

**MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
REGULAR CITY COUNCIL MEETING
THURSDAY JUNE 7, 2018
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 Keith Thompson; Councilmembers: Gabe Adame, Adam Arendell, Joel Castro, Scott Reed, Glen Starkey, and Keith Thompson.

Staff members present: Sereniah Breland, City Manager; Suzanne Hanneman, City Attorney; Junru Roland, Assistant City Manager/CFO; Dixie Roberts, City Secretary; Michelle Segovia, City Engineer; Larry Buehler, Director of Economic Development; Dan Kelinske, Parks and Recreation Director; and Robert E. Lee, Police Chief.

INVOCATION AND PLEDGE OF ALLEGIANCE

Council member Adame, gave the invocation.

Eagle Scouts Austin Jordan from Troop 400 led the Pledge of Allegiance to the American Flag and Taylor Stewart led the Pledge to the Texas Flag.

PRESENTATIONS

Eagle Scout Recognition.

Mayor and City Council recognized Austin Jordan and Taylor Stewart of Boy Scout Troop 400 for achieving the Eagle Scout Award.

PUBLIC COMMENT

There were no public comments.

CONSENT AGENDA

- A. Approval of the City Council meeting minutes of the May 17, 2018
- B. Consider an award of bid to JDB Services, Inc., for the purchase of stabilized sand for (1) year, in an amount not to exceed \$60,000, with an option to continue for an additional year at the same price and conditions.
Stabilized sand is used as a base material for streets, driveways, setting culverts, and for installation of sewer and water lines. On April 17, 2018, bids were opened to provide stabilized sand for 1 year with option for 1 additional year at the same price and JDB Services was the lowest bidder. Pricing for 1.5 sack stabilized sand to be picked up by the City is \$14.10, and \$18.10 delivered. If ordering a 2.0 sack, the price is \$16.70 if picked up by the City, and \$20.70 delivered. In most cases the City will pick up the material but in some cases the delivery option will be utilized. JDB Services has held the contract for stabilized sand since 2016 with a slight increase in price this bid. Pricing in 2016 for 1.5 sack picked up was \$13.10 vs. \$15.70 delivered and 2.0 sack picked up was \$16.60 vs. \$18.50 delivered. The references for this company have been verified and are satisfactory. The City has used JDB Services for this type of material in the past. Upon approval, an award letter will be sent to the vendor and city departments.
- C. Consider an award of bid to Rodriguez Construction Group, LLC., for the 2018 Concrete Pavement and Drainage Project in an amount not to exceed \$696,356.85; and authorize the City Manager to sign the contract upon legal review.

On May 22, 2018, bids were opened for the 2018 Concrete Pavement and Drainage Project, and Rodriguez Construction Group, LLC was the qualified low bidder. Engineering Staff has verified references for this contractor and all references were highly satisfied with the work performed.

Project Budget: \$797,000

Contract Amount: \$663,197

5% Contingency: \$33,159.85

Total Amount: \$696,356.85 (\$100,643.15 below budget)

The 2018 Concrete Pavement and Drainage Project consists of the total replacement of the concrete pavement and associated storm sewer improvements on Heisse St. (S. Johnson St. to the east end), Richards St. (S. Johnson St. to the east end), and Kings Ln. (Westfield St. to W. South St.). These improvements were based on recommendations in the 2013 Concrete Pavement Assessment by JET Civil Consulting, LLC. More information on this project can be found in the Capital Improvement Program (CIP) Quarterly Report that was distributed to City Council on April 19, 2018

The project is scheduled to start in late June and has a construction time of 120 calendar days.

The \$100,643.15 in excess funds will be returned to the Sales Tax Fund to be used for future street projects. Staff recommends approval.

D. Consider an award of bid to Strand Electric, for the construction of the 2018 Alvin Decorative Street Lighting Project in an amount not to exceed \$85,348.45; and authorize the City Manager to sign the contract upon legal review.

On May 22, 2018, bids were opened for the 2018 Alvin Decorative Street Lighting Project, and Strand Electric, was the qualified low bidder. Staff has verified references for this contractor and all references were highly satisfied with the work performed.

