

**MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
REGULAR CITY COUNCIL MEETING AND
EXECUTIVE SESSION
THURSDAY JUNE 4, 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; Dan Kelinske, Parks and Recreation Director, Larry Buehler, Economic Development Director, and Robert E. Lee, Police Chief.

INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Paul Horn gave the invocation.

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

OATH OF OFFICE TO NEWLY ELECTED OFFICIALS

Municipal Court Judge Mo Ghuneim administered the Oath of Office to officially declared elected candidates Mayor Paul A. Horn, and Gabe Adame, City Council District E.

PRESENTATION

The Economic Development Department was presented with a Certificate of Congressional Recognition from a staff member of U.S. Representative Pete Olson, 22nd District Office of Texas for their efforts in helping local businesses during the COVID-19 crisis.

PUBLIC COMMENT

CONSENT AGENDA

Consider approval of the May 21, 2020 City Council meeting minutes.

Consider a final plat of Caldwell Ranch Boulevard Phase 1 Street Dedication (located along the east side of FM 521 and north of Juliff-Manvel Road), being a subdivision of 8.785 acres of land situated in the William Hall League, abstract 31, Fort Bend County, Texas, also being a partial replat of lots 3, 4, 5, and 6 of the T.W. & J. W. B. House Subdivision, as recorded in volume 7, page 301 of the Fort Bend County deed records.

On April 30, 2020, the Engineering Department received the Final Plat of Caldwell Ranch Boulevard Phase 1 Street Dedication for review. This subdivision is in the City of Alvin's Extraterritorial Jurisdiction (ETJ) within Fort Bend County, located along the east side of FM 521 and north of Juliff-Manvel Road. This final plat consists of 3 reserves and a 70' wide road right-of-way dedication for the future Caldwell Ranch Boulevard. This plat complies with all requirements of the City's Subdivision Ordinance.

This right-of-way was included for the major collector roadway on the Master Preliminary Plat of Caldwell Ranch, that was approved by Council May 7, 2020. The City Planning Commission unanimously approved the plat at their meeting on May 19, 2020. Staff recommended approval.

Consider a final plat of Fort Bend ISD High School No 12 (located in the City of Alvin's ETJ along the east side of FM 521 and north of Juliff-Manvel Road), being a subdivision of 76.963 acres out of the William Hall Survey, Abstract 31, Fort Bend County, Texas.

On April 30, 2020, the Engineering Department received the final plat of Fort Bend ISD High School No 12 for review. This subdivision is in the City of Alvin's Extraterritorial Jurisdiction (ETJ) located along the east side of FM 521 and north of Juliff-Manvel Road. This final plat consists of 1 block and 1 reserve which is being platted for the construction of a new Fort Bend ISD high school. This plat complies with all requirements of the City's Subdivision Ordinance.

This property was included on the Master Preliminary Plat of Caldwell Ranch that was approved by Council May 7, 2020. The City Planning Commission unanimously approved the plat at their meeting on May 19, 2020. Staff recommended approval.

Consider a final plat of Southern Colony Expansion Phase 1 Section 3 (located in the City of Alvin's ETJ along the east side of FM 521 and north of Juliff-Manvel Road), being a planned unit development subdivision of 36.030 acres of land situated in the William Hall League, Abstract 31, Fort Bend County, Texas, and Abstract 713 in Brazoria County, Texas, also being a partial replat of lot 11 of the T.W. and J.W.B. House Subdivision, as recorded in volume 7, page 301 of the Fort Bend County Deed Records.
On April 30, 2020, the Engineering Department received the final plat of Southern Colony Expansion Phase 1 Sections 3 for review. This subdivision is in the City of Alvin's Extraterritorial Jurisdiction (ETJ) located along the east side of FM 521 and north of Juliff-Manvel Road. This Final Plat consists of 148 lots, 4 reserves, and 4 blocks. This plat complies with all requirements of the Planned Unit Development Section of the City's Subdivision Ordinance.

The Master Preliminary Plat of Southern Colony Expansion Phase 1, which contains this section, was approved by City Council on March 7, 2019. The City Planning Commission unanimously approved the plat at their meeting on May 19, 2020. Staff recommended approval.

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 Resolution 20-R-17, appointing Greg Hill to serve as an Associate Municipal Judge for the City of Alvin Municipal Court for a two (2) year term; approving the Memorandum of Understanding between the City of Alvin and Greg Hill; and authorize the Mayor to sign.

