

**MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
REGULAR CITY COUNCIL MEETING AND
EXECUTIVE SESSION
THURSDAY MARCH 5, 2020
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 and Executive 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 Glenn Starkey; Councilmembers: Gabe Adame, Adam Arendell, Joel Castro, Brad Richards, Keith Thompson and Martin Vela.

Staff members present: Junru Roland, City Manager; Suzanne Hanneman, City Attorney; Dixie Roberts, City Secretary; Michael Higgins, Chief Financial Officer; Michelle Segovia, City Engineer; Dan Kelinske, Parks and Recreation Director; Brandon Moody, Interim Public Services Director; Rex Klesel, Fire Chief; and Robert E. Lee, Police Chief.

INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Ben Trevino, Legacy Church, gave the invocation.

Council member Thompson led the Pledge of Allegiance to the American Flag, and Council member Richards led the Pledge to the Texas Flag.

PRESENTATION

Proclamation – celebrating the DeMolay’s 101st Anniversary and 50th Anniversary of the local John Wayne Chapter #3667.

Mayor Pro-tem Starkey presented a proclamation to members of the DeMolays of the John Wayne Chapter #3667 proclaiming March as DeMolay Month and recognized the DeMolay’s 101st Anniversary and 50th Anniversary of the local John Wayne Chapter #3667.

PUBLIC COMMENT

Abel Moreno, Waste Connections, addressed the Council in opposition to the item on the agenda awarding the bid for Solid Waste and Recycling Services to Texas Pride. He stated that he felt that the City was turning its back on Waste Connections in spite of their many years of service to the Alvin community. Many Waste Connection employees were in attendance to support Mr. Moreno’s comments.

CONSENT AGENDA

Consider approval of the February 11, 2020 City Council workshop meeting minutes.

Consider approval of the February 20, 2020 City Council workshop meeting minutes.

Consider approval of the February 20, 2020 City Council meeting minutes.

Consider a final plat of Midtown Park Section 3 (located north of Midtown Park Section 1 near the intersection of Gordon Street and FM 528), being a subdivision of 16.60 acres situated in the Hooper and Wade Survey, Abstracts 420 and 421, and the M. O’Donnell Survey, Abstract 485, City of Alvin, County of Brazoria, State of Texas.

On January 30, 2020, the Engineering Department received the final plat of Midtown Park Section 3 for review. The property is located north of Midtown Park Section 1 near the intersection of Gordon Street and FM 528. This section

consists of ninety (90) single-family lots, seven (7) reserves, and five (5) blocks. The Midtown Park Subdivision currently consists of two previously platted sections containing 164 single-family residential lots of which approximately 107 have homes on them. This plat complies with all requirements of the City's Subdivision Ordinance. The Planning Commission unanimously approved the plat at their meeting on February 18, 2020. Staff recommended approval.

Consider the Master Preliminary Plat of Imperial Forest (located near the southwest corner of the Bypass 35 and Wheeler Road intersection), being a planned unit development of 55.90 acres located in the Hooper and Wade Survey, Section 21, Abstract 421, Brazoria County, Texas.

On January 30, 2020, the Engineering Department received the master preliminary plat of Imperial Forest for review. The property is located along the south side of Wheeler Road just west of Bypass 35. This master preliminary plat consists of 177 single-family residential lots, 13 reserves, and 7 blocks, and complies with the City of Alvin's Planned Unit Development section of the Subdivision Ordinance. The City Planning Commission unanimously approved the plat at their meeting on February 18, 2020. Staff recommended approval of the plat.

Consider Resolution 20-R-07, canceling the established procedures for the May 2, 2020 General Election in Alvin, Texas; as the position for Mayor and City Council District E are certified as Unopposed; and providing for other related matters thereto.

This Resolution will officially cancel the General Election scheduled for May 2, 2020 that was called by City Council's adoption of Resolution 20-R-03 on February 6, 2020. The position of Mayor and City Council member District E are both uncontested races and will be certified as Unopposed Candidates upon the adoption of this Resolution. The ballot will list both positions and candidates along with the following wording: Unopposed Candidates Declared Elected.

