

City of Alvin, Texas

Paul Horn, Mayor

Gabe Adame, Mayor Pro-tem, District E
Keko Moore, At Large Pos. 1
Joel Castro, At Large Pos. 2
Martin Vela, District A



Chris Vaughn, District B
Richard Garivey, District C
Glenn Starkey, District D

ALVIN CITY COUNCIL AGENDA

August 18, 2022

7:00 P.M.

(Council Chambers)

Alvin City Hall, 216 West Sealy, Alvin, Texas 77511

Persons with disabilities who plan to attend this meeting that will require special services please contact the City Secretary's Office at 281-388-4255 or droberts@cityofalvin.com 48 hours prior to the meeting time. City Hall is wheelchair accessible, and a sloped curb entry is available at the south entrance to City Hall.

NOTICE is hereby given of a Regular Meeting of the City Council of the City of Alvin, Texas, to be held on **THURSDAY, AUGUST 18, 2022**, at 7:00 p.m. in the Council Chambers at: City Hall, 216 W. Sealy, Alvin, Texas.

REGULAR MEETING AGENDA

1. CALL TO ORDER

2. INVOCATION AND PLEDGE OF ALLEGIANCE

3. PUBLIC HEARING

A. Public hearing to receive comment on the proposed Fiscal Year 2022-23 Annual Budget.

4. PUBLIC COMMENT

5. CONSENT AGENDA

A. Consider approval of the August 4, 2022, City Council meeting minutes.

B. Call a public hearing to consider the readoption of the Economic Development Policy for the City of Alvin; including criteria and guidelines governing tax abatements, tax increment reinvestment zones and additional economic incentives within the City for Thursday, September 1, 2022, at 7:00 p.m. in the City Council Chambers of Alvin City Hall located at 216 West Sealy, Alvin, Texas.

C. Accept resignation from Parks and Recreation Board member, Clarence Wittwer.

D. Acknowledge receipt of the quarterly Fiscal Year 2022 Capital Improvement Projects Report.

E. Consider authorizing the expenditure of American Rescue Plan Act (ARPA) funds for the purchase of a Utility Terrain Vehicle (UTV) from UVC Powersports in an amount not to exceed \$20,549.

- F. Consider a one (1) year Contract with Aqua Backflow for the Base Program Cross Connection Control Services; and authorize the City Manager to sign the Contract upon legal review.

6. OTHER BUSINESS

- A. Consider Resolution 22-R-16, authorizing publication of Notice of Intention to issue Certificates of Obligation; authorizing the preparation of preliminary official statements and notices of sale; declaring intent to reimburse certain prior capital costs; and providing for other matters related thereto.
- B. Consider Ordinance 22-QQ, amending Chapter 28, Comprehensive Fee Ordinance of the Code of Ordinances of the City of Alvin, for the purpose of revising certain water and wastewater fees for residential and commercial customers; providing for a ten percent (10%) penalty for late payment; providing for an effective date on the October 2022 billing cycles for Fiscal Year 2022-2023; and setting forth other provisions related thereto.
- C. Consider, if any, requests from individual council members for an item or items to be placed on the upcoming agenda for the next regularly scheduled meeting.

7. REPORTS FROM CITY MANAGER

- A. Items of Community Interest and review preliminary list of items for next Council meeting.

8. ITEMS OF COMMUNITY INTEREST

Pursuant to 551.0415 of the Texas Government Code reports or an announcement about items of community interest during a meeting of the governing body. No action will be taken or discussed.

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

9. ADJOURNMENT

I hereby certify that a copy of this notice was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website: www.alvin-tx.gov, in compliance with Chapter 551, Texas Government Code, **on MONDAY AUGUST 15, 2022, at 5:00 P.M.**



s/ Dixie Roberts

Dixie Roberts, City Secretary

Removal Date: _____

*** All meetings of the City Council are open to the public, except when there is a necessity to meet in Executive Session (closed to the public) under the provisions of Chapter 551, Texas Government Code. The Council reserves the right to convene into executive session on any of the above posted agenda items that qualify for an executive session by publicly announcing the applicable section of the Open Meetings Act, including but not limited to sections 551.071 (litigation and certain consultation with the attorney), 551.072 (acquisition of interest in real property), 551.073 (contract for gift to city), 551.074 (certain personnel deliberations), or 551.087 (qualifying economic development negotiations).

**Alvin Senior Board
Meeting Minutes
July 11, 2022**

Called to order at 9:00 a.m.

Board Members Present - John Burkey, Marie Hodges, Jancy Altus, Randy Race and Ron Shepherd. Absent Rodger Stuksa.

Visitors: None

Approval of Minutes: Minutes of June 13, 2022, approved by Ron Shepherd and Marie Hodges.

Petitions/Request from the Public: None

Board President Report:

John Burkey thanked Ron and Jancy for accepting the role of historian. INEOS is schedule to landscape on July 29, 2022. Coffee with cops. INEOS to renovate the pictures of Veterans. Meeting dates for 2022 9/12; 10/10; 11/14; and 12/12.

Director Report: YTD of enrollment is 5,621; and 1,647 at Senior Center. Getting bids for concession stand at Oak Park. Resurface the court at Briscoe Park. Sign for senior center is completed. Standard of care for the parks. Cover for East end is not in the budget.

Senior Center Manager Report. Movie on Tuesday, trip to Dido's, Crafty corner, Luau on July 29. Learning lunch SFA Clinic, bingo and pot luck, trip to Sea Center of Texas. Senior fund balance is \$3,347.41. Board voted \$300.00 from senior fund to pay for lunch for the landscaping crew.

New Business: none

Meeting adjourned 9:45am.

Respectively submitted by;
Marie Hodges, Senior Board Secretary.



AGENDA COMMENTARY

Meeting Date: 8/18/2022

Department: City Manager

Contact: Junru Roland, City Manager

Agenda Item: Public hearing to receive comment on the proposed Fiscal Year 2022-23 Annual Budget.

Type of Item: ☐Ordinance ☐Resolution ☐Contract/Agreement ☒Public Hearing ☐Plat ☐Discussion & Direction ☐Other

Summary: City Council is required by State law and the City's Charter to hold a public hearing on the proposed budget to provide citizens the opportunity to comment.

City Charter Article VII – Municipal Finance:

Sec. 4. - Notice of public hearing on budget.

At the meeting of the city council at which the budget is submitted, the council shall fix the time and place of a public hearing on the budget and shall cause to be published in the official newspaper of the city, a notice of the hearing setting forth the time and place thereof, in accordance with state law.

Sec. 5. - Public hearing on budget.

At the time and place set forth in the notice required by Section 4, or at any time and place to which such public hearing shall from time to time be adjourned, the council shall hold a public hearing on the budget submitted, and all interested persons shall be given a five-minute opportunity to be heard either for or against any item or the amount of any item therein contained.

Sec. 6. - Proceedings on budget after public hearing.