Judge Greg Hill served as an Associate Judge for the City of Alvin from February 2017 until September 5, 2018, when he resigned to take the bench in the County Court at Law Number 1 of Brazoria County, Texas. Judge Hill would like again to serve the City of Alvin as an associate municipal court judge, and will receive compensation in the amount of \$925.00 per month. As an associate judge, Judge Hill will receive direction from the presiding judge, Mo Ghuneim, for his duties which will include, but will not be limited to, handling dockets (both virtual and in-person), presiding over bench and jury trials, arraigning prisoners in the City jail on the weekends, and serving as a "backup" if Judge Ghuneim is sick or on vacation. Staff recommended approval of the Resolution and of the Memorandum of Understanding with Judge Hill.

Council member Arendell moved to approve Resolution 20-R-17, appointing Greg Hill to serve as an Associate Municipal Judge for the City of Alvin Municipal Court for a two (2) year term; approving the Memorandum of Understanding between the City of Alvin and Greg Hill. Seconded by Council member Starkey; motion carried on a vote of 7 Ayes.

Consider Resolution 20-R-18, authorizing the publication of a Notice of Intention to issue Certificates of Obligation; approving the preparation of a preliminary official statement and Notice of Sale; and approving other matters incidental thereto.

The City is currently planning the issuance of Certificates of Obligation ("Certificates") to finance the costs associated with the (i) construction of improvements to and the equipment of city streets sidewalks and related drainage facilities; (ii) construction of improvements to and the equipment of city parks and recreations facilities; and (iii) the costs of professional services incurred in connection therewith.

Under Section 271.049 of the Texas Local Government Code, the City is required to publish notice of its intention to issue the Certificates before City Council may approve an ordinance authorizing the sale of the Certificates. For the most part, the public notice must state:

- 1) the time and place tentatively set for the passage of the order or ordinance authorizing the issuance of the certificates;*
- 2) the purpose of the certificates to be authorized;*
- 3) the manner in which the certificates will be paid for, whether by taxes, revenues, or a combination of the two; and*
- 4) the maximum principal amount of certificates to be authorized.*

Resolution 20-R-18 authorizes the publication of the statutorily required notice. In addition, Resolution 20-R-18 authorizes the City's administrative staff, with the assistance of Bond Counsel (Bracewell LLP) and Financial Advisors (US Capital Advisors LLC), to proceed with the preparation of the preliminary official statements and notices of sale for the proposed certificates.*

Contents of the Notice of Intention to Issue the Certificates

*The contents of the notice of intention to issue the Certificates are dictated by state law. The maximum par amount listed in the notice of intention sets the maximum amount of certificate proceeds that may be used for the purposes outlined above. To date, the City has not bid out the cost of the projects. As a result, the amount reflected in the Notice of Intent is the maximum estimated costs of the Street/Drainage and Park Improvement Projects. **If the final costs of the projects come in lower than the maximum estimated (noted on the Notice of Intent), the City will not issue the full par amount listed in the notice.***

Pledging of Resources for the Certificates

The Certificates will be secured by a pledge of ad valorem taxes. The City does not intend to pay the debt service on the Certificates from the net revenues of the City's water and sewer system and is not required to do so as a result of the limited pledge (beyond the \$1,000 pledged). However, state law requires the attachment of a valid pledge of revenues in order to issue certificates of obligation.

The City is limited in the sources of revenue from which it may make a valid pledge of revenues for this purpose and has traditionally used a de minimis pledge of the net revenues of its water and sewer system. For example, state law prohibits the City from pledging sales taxes to the payment of the Certificates. As a result, the City cannot replace the limited pledge of water and sewer revenues with a pledge of sales tax revenues. However, to the extent that the projects funded from with the Certificates are eligible for payment from sales tax revenues, the City could in the future use sales tax revenues to pay the portion of debt service on the Certificates allocable to the projects eligible to be funded from the sales taxes. Staff recommended approval of Resolution 20-R-18.

Council member Starkey moved to approve Resolution 20-R-18, authorizing the publication of a Notice of Intention to issue Certificates of Obligation; approving the preparation of a preliminary official statement and Notice of Sale; and approving other matters incidental thereto. Seconded by Council member Richards; motion carried on a vote of 7 Ayes.

Consider Ordinance 20-P, amending Chapter 24, Traffic, of the Code of Ordinances, City of Alvin, Texas, for the purpose of amending and altering the prima facie speed limit established for vehicles under the provisions of §545.356, Texas Transportation Code, upon the basis of an engineering and traffic investigation, upon certain streets and highways, or parts thereof, within the corporate city limits of the City of Alvin, as set out in this Ordinance; providing for a penalty; providing for a repealer clause and severability clause; providing for publication, and effective date; and setting forth other provisions related thereto; that along SH 6 from County Road 142 to the south Alvin City Limit, a distance of approximately 0.976 miles, the speed limit shall be 50 mph.