Both Mayor Horn and City Council member to District E, Gabe Adame, will begin their new term on May 21, 2020, after the Oath of Office is administered at said City Council meeting. The City's Special Election for the civil service law petition will still be held on May 2, 2020, as called. Staff recommended the approval of Resolution 20-R-07.

Consider Resolution 20-R-08, designating the Mayor, City Manager, City Secretary, and Chief Financial Officer as authorized signatories for contractual documents and documents for requesting funds pertaining to the Hurricane Harvey – Infrastructure Community Development Block Grant – Disaster Recovery Program (CDBG-DR) – Contract Number 20-065-060-C175, from the Texas General Land Office.

The grant application submitted by the City of Alvin to the Texas General Land Office's (GLO) Hurricane Harvey Local Infrastructure Program has been approved.

The GLO allocated \$413 million to the Local Infrastructure Program and \$275 million to the Local Buyout and Acquisition Program from HUD Community Development Block Grant for Disaster Recovery (CDBG-DR). The GLO allocated the funds to regional Council of Governments' (COGs) based on a HUD approved needs assessment. The locally-led COGs then conducted methods of distribution (MODs) for determining infrastructure and buyout and acquisition amounts for cities and counties within each jurisdiction.

The City of Alvin's grant application for \$1,012,332 is intended to install generators to facilitate the proper functioning of critical wastewater-system, water-system, and public-facility components to reduce the impact of sewage contamination and backflow and ensure optimum water service in emergency situations.

In order to begin the grant implementation, the GLO requires the City to adopt a Resolution designating signatories for the Contract. Staff recommended approval of Resolution 20-R-08.

Consider Resolution 20-R-09, adopting required policies pertaining to the Hurricane Harvey – Infrastructure Community Development Block Grant – Disaster Recovery Program (CDBG-DR) – Contract Number 20-065-060-C175, from the Texas General Land Office.

The grant application submitted by the City of Alvin, Texas, to the Texas General Land Office's Hurricane Harvey Local Infrastructure Program has been approved.

The GLO allocated \$413 million to the Local Infrastructure Program and \$275 million to the Local Buyout and Acquisition Program from HUD Community Development Block Grant for Disaster Recovery (CDBG-DR). The GLO allocated the funds to regional Council of Governments' (COGs) based on a HUD approved needs assessment. The locally-led COGs

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In order to begin the grant implementation, the GLO requires the City to adopt a Resolution approving the following policies and procedures, which are included as part of the Resolution:

- 1. Citizen Participation Plan and Grievance Procedures;*
- 2. Section 3 Policy;*
- 3. Excessive Force Policy;*
- 4. Limited English Proficiency (LEP) Standards Plan;*
- 5. Section 504 Policy and Grievance Procedures;*
- 6. Code of Conduct Policy; and*
- 7. Fair Housing Policy.*

Staff recommended approval of Resolution 20-R-09.

Proclaim the month of April 2020 as Fair Housing month in the City of Alvin, Texas.

This proclamation is listed under the Consent Agenda because it will not formally be presented to anyone at the City Council meeting. This is required by Brazoria County for Community Development Block Grants and is also required as part of the General Land Office Community Development Block Grant we are receiving. Staff recommended proclaiming the Month of April 2020 as Fair Housing month in the City of Alvin.

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

OTHER BUSINESS

Consider award of bid to Texas Pride for the City of Alvin's Exclusive Solid Waste and Recycling Services, RFP-20-02, dated November 3, 2019, for a seven (7) year initial term, and two (2) additional three (3) year renewal options, and authorize the City Manager to begin contract negotiations.

The City of Alvin's current Solid Waste and Recycling Services contract was entered into on August 18, 2005 with IESI, with a subsequent name change to Progressive Waste Solutions and eventually the latest change to Waste Connections. The contract's initial term was a ten (10) year term from October 1, 2005, to September 30, 2015. On August 20, 2015, the City extended the contract for an additional five (5) years, with an ending date of September 30, 2020. No further extensions were allowed in the contract beyond September 30, 2020. As a result, the City was required to seek bids for the City's refuse and collection services.