After the conclusion of such public hearing, the council may insert new items or may increase or decrease the items of the budget, except items in proposed expenditures fixed by law, but where it shall increase the total proposed expenditures, it shall also provide for an increase in the total anticipated revenue to at least equal such proposed expenditures.

Sec. 7. - Vote required for adoption.

The budget shall be adopted by the favorable vote of a majority of the members of the council.

Sec. 8. - Date of final adoption.

The budget shall be finally adopted not later than fifteen (15) days prior to the beginning of the fiscal year, and should the council fail to so adopt a budget within the specified time, the existing budget and its appropriations shall be deemed adopted on an emergency basis for up to thirty (30) days.

A notice of the public hearing advertised in the Alvin Sun and posted on the City's website as required.

The ordinance to adopt the FY 2022-23 budget will be presented at the regularly scheduled City Council meeting on September 1, 2022.

Funding Expected: Revenue ☐ Expenditure ☐ N/A ☒ **Budgeted Item:** Yes ☐ No ☐ N/A ☒

Funding Account: _____ **Amount:** _____ **1295 Form Required?** Yes ☐ No ☒

Legal Review Required: N/A ☐ Required ☒ **Date Completed:** 8/9/2022 SLH

Supporting documents attached:

Recommendation: No Action.

Reviewed by Department Head, if applicable ☐

Reviewed by City Attorney, if applicable ☒

Reviewed by Chief Financial Officer, if applicable ☒

Reviewed by City Manager ☒

**MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
REGULAR CITY COUNCIL MEETING
THURSDAY AUGUST 4, 2022
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 Gabe Adame; Councilmembers: Martin Vela, Keko Moore, Joel Castro, Glenn Starkey, Richard Garivey, and Chris Vaughn.

Staff members present: Junru Roland, City Manager; Suzanne Hanneman, City Attorney; Dixie Roberts, Assistant City Manager/City Secretary; Michael Higgins, Director of Administrative Services; Dan Kelinske, Parks and Recreation Director; Michelle Segovia, City Engineer; Brandon Moody, Director of Public Services and Robert E. Lee, Police Chief.

INVOCATION AND PLEDGE OF ALLEGIANCE

Wesley Duncan with First Methodist Church gave the invocation. Council member Vaughn led the Pledge of Allegiance to the American Flag. Council member Garivey led the Pledge to the Texas Flag.

PUBLIC COMMENT

Eugene Bauer presented comments regarding the grass being replaced after the construction project in his neighborhood is completed and concrete cracks near his curb.

Dick Tyson addressed Council on a variety of topics.

CONSENT AGENDA: CONSIDERATION AND POSSIBLE ACTION

Consider approval of the July 21, 2022, City Council meeting minutes.

Consider authorizing the expenditure of American Rescue Plan Act (ARPA) funds for the purchase of two (2) Compact Rapid Deployable (CRD) cell towers from AT&T FirstNet through the sole-source purchasing method in an amount not to exceed \$155,990; and authorize the City Manager to sign related documents.

The ARPA is a \$1.9 trillion economic stimulus bill passed by the 117th United States Congress and signed into law on March 11, 2021. Of the \$1.9 trillion, the City of Alvin was allocated approximately \$6.6 million.

Several public meetings were held to discuss and consider various projects that could be funded using the funds allocated to the City of Alvin. The purchase of the CRD cell towers were identified as a viable project and funds were appropriated by City Council on March 17, 2022 (per Ordinance 22-V). Upon approval of Ordinance 22-V, staff indicated that before funds were expended, final authorization would come before City Council for approval.

The E.M.S. Department is requesting to purchase two (2) Compact Rapid Deployable (CRD) cell towers using American Rescue Plan Act (ARPA) funds and procure the equipment and services from the provider through the sole-source purchasing method.

The CRD (Compact Rapid Deployable) provides FirstNet connectivity when and where AT&T cellular coverage is unavailable. This could be due to a network outage from a cable cut or a weather event such as a hurricane. The CRD also provides high speed Internet via Wi-Fi or Ethernet cable. CRDs are easy to store indoors and can be transported by a single person, off the ground, on any standard trailer hitch, with no lifting required to mount or dismount.

Consider Resolution 22-R-19, adopting the City of Alvin Investment Policy for FY-22; providing for an effective date; and setting forth other related matters.

Pursuant to Chapter 2256.005 of the Texas Government Code, the Texas Public Funds Investment Act (PFIA), the governing body of an investing entity shall review its investment policy and strategies not less than annually. The City's current Investment Policy was certified by the Government Treasurers' Organization of Texas (GTOT) as meeting the requirements of the Public Funds Investment Act on September 13, 2021, and the certification remains effective through September 30, 2023.

As part of the investment policy review process, the investment policy requires that the investment officer conduct an annual review of all financial institutions and broker/dealers who are qualified to invest City funds. In addition, the policy requires that a list of those qualified financial institutions and brokers/dealers be maintained pursuant to the investment policy. City Council last approved this Policy in July of 2021. Staff has no updates to the broker/dealer list and is not recommending any revisions to the City's current investment policy.

Consider a Managed Services Agreement with Square 3 through the Choice Partners Cooperative Purchasing Network for managed Information Technology Services for the City of Alvin for one (1) year; and authorize the City Manager to sign the Agreement.

In an effort to continue the normal operation of the Information Technology (IT) Department after the recent retirement of the IT manager, a Managed Services Agreement was implemented with Square 3 (formerly PC Care) for managed IT services. This Agreement with Square 3 was procured through the Choice Partners Cooperative Purchasing Network and will remain in effect for one (1) year. A cooperative purchasing network establishes competitively priced contracts for goods and services compliant with state statutes, allowing for a more efficient procurement process. Square 3 will monitor the City's information technology infrastructure and database, be available for on-call support, as well as assist with the IT ARPA projects scheduled, while working closely with the City's IT technician and future IT manager. The City Manager signed this Agreement in advance so that the City's information technology department would not be left vulnerable while the IT manager position was vacant. This Agreement will also allow for continued coverage during the transition time it will take for the new manager to become familiar with the City's IT infrastructure. Interviews are currently underway for the selection of a new IT Manager. The Agreement price is \$6,200 per month for twelve (12) months. Funding for said Agreement was included in the proposed FY23 budget. The legal department has reviewed the Agreement, and staff recommends approval.

Consider a final plat of Imperial Forest Section 3 (located near the southwest corner of the Bypass 35 and Wheeler Road intersection), being a planned unit development of 14.33 acres located in the Hooper and Wade Survey, Section 21, Abstract 421, Brazoria County, Texas.

On June 20, 2022, the Engineering Department received the final plat of Imperial Forest Section 3 for review. The property is located along the south side of Wheeler Road just west of Bypass 35. This final plat consists of fifty (50) single-family residential lots, four (4) reserves, and three (3) blocks, and complies with the City of Alvin's Planned Unit Development section of the Subdivision Ordinance.

