MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
REGULAR CITY COUNCIL MEETING
THURSDAY MAY 6, 2021
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 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, Glenn Starkey, 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; Ron Schmitz, EMS Director/EM Coordinator; Michelle Segovia, City Engineer; Robert E. Lee, Police Chief; and Brandon Moody, Public Services Director.

INVOCATION AND PLEDGE OF ALLEGIANCE

Council member Joel Castro gave the invocation. Council member Keith Thompson led the Pledge of Allegiance to the American Flag. Council member Brad Richards led the Pledge to the Texas Flag.

PRESENTATIONS

Athlyn Allen provided videos welcoming Alvin as a Texas Film Friendly City and presented a membership Certificate to City Council.

Mayor Horn presented Chief Robert E. Lee, and members of the Alvin Police Department with a proclamation declaring the week of May 9-15, 2021 as Police Week.

Mayor Horn presented Brandon Moody and members of the Public Works Department with a proclamation declaring week of May 16-27, 2021as Public Works Week.

PUBLIC COMMENT

There were no public comments made.

CONSENT AGENDA: CONSIDERATION AND POSSIBLE ACTION

Consider approval of the April 13, 2021 City Council Workshop meeting minutes.

Consider approval of the April 15, 2021 City Council Workshop meeting minutes.

Consider approval of the April 15, 2021 City Council Regular meeting minutes.

Consider a final plat of Britt Oaks Acres (located along Britt Oaks Drive north of Moore Road), a subdivision of 2.099 acres in the H. Stevens Survey, A-595, Brazoria County, Texas.
On April 1, 2021, the Engineering Department received the final plat of Britt Oaks Acres for review. The property is located along the Britt Oaks Drive, north of Moore Road, in the City's ETJ and is being platted for conveyance. The plat consists of 2 lots and 1 block and complies with all requirements of the City's Subdivision Ordinance. The City Planning Commission unanimously approved the plat at their meeting on April 20, 2021. Staff recommended approval.

Consider a final plat of Caldwell Ranch Section 6 (located along the east side of FM 521 and north of Juliff-Manvel Road), being a subdivision of 103.081 acres of land situated in the William Hall League, Abstract 31, Fort Bend County, Texas; also being a partial replat of lots 2, 3, 7 and 8 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 1, 2021, the Engineering Department received the Final Plat of Caldwell Ranch Section 6 for review. This subdivision is in the portion of the City of Alvin's Extraterritorial Jurisdiction (ETJ) within Fort Bend County that was

retained based on the Development Agreement with Brazoria-Fort Bend Counties Municipal Utility District (MUD) 3 approved on January 7, 2021. This final plat consists of 165 lots, 6 reserves, and 5 blocks. This plat complies with all requirements of the City of Alvin's Planned Unit Development section of the Subdivision Ordinance. This section is contained in 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 April 20, 2021. Staff recommended approval.

<u>Consider a final plat of Imperial Forest Detention Reserve (located at the southwest corner of Bypass 35 and Wheeler Lane), a subdivision of 10.65 acres located in the Hooper & Wade Survey, Section 21, Abstract 421, Brazoria County, Texas.</u>

On April 1, 2021, the Engineering Department received the final plat of Imperial Forest Detention Reserve for review. The property is located at the southwest corner of the intersection of Bypass 35 and Wheeler Lane. This plat contains two reserves and is being platted for the construction of a detention pond to serve the proposed Imperial Forest Subdivision. This plat complies with all requirements of the City's Subdivision Ordinance. The Planning Commission unanimously approved the plat at their meeting on April 20, 2021. Staff recommended approval.

<u>Consider a final plat of National Oak Park (located at the northeast corner of the intersection of Sidnor Street and Depot Centre Boulevard), a plat of 9.16 acres, being part of Leclere's Addition to Alvin No. 1, and multiple tracts of land, situated in Section 15, H.T. & B.R.R. Company Survey, Abstract 227, Brazoria County, Texas.</u>

On April 1, 2021, the Engineering Department received the final plat of National Oak Park for review. The property is located at the northeast corner of the intersection of Sidnor Street and Depot Centre Boulevard and is being platted in order to consolidate parcels and to define the park boundary. Consolidating the park parcels into one lot with a defined boundary will aid in the design process when there is a need to add structures/amenities to the park. Having a defined boundary will also make describing the park property simpler from a legal perspective. The plat complies with all requirements of the City's Subdivision Ordinance. The City Planning Commission unanimously approved the plat at their meeting on April 20, 2021. Staff recommended approval.

