

1. Parks Board

2. Planning Commission

There was no report.

3. Senior Citizen Board

There was no report.

(Items VIII. 3, VII. B.1., VII. B.2, VIII.1, VIII.2, VII.A.6, VII.A.1, VII.A.3, VII.A.2, VII.A.4, VII.A.5, VII.A.7, IX.1, X, were considered at this time during the meeting, but are recorded in sequential order to maintain the integrity of the agenda outline)

VII. WORKSHOP ITEMS

A. DISCUSSIONS AND PRESENTATIONS

1. Report on status of the detention pond on Westglenn

Michelle Lira explained that after talking to the owner, it was found that the property was first originally platted as seven lots in May of 2002. The owner of lot six purchased the property in June 2003 of 170-200 foot square lots and then the plat was amended to delete lot seven and erased the lot line between lot six and seven and created a larger lot six and that was recorded in August 2003. Ms. Lira stated that the owner had never been taxed on the additional property until this year, which he is appealing. The owner lives in Las Vegas and rents out the house. Following discussion, direction was given to Ms. Lira to talk to the owner about deeding the property over to the City.

2. Update on corridor code enforcement

Billy Gerber gave a slide show presentation of the before and after pictures of some of the code enforcement locations as well as areas that still need to be maintained to include commercial driveways. Direction was given to Mr. Gerber to forward an updated monthly report to Council.

3. Discuss how to improve presentation of the code enforcement report on the Alvin corridor

Billy Gerber handed out an example of a monthly report for recommendations from councilmembers for any additional information needed on a monthly basis. Mr. Gerber gave a brief overview of recent enforcement procedures performed at different locations. Following further discussion direction was given to Michelle Lira to come back to the next workshop with a draft parking ordinance for council review.

4. Discuss staff practices for seeking and applying for grants

Paul Horn explained that there is no specific policy on grants and explained that as various departments receive e-mails advising on various grants, those that look like would work are pursued. Mr. Horn stated that he provided council a table that shows all the grants that are in the works at this time. Discussion followed.

5. Discuss Council representation at TML Continuing Education seminars

Councilmember Cross talked about being a part of TML and important education provided that we may not be using. Ms. Cross stated that she would recommend being able to bring everybody to the table with information brought back from some of the educational seminars, even if only one member attended. Discussion followed. Direction was given to Suzy Kou to send Council the balance in the budget for travel and education in order to allow Council to review and possibly choose a program they might want to attend.

6. Status of the FM 528 Extension

Paul Horn reported that Council approved an application with the state to move this project forward, which did not get selected as part of that program. Mr. Horn explained that there is no activity at this time. Mr. Horn further stated that TxDOT has informed him that they are working on the environmental program, of which Jacob Engineering was pulled from due to non-completion. Mr. Horn explained that the environmental report is now listed on the internet for completion in 2018. Mr. Horn stated that we continue to explore this with TxDOT, Randy Webber and Commissioner Adams. Mr. Horn stated that TxDOT has approved funding to do environmental work to widen FM 528 between the bypass and Business 35.

7. Status of the developers, operators, City and C&R No. 3 for hospital project

Paul Horn reported that the project is weeks away from approval from HUD to underwrite the loan process, which is the last step. There will be a hearing scheduled in Washington, D.C. in early February for the decision making. Mr. Horn stated that the City and the College were asked to write letters of support, which have been done and sent out. Mr. Horn stated that Bill Roland is happy and confident with the current status and they have been meeting on a regular basis with the Christus Hospital Group to do some of the final design. Mr. Horn stated that the site related information has been completed and the City also engaged Jacob's Engineering to come up with estimates for streets, and have received details requested for that work. Mr. Horn stated that there needs to be some soil samples taken where the detention is going and the C&R is going to complete that process. Mr. Horn stated that the C&R has not yet approved the

draft agreement with the developers as of yet, but the City's responsibilities have been completed as of now. Mr. Horn stated that Bill Roland will come to our next Special City Council Meeting to address Council to present an update.