The Master Preliminary Plat of Imperial Forest was approved by the City Council on March 5, 2020. The City Planning Commission unanimously approved the plat at their meeting on July 19, 2022. Staff recommends approval of the plat.

Consider an Agreement with E Contractors through the Choice Partners Cooperative Purchasing Network, to demolish the existing East-End building at Pearson Park and construct a new restroom/storage building with surrounding driveway with concrete pads with electrical

hookups in an amount not to exceed \$525,000; and authorize the City Manager to sign the Agreement upon legal review.

Pearson Park, located at 2200 Westpark Drive, is home to the Alvin Girls Softball Association (AGSA) and hosts many local and state softball tournaments.

Because the East-End building is near the end of its useful life, this project was originally intended and funded as a renovation project in the 2020 Capital Improvement Program. However, upon in depth analysis, and a collaborative meeting between the Park Board and AGSA, the recommendation is to replace the existing building with one that would accommodate ADA restrooms, functional storage, driveway, and food court consisting of four concrete pads with electrical hook ups intended for food trucks/vendors. The Parks Board unanimously approved design drawings at the February 1, 2022, meeting.

Funding for this project is available from Certificates of Obligation Bond, Series 2020 and Facility Maintenance Fund. Staff recommends an agreement with E Contractors to demolish the East-End building at Pearson Park and construct a new building having ADA restrooms, functional storage, driveway and food court consisting of four concrete pads with electrical hook ups.

Council member Adame moved to approve the consent agenda as presented. Seconded by Council member Vaughn; motion carried with all members present voting Aye.

OTHER BUSINESS

Consider a variance request for the property owners at 706 Elizabeth Street to encroach 10 feet into the 20-foot rear building setback for the construction of a swimming pool.

On June 7, 2022, the Engineering Department received a variance request from the property owners of 706 Elizabeth Street, to be permitted to encroach 10 feet into the 20-foot rear building setback for the construction of a swimming pool. The Homeowners are proposing to construct an in-ground swimming pool in the backyard of their home located at 706 Elizabeth Street, for reasons outlined in the attached request letter. The home is on an interior lot in Hamilton Square Section 1 which requires a 20-foot rear setback in accordance with the recorded plat. The swimming pool as proposed on the attached site plan, will encroach 10 into the 20' rear building setback. The minimum rear building setback permitted by the City's Subdivision Ordinance is 10 feet, however since the plat was approved with a 20-foot rear setback then a variance is required.

The City Planning Commission unanimously approved the variance request at their meeting on July 19, 2022. Staff recommends approval.

City Engineer, Michelle Segovia introduced Michael Medwedeff, Assistant City Engineer. Mr. Medwedeff presented this item before City Council with explanation.

Council member Castro moved to approve the variance request for the property owners at 706 Elizabeth Street to encroach 10 feet into the 20-foot rear building setback for the construction of a swimming pool. Seconded by Council member Garivey; motion carried with all members present voting Aye.

Consider a final plat of Heritage South Townhomes (located northeast of the intersection of Highway 6 and Legacy Drive), being a replat of Reserve A of Heritage South consisting of 7.8246 acres out of 23.5136 acres of land, being of Pecan Ridge Subdivision, which are lots 1 and 2 of a 4.1319-acre tract of a 4.9996-acre tract, and of a 10.9800-acre tract, City of Alvin, Brazoria County, Texas.

On June 20, 2022, the Engineering Department received the final plat of Heritage South Townhomes for review. The property is located northeast of the intersection of Highway 6 and Legacy Drive. This final plat consists of 89 lots, 5 reserves, and 12 blocks, and complies with the City of Alvin's Chapter 23 ½ Townhouse Ordinance and with the Chapter 380 Agreement between the City and the owner Grand Products Company, Inc. that was approved by City Council on March 18, 2021.

The City Planning Commission approved the plat at their meeting on July 19, 2022, with one member voting no due to concerns regarding the traffic on Dickinson Road and the medians on Highway 6. Staff recommends approval of the plat.

Michael Medwedeff, Assistant City Engineer, presented this item before City Council with explanation. Mr. Medwedeff explained this plat complies with the Chapter 380 Agreement from March of 2021 in place for this property with the exception of lot sizes. No Traffic Impact Analysis has been completed because the current density conditions do not meet the requirements. As the development proceeds that requirement will be triggered and at that time a Traffic Impact Analysis will be required. The developer has already been in talks with TXDOT regarding a traffic light for the future.

Council member Adame moved to approve the final plat of Heritage South Townhomes (located northeast of the intersection of Highway 6 and Legacy Drive), being a replat of Reserve A of Heritage South consisting of 7.8246 acres out of 23.5136 acres of land, being of Pecan Ridge Subdivision, which are lots 1 and 2 of a 4.1319-acre tract of a 4.9996-acre tract, and of a 10.9800 acre tract, City of Alvin, Brazoria County, Texas. and authorize the Mayor to sign the Employment Agreement. Seconded by Council member Starkey; motion carried with all members present voting Aye.

Consider the proposed Collective Bargaining Labor Agreement between the City of Alvin, Texas, and the Alvin Police Officer's Association (APOA).

In 2014, Alvin Sunrise The current Contract was approved by Council on August 15, 2019 and expires September 30, 2022. In March 2022, the City and the Association began negotiations for the new contract terms. The parties were able to reach an agreement. The highlights of the negotiation terms include the following:

3-year contract term – new contract will be effective 10/1/2022 through 9/30/2025, with two (2) years of “evergreen,” with final termination of 9/30/2027

Changes to the Base Pay Matrix (attached to the Agreement as Exhibit A), to include the following increases:

- \$5.00 per hour increase in base wages to the Police Officer paygrade*
- \$5.00 per hour increase in base wages to the Corporal/Detective/Specialist paygrade*
- \$6.00 per hour increase in base wages to the Sergeant paygrade*
- \$5.00 per hour increase in base wages to the Lieutenant paygrade*
- \$5.00 per hour increase in base wages to the Captain paygrade*
 - with 2% increases to each pay grade for the second and third years*

Discipline Grievance Procedure to be conducted in accordance with Chapter 143 of the Texas Local Government Code

The APOA approved the proposed Collective Bargaining Agreement at their last meeting. Staff recommends approval of the Collective Bargaining Agreement.

Suzanne Hanneman, City Attorney, presented this item before City Council with explanation. Justin Kelly, President of the Alvin Police Officer's Association also addressed Council by first extending thanks to all parties involved in negotiations. He explained he believes this Labor Agreement will address the issues they are having with recruitment.

Mayor Horn stated that City Council supports the police department and thanked them for all that they do. Council member Garivey reiterated thanks to the police department and to Chief Lee for making them aware of the issues had in recruiting new officers. Council member Vela also expressed gratitude for the police department's professionalism. Council member Vaughn

also expressed thanks to the police department. Council member Castro also expressed thanks and explained that he has participated in several ride-alongs in the past few years and stated that each one has been a learning experience. Council member Adame echoed his thanks to the department and also thanked staff for making this a smooth process. Council member Starkey also expressed his appreciation.