On April 8, 2020, the City received a letter from the Director of Transportation Operations for the Texas Department of Transportation (TXDOT), notifying the City of a change to the posted speed limit along SH 6 from County Road 142 to the

south Alvin City Limit. TXDOT revised the speed limit based on a Speed Zone Study that they recently conducted. In order for this change to be enforceable, the City must approve an ordinance to amend Chapter 24 Traffic to revise the speed limit from 60 mph to 50 mph. Ordinance 20-P amends Chapter 24 therefore accomplishing this goal. The speed limit change is as follows: Along SH 6 from County Road 142 to the south city limit of the City of Alvin, approximately 0.976 mile, the speed limit shall be 50 mph.

Michelle Segovia, City Engineer presented this ordinance before City Council and recommended its approval.

Council member Castro moved to approve Ordinance 20-P, amending Chapter 24, Traffic, of the Code of Ordinances, City of Alvin, Texas, for the purpose of amending and altering the prima facie speed limit established for vehicles under the provisions of §545.356, Texas Transportation Code, upon the basis of an engineering and traffic investigation, upon certain streets and highways, or parts thereof, within the corporate city limits of the City of Alvin, as set out in this Ordinance; providing for a penalty; providing for a repealer clause and severability clause; providing for publication, and effective date; and setting forth other provisions related thereto; that along SH 6 from County Road 142 to the south Alvin City Limit, a distance of approximately 0.976 miles, the speed limit shall be 50 mph. Seconded by Council member Arendell; motion carried on a vote of 7 Ayes.

Consider Ordinance 20-Q, amending Chapter 24, Traffic, of the Code of Ordinances, City of Alvin, Texas, for the purpose of amending and altering the prima facie speed limit established for vehicles under the provisions of §545.356, Texas Transportation Code, upon the basis of an engineering and traffic investigation, upon certain streets and highways, or parts thereof, within the corporate city limits of the City of Alvin, as set out in this Ordinance; providing for a penalty; providing for a repealer clause and severability clause; providing for publication, and effective date; and setting forth other provisions related thereto; that along FM 1462 from W. Clearwood to Johnson Street, a distance of approximately 1.501 miles, the speed limit shall be 45 mph, and along FM 1462 from Johnson Street to a point 211 feet east of SH 35, a distance of 0.441 miles, the speed limit shall be 40 mph.

On May 12, 2020, the City received a letter from the Director of Transportation Operations for the Texas Department of Transportation (TXDOT), notifying the City of a changes to the posted speed limits along FM 1462. TXDOT revised the speed limits based on a Speed Zone Study that they recently conducted. In order for these changes to be enforceable, the City must approve an ordinance to amend Chapter 24 Traffic to revise the speed limits. Ordinance 20-Q amends Chapter 24 therefore accomplishing this goal. The speed limit change is as follows: 1. Along FM 1462, from the centerline of W. Clearwood Road to the centerline of Johnson Street, approximately 1.501 miles, the speed limit shall be 45 mph. (previously 55 mph). 2. Along FM 1462, from the centerline of Johnson Street, to a point 211 feet east of the centerline of SH 35, a distance of approximately 0.441 mile, the speed limit shall be 40 mph (previously 45 mph).

Michelle Segovia, City Engineer presented this ordinance before City Council and recommended its approval.

Council member Adame moved to approve Ordinance 20-Q, amending Chapter 24, Traffic, of the Code of Ordinances, City of Alvin, Texas, for the purpose of amending and altering the prima facie speed limit established for vehicles under the provisions of §545.356, Texas Transportation Code, upon the basis of an engineering and traffic investigation, upon certain streets and highways, or parts thereof, within the corporate city limits of the City of Alvin, as set out in this Ordinance; providing for a penalty; providing for a repealer clause and severability clause; providing for publication, and effective date; and setting forth other provisions related thereto; that along FM 1462 from W. Clearwood to Johnson Street, a distance of approximately 1.501 miles, the speed limit shall be 45 mph, and along FM 1462 from Johnson Street to a point 211 feet east of SH 35, a distance of 0.441 miles, the speed limit shall be 40 mph. Seconded by Council member Arendell; motion carried on a vote of 7 Ayes.