<u>Consider a final plat of Sunny Creek (located along Wickwillow Lane), a plat of 10.10 acres, being part of lots 16 and 17 of Chatfield Subdivision according to the plat as recorded in volume 2, page 38, Plat Records, Brazoria County, Texas, situated in the Francis Moore Survey, Abstract 100, Brazoria County, Texas, located in the City of Alvin ETJ.</u>

On April 1, 2021, the Engineering Department received the final plat of Sunny Creek for review. The property is located along the north side of Wickwillow Lane (CR 435) and is being platted for conveyance. The plat consists of 2 lots and 1 block and complies with all requirements of the City's Subdivision Ordinance. The City Planning Commission unanimously approved the plat at their meeting on April 20, 2021. Staff recommended approval.

<u>Consider Resolution 21-R-09, finding that Texas-New Mexico Power Company's application for distribution cost recovery factor to increase distribution rates within the city should be denied; authorizing participation with TNMP cities; authorizing the hiring of legal counsel and consulting services; finding that the city's reasonable rate case expenses shall be reimbursed by the company; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and legal counsel.</u>

The City is an electric utility customer and local regulator of Texas-New Mexico Power Company ("TNMP" or "Company"). The Cities served by TNMP ("TNMP Cities") is a coalition of similarly situated cities served by TNMP that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in TNMP's service area in matters before the Public Utility Commission ("PUC" or "Commission") and the courts.

On April 5, 2021, TNMP filed an application for a Distribution Cost Recovery Factor ("DCRF") with each of the cities retaining original jurisdiction and with the Commission in Docket No. 51959. In the filing, the Company sought to increase distribution rates by $13,959,505 annually.

This resolution authorizes the City to join with the other TNMP Cities to evaluate the filing, determine whether the filing complies with law, and if lawful, to determine what further strategy, including settlement, to pursue.

Cities Served by TNMP (TNMP Cities) have engaged the services of a consultant, Mr. Karl Nalepa, to review the Company's filing. Mr. Nalepa will review the filing and identify adjustments that should be made to the Company's request. The coalition is recommending that cities retaining original jurisdiction deny the requested relief. Staff recommended approval of Resolution 21-R-09.

Consider approval of Resolution 21-R-10, authorizing the payment of seven ($0.07) cents per capita to the Gulf Coast of Coalition of Cities to fund regulatory and related activities related to electric and gas utility service; and other matters related thereto.

The City of Alvin has been a member of the Gulf Coast Coalition of Cities since 2012. GCCC has been the primary public interest advocate before the Public Utility Commission, ERCOT, the Courts, and the Legislature on electric utility regulation matters for nearly two decades. There are non-reimbursable proceedings, rulemakings, and legislative efforts impacting the rates charged within the City. It is possible that additional efforts will be necessary on new issues that arise during the year, and it is important that GCCC be able to fund its participation on behalf of its member cities. When needed, a per capita assessment has historically been used, and is a fair method for the members to bear the burdens associated with the benefits received from that membership. With the current population of 26,827, the City of Alvin's shared cost will be $1,877.89.

The most recent assessments include: fourteen cents ($0.14) per capita in 2018, six cents ($0.06) per capita in 2019, and three cents ($0.03) per capita in 2020. Staff recommended approval of Resolution 21-R-10.

Acknowledge receipt of Capital Improvement Projects (CIP) Quarterly Report.

Consider the adoption of the City of Alvin 2022-2026 Capital Improvement Program.

The City of Alvin 2022-2026 Capital Improvement Program (CIP) includes anticipated drainage, street, water, wastewater, parks, and facilities projects planned for the next five years. Each year staff will review/ adjust the plan as necessary and present to the Planning Commission, Parks & Recreation Board and City Council as required by the City Charter prior to the start of the budget process for the upcoming fiscal year. Once the CIP is approved each year then the City Council and staff will work to fund the projects through the budget for the upcoming fiscal year. Approval of the CIP does not guarantee that funds will be available in the respective fiscal years for implementation of the projects.

There were no new projects added to this CIP since Council adopted it on May 7, 2020. The City Planning Commission unanimously approved the 2022-2026 CIP at their meeting on March 16, 2021. Staff recommended approval.

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

OTHER BUSINESS

Consider Addendum No. 3 for a final one (1) year renewal Agreement with LTS Lawncare as the City's manicured mowing services provider of select parkland, City owned property and State Right of Way around Gordon Street Bridge in an amount not to exceed $31,515.00; and authorize the City Manager to sign the Agreement upon legal review.