Council member Starkey moved to approve the Collective Bargaining Labor Agreement between the City of Alvin, Texas and the Alvin Police Officer's Association (APOA). Seconded by Council member Adame; motion carried with all members present voting Aye.

Consider Ordinance 22-PP, releasing land from the extraterritorial jurisdiction of the City of Alvin; consenting to an Agreement concerning the extraterritorial jurisdiction and its release; authorizing the Mayor to execute said Agreement; providing findings of fact; containing a severance clause and effective date; and other matters related thereto.

Section 42.043 of the Texas Local Government Code requires a city to provide its written consent and authorization to the reduction of its ETJ. On or about June 8, 2022, the owners of the land in question petitioned the City to release land from its ETJ -- which is intended to be included within the corporate limits of the City of Iowa Colony.

The portion of the City's ETJ being released (described in Exhibit A and reflected in Exhibit B) is shown on Exhibit B in blue, south of Sandy Point Parkway (County Road 53).

This release of this ETJ is in the best interest of the City, as the ETJ proposed to be released is far removed from the existing city core. In addition, the land is currently without water, sewer, or drainage infrastructure. Once released, these services will be the responsibility of City of Iowa Colony.

This proposal was presented to council at the May 25, 2022, City Council workshop and staff recommends approval of Ordinance 22-PP.

Junru Roland, City Manager, presented this item before City Council with explanation.

Council member Starkey moved to approve Ordinance 22-PP, releasing land from the extraterritorial jurisdiction of the City of Alvin; consenting to an Agreement concerning the extraterritorial jurisdiction and its release; authorizing the Mayor to execute said Agreement; providing findings of fact; containing a severance clause and effective date; and other matters related thereto. Seconded by Council member Adame; motion carried with all members present voting Aye.

Consider authorizing an emergency purchase of three (3) Ford F450 Ambulance Chassis from Ron Carter Autoland in an amount not to exceed \$140,290; and authorize the City Manager to sign related documents.

In March 2021, city council authorized the purchase of a replacement ambulance for unit #829, and in December 2021, city council authorized the purchase of two replacement ambulances for units #754 and 830, all of which included new chassis from Frazer, LLC. Due to the unprecedented shortage of vehicles over the past 18 months, Frazer has been unable to locate suitable vehicle chassis for the ambulances that we have ordered. After several months of searching, staff was able to locate three suitable chassis from Ron Carter Autoland. The specifications of these chassis have been reviewed and approved by Frazer and will be used to complete the construction of the three ambulances currently on order.

We are requesting an emergency purchase be made in order to secure the three (3) chassis as soon as possible while they are still available. The vehicle shortage is affecting all ambulance manufacturers, and all are desperate for chassis. If we are unable to purchase these chassis, this could impact the availability of ambulances to the public and become a threat to public safety. The replacement for unit #829 has been ordered for over seventeen (17) months, which previously only took nine (9) months to complete.

The ambulance purchases already approved by City Council included the cost for chassis. This cost will be subtracted from those purchases and applied to the purchase of the chassis from Ron Carter Autoland with a net increase of \$6,750.

Replacing	Council Approved	Original Vendor	New Vendor
Unit #754	December 2021	\$47,645	\$46,245
Unit #830	December 2021	\$47,645	\$46,245
Unit #829	March 2021	\$38,250	\$47,800
Total		\$133,540	\$140,290
Difference			\$6,750

Ron Schmitz, Emergency Management Coordinator, presented this item before City Council with explanation.

Council member Castro moved to authorize an emergency purchase of three (3) Ford F450 Ambulance Chassis from Ron Carter Autoland in an amount not to exceed \$140,290; and authorize the City Manager to sign related documents. Seconded by Council member Garivey; motion carried with all members present voting Aye.

Consider the resignation from Clear the Air Cooling and Heating, as the City's current contract provider for Heating Ventilation and Air Conditioning (HVAC) Preventative Maintenance services; and consider a Contract with The Brandt Companies, LLC, through the Choice Partners Cooperative Purchasing Network, for HVAC Preventative Maintenance services of City owned buildings in an amount of \$10,437 for the remaining FY2021-2022, and \$84,667 for the first year of service FY2022-2023; and authorize the City Manager to sign upon legal review.

Clear the Air, the City's current HVAC Preventative Maintenance and Repair contractor provided a 30-day notice of resignation, forfeiting the remaining portion of the current agreement ending September 30, 2022, and the upcoming term October 1, 2022, thru September 30, 2023.

The Brandt Companies, LLC provides a comprehensive range of HVAC and other services, having factory-trained technicians on all major manufacturers. They have installed building automation at APD, City Hall, and the Senior Center, installed the 100-ton chiller at APD, and have previously provided repairs to commercial refrigerators and HVAC equipment for the City of Alvin.

Buildings included in the service Contract:

- Train Depot
- Senior Center
- Animal Adoption Center
- City Hall
- Fire/EMS Station
- Fire Station #2
- Fire Station #3
- Recreation Station (old Fire Station #1)
- Library
- Museum
- Police Station
- PSF #1
- PSF @2
- Wastewater Treatment Plant

HVAC equipment repair and replacement services provided by The Brandt Companies, LLC are utilized on an “as needed” basis with all costs pre-priced with “not to exceed” pricing already established by the Choice Partners cooperative purchasing network.

Advantages of using Choice Partners 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 lump sum proposal*
- 5.) *Ability to accomplish a substantial number of individual projects with competitively bid contract*
- 6.) *Oversight through Choice Partners with audits the accuracy of all job order contract proposals*

Staff recommends awarding the HVAC Preventative Maintenance contract to The Brandt Companies, LLC.

Dan Kelinske, Parks and Recreation Director presented this item before City Council with explanation.

Council member Starkey moved to accept resignation from Clear the Air Cooling and Heating, as the City’s current contract provider for Heating Ventilation and Air Conditioning (HVAC) Preventative Maintenance services; and consider a Contract with The Brandt Companies, LLC, through the Choice Partners Cooperative Purchasing Network, for HVAC Preventative Maintenance services of City owned buildings in an amount of \$10,437 for the remaining FY2021-2022, and \$84,667 for the first year of service FY2022-2023; and authorize the City Manager to sign upon legal review. Seconded by Council member Garivey; motion carried with all members present voting Aye.

Consider Resolution 22-R-20, approving and authorizing the execution of a Participation Agreement and Trust Instrument for participation in a Public Funds Investment Pool (LOGIC), designating the Board of Trustees of the Pool as an agency and instrumentality to supervise the Pool; approving Investment Policies of the Pool, appointing authorized representatives and designating investment officers.

As investment yields are increasing, City staff would like to add another investment pool to further diversify our investment opportunities. The Local Government Investment Cooperative (LOGIC) is one other investment pool that consistently maintains competitive investment yield. Currently, the City of Alvin has the following investment pools: Texstar, Texas Class and Texpool.