On November 3, 2019, the City of Alvin issued and advertised RFP-20-02, entitled, "Exclusive Solid Waste and Recycling Disposal Services." Proposals were due January 14, 2020. The City received four (4) proposals from the following bidders: Waste Management, Waste Connections, Texas Pride Disposal, and Republic Services. Staff reviewed the RFP's and interviewed each bidder. The scoring system used a combination of sources from the content of the information in the proposals including: 1) Qualifications and Experience; 2) Service Yard, Facilities and Equipment; 3) Project Methodology; 4) Customer Service and Public Education; 5) Rates and Fees; 6) Transition Plan (if needed); and 7) Interview questions.

Staff provided different service options in the RFP, such as once a week or twice a week trash pickup, 65 or 95 gallon containers, and many different types of commercial containers. Staff did not recommend any specific service to bidders, as the intent of the RFP was to obtain a variety of service options and prices to review. Also, there were 32 service options for commercial services. These include 2-yard to 8-yard containers, each with varying number of days of service options.

Below is a brief summary of the residential rates provided by the bidders:

Cart Size	Weekly Garbage Frequency	Heavyby Trash Frequency	Current Price	Texas Pride	Waste Connections	Waste Management (a)	Republic
95 Gal	Once	Once	\$13.29	\$12.55	\$14.65	\$14.51	\$18.00
95 Gal	Twice	Once		\$15.05	\$18.30	\$17.15	N/A
65 Gal	Twice	Once		\$14.65	\$20.80	N/A	N/A

(a) Waste Management submitted alternate bids with slight variations to the bulky waste sections. This chart compares the most similar type to other bidders.

The most responsive bidder based on the proposals received was Texas Pride Disposal. In addition to very attractive pricing for residential pickup, Texas Pride Disposal has committed to hiring a Route Supervisor and a Customer Service Representative dedicated to the City of Alvin to manage operational areas as well as customer service needs. Texas Pride Disposal also included an improved route schedule, with Wednesday dedicated for weekly heavy trash pickup. This allows less trucks traveling during the week creating less wear and tear on City streets. Other added benefits of Texas Pride Disposal include construction debris pickup, increased heavy trash limits, extra carts at a minimal cost, increased bulky item services, penalties for missed services, and improved communication with the City.

Texas Pride Disposal also submitted the most service price reductions for commercial containers, with 25 of the 32 offered services resulting in reduced costs. This would result in estimated annual savings of \$214,000 compared to the same data over an annual fiscal year.

Upon City Council approval to award the City's Exclusive Solid Waste and Recycling Services to Texas Pride Disposal, an award letter will be sent with contract negotiations to follow. Staff anticipates 30-60 days for the contract phase to be completed. Council will then have the opportunity to decide on which service option to choose from (i.e. once a week service, twice a week service, 65 gal or 95 gal trash containers, etc.) at a later council meeting.

Council member Castro stated that he took offence to the remarks made by Mr. Moreno earlier in the meeting, and that the City followed the bidding process as defined by law.

Council member Starkey moved to award the bid to Texas Pride Disposal for the City of Alvin's Exclusive Solid Waste and Recycling Services, for a seven (7) year initial term beginning October 1, 2020, through September 30, 2027, and an option to extend the agreement up to two (2) additional three (3) year terms, and authorize the City Manager to conduct contract negotiations. Seconded by Council member Thompson; motion carried on a vote of 7 Ayes.

Consider the appointment of Mohamad "Mo" Ghuneim as the Presiding Municipal Judge for the City of Alvin Municipal Court for a two (2) year term ending March 5 2022, and authorize the Mayor to sign the Employment Agreement.

On November 18, 2019, City Council accepted the resignation of presiding judge Deanie King, and appointed Associate Judge Mohamad "Mo" Ghuheim as the Interim Presiding Judge. Judge Ghuneim was initially appointed as an Associate Judge in February 2017.

In December 2019, the Presiding Municipal Judge position was posted. The position remained open until February 10, 2020. The City received a total of 10 applications; all but three (3) were excluded from consideration, as those individuals did not meet the Charter's Brazoria County residency requirement for the Presiding Judge.

On February 20, 2020, the committee interviewed three (3) candidates, including Interim Presiding Judge Ghuneim. It is the committee's recommendation that Mo Ghuneim be appointed as the Presiding Municipal Court Judge for the City of Alvin Municipal Court. Staff recommended the appointment and the approval of the Employment Agreement with Judge Ghuneim.