B. DISCUSS AND CONSIDER REFERRAL TO CITY COUNCIL:

1. Selection to GrantWorks for Grant Authorization Services for the 2008 Supplemental Disaster Recovery Fund and authorize the Mayor to sign subject to legal review.

David Kocurek explained that this is the second round of the projected funds from the Texas Department of Rural Affairs (TDRA). Mr. Kocurek explained that due to the complexity of this program, it is necessary that the City select a grant administration consulting firm to assist in the preparation of the application and administration of the grant program. Mr. Kocurek introduced Bruce Spitzengel, President of GrantWorks who gave a brief overview of the changes made by the state for the second round and answered questions from the Councilmembers. The selected grant administration firm shall contract directly with TDRA at a fee rate established by the agency in the amount of \$157,897 and be paid with funds from the grant. The City needs to approve and notify TDRA of the selection of a grant administrator. Following discussion, Councilmember Landriault made a motion to refer to Council Selection to GrantWorks for Grant Authorization Services for the 2008 Supplemental Disaster Recovery Fund and authorize the Mayor to sign subject to legal review. The motion was seconded by Councilmember Bullard. The motion carried on a vote of 7 Ayes.

2. Approval of Kelly R. Kaluza & Associates, Inc. for Professional Engineering Services for the 2008 Supplemental Disaster Recovery Fund and authorize the Mayor to sign subject to legal review.

David Kocurek introduced Llarance Turner, with Kelly R. Kaluza & Associates who handed out a copy of the company resume and talked about the current status of the relief fund for Hurricane Ike. Mr. Turner gave an overview of a spreadsheet that shows all current projects for the City of Alvin and the process of approval. Mr. Turner stated that the City is in the second round of funding for the Hurricane Recovery Program as administered by the Texas Department of Rural Affairs (TDRA) pending approval by the U.S. Department of Housing and Urban Development (HUD). Mr. Turner explained that the City has an initial allocation of \$2,138,745 for infrastructure projects that benefit at least 51% low-to-moderate income persons. The City shall apply directly for and administer the grant. Due to the complexity of this program, it is necessary that the city select an engineering consulting firm to design, bid and manage the projects. The selected engineering consulting firm shall contract directly with TDRA at a fee rate established by the agency and be paid with funds from the grant. The City needs to approve and notify TDRA of the selection of an engineering consulting firm from TDRA's approved list. Following discussion, Councilmember Murray made a motion to refer to Council approval of Kelly R. Kaluza & Associates, Inc. for Professional Engineering

Services for the 2008 Supplemental Disaster Recovery Fund and authorize the Mayor to sign subject to legal review. Councilmember Collins-Leggett seconded the motion. The motion carried on a vote of 7 Ayes.

VIII. ACTION ITEMS

1. Consider approval of Resolution No. 10-R-01, a resolution of the City Council of the City of Alvin, Texas, supporting the utilization of the Interlocal Agreement between Brazoria County Conservation and Reclamation District #3 (C&R District) and the City of Alvin for a regional development project for Alvin's new hospital and medical office facilities, a regional development; and setting forth related matters thereto.

Paul Horn handed out and gave an overview of a summary portion of the Jacob's report that was done by the developer, which lays out the drainage plan for the hospital site. Mr. Horn referred to next to the last page of the report under summary results, which says that the detention required for the roads that need to be put in, twelve acre feet for detention and thirty-one acre feet of mitigation and is based on the right-of-way that we have for the roads that are going in and also based on the fill that needs to be put in. Mr. Horn explained that this resolution provides that pursuant to the conditions in the Developers Agreement with the hospital property owner, the City of Alvin will pay C&R District #3 \$150,000.00 for needed detention and fill toward the City's streets and infrastructure for the regional development where the new hospital and medical office facilities will be built. Following discussion, Councilmember Bullard made a motion to table this item to a future meeting. The motion was seconded by Councilmember Batty. The motion carried on a vote of 7 Ayes.