Local Government Investment Cooperative (LOGIC) was organized in conformity with the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code, and the Public Funds Investment Act, Chapter 2256 of the Texas Government Code, and operates as a public funds investment pool under the Texas Public Funds Investment Act. LOGIC is organized and exists as a business trust under the laws of the State of Texas with all Participant funds and all investment assets held and managed in trust by a Board of Trustees for the benefit of the Participants.

The following are the historical monthly yield rates for 2022:

	Texstar	Texpool	Class	LOGIC
Jan	.0100	.0376	.0965	.0875
Feb	.0104	.0632	.1229	.1080
Mar	.1070	.1536	.2857	.2493
April	.3225	.3042	.4720	.4195
May	.6459	.6228	.8130	.8113
June	.9850	1.0013	1.1577	1.1797

The account signers will be the Director of Administrative Services, City Manager and City Secretary/ACM. Staff recommends approval of Resolution 22-R-20.

Michael Higgins, Director of Administrative Services, presented this item before Council with explanation.

Council member Garivey moved to approve Resolution 22-R-20, approving and authorizing the execution of a Participation Agreement and Trust Instrument for participation in a Public Funds Investment Pool (LOGIC), designating the Board of Trustees of the Pool as an agency and instrumentality to supervise the Pool; approving Investment Policies of the Pool, appointing authorized representatives and designating investment officers. Seconded by Council member Adame; motion carried with all members present voting Aye.

Discuss and take a record vote to propose a tax rate of \$0.7100 per \$100 of assessed valuation, which is a tax increase of 7.28% above the No New Revenue Rate, to be adopted at a future meeting.

The tax rate adoption process consists of the comparison of four (4) rates: the No New Revenue Rate, the Voter Approval Rate, the De Minimis Rate and the City's Proposed Tax Rate.

The No New Revenue Rate (\$0.661812 per \$100 of assessed valuation) is a hypothetical benchmark tax rate. It is used to calculate the total tax rate needed to raise the same amount of property tax revenue from the same properties on the tax roll in both the 2021 tax year (FY22) and the 2022 tax year (FY23).

The Voter Approval Rate (\$0.746586 per \$100 of assessed valuation) is the highest tax rate that the City may adopt without voter approval and requires an election (petition or mandatory) to go above the rate.

The De Minimis Rate (\$0.679796 per \$100 of assessed valuation) is a hypothetical benchmark tax rate that allows cities (under 30,000 in population) to adopt a tax rate that generates \$500,000 more in property tax revenue than the previous year. The de minimis rate is designed to give cities some relief from the 3.5 percent Voter Approval Tax Rate – allowing a small city to exceed the Voter Approval Rate of 3.5% and not require an election.

The Proposed Tax Rate (\$0.710000 per \$100 of assessed valuation) is the rate proposed to generate property tax revenues to be used for the general maintenance and operational costs of providing City services and paying the annual principal and interest on bonds and other debt secured by property tax revenues.

According to the Local Government Code, when a city initially proposes a tax rate that exceeds the lower of the Voter Approval Rate or the No New Revenue Rate, the city council must vote to place a proposal to adopt the proposed rate on the agenda of a future meeting as an action item. If the motion passes, the governing body must schedule one public hearing on the City's proposed tax rate.

For FY23, staff is proposing to lower the City's current tax rate of \$.768000 to \$0.71000 per \$100 of taxable assessed valuation. Because the City's Proposed Tax Rate exceeds the lower of the No New Revenue Rate and is less than the Voter Approval Rate, one (1) public hearing is required to be held before adopting the proposed tax rate. This public hearing is scheduled for September 1, 2022, prior to the regular meeting at 7:00 p.m.

The City Council will consider adopting the City's "final" tax rate at the regular meeting of the City Council on September 1, 2022, at 7:00 p.m.

Junru Roland, City Manager, presented this item before City Council with explanation.

Council member Adame moved to propose a tax rate of \$0.71000 per \$100 of assessed valuation, which is a tax increase of 7.28% above the No New Revenue tax rate, to be adopted at a future meeting. Seconded by Council member Starkey; motion carried with all members present voting Aye.

Consider setting one (1) public hearing concerning the proposed tax rate on Thursday, September 1, 2022, at 7:00 p.m., in the City Council Chambers, City Hall, 216 West Sealy, Alvin, Texas.

The City's proposed tax rate exceeds the No New Revenue tax rate but is less than the Voter Approval Rate. As a result, the Local Government Code requires City Council to set (1) public hearing on the proposed tax rate.

The City Council will consider adopting the final tax rate at the regular meeting of the City Council on September 1, 2022, at 7:00 p.m.

Council member Castro moved to set one (1) public hearing concerning the proposed tax rate on Thursday, September 1, 2022, at 7:00 p.m., in the City Council Chambers, City Hall, 216 West Sealy, Alvin, Texas. Seconded by Council member Moore; motion carried with all members present voting Aye.

Consider, if any, requests from individual council members for an item or items to be placed on the upcoming agenda for the next regularly scheduled meeting.

No items were requested by any Council members.

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 August 18, 2022, 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 Vela gave kudos to Alvin Volunteer Fire Department for their response to both the recent grass fires and the fire at Memorial Gardens Apartments.

Council member Adame expressed thanks to Mr. Moody and Mr. Roland for their involvement helping two residents at his request this week.

Mayor Horn thanked staff again for their efforts in making the Collective Bargaining process successful.

ADJOURNMENT

Mayor Horn adjourned the meeting at 7:57 p.m.

PASSED and APPROVED the 18th day of August 2022.

Paul A. Horn, Mayor

ATTEST: _____
Dixie Roberts, City Secretary



AGENDA COMMENTARY

Meeting Date: 8/18/2022

Department: Economic Development

Contact: Josh Dearing, Coordinator

Agenda Item: Call a public hearing to consider the readoption of the Economic Development Policy for the City of Alvin; including criteria and guidelines governing tax abatements, tax increment reinvestment zones and additional economic incentives within the City, for Thursday, September 1, 2022, at 7:00 p.m. in the City Council Chambers of Alvin City Hall located at 216 West Sealy, Alvin, Texas.

Type of Item: ☐Ordinance ☐Resolution ☐Contract/Agreement ☒Public Hearing ☐Plat ☐Discussion & Direction ☐Other

Summary: The Texas Tax Code, Chapter 312.002(c), states that a policy establishing tax abatement guidelines and criteria must be adopted by the governing body at least every two (2) years. Said policy must be in effect before the governing body may enter into tax abatement agreements. A public hearing is required before the readoption or amendments can be considered. This policy is used by staff as a guideline to work with development projects.

The recommended changes to the current policy adopted in 2020 are to remove the downtown area from the policy, therefore creating a less restrictive policy, promoting developments in ALL areas of the City including the downtown area. The Alvin Downtown Business Incentive Program speaks directly to the revitalization of the downtown area. Abatements will be considered on a case-by-case basis.