Project Budget:	\$100,000.00
Incurred Design and Bid Preparation	\$ 3,872.46
Balance	\$96,127.54

Contract Amount:	\$77,589.50
10% Contingency:	\$ 7,758.95
Total Amount:	\$85,348.45

The project consists of the installation of nine decorative black metal street lights along the south side of Willis Street from Gordon Street to Taylor Street. These lights will match the existing black metal street lights on the east side of Gordon that are around the Alvin Historic Depot. This is the continuance of the Downtown Revitalization program anchoring Stanton's Retail Center to the Depot.

The project is scheduled to start in June and has a construction time of 60 calendar days. Staff recommends approval.

E. Consider an award of bid to Texas Pride Utilities, LLC., for the South Park Utility Replacement Project in an amount not to exceed \$250,000; and authorize the City Manager to sign the contract upon legal review.

On May 29, 2018, bids were opened for the South Park Utility Replacement Project, and Texas Pride Utilities, LLC was the qualified low bidder. Engineering Staff has verified references for this contractor and all references were highly satisfied with the work performed.

Project Budget: \$250,000.00

Contract Amount: \$221,428.50

Alternate Bid Items: \$ 14,300.00 (Sewer clean-outs, sewer open cut point repair, and fence repair)

Contingency: \$ 14,271.50

Total Amount: \$250,000.00

The South Park Utility Replacement Project consists of the replacement of approximately 2,000 linear feet of existing 2.5" waterline with 6" PVC waterline, along with new fire hydrants, valves, and service leads along South Park Drive. The project will also replace approximately 2,000 linear feet of old 6" clay sanitary sewer line with 6" HDPE pipe and new sanitary

sewer manholes. These water improvements will provide adequate fire protection and water pressure for all residents in the subdivision and the sewer improvements will eliminate inflow and infiltration into the City's system.

The project is scheduled to start in late June and has a construction time of 90 calendar days.

This project will be 100% funded by the Community Development Block Grant (CDBG) that was awarded to the City on January 18, 2018, and was one of the projects identified in the 2015 Utility Master Plan that was done by Freese and Nichols. Staff recommends approval.

F. Consider a 60-Day extension to the Memorandum of Understanding (MOU) between the City of Alvin and Walton Texas, LP., for a proposed master planned development; and authorize the City Manager to sign.

On February 16, 2017, Council approved a Memorandum of Understanding (MOU) between the City of Alvin and Walton Texas, LP., for a proposed master planned development. Walton closed on the final tracts of land and both teams have been working towards a new developer agreement that will come back to City Council for consideration. The MOU is scheduled to end July 16, 2018. This 60-day extension will give a new end date of September 14, 2018.

The steps outlined in the MOU provide a way to allow the project to move forward and have development pay for itself through the Municipal Utility Districts (MUD's), resulting in a fully developed tax base to be annexed by the City in the future.

There are a number of items that are beneficial to the City, the project, and ultimately the residents of the community in the following ways:

- Preserves the City of Alvin's (ETJ) as it currently exists.
- Since the property will continue to be surrounded by City lands, when Alvin is ready to annex, the City can annex from any point, regardless of where development starts.
- Confirm in writing and recorded on title, Alvin's intent to annex the property over time, easily facilitating the annexation in the future.
- Preserve Alvin's ability to share in any sales tax revenues that may be generated on the property.
- Oversight by the Texas Commission on Environmental Quality: The MUD's are overseen by the TCEQ with a rigorous process to ensure that only the appropriate items are reimbursed, that bonds at issue all meet the state requirements, and that all infrastructure that is subject to reimbursement is subject to public bid. This is already in place and would not require additional oversight by the City.
- Allows the MUD's to operate and maintain the following until Annexation:
 - o Wastewater Plant, lines and lift stations (instead of being operated by the City).
 - o Water Treatment Plant, lines and billing (instead of being operated by the City).

Note: This operation and maintenance role will have to be undertaken whether there are 100 homes or 1,000, which may be a burden to Alvin's resources that might be better focused elsewhere.

Walton has noted that within the prior agreements there was a provision for a shared public safety building for use and occupancy. They indicate that they will provide a site for this facility at the appropriate time in the development and include same within the development agreement.

