

MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
REGULAR CITY COUNCIL MEETING
THURSDAY DECEMBER 3, 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 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 Joel Castro; Councilmembers: Gabe Adame, Adam Arendell, Brad Richards, Glenn Starkey, 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; Larry Buehler, Director of Economic Development; Josh Dearing, Community Development Coordinator; Dan Kelinske, Director of Parks and Recreation; Rex Klesel, Fire Chief; Brandon Moody, Director of Public Services; Michelle Segovia, City Engineer; and Todd Arendell, Police Captain.

INVOCATION AND PLEDGE OF ALLEGIANCE

Council member Castro 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.

PRESENTATION

Recognition in honor of the opening of the Karpeles Museum.

Mayor Horn announced that the presentation would be moved to the end of the meeting.

Mr. Tom Stansel, Alvin Museum Society, member, gave a background on the Kapeles Museum project. He named the businesses and individuals that donated time and money to this project.

Mayor Horn presented certificates of recognition to Robert Vasquez and Tom Stansel for their time and dedicated service in bringing the Karpeles Museum to Alvin.

PUBLIC COMMENT

Mr. John Burkey, Senior Citizen Board member, announced the drive through lunch on December 10th at the Alvin Senior Center.

CONSENT AGENDA

Consider approval of the November 19, 2020 City Council Regular meeting minutes.

Consider a final plat of Mustang Ranch Estates (located at 812 Verhalen Road), being a subdivision of 2.7000 acres in the M.V. O'Donnell Survey, Section 10, Abstract 478, Brazoria County, Texas.

Consider a final plat of Cline Crossing No. 3 (located at 1824 E. Highway 6), being a subdivision of 2.0506 acres of land located in the I. & G. N. R.R. Co. Survey, Abstract No. 400, Brazoria County, Texas, being out of lots 14 and 15, Holmsville, according to the map or plat thereof recorded under Volume 35, Page 107 of the Brazoria County Deed Records, being all of that certain called 2.0506 acre tract of land conveyed to OC Alvin, Ltd. by deed recorded in Brazoria County clerk's file no. 2020050060 of the official public records of Brazoria County, Texas.

Consider a Partial Re-Plat of Lot 2 of Hope Subdivision (located adjacent to 3373 E. Highway 6), being a re-plat of Lot 2 of the abbreviated Final Plat of Hope Subdivision containing 5.09 acres situated in the I. & G. N. R. R. Company Survey, Section 26, Abstract 619, Brazoria County, Texas, according to the map or plat thereof recorded in Brazoria County Clerk's file 2009046990.

Acknowledge receipt of the 2019 Tax Increment Reinvestment Zone Number Two Annual Report.

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 the 2021 Interlocal Agreement for Emergency Services with Brazoria County Emergency Services District #3 (ESD); and authorize the Mayor to sign upon legal review.

The Emergency Services District was first formed in 2004. Brazoria County Commissioners select five (5) ESD Board of Directors to authorize and appropriate funding for Fire and Emergency Medical Services (EMS) to the approximate 120 square miles surrounding the city limits of Alvin.

Typically, each entity is allowed to submit a budget to the (5 member) ESD Board of Directors each year. The Board then reviews the budget-requests and asks each entity to do a short presentation on their budget-request. The Board subsequently allocates/awards the funds to each entity, accordingly.

In 2019, the ESD paid a total of \$731,000 to the City of Alvin for the following Emergency Services:

- \$362,000 for Fire and Rescue*
- \$369,000 for Emergency Medical Services*

In 2020, the ESD paid a total of \$738,240 to the City of Alvin for the following Emergency Services:

- \$369,240 for Fire and Rescue*
- \$369,000 for Emergency Medical Services*

The 2021 proposed ESD Agreement with City of Alvin will increase to a total of \$783,240 to the City of Alvin for the following Emergency Services:

- \$399,240 (\$30,000 increase) for Fire & Rescue*
- \$384,000(\$15,000 increase) for Emergency Medical Service*

Staff recommended approval of this agreement.

Rex Klesel, Fire Chief, presented this item before City Council. He announced that the Fire Department was approved for a fire truck grant worth \$200,000.

Council member Castro moved to approve the 2021 Interlocal Agreement for Emergency Services with Brazoria County Emergency Services District #3 (ESD); and authorize the Mayor to sign upon legal review. Seconded by Council member Adame; motion carried on a vote of 7 Ayes.

Consider an Engineering Services Agreement with LJA Engineering in an amount not to exceed \$549,900 for engineering design services for the Waterline Improvements Phase 3 Project; and authorize the City Manager to sign the Agreement upon legal review.

The Waterline Improvements Phase 3 Project was identified in the 2015 Utility Master Plan that was approved by City Council on March 3, 2016 and consists of the replacement/addition of approximately 25,085 linear feet of 6" and 8" waterlines in the area generally bounded by House Street, Bayou Drive, South Street, and Gordon Street, as well as an alternate to construct new water lines along Foley Street and within an easement from Legion Street to Adoue Street.