Consider Resolution 20-R-19 of the City Council of the City of Alvin, authorizing and approving the Coronavirus Relief Fund, and the Coronavirus Aid, Relief and Economic Security (CARES) Act Application; providing for open meetings; and providing for other related matters.

Congress passed the Coronavirus Aid, Relief, and Economic Security (CARES) Act to provide much needed resources to help governments, businesses, and individuals respond to the current pandemic. Within the CARES Act, the Coronavirus Relief Fund (CRF) was created to provide financial resources to state and local governments. As it relates to the CRF, Texas has received approximately \$11.24 billion from the United States Department of Treasury for direct coronavirus related expenses based on the funding formula provided in the CARES Act.

Consistent with the CARES Act, 45% of the total \$11.24 billion state allocation – approximately \$5.06 billion – will be made available to local governments. Of that \$5.06 billion, the Department of Treasury has directly sent over \$3.2 billion to the six cities and 12 counties in Texas with a population greater than 500,000. That leaves approximately \$1.85 billion that the State has made available to the remaining cities and counties.

The allocation from the \$1.85 billion in local funds is available to cities and counties on a \$55 per capita allotment. Twenty percent (20%) of each jurisdiction's allocation will be made available immediately upon certification to the State that grant terms will be followed.

Because the City of Alvin is below the 500,000 population and so is Brazoria County, the City will receive a direct allocation of CARES Act Funds from the State of Texas, in the amount of \$55 per capita population of residents located within Brazoria County. Based on the calculation per capita, the City of Alvin was allocated \$1,549,845, with 20% (\$309,969) of which can be disbursed immediately upon the completion of the CARES Act certification/application.

The CARES Act provides that payments from the CRF may only be used to cover costs that:

- are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);*
- were not accounted for in the budget most recently approved as of March 27, 2020; and*
- were incurred during the period that begins on March 1, 2020 and ends on December 30, 2020*

A minimum of 75% of the allotment must be spent in the categories of medical expenses, public health expenses and payroll expenses for employees substantially dedicated to mitigating or responding to the public emergency. The remainder of the allotment may be spent in any of the other categories provided within the Treasury guidance.

City Manager Junru Roland presented this Resolution before City Council and recommended its approval.

Council member Castro moved to approve Resolution 20-R-19 of the City Council of the City of Alvin, authorizing and approving the Coronavirus Relief Fund, and the Coronavirus Aid, Relief and Economic Security (CARES) Act Application; providing for open meetings; and providing for other related matters. Seconded by Council member Vela; motion carried on a vote of 7 Ayes.

REPORTS FROM CITY MANAGER

Mr. Roland stated that on Saturday June 6th from 9am – 6pm Manvel will be hosting a drive through COVID testing site at Manvel High School. He also stated that anyone interested in serving on the Charter Review Commission should submit their application to the City Secretary's Office by June 15th.

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 Keith Thompson expressed that he is glad to be back to City Council meetings in person, but encouraged everyone to continue social distancing.

Council member Vela stated that he has received a number of complaints regarding the mandatory EMS monthly fee on utility bills. He also stated that the noise ordinance should be reviewed for any possible updates, and that he would like for staff to review and bring back the homeless ordinance for discussion.

Council member Arendell congratulated Mayor Horn and Council member Adame on their re-election.

Council member Castro stated that it was good to see everyone again. He also congratulated Mayor Horn and Council member Adame on their re-election.

Council member Adame congratulated all of the Alvin High School graduates with a special congrats to his nephew. He also stated that the PPE program has extended to December 31st, and encouraged those who may need assistance to apply. Council member Adame also congratulated Larry Buehler and Josh Dearing in Economic Development for their efforts in helping local businesses during COVID-19.

Council member Starkey congratulated Mayor Horn and Council member Adame, as well as Larry Buehler and the Economic Development team. He also stated that it he is glad to see Greg Hill on board, and thanked city employees for the work they do.

Mayor Horn stated that Brazoria County has been actively tracing all COVID1-19 cases, and that Alvin has seen a recent increase in cases. Laurel Court has seen one resident and three employees test positive.

EXECUTIVE SESSION

Mayor Horn adjourned the meeting at 7:30 p.m. for an Executive Session under Section 551.074 of the Local Government Code: Deliberation on the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee - City Manager Evaluation.

RECONVENE TO OPEN SESSION

Mayor Horn reconvened the meeting into open session at 7:38 p.m. No action was taken.

ADJOURNMENT

Mayor Horn adjourned the meeting at 8:05 p.m.

PASSED and APPROVED the 18th day of June 2020.

Paul A. Horn, Mayor

ATTEST: _____
Dixie Roberts, City Secretary