This is the second of two different manicured mowing agreements with LTS Lawncare. This scope of service has supplemented the lawn maintenance efforts of City staff for over six years and continues to provide a cost- effective solution.

The agreement was originally approved in the amount of $33,075.00 with LTS Lawncare by City Council on May 3, 2018, utilizing the public bid process, Bid #B-18-06. The following locations would continue under this agreement: Hike and Bike Trail (Adoue Street to South Street), Hugh Adams Park, Marina Park, Morgan Park, Pearson Park and Talmadge Park, two lots located at 3403 Hummingbird and 1409 Talmadge and the areas around Gordon Street Bridge.

Manicured Mowing Bid# B-18-06 opened on April 17, 2018 and advertised on April 1, 2018 and April 8, 2018. The first year of service under this agreement began October 1, 2018 thru September 30, 2019, in the amount of $33,075.00. The second addendum was approved on April 16, 2020. This third addendum is the final one (1) year renewals allowed per the agreement, having an effective date October 1, 2021 thru September 30, 2022.

Staff recommended this third and final one (1) year renewal of the current manicured mowing agreement in the amount of $31,515.00 with LTS Lawncare as their performance continues to provide a good value to the City of Alvin.

Dan Kelinske presented this item before City Council with explanation.

Council member Castro moved to approve Addendum No. 3 for a final one (1) year renewal Agreement with LTS Lawncare as the City's manicured mowing services provider of select parkland, City owned property and State Right of Way around Gordon Street Bridge in an amount not to exceed $31,515.00; and authorize the City Manager to sign the Agreement upon legal review. Seconded by Council member Vela; motion carried on a vote of 7 Ayes.

<u>Consider an award of Bid (B-21-11), to LTS Lawncare for manicured mowing services of select City owned and State Right of Way property including parkland, lift stations, water wells, and various building grounds in an amount not to exceed $114,355.59; and authorize the City Manager to sign the Agreement upon legal review.</u>
Consider awarding a service agreement from the results of bid # B-21-11 to LTS Lawncare in the amount of $114,355.59 to provide manicured mowing services. This would be the second of two manicured mowing agreements with LTS Lawncare. Manicured mowing bid #B-21-11 advertised on April 8, 2021 and April 11, 2021. Bids were opened April 20, 2021 with LTS Lawncare providing the lowest price/best value bid.

The first year of service for the following scope of work shall begin October 1, 2021 and end September 30, 2022. Lift Stations 8, 14, 23B, 26, 28, 29, 30, 31, 33, 34, 43; Water Wells 3, 4, 6, 7, 8; Water Towers 1, 2, 3; City property - City Hall, Lot, Library, Senior Center, Museum, Public Service Facility, Animal Adoption Center, APD, Bob Owen Pool, Girl Scout House Lot, American Legion Lot, former Fire Station #1 + overflow lot, Fire/EMS Station, Fire Station 2 & 3, former EMS station, downtown parking lot, APD shooting range, Durant Detention Pond, Kost Detention Pond, Waste Water Treatment Plant, City Entrances - North and South areas on Bypass 35, Welcome to Alvin Sign areas (2); Parks – Ruben Adame, Newman, Citizens, Sealy, Prairie Dog, National Oak, Lions and Oak Park Cemetery. Staff recommended awarding this manicured mowing agreement in the amount of $114,355.59 to LTS Lawncare.

Dan Kelinske presented this item before City Council with explanation.

Council member Arendell moved to approve an award of Bid (B-21-11), to LTS Lawncare for manicured mowing services of select City owned and State Right of Way property including parkland, lift stations, water wells, and various building grounds in an amount not to exceed $114,355.59; and authorize the City Manager to sign the Agreement upon legal review. Seconded by Council member Vela; motion carried on a vote of 7 Ayes.

<u>Consider an amendment to the agreement with American Janitorial to provide janitorial services at the Fire/EMS Station located at 801 E. South Street, House Street Station (formerly Fire Station #1) Fire Station #2 & 3 and additional service day to the restrooms at National Oak Park in an amount not to exceed $33,120.00 and authorize the City Manager to sign the Agreement upon legal review.</u>
The original agreement was approved on May 3, 2018 in the amount of $106,344 with two of three one (1) year renewal being mutually accepted for continued janitorial service. Changes prompting this amendment include, adding one (1) additional day of service to the National Oak Park restrooms as well as four (4) day per week janitorial service to the Fire/EMS Station located at 801 E. South Street and House Street Station (former Fire Station #1) with weekly service to Fire Station #2 & #3 for the annual amount of $33,120.00.