The Engineering Services Agreement being considered will provide surveying and geotechnical data, preliminary and final engineering design, complete plan set with bid package, and construction phase services for this important water system rehabilitation CIP project. It is proposed that design services culminating in a final bid package will be complete in a period of nine months. Approval of this Agreement will ensure that construction plans are available and ready for bid in August 2021.

This project is being funded by the 2020 Water and Sewer System Revenue Bonds that were authorized and approved by City Council on October 15, 2020. Staff recommended approval of this Agreement.

Michelle Segovia presented this item before City Council.

Council member Starkey moved to approve an Engineering Services Agreement with LJA Engineering in an amount not to exceed \$549,900 for engineering design services for the Waterline Improvements Phase 3 Project; and authorize the City Manager to sign the Agreement upon legal review. Seconded by Council member Arendell; motion carried on a vote of 7 Ayes.

Discuss and consider a fifteen (15)-year Lease Agreement with BRP Alvin BESS LLC (“BRP”), with two additional ten (10) year terms, to allow BRP access to their property, and the right of ingress and egress in, upon, on, over, above and under City-owned property, for the initial sum of \$1,500; and authorize the Mayor to sign upon legal review.

When the City constructed the sidewalk along 760 Heights Road in 1989, the City purchased the 8-foot wide strip of property, instead of platting it as a right-of-way or easement. BRP Alvin BESS LLC, (“BRP”) a utility-scale independent power producer based in Houston, owns a five-gigawatt portfolio of utility scale solar and energy storage power projects in Montana, California, Wyoming, Utah and Texas.

This Lease Agreement will allow BRP to cross the City-owned property to access their site, and the right of ingress and egress in, upon, on, over, above and under the property. The Lease Agreement has an initial term of fifteen (15) years, with two (2) optional additional extended ten (10) year terms. BRP has agreed to pay the City a flat fee of \$1,500 for the initial term of the Lease Agreement, and an additional \$1,000 for each extended term, if applicable. Staff recommended approval of the Lease Agreement.

Suzanne Hanneman, City Attorney, presented this item before City Council.

Council member Thompson moved to approve a fifteen (15) year Lease Agreement with BRP Alvin BESS LLC, with two additional ten (10) year terms, to allow BRP access to their property, and the right of ingress and egress in, upon, on, over, above and under the City-owned property, for the initial sum of \$1,500, and authorize the Mayor to sign upon legal review. Seconded by Council member Richards; motion carried on a vote of 7 Ayes.

Discuss and consider Resolution 20-R-33, adopting the revised Guidelines, Criteria, and Application for the City of Alvin Business Improvement Grant Program.

Since its inception in 2017, the Business Improvement Grant Program has awarded 12 grants to projects that have equated to over \$133,000 in private investment. The grant program is currently available to businesses that are located in the downtown development area of Alvin, as well as along Gordon Street from State Highway 6 to FM 1462. Given the success of the grant program over the last 4 years, the guidelines were revised to allow for assistance to help defer the costs of physically moving an existing business to a vacant downtown storefront, or to assist a new business that will occupy a vacant building to include the consideration of internal improvements to facilities in the downtown area. These considerations will help promote the development and expansion of new and existing business enterprises and attract more people to the downtown area that will generate additional sales and activity within the downtown area of the City. The Guidelines were reviewed by the grant review team and revised to better reflect the goals of the program.

The major changes to the Guidelines are:

- Potential allowance of internal building improvements for businesses locating to Downtown Development Area*
- Properties with active Code Enforcement violations cannot participate unless application remedies violations*
- Businesses receiving a grant must remain in business for 24 months (previously 12 months)*
- Approved projects must be completed prior to applying for a new grant*

Staff recommended approval of Resolution 20-R-33.

Josh Dearing, Economic Development Coordinator, presented this item before City Council.

Council member Vela moved to approve Resolution 20-R-33, adopting the revised Guidelines, Criteria, and Application for the City of Alvin Business Improvement Grant Program. Seconded by Council member Arendell; motion carried on a vote of 7 Ayes.

Consider various appointments to boards and commissions.

Current terms will expire for various citizen boards committees and commissions on December 31, 2020.

All board or commission members with expiring terms were mailed notification letters along with a Consent and Willingness to Serve form. Volunteer recruitment ads were published in the Alvin Sun, and notifications were pushed out via the City's social media networks. Members appointed during this process will begin service in January 2021. All residency requirements have been verified.

Staff suggests that Council have a time of discussion to decipher which appointments should be made to specific boards/commissions. Once a consensus is agreed upon motions can be made for appointments for each board/commission. Last year, it was suggested by a citizen that city council use secret ballots to make appointments. Chapter 2, Article II, Section 2-24 of the Code of Ordinances states that written ballots are not to be used for the appointment of members to boards and commissions.