2. Field assignments for Pearson and Briscoe Parks

Paul Horn explained that this went before the Parks Board where it was recommended to be forwarded to Council for their concurrence. Ed Hersh addressed the members to answer questions regarding referring this to Council. Discussion followed. Councilmember Batty made a motion to approve the Parks Board recommendation of designating Pearson Park as a girls softball park and assign the Yellow Jackets and Raiders football teams the two fields at Briscoe park closest to the YMCA and the other two fields for the Alvin youth soccer program. The motion was seconded by Councilmember Landriault. The motion carried on a vote of 7 Ayes.

3. Resolution No. 10-R-02, A Resolution of the City Council of the City of Alvin, Texas, supporting local business providers of goods and services; and setting forth related matters thereto.

Connie Elies, President of the Alvin-Manvel Chamber of Commerce gave an overview in response to Chamber members asking how business is done with governmental entities. Ms. Elies explained their business preference program. Ms. Elies announced

that a luncheon is scheduled for February 23rd, which is a “how to do business with” where representatives from each institute will talk about good processes and how purchasing decisions are made under levels where entities are required to go out for bid and in March a mini-trade show is scheduled where the businesses can come in and fill out paperwork needed to become a vendor or to submit a bid or qualifications, etc. Ms. Elies stated that this will result in a form on the Chamber website that the entities can use when they are getting ready to send out a proposal that would allow it to go to all the Chamber members. Following discussion, Councilmember Stuksa made a motion to approve Resolution No. 10-R-02, A Resolution of the City Council of the City of Alvin, Texas, supporting local business providers of goods and services; and setting forth related matters thereto. The motion was seconded by Councilmember Landriault. The motion carried on a vote of 7 Ayes.

IX. REPORT FROM CITY MANAGER

1. Update on City Goals

Mr. Horn announced that copies of the updates had been provided to Council and invited members to contact him directly for any questions.

X. ANNOUNCEMENTS AND REQUESTS FROM COUNCIL MEMBERS

Councilmember Bullard requested an update on the drainage issues between Booth, Hood and the streets in between. Direction was given to Mr. Horn to send out an e-mail to the members with this update.

Councilmember Landriault stated that Dick Tyson had informed him that he signed on the Westglenn plat, which indicated that all homeowners were to take care of the detention.

Councilmember Stuksa asked about changes in the purchasing policy. Mr. Horn stated that there would be proposed changes presented to Council. Direction was given to Suzy Kou to provide a copy of the current manual to Councilmember Stuksa.

Councilmember Landriault read notes on the bottom of the plat for Westglenn that Michelle Lira presented to him, which stated that, “The detention pond shall be privately maintained by the property owners and the Brazoria County Conservation Reclamation District #3 and the City of Alvin will have no responsibility whatsoever to maintain it”, therefore, we need to contact all of the property owners and C&R District #3.

The Mayor announced that Larry Buehler and Julie Siggers will bring an update on the land acquisition for the Convention Center to the next City Council Meeting scheduled for February 4th. The Mayor stated that a Special Council Meeting needed to be scheduled for further discussion on that item prior to February 15th, therefore, after

further discussion, council agreed to schedule a Special City Council Meeting for the 8th of February at 7:00PM in the First Floor conference room.

XI. OPEN MEETINGS ACT RESOLUTION

- A. Consider Resolution No. OMA-R-10-01-26, A RESOLUTION CONFIRMING COMPLIANCE WITH THE PROVISIONS OF THE OPEN MEETINGS ACT.

Councilmember Murray moved to approve Resolution No. OMA 10-01-26, a resolution confirming compliance with the provisions of the Open Meetings Act. The motion was seconded by Councilmember Collins-Leggett. The motion to approve carried on a vote of 7 Ayes.

XII. ADJOURNMENT

Councilmember Stuksa moved to adjourn. The motion was seconded by Councilmember Batty. The motion to adjourn carried on a vote of 7 Ayes. The meeting adjourned at 8:45 P.M.

PASSED and APPROVED this _____ day of _____, 2010.

Gary Appelt, Mayor

ATTEST: _____
Thomas W. Peebles, City Clerk