Historically, the Fire Department has administered its' own janitorial service company. This amendment would consolidate four buildings into the existing agreement (Former Fire Station #1, new Fire/EMS Station, Fire Station #2 and Fire Station #3). National Oak Park restrooms currently receive six (6) day per week service, but demand has prompted the change to seven (7) days per week. Staff recommended approval of this amendment to include the additional four buildings and additional day of service for the restrooms at National Oak Park.

Dan Kelinske presented this item before City Council with explanation.

Council member Thompson moved to approve an amendment to the agreement with American Janitorial to provide janitorial services at the Fire/EMS Station located at 801 E. South Street, House Street Station (formerly Fire Station #1) Fire Station #2 & 3 and additional service day to the restrooms at National Oak Park in an amount not to exceed $33,120.00; and authorize the City Manager to sign the Agreement upon legal review. Seconded by Council member Starkey; motion carried on a vote of 7 Ayes.

<u>Consider Addendum No. 3 for a final one (1) year renewal agreement with American Janitorial as the City's janitorial services provider of City owned buildings and park restrooms in an amount not to exceed $139,464.00; and authorize the City Manager to sign the Agreement upon legal review.</u>

The agreement was originally approved in the amount of $106,344.00 with American Janitorial by City Council on May 3, 2018, utilizing the public bid process, Bid #B-18-10. The following locations would continue under this agreement: City Hall, Public Service Facility, Public Service Facility #2 (Dyche Lane), Library, Senior Citizen Center, Museum, Train Depot, Police Department, Animal Adoption Center and National Oak Park restrooms. Additional sites include: Portable restroom trailer, restrooms located at Bob Briscoe, Lions, Pearson and Morgan Park, Bob S. Owen pool and Girl Scout House. These additional sites are scheduled and billed separately as requested by the City of Alvin.

Additional facilities added to the addendum include: Fire/EMS station located at 801 E. South Street, Fire Station #2 at 110 Medic Lane, Fire Station #3 at 2700 FM1462 and the building at 302 W. House (former fire station #1). Additional services include: include one (1) additional day at National Oak Park restrooms.

Janitorial Services Bid# B-18-10 opened on April 24, 2018 and advertised on April 8th and 15th. The agreement began May 3, 2018 thru September 30, 2019 in an amount of $41,224.17. The first complete year of service under this agreement began October 1, 2018 thru September 30, 2019 in the amount of $106,344.00. This addendum is the third and final one-year renewal allowed per the agreement, and has an effective date of October 1, 2021 thru September 30, 2022. Staff recommended approval as their performance continues to provide a good value to the City of Alvin.

Dan Kelinske presented this item before City Council with explanation.

Council member Arendell moved to approve Addendum No. 3 for a final one (1) year renewal agreement with American Janitorial as the City's janitorial services provider of City owned buildings and park restrooms in an amount not to exceed $139,464.00; and authorize the City Manager to sign the Agreement upon legal review. Seconded by Council member Thompson; motion carried on a vote of 7 Ayes.

<u>Consider an amendment to the agreement with CTA HVAC, LLC (Clear the Air) to include HVAC equipment at the Fire/EMS Station located at 801 E. South Street as part of the HVAC preventative maintenance and repair scope of services for an additional annual amount not to exceed $5,850.00; an authorize the City Manager to sign the Agreement upon legal review.</u>

Upon conclusion of construction of the new Fire/EMS Station, preventative maintenance must be performed on the HVAC equipment. The original agreement was approved by City Council on June 20, 2019 in the amount of $40,717.00. The first renewal addendum was approved by City Council on April 16, 2020 with no change in price. This amendment to the original agreement would include quarterly and semi-annual preventative maintenance to all HVAC equipment located at the new Fire/EMS station in the amount of $5,850.00.

Staff recommended approval of this amendment to include HVAC equipment from the new Fire/EMS station into the scope of services for CTA HVAC, LLC (Clear the Air) preventative maintenance and repair.

Dan Kelinske presented this item before City Council with explanation.

Council member Thompson moved to approve an amendment to the agreement with CTA HVAC, LLC (Clear the Air) to include HVAC equipment at the Fire/EMS Station located at 801 E. South Street as part of the HVAC preventative maintenance and repair scope of services for an additional annual amount not to exceed $5,850.00; an authorize the City Manager to sign the Agreement upon legal review. Seconded by Council member Adame; motion carried on a vote of 7 Ayes.