Walton has also expressed that during the planning process for the project that a consideration of placement and accommodation for regional facilities for water and wastewater would be considered. The idea would allow the project to move forward as anticipated, but still allow for connections to other projects in the future (at the time of annexation). This will be further explored in the development agreement.

Approving the 60-day extension to the MOU will allow for more consideration to details that will bring a quality developers agreement to serve the community for now and into the future.

G. Consider Ordinance 18-I, temporarily suspending regulations relating to the placement of recreational vehicles and adopting temporary regulations including but not limited to conditional permits, placement, maintenance, utilities, removal, sanitation, and other related health and safety matters for recreational vehicles located on residential properties in response to widespread damage caused by Hurricane/Tropical Harvey; making various findings and provisions related thereto.

On January 18, 2018, the City Council approved Ordinance 18-D, temporarily suspending regulations relating to the placement of recreational vehicles (RVs) within the City. Ordinance 18-D allows residents to reside in their Recreational

Vehicles on their property while damages to their homes, due to Hurricane Harvey, are repaired. The provisions provided in Ordinance 18-D will expire on July 1, 2018, and it is Staff's recommendation that the expiration date be extended to January 1, 2019. Ordinance 18-I would extend the deadline in the manner described. The first request for placement of an RV was received on January 8, 2018, and was made by FEMA on behalf of an Alvin resident. A second request was made last week by an Alvin resident. Ordinance 18-I does not apply to commercial properties. Staff recommends approval.

- H. Consider Resolution 18-R-20, expressing the support for the FM528 extension from Business 35 to State Highway 6, and for approval and funding in the Houston-Galveston Area Council (H-GAC) Transportation Implementation Plan.

The FM 528 Extension project will provide a safe and efficient hurricane route through Alvin. It is included in the City's Thoroughfare Plan and the City is currently engaged in the engineered design of this project. Brazoria County has also committed funds toward this project. The City intends to submit this project this year to the H-GAC Transportation Implementation Plan for full funding. Staff recommends approval of Resolution 18-R-20.

- I. Consider Resolution 18-R-21, acknowledging, and accepting a sidewalk easement granted to the City of Alvin, located at 1901 Rosharon Road, Alvin, Texas.

Section 21-42 - Sidewalks, ADA ramps, driveways and driveway approaches of the City's Code of Ordinances provides that sidewalks, Americans with Disabilities Act (ADA) compliant ramps, driveways and driveway approaches shall be required and shall be constructed in accordance with the City's design criteria. This means the builder/owner is required to install a sidewalk as part of the process. Once constructed, the City will be responsible for the maintenance and repair of the sidewalk. This property is located at 1901 Rosharon Road. This resolution formally acknowledges the City's acceptance of this sidewalk easement being granted to the City by Dy Chhoeun. Staff recommends approval.

- J. Consider a final plat of St. John the Baptist Catholic Church (located at 110 E. South Street), being 14.952 acres in the H.T. & B.R.R. Co. survey, section 13, abstract no. 225, in the City of Alvin, Brazoria County, Texas.

On May 1, 2018, the Engineering Department received the final plat of St. John the Baptist Catholic Church for review. The property is located at 110 E. South Street and is being platted for future expansion of the church. This plat complies with all requirements of the City's Subdivision Ordinance. The City Planning Commission unanimously approved the plat at their meeting on May 15, 2018. Staff recommends approval.

- K. Consider a final plat of Pierce Business Park (located near the southeast corner of FM1462 and Rosharon Road), being a subdivision of 16.608 acres, being a portion of the subdivision of the Hooper and Wade section 18 survey, A-488, as per the plat recorded in vol. 32, pg. 2, O.R.B.C.T., City of Alvin, Brazoria County, Texas.

On May 1, 2018, the Engineering Department received the final plat of Pierce Business Park for review. The property is located near the southeast corner of the FM 1462 and Rosharon Road intersection and is being platted for future commercial development. This plat complies with all requirements of the City's Subdivision Ordinance. The Planning Commission unanimously approved the plat at their meeting on May 15, 2018. Staff recommends approval.

Item(s) C, E & K were removed from the Consent Agenda by Mayor Horn.