The public hearing notice will be published in the Alvin Sun and will be placed on the City's website as required by law. The proposed policy will also be published on the city website for public review. No action other than calling the public hearing for September 1, 2022 will be considered at this meeting. The Resolution readopting this policy will be considered at the September 1st meeting after the public hearing is held.

Funding Expected: Revenue ☐ Expenditure ☐ N/A ☒ **Budgeted Item:** Yes ☐ No ☐ N/A ☒

Funding Account: _____ **Amount:** _____ **1295 Form Required?** Yes ☐ No ☒

Legal Review Required: N/A ☐ Required ☒ **Date Completed:** 8/9/2022 SLH

Supporting documents attached:

- Proposed Alvin Economic Development Policy with Exhibits (redlined version and final version)

Recommendation: Move to set a public hearing to consider readopting the Economic Development Policy for the City of Alvin; including criteria and guidelines governing tax abatements, tax increment reinvestment zones and additional economic incentives within the City, for Thursday, September 1, 2022, at 7:00 p.m. in the City Council Chambers of Alvin City Hall located at 216 West Sealy, Alvin, Texas.

Reviewed by Department Head, if applicable ☐
Reviewed by City Attorney, if applicable ☒

Reviewed by Chief Financial Officer, if applicable ☐
Reviewed by City Manager ☒

**ECONOMIC DEVELOPMENT POLICY
FOR
THE CITY OF ALVIN**

**RE-ADOPTED
Via Resolution ~~20-R-5~~**

I. Criteria and Guidelines Governing Tax Abatement.

A. Definitions.

"*Abatement*" means the full or partial exemption from ad valorem taxes of certain real property in a reinvestment zone designated by the City for economic development purposes.

"*Agreement*" means a contract between a property owner or lessee and the City.

"*Base Year Value*" means the assessed value of eligible property on January 1st of the year of the execution of the tax abatement agreement, plus the agreed upon value of eligible property improvements made after January 1 but before the execution of the agreement.

"*Business Incentive Program*" means a policy by which the City of Alvin will consider a matching grant program based on specific guidelines in a separate policy document.

"*Deferred Maintenance*" means those improvements necessary for continued operation, but which do not improve productivity or alter any process technology. ~~Exterior improvements (e.g., painting, installing, repairing, removing or replacing a facade) to the exteriors of buildings in the Downtown Development Area which are designed to improve visual appearance of property are not deferred maintenance.~~

~~"Downtown Development Area" is an approximately 22 block area of downtown Alvin as shown by the map and description attached hereto as Exhibit "A".~~

"*Eligible Facilities*" means those new, expanded, or modernized buildings and structures, including fixed machinery and equipment, which are reasonably likely as a result of granting abatement, to contribute to the retention or expansion of primary employment or to attract major investment in the reinvestment zone that would be a benefit to the property and that would contribute to the economic development within the City. ~~e~~Eligible facilities in all commercial/industrial tax abatement reinvestment zones include manufacturing, distribution and storage facilities, office buildings, transportation facilities, and entertainment complexes. ~~Additional eligible facilities in reinvestment zones established in the Downtown Development Area include retail stores, apartment buildings, restaurants and entertainment facilities (excluding sexually oriented businesses).~~

"Enterprise Zone" means an area that is (1) a block group, as defined by the most recent federal decennial census available at the time of designation, in which at least 20 percent of the residents of the block group have an income at or below 100 percent of the federal poverty level; (2) an area designated by the federal government as a renewal community, a federal empowerment zone, or a federal enterprise community, including any developable area approved by the federal agency responsible for making that designation; (3) an area located in a distressed county; or (4) an area inside the boundaries of a defense base development authority established under Chapter 379B, Local Government Code.

"Expansion" means the addition of buildings, structures, machinery, equipment, or payroll for purposes of increasing production capacity.

"Facility" means property improvements completed or in the process of construction which together comprise an integral whole.

~~"Gordon Street Corridor Area" is an area of Alvin as shown by the map and description attached hereto as Exhibit "B". More rightly described as property tracts adjacent to Gordon Street.~~

"Ineligible Property" means the following types of property which shall be fully taxable and ineligible for tax abatement: land, inventories, supplies, deferred maintenance, and property to be rented or leased.

"Manufacturing Facility" means buildings and structures, including fixed machinery and equipment, the primary purpose of which is or will be the manufacturing of tangible goods or materials or the processing of such goods or materials by physical or chemical change.

"Modernization" means a complete or partial demolition of facilities and the complete or partial reconstruction or installation of a facility of similar or expanded production capacity. Modernization may result from the construction, alteration, or installation of buildings, structures, machinery or equipment, or both. ~~Modernization in the Downtown Development area includes painting of exterior walls, restoring, removing or installing a facade and related exterior improvements designed to visually improve the exterior of a building or block.~~

"New Facility" means a property previously undeveloped which is placed into service by means other than or in conjunction with expansion and modernization.

"Other Basic Industry" means buildings or structures, including fixed machinery and equipment not elsewhere described, used or to be used for the production of products or services, which primarily serve a market outside of the city.

"Productive Life" means the number of years a property improvement is expected to be in service for a facility.

"Regional Distribution Facility" means buildings and structures, including fixed machinery and

equipment, used or to be used primarily to receive, store, service, or distribute goods or materials owned by the facility operator where a majority of the goods or services are distributed outside of the city.

"Regional Entertainment / Tourism Facility" means buildings and structures, including fixed machinery and equipment, used or to be used to provide entertainment and/or tourism related services, from which a majority of revenues generated by the activity at the facility are derived from outside of the city.

"Regional Service Facility" means buildings and structures, including fixed machinery and equipment, used or to be used to service goods where a majority of the goods being serviced originate from outside of the city.

"Reinvestment Zone" means a contiguous or noncontiguous geographic area that is in the corporate limits of the municipality, in the extraterritorial jurisdiction of the municipality, or in both to be a reinvestment zone to promote development or redevelopment of the area if the City Council of the City of Alvin determines that development or redevelopment would not occur solely through private investment in the reasonably foreseeable future.

"Research Facility" means buildings and structures, including machinery and equipment, used or to be used primarily for research or experimentation to improve new tangible goods or materials or to improve or develop the production processes thereto.

B. Statement of Purpose.

The City is committed to the promotion of high quality commercial and industrial development in all parts of the City, and in the ongoing improvement of the quality of life for its citizens. ~~Additionally, the purpose of this Economic Development Policy is to promote the retention and expansion of existing businesses in the Downtown Development Area and Gordon Street Corridor and to assist in attracting new business to these areas. Further, it is the City's intent to encourage the rehabilitation and restoration of historic structures in these areas, defined by a building or structure that is at least fifty (50) years old.~~ These objectives may be served by the enhancement and expansion of the local economy. The City will consider granting property tax abatement, on a case-by-case basis, as a stimulus for economic development in accordance with the criteria and guidelines established herein. Nothing herein shall imply or suggest that the City is under any obligation to provide tax abatement to any applicant, that any applicant has a property right or interest in tax abatement, or that the City is precluded from considering other options which may be in the best interest of the City.