<u>Consider Addendum No. 2 for a one (1) year renewal agreement with CTA HVAC, LLC (Clear the Air) as the City's HVAC preventative maintenance and repair services provider for City owned buildings in an amount not to exceed $46,567.00; and authorize the City Manager to sign the renewal Agreement upon legal review.</u>

The HVAC preventative maintenance and repair agreement is designed to provide routine maintenance by a certified technician for all HVAC equipment to prolong the efficient life of the equipment. This agreement also allows for faster response time and fixed pricing for HVAC related repairs and equipment replacement.

The agreement was originally approved in the amount of $40,717.00 with CTA HVAC, LLC (Clear the Air) by City Council on June 20, 2019, utilizing the public bid process, Bid #B19-09. The first renewal addendum was approved by City Council on April 16, 2020. The following locations would continue under this agreement: Animal Adoption Center, City Hall, Public Service Facility, Public Service Facility #2 (Dyche Lane), Library, Senior Citizens Center, Museum, Train Depot, Wastewater Treatment Plant, Fire Station 2 & 3, Police Station and City Shop and include the new Fire/EMS station.

This addendum is the second of up to three, one-year renewals allowed per the agreement, having an effective date October 1, 2021 thru September 30, 2022.

Staff is recommended a one (1) year renewal of the current HVAC Preventative Maintenance and Repair agreement in the amount of $46,567.00 with Clear the Air as their performance continues to provide good value to the City of Alvin.

Council member Thompson moved to approve Addendum No. 2 for a one (1) year renewal agreement with CTA HVAC, LLC (Clear the Air) as the City's HVAC preventative maintenance and repair services provider for City owned buildings in an amount not to exceed $46,567.00; and authorize the City Manager to sign the renewal Agreement upon legal review. Seconded by Council member Richards; motion carried on a vote of 7 Ayes.

<u>Consider the purchase of furniture for the new Fire/EMS Station #1 from National Business Furniture in an amount not to exceed $204,411.19.</u>
Construction of the new Fire/EMS Station is scheduled to be completed mid-June 2021. Fire and EMS have been working with a vendor to supply the necessary office-building furniture for this facility. There are three areas that need to be furnished: Fire, EMS, and the common area. These consist of offices, Day Rooms, Communication Room, Conference Room, the Common Area will include the Lobby and Training Room, also EMS Dorm Rooms. This proposal includes all TV's, brackets, necessary hookups, and installation throughout the building. National Business Furniture is a member of the purchasing Buyboard and will deliver, install, and provide a lifetime guarantee on all their products. This project will be paid from Account # 311-3502-00-4155 in the amount, not to exceed, $204,411.19. Some furniture and furnishings will be moved from the existing Fire and EMS Stations to save on cost.

Council member Martin Vela moved to approve the purchase of furniture for the new Fire/EMS Station #1 from National Business Furniture in an amount not to exceed $204,411.19. Seconded by Council member Adam Arendell, motion carried on a vote of 7 Ayes.

REPORTS FROM CITY MANAGER

<u>Items of Community Interest and review preliminary list of items for next Council meeting.</u>
Mr. Junru Roland announced items of community interest; and he reviewed the preliminary list for the May 20, 2021 City Council Meeting.

ITEMS OF COMMUNITY INTEREST

<u>Hear announcements concerning items of community interest from the Mayor, Council members, and City staff, for which no action will be discussed or taken.</u>

Council member Thompson thanked Mr. Roland and his staff for their work with the homeless under the bridge in getting things cleaned up and providing help to those individuals in need.

Council member's Arendell, Richards, Castro and Adame all expressed congratulations to new incoming members of City Council and wished them all good luck.

Council member Starkey expressed thanks and commended Athlyn Allen for all her success with the Texas Film Friendly Association and commended her for all her hard and industrious work since coming on board with the City. He also commended the Alvin PD for their handling of recent situation involving certain individuals videotaping their encounter with officers on duty, and then posting that encounter on Facebook. He also commented on his support to the potential addition of mental health officers to APD.

EXECUTIVE SESSION

City Council will meet in Executive Session pursuant to:

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 Attorney Evaluation.
Consider and take appropriate action, if any, regarding the employment contract of the City Attorney.

Mayor Horn adjourned to Executive Session at 7:44 p.m.

RECONVENE TO OPEN SESSION

Mayor Horn reconvened the meeting to Open Session at 9:24 p.m.

Council member Starkey moved to approve the City Attorney contract as amended. Seconded by Council member Castro; motion carried by vote of 7 Ayes.

ADJOURNMENT

Mayor Horn adjourned the meeting at 9:25 p.m.

PASSED and APPROVED the 20th day of May, 2021.

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Paul A. Horn, Mayor

ATTEST: __________________________
Dixie Roberts, City Secretary