Council member Arendell moved to approve the remaining items on the consent agenda, excluding Items C, E & K. Seconded by Council member Richards; motion carried on a vote of 7 Ayes.

OTHER BUSINESS

Consider an award of bid to Rodriguez Construction Group, LLC., for the 2018 Concrete Pavement and Drainage Project in an amount not to exceed \$696,356.85; and authorize the City Manager to sign the contract upon legal review.

Mayor Horn explained that the concrete and drainage project is an annual ongoing project. The City Manager explained that the status of capital improvement projects is listed on the city's website.

Council member Arendell moved to approve award of bid to Rodriguez Construction Group, LLC., for the 2018 Concrete Pavement and Drainage Project in an amount not to exceed \$696,356.85; and authorize

the City Manager to sign the contract upon legal review. Seconded by Council member Richards; motion carried on a vote of 7 Ayes.

Consider an award of bid to Texas Pride Utilities, LLC., for the South Park Utility Replacement Project in an amount not to exceed \$250,000; and authorize the City Manager to sign the contract upon legal review.

Mayor Horn explained that the South Park Utility Replacement Project is a budgeted item.

Council member Reed moved to award bid to Texas Pride Utilities, LLC., for the South Park Utility Replacement Project in an amount not to exceed \$250,000; and authorize the City Manager to sign the contract upon legal review. Seconded by Council member Thompson; motion carried on a vote of 7 Ayes.

Consider a final plat of Pierce Business Park (located near the southeast corner of FM1462 and Rosharon Road), being a subdivision of 16.608 acres, being a portion of the subdivision of the Hooper and Wade section 18 survey, A-488, as per the plat recorded in vol. 32, pg. 2, O.R.B.C.T., City of Alvin, Brazoria County, Texas.

Mayor Horn explained that this project is located near southeast corner of FM1462 and Rosharon Road.

Council member Thompson moved to approve a final plat of Pierce Business Park (located near the southeast corner of FM1462 and Rosharon Road), being a subdivision of 16.608 acres, being a portion of the subdivision of the Hooper and Wade section 18 survey, A-488, as per the plat recorded in vol. 32, pg. 2, O.R.B.C.T., City of Alvin, Brazoria County, Texas. Seconded by Council member Reed; motion carried on a vote of 7 Ayes.

Consider an Agreement with Horizon International Group, LLC through the BuyBoard Cooperative Purchasing Network in the amount of \$150,902.48 for improvement to the Alvin Museum; and authorize the City Manager to sign upon legal review.

On June 15, 2017, the Museum Society presented to City Council a proposal to enclose the loading dock at the museum to serve as a new storage room which would create additional space for a new permanent Nolan Ryan exhibit, along with enhancing the exhibit space for the Children's area, as well as build new exhibit cabinets. The cost for these enhancements was estimated at \$130,000. Not included in the proposal was an estimated cost of \$16,925 to replace approximately 39 outdated (T-12 style) light fixtures located in the accession room of the museum. These fixtures were budgeted for replacement in the FY16 museum operations budget, but not completed, in anticipation to include in the upcoming dock enclosure project. The unused funds were returned to the general fund.

During the FY18 budget process, City Council appropriated \$130,000 from the Hotel Occupancy Tax funds to complete the Museum building dock enclosure project based on the estimate. Staff utilized Buy Board Cooperative Purchasing Network and engaged the services of Horizon International Group, LLC for a proposal for the museum dock enclosure project to include light fixture replacement in the accession room. Horizon's proposal totaled \$150,902.48.*

The scope of work includes:

<i>Demo existing wall, doors, ladders, loading dock ceiling and handrails</i>	<i>Install new GFCI receptacles per plans</i>
<i>Infill existing steps with concrete to make level with existing loading dock</i>	<i>Install new 3-ton HVAC rooftop unit and new duct work per plans</i>
<i>Build new exterior walls with drywall interior and plaster exterior</i>	<i>Install new doors and egress hardware per plans</i>
<i>Demo existing plumbing floor drains and fill floor solid</i>	<i>Install new coiling door at loading dock existing opening</i>
<i>Demo piping and cap off pipe</i>	<i>Research electrical circuitry and combine existing circuit as needed in museum to gain power for new lighting</i>
<i>Demo ceiling in new exhibit area to allow for new electrical to be installed</i>	<i>Demo brick column and use existing brick to repair wall and match as close as possible to existing brick</i>
<i>Fur out wall as talked about in walkthrough for loading dock area and exhibit area as needed</i>	<i>Paint new interior walls for loading dock and exhibit room</i>
<i>Install new lighting and switching per plans</i>	<i>Leave loading dock ceiling exposed but paint ceiling metal</i>