C. Designation of Tax Abatement Reinvestment Zones.

The City will consider designating areas within the City limits or extraterritorial jurisdiction of the City as commercial-industrial tax abatement reinvestment zones which meet one or more of the criteria for designation of a reinvestment zone under Section 312.202 of the Tax Code, and where the property owner meets the minimum qualifications to qualify for a tax abatement under Part I.D.2. of this Policy. Designation of an area as a tax abatement reinvestment zone is

a prerequisite to entering into a tax abatement agreement with the owner of the property in a particular area. Property located within a City created (and State-approved) enterprise zone or within the City's Tax Increment Financing Reinvestment Zone is eligible for consideration for tax abatement agreements without the necessity of separate designation as a tax abatement reinvestment zone.

D. Abatement Authorized.

1. Eligible Facilities.

Upon application, the City will consider granting tax abatement on ~~eligible~~-Eligible facilities Facilities as hereinafter provided.

- a. Creation of New Value. The City will consider granting tax abatement only for the additional value of ~~eligible~~-Eligible facilities-Facilities made subsequent to, and specified in, an abatement agreement between the City and the property owner or lessee, subject to such limitations as the City may require.
- b. New and Existing Eligible Facilities. The City will consider granting abatement for new ~~eligible~~-Eligible facilities-Facilities and for improvements to existing ~~eligible~~ Eligible facilities-Facilities for purposes of Modernization and Expansion.
- c. Eligible Property. The City will consider granting abatement to the value of real property improvements (buildings, structures, fixed [permanently attached] machinery and equipment, site improvements, related fixed improvements necessary to the operation and administration of the facility), and personal property (excluding inventory or supplies) with a productive life of ten years or more.
- d. Ineligible Property. The following types of property shall remain fully taxable and ineligible for tax abatement: land, supplies, inventory, ~~deferred~~-Deferred maintenanceMaintenance, property to be rented or leased except as provided in subpart (5e) below, and other property which has a productive life of less than ten (10) years.
- e. Owned/Leased Facilities. If a leased facility is granted abatement, the agreement shall be executed with the lessor and the lessee.

2. Standards for Tax Abatement

- a. Minimum Standards. The City will consider tax abatement only on ~~eligible~~-Eligible facilities-Facilities which meet at least two of the following criteria and that meet the requirements set forth in Part I.D.2.b and c.
 - (1) The project involves a minimum increase in property value of three-hundred-percent (300%) for construction of a new facility, or fifty percent (50%) for expansion of an existing facility, with an overall new investment of at least \$1

~~million in taxable assets. For eligible facilities in any reinvestment zone within the Downtown Development Area, the project must involve either a minimum increase in property value of one hundred and fifty percent (150%) for construction of a new facility, or twenty five percent (25%) for expansion or façade improvements of an existing facility, with an overall new investment of at least \$50,000 in taxable assets.~~

- (2) The project makes a substantial contribution to redevelopment efforts, special area plans, or strategic economic development programs by enhancing either functional or visual characteristics, e.g., historical structures, traffic circulation, parking, façades, materials, signs.
- (3) The project has high visibility, image impact, or is of a significantly higher level of development quality.
- (4) The project is an area which might not otherwise be developed because of constraints of topography, ownership patterns, site configuration, etc.
- (5) The project can serve as a prototype and catalyst for other development of a higher standard.
- (6) The project stimulates desired concentrations of employment or commercial activity.
- (7) The project generates greater employment than would otherwise be achieved, e.g., commercial/industrial versus manufacturing versus warehousing.

~~(8) For eligible facilities in any reinvestment zone within the Downtown Development Area, the project improves the aesthetic appearance of the neighborhood, brings new jobs to the downtown area, increases the availability of public parking, or increases the amount of green space (landscaping).~~

- b. Minimum Required Investment. An applicant requesting tax abatement shall agree as a condition of any tax abatement ultimately approved by the City Council to expend a certain minimum amount of funds on real or personal property improvements, or to create a certain number of jobs. If the proposed project meets the general criteria provided herein and has a capital cost exceeding \$100,000 then abatement of any or all increased value shall be considered on a case-by-case basis. In no case shall a tax abatement agreement exceed the maximum allowed by state law, presently 100% for ten (10) years. ~~as provided in Exhibit "C". Additional Downtown Development Area incentives are available as depicted in Exhibit "C". Additional Gordon Street Corridor Area incentives are available as depicted in Exhibit "C".~~

~~Projects involving an investment in real property in excess of \$10,000,000 (\$100,000 in the Downtown Development Area, and \$250,000 in the Gordon Street Corridor Area) or the creation of more than 175 new full-time jobs (25 in the Downtown~~

~~Development Area and the Gordon Street Corridor Area), or requests for tax abatement for more than 5 years, will be individually negotiated.~~

If a request for tax abatement is justified on the basis of the purchase and maintenance of eligible personal property or on the creation of jobs, the applicant must agree to maintain the personal property or jobs for a period of not less than twice the period for which tax abatement is granted. For example, if an applicant requests and receives 75% tax abatement for five years based on the purchase and maintenance of eligible personal property, the applicant must agree in the tax abatement agreement, subject to recapture of all abated taxes, to maintain the personal property on the property tax roll for not less than ten years.

Personal property with a useful life of less than ten years is not eligible for tax abatement. Personal property on site prior to the effective date of the tax abatement agreement is not eligible. Supplies and inventory are ineligible for tax abatement under this Policy and State law.

As used herein, the creation of jobs refers to the creation of a job paying not less than \$~~10~~¹⁵ per hour. To qualify for a level of tax abatement, ~~e.g., 25%~~, based on the creation of a specific number of jobs, you must commit to hiring the required effective number of employees by the end of year 2 of the agreement. To calculate the effective number of jobs created: (1) calculate the total annual payroll created (based on the number of employees you will hire at various annual salaries); (2) divide this annual payroll by \$~~20,640~~^{31,200} (our calculated annual salary for a \$~~10~~¹⁵/hr. employee); and (3) round this figure to the nearest whole integer.

c. Additional or Enhancement Factors. In addition to the minimum investment or job creation criteria listed in subsection b above, the following factors, among others, shall be considered in determining whether to grant tax abatement, and if so, in what percentage of value to be abated and the duration:

- (1) value of land and existing improvements, if any;
- (2) type and value of proposed improvements;
- (3) productive life of proposed improvements;
- (4) number of existing jobs to be retained by proposed improvements;
- (5) number, salary, and type of new jobs to be created by proposed improvements;
- (6) amount of local payroll to be created;
- (7) whether the new jobs to be created will be filled by persons residing or projected to reside within the City;
- (8) amount of local sales taxes to be generated directly;
- (9) the costs, if any, to be incurred by the City to provide facilities or services directly resulting from the new improvements;
- (10) the amount of ad valorem taxes to be paid the City during the abatement period considering the existing values, the percentage of new value abated, the abatement period, and the projected property value after expiration of the

- abatement period;
- (11) population growth that occurs directly as a result of new improvements;
- (12) the types and value of public improvements, if any, to be constructed and paid for by the applicant seeking abatement;
- (13) the extent to which the proposed improvements compete with existing businesses;
- (14) the positive or negative impact on the opportunities of existing businesses;
- (15) the attraction of other new businesses to the area;
- (16) the overall compatibility with the City's subdivision regulations, and overall comprehensive plan; and
- (17) whether the project is environmentally compatible with the community (no appreciable negative impact on quality-of-life perceptions).