Council member Castro moved to appoint Mohamad "Mo" Ghuneim as the Presiding Municipal Court Judge for the City of Alvin Municipal Court for a two (2) year term, ending March 5, 2022, and authorize the Mayor to sign the Employment Agreement. Seconded by Council member Adame; motion carried on a vote of 7 Ayes.

Consider Resolution 20-R-10, appointing Mike Merkel to serve as an Associate Municipal Judge for the City of Alvin Municipal Court for a two (2) year term ending March 5, 2022; and approving the Memorandum of Understanding between the City of Alvin and Mike Merkel, and authorize the Mayor to sign.

Judge Mike Merkel is currently the Justice of the Peace for Precinct 3-1, and would like to continue serving the City of Alvin as the associate municipal court judge, and will receive compensation in the amount of \$450.00 per month. As an associate judge, Judge Merkel will receive direction from the interim presiding judge, Mohammad (“Mo”) Ghuneim, for his duties which include, but are not limited to, arraigning prisoners in the City jail.

Judge Merkel was appointed as an Associate Judge in 2013, and he continued to volunteer his time serving the City, handling the City’s magistrations in the Alvin City Jail. On or about August 29, 2019, Judge Merkel submitted his letter of resignation, which Council accepted on September 17, 2019. In November, Judge Merkel agreed to serve the City on a temporary basis. Although that agreement expired on February 29, 2020, Judge Merkel has continued with his duties as an Associate Judge. Staff recommended approval of the Resolution and of the Memorandum of Understanding with Judge Merkel.

Council member Starkey moved to approve Resolution 20-R-10, appointing Mike Merkel to serve as the Associate Municipal Court Judge for a two (2) year, ending March 5, 2022; and approving the Memorandum of Understanding with Judge Merkel, and authorize the Mayor to sign. Seconded by Council member Adame; motion carried on a vote of 7 Ayes.

Consider Resolution 20-R-11, setting two (2) public hearings for April 2, 2020, and April 16, 2020, for the limited purpose annexation of 18.2173 acres, more or less, a commercial parcel of land within Municipal Utility District No. 24 (Martha’s Vineyard), situated along State Highway 6 in Brazoria County, Texas.

This tract of land was annexed into Municipal Utility District (MUD) No. 24 on February 21, 2019, as part of the Martha’s Vineyard Development for the purposed of providing commercial development to the overall project. The MUD will be delivering water and sewer services to this tract. A Strategic Partnership Agreement (SPA) was entered into on June 20, 2019, between the City of Alvin and MUD No. 24. Section 2.02 of the SPA allows this commercial tract to be annexed into the city in a Limited Purpose Annexation for the collection of its sales and use taxes. This is the first step of consideration for limited purpose annexation that will be presented to City Council in an upcoming meeting. Staff recommends approval of Resolution 20-R-11.

Council member Castro moved to approve Resolution 20-R-11, setting two (2) public hearings for April 2, 2020, and April 16, 2020 for the limited purpose annexation of 18.2173 acres, more or less, a commercial parcel of land within Municipal Utility District No.24 (Martha’s Vineyard) situated along State Highway 6 in Brazoria County, Texas. Seconded by Council member Richards; motion carried on a vote of 7 Ayes.

Consider Ordinance 20-G, amending Chapter 21, Subdivisions and Property Development Section 110, of the Code of Ordinances, City of Alvin, Texas, for the purpose of revising the requirements for Planned Unit Developments; and setting forth other provisions related thereto.

On January 21, 2020, the Planning Commission discussed the Planned Unit Development Section of the Subdivision Ordinance in detail and requested that Staff draft an amendment to the ordinance. Staff drafted the amendment to the ordinance and presented it to the Planning Commission on February 18, 2020 for their consideration. The Planning Commission voted unanimously to approve the amendment to the ordinance as proposed. Staff recommends approval of Ordinance 20-G.