Paint exhibit room ceiling	Install new drop ceiling in exhibit room to cover existing plumbing pipes
Construct 4 cabinets	

Should council approve the agreement with Horizon International Group, LLC, a formal budget amendment will be presented to council to appropriate the additional \$20,902.48 at the end of the fiscal year.

*Advantages of using Buy Board Cooperative Purchasing Network:

- 1.) Fast track procurement process
- 2.) Lower procurement and administrative costs
- 3.) Fewer change orders and claims
- 4.) Competitively bid local pricing in a lump sum proposal
- 5.) Ability to accomplish a substantial number of individual projects with a competitively bid contract
- 6.) Oversight through the Gordian Group which audits the accuracy of all job order contract proposals

In order for local vendors to be considered for this project, local vendors must meet horizon International Group LLC's insurance requirements, expected quality of work; and competitively submit a bid. Horizon has completed several building interior renovation

Council member Starkey moved to approve an agreement with Horizon International Group, LLC through the Buy Board Cooperative Purchasing Network in the amount of \$150,902.48 for improvements to the Alvin Museum; and authorize the City Manager to sign upon legal review. Seconded by Council member Arendell; motion carried on vote of 7 Ayes.

Consider Ordinance 18-H, amending Chapter 5 Buildings, of the Code of Ordinances, City of Alvin, Texas, for the purpose of amending the definition of the Central Business District; providing a severability clause; providing a savings clause; providing an effective date, and setting forth other provisions related thereto.

Ordinance 18-H amends Chapter 5 Buildings, of the Code of Ordinances, by revising Section 5-9 (4)(b) by changing the boundary of the "Central Business District" so that it includes two (2) additional blocks of the downtown area. This change would allow for the potential development of properties within this area without the need to provide off-street parking, but would enable them to use on-street parking or public parking in the vicinity. The current "Central Business District" is shown on the attached map as a red line and includes the area bounded by Willis Street, Hood Street, Sidnor Street, and Disney Street. The revised "Central Business District" is shown as a yellow dashed line on the map and is the area bounded by Willis Street, Taylor Street, Sidnor Street, and Depot Centre Boulevard (formerly Disney Street). Staff recommends approval.

Council member Adame moved to approve Ordinance 18-H, amending Chapter 5 Buildings, of the Code of Ordinances, City of Alvin, Texas, for the purpose of amending the definition of the Central Business District; providing a severability clause; providing a savings clause; providing an effective date, and setting forth other provisions related thereto. Seconded by Council member Richards; motion carried on a vote of 7 Ayes.

Discuss and give direction to staff regarding overnight trespassing on public property.

A lengthy discussion was had on overnight trespassing on public property. Staff will continue to monitor areas for needed debris and trash collection.

REPORTS FROM CITY MANAGER

Review preliminary list of items for next Council meeting.

Ms. Breland reviewed the preliminary list for the June 21, 2018 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 cautioned that school is out for the summer and encouraged all to watch out for children.

Council member Reed thanked Alvin ISD and the City for showing support to Santa Fe High School.

EXECUTIVE SESSION

Mayor Horn called for an executive session at 7:40 p.m. in accordance to the following:

Section 551.074 of the Government Code: Deliberation on the appointment, employment, evaluation, reassignment, duties, or discipline of a public officer or employee or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing.

1. City Manager Annual Performance Evaluation.

RECONVENE TO OPEN SESSION

Mayor Horn reconvened the meeting into open session at 9:31 p.m.

ADJOURNMENT

Mayor Horn adjourned the meeting at 9:31 p.m.

PASSED and APPROVED this _____ day of _____, 2018.

Paul A. Horn, Mayor

ATTEST:

Dixie Roberts, City Secretary