Council member Vela moved to appoint members to various boards and commission as presented below. Seconded by Council member Arendell; motion carried on a vote of 7 Ayes:

Planning Commission, 3-year term
Ashley Davis

Parks and Recreation Board, 2-year term
Terrie Beasley, Clarence Wittwer, Justin Gatlin, and Cathy Fontenot.

Senior Citizen's Board, 2-year term
John Burkey, Maire Hodges, Beverly Kimbrough, and Dorci Hill

Alvin Public Library Board, 3-year term
Sandra Curtner, Laura Parker, Felicia Robbins, and Marina Olson

Building Board of Adjustments and Appeals, 2-year term
Santos Garza, Roger Stuksa, and Sussie Sutton

Animal Shelter Advisory Committee, 3-year term
James Crumm (veterinarian), Sandra Curtner (citizen), Tonya Douglas (city official), Autumn Miller (day to day operations), and James Thompson (citizen).

Discuss and consider Resolution 20-R-34, ratifying the City Manager's appointments to the City of Alvin Civil Service Commission; and setting forth other provisions related thereto.

Civil Service for the police officers was voted in by the citizens of Alvin on November 3, 2020.

Chapter 143 of the Texas Local Government Code establishes the legislation and requirements for Civil Service under which our police operate. Section 143.006 establishes the requirement for a Civil Service Commission, consisting of three members appointed by the municipality's chief executive officer, and confirmed by the governing body of the municipality. The Commission's duties are also established by Chapter 143. Unlike other City boards and commissions, the Civil Service Commission is not an advisory body and makes no policy recommendations to the City Council. The Commission has the responsibility to adopt, publish, and enforce Chapter 143 rules pertaining to:

- 1. Examinations for entry level and promotional eligibility;*
- 2. Procedures for appointment and certification;*
- 3. Proper conduct of appeals of testing and examination scoring;*
- 4. Prescribed cause(s) for the removal or suspension of a civil service employee;*

5. Procedures for hearing of appeals concerning indefinite suspensions, suspensions, promotional bypasses or recommended involuntary demotions; and
6. And other such matters reasonably related to the selection, promotion, and discipline of civil service employees, which includes only sworn police personnel.

Per Section 143.006, the Commission members serve staggered three-year terms with the term of one member expiring each year.

Persons appointed to the Commission must be:

- *of good moral character;*
- *be a United States Citizen;*
- *be a resident of the municipality and have resided in the municipality for more than three (3) years;*
- *be over the age of 25 years; and*
- *not have held public office within the preceding three (3) years.*

Chapter 143.006 states that the chief executive of the municipality shall appoint the members of the commission within 60 days after the date Chapter 143 is adopted. After conferring with Police Chief Robert Lee, it is my desire to appoint:

Clenon J. Mitchell Jr. (one-year term)

- *11-year resident of Alvin*
- *Naval Science Instructor – Glenda Dawson High School*
- *NJROTC*
- *Graduate of Pearland Citizen Police Academy*
- *Recipient of 4 Navy and Marine Corps Commendation Medals*
- *Recipient of 3 Navy and Marine Corps Achievement Medals*
- *B.S from National University*
- *M.A. from Webster University*

Michelle Vela (two-year term)

- *Office Manager Manvel Police Department*
- *Training in multiple public safety courses (ethics in law enforcement, cultural diversity, TCLEOSE, etc.)*
- *11 years Municipal Public Safety Operational experience*
- *18-year resident of Alvin*

John Burkey (3-year term)

- *United States Air Force (Retired Senior Master Sergeant)*
- *Associate Degree in Applied Science from the Community College of the Air Force*
- *24-year resident of Alvin*

Council member Vela announced that he filed a conflict of interest prior to the meeting since his wife was considered for appointment to the Civil Service Commission. All three candidates being considered for appointment were in attendance.

Council member Castro moved to approve Resolution 20-R-34, ratifying Clenon J. Mitchell, Jr., Michelle Vela, and John Burkey to the City of Alvin Civil Service Commission for one (1), two (2), and three (3) year terms respectively. Seconded by Council member Arendell; motion carried on a vote of 6 Ayes and 1 Abstention by Council member Vela.

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 December 17th 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 congratulated those citizens that were appointed to the various boards and commissions.

Mayor Horn expressed appreciation to the volunteers on the various boards and commissions. He gave a word of caution that the number of cases of COVID-19 had risen and to take precaution.

ADJOURNMENT

Mayor Horn adjourned the meeting at 7:56 p.m.

PASSED and APPROVED the 17th day of December 2020.

Paul A. Horn, Mayor

ATTEST: _____
Dixie Roberts, City Secretary