Approval of Ordinance 20-G will amend Section 21-110 Planned Unit Developments as follows:

- 1. Language has been added to further clarify the 7% greenspace requirement so that it is an amenity and usable for the future residents of the subdivision.*
- 2. In order to promote various lot sizes within the developments a lot width average of 60 feet (as measured at the building setback line) has been incorporated. The minimum lot width remains at 50 feet with a minimum lot area of 5,500 square feet.*
- 3. The front building setback has been increased from 20 feet to 25 feet.*

4. *The minimum road right-of-way width has been increased from 50 feet to 60 feet.*

Council expressed concern that the backyards of future PUDs would be too small and requested that staff look into a minimum yard area and provide an amendment to Ordinance 20-G at a later date.

Council member Vela moved to approve Ordinance 20-G, amending Chapter 21, Subdivisions and Property Development Section 110, of the Code of Ordinances, City of Alvin, Texas, for the purpose of revising the requirements for Planned Unit Developments; and setting forth other provisions related thereto. Seconded by Council member Arendell; motion carried on a vote of 7 Ayes.

Consider an award of bid to Siddons Martin Emergency Group, LLC, for the construction of a 2020 Ladder Truck through the HGAC Cooperative Purchasing Program, in an amount not to exceed \$1,424,686.

The Fire Department solicited vendors through HGAC's Cooperative Purchasing Program, known as HGACBuy, to submit specifications, demonstrate, and provide service information on their Ladder Trucks to a committee of ten Alvin Volunteer Fire Fighters. After months of review, the committee recommended the Pierce Brand Ladder Truck. On February 17, 2020, the Fire Department received a bid from Siddons Martin Group LLC, a Sole Vendor, for a proposal to build a Pierce – Custom Velocity Aerial Platform 100' (Ladder Truck). This 2020 Pierce Ladder Truck will replace the Fire Department's existing 27-year-old Ladder Truck that will then be sold. Once the bid is awarded, delivery will take approximately 12 months and come with a 12-month bumper to bumper warranty. Funding for this vehicle will be paid from the 2019 Certificate of Obligations as a result of the savings from the construction cost of the new Fire/EMS Facility.

Vehicle Price	\$1,464,891.00
Chassis & Aerial Prepa	(\$23,654.00)
Prepay Discount	(\$18,551.00)
<u>Sub Total</u>	<u>\$1,422,686.00</u>
HGAC Contract Amount	\$2,000.00
Final Sales Price	\$1,424,686.00

Council member Castro moved to award a of bid to Siddons Martin Emergency Group, LLC, for the construction of a 2020 Ladder Truck through the HGAC Cooperative Purchasing Program, in an amount not to exceed \$1,424,686. Seconded by Council member Vela; motion carried on a vote of 7 Ayes.

REPORTS FROM CITY MANAGER

Items of Community Interest and 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 March 19th City Council meeting.

ITEMS OF COMMUNITY INTEREST

Mrs. Roberts reviewed items of community interest.

Council member Thompson announced the disc golf tournament on March 6th and 7th.

Council member Arendell congratulated Texas Pride for winning the solid waste and recycling contract; he thanked the staff that were involved in the selection process.

Council member Richards thanked the city employees for the great job they do.

Council member Castro thanked everyone on Solid Waste Selection Committee.

Council member Adame thanked everyone who put together the RFP for a solid waste collection services and who took the time to answer the question he had. He announced that the Alvin Noon Lions Club is hosting the inaugural Light the Night Disc Golf tournament on March 6th.

Council member Starkey thanked the Solid Waste Selection Committee for their work on the selection of a solid waste collection company.

Mayor Horn thanked Council member Adame for his work in bringing a disc golf course to Alvin.

EXECUTIVE SESSION

Mayor Horn called for an executive session at 7:45 p.m. in accordance to the following:

Section 551.071 (2) of the Local Government Code: on a matter in which the attorney has a duty to confidentially advise the City regarding Civil Service Law.

RECONVENE TO OPEN SESSION

Mayor Horn reconvened the meeting into open session at 9:34 p.m.

ADJOURNMENT

Mayor Pro-tem Starkey adjourned the meeting at 9:34 p.m.

PASSED and APPROVED the 19th day of March 2020.

Paul A. Horn, Mayor

ATTEST: _____
Dixie Roberts, City Secretary