Each eligible facility shall be reviewed on its merits utilizing the factors provided above. After such review, abatement may be denied entirely or may be granted to the extent deemed appropriate after full evaluation.

3. Abatement Barred in Certain Circumstances

Neither a reinvestment zone nor an abatement agreement shall be authorized, if the City Council determines that:

- a. there would be a substantial adverse effect on the provision of government service or tax base;
- b. the applicant has insufficient financial capacity to meet the requirements of the proposed abatement agreement;
- c. planned or potential use of the property would constitute a hazard to public safety, health, or morals;
- d. approval of a reinvestment zone or abatement agreement would violate State or Federal laws or regulations; or
- e. there exists any other valid reason for denial deemed appropriate by the City.

4. Property Subject to Taxation.

From the execution of an abatement agreement to the end of the effective abatement period under the agreement, taxes shall be payable as follows:

- a. the value of ineligible property (Part I.D.1.d.) shall be fully taxable;
- b. the base year value of existing eligible property as determined each year shall be fully taxable;

- c. the additional value of new eligible property shall be taxed in the manner and for the period provided for in the abatement agreement; and
- d. the additional value of new, eligible property shall be fully taxable at the end of the abatement period.

5. ~~Application~~ Request for Tax Abatement.

- a. Any present or potential owner of taxable property within the City of Alvin may request the creation of a reinvestment zone and a tax abatement agreement by filing a written request with the City Secretary. The application shall then be forwarded to the City Manager or his designee for review. After processing the application, the City Manager shall make a recommendation to the City Council of the City for final disposition.
- b. The request shall include, among other things, the following: (i) a general description of the project, including the purpose and an explanation of the improvements as well as how the project will meet these guidelines and criteria; (ii) expansion or new improvements which will be a part of the facility; (iii) a descriptive list of the improvements which will be part of the facility; (iv) a map showing the location of the property, all roadways within 500 feet of the site and all existing land uses within 500 feet of the site [a complete legal description shall be provided if the property is described by metes and bounds]; and (v) a time schedule for undertaking and completing the planned improvements. In the case of ~~modernization~~ Modernization, a statement of the assessed value of the facility, separately stated for real and personal property, shall be given for the tax year immediately preceding the ~~application~~ written request. The ~~application-written request form~~ shall require such financial and other information as the City deems appropriate for evaluating the financial capacity of and other factors regarding the applicant.
- c. Prior to the adoption of an ordinance designating a reinvestment zone, the City shall hold a public hearing on the designation. Notice shall be given as provided by §312.201, Tax Code, i.e., (1) written notice to the presiding officer of the governing body of each taxing unit which includes within its boundaries real property that is to be included in the proposed reinvestment zone, such notice to be given not later than the seventh (7th) day before the public hearing; and (2) publication in a newspaper of general circulation within the City not later than the seventh (7th) day before the public hearing.
- d. The City shall not establish a reinvestment zone for the purpose of ~~abatment~~ Abatement if it finds that the request for the ~~abatment~~ Abatement was filed after the commencement of construction of a ~~new~~ New ~~facility~~ Facility, or alteration, ~~modernization~~ Modernization, or ~~expansion~~ Expansion of an existing facility.
- e. Information that is provided to the City in connection with ~~an application or the~~

written request for tax abatement and that describes the specific processes or business activities to be conducted or the equipment or other property to be located on the property for which tax abatement is sought is confidential and not subject to public disclosure until the ~~abatement~~ Abatement agreement ~~Agreement~~ is executed.

6. Tax Abatement Agreements

- a. After preliminary approval ~~of an application~~ for tax abatement, the City shall formally pass a resolution authorizing an ~~agreement~~ Agreement with the owner (and lessee, where applicable) of the facility, which ~~agreement~~ Agreement shall include, but not be limited to:

- (1) The kind, number, and location of all proposed improvements of the property;
- (2) A provision for access to and authorization of inspection of the property by municipal employees to ensure that the improvements or repairs are made according to the specifications and conditions of the ~~agreement~~ Agreement;
- (3) Limits for the uses of the property consistent with the general purpose of encouraging development or redevelopment of the zone during the period the property tax exemptions are in effect;
- (4) A provision for recapturing property tax revenue lost as a result of the ~~agreement~~ Agreement if the owner of the property fails to make the improvements or repairs as provided by the ~~agreement~~ Agreement;
- (5) Each term agreed to by the owner of the property;
- (6) A requirement that the owner of the property annually certify to the governing body of each taxing unit that the owner is in compliance with each applicable term of the ~~agreement~~ Agreement and provide documentation sufficient to allow the City to verify compliance;
- (7) A provision that the City Council may cancel or modify the ~~agreement~~ Agreement if the property fails to comply with the ~~agreement~~ Agreement or the owner fails to provide the documentation necessary to allow the City to determine compliance with the ~~agreement~~ Agreement;
- (8) The percentage of value to be abated each year; and
- (9) The commencement date and the termination date of ~~abatement~~ Abatement.

(10) The Economic Development Policy guidelines and criteria adopted by the City of Alvin are effective for two years from the date adopted as authorized by Section 312.002 (c) of the Tax Code. During that period, the guidelines and criteria may be amended or repealed only by a vote of three-fourths of the members of City Council.

~~b. The City shall give notice as provided by the Tax Code, i.e., written notice to the presiding officer of the governing body of each taxing unit in which the property to be subject to the agreement is located, no later than the seventh day before the date the City Council considers approval of a tax abatement agreement.~~

~~e.~~b. To be effective, a tax abatement agreement must be approved by the affirmative vote of a majority of the members of the City Council at a regularly scheduled meeting of the City Council.

~~d.~~c. Agreements shall normally be approved or disapproved within ~~sixty ninety~~ (6090) days from the date the applicant filed a properly completed ~~application-written request~~ for tax abatement with the City Manager.

7. Recapture of Abated Taxes Upon Default.

a. In the event that the company or individual:

(1) allows its ad valorem taxes owed the City to become delinquent and fails to timely and properly follow the legal procedures for their protest or contest, or

(2) violates any of the terms and conditions of the abatement agreement, and fails to cure during the cure period hereinafter described, then the ~~agreement~~Agreement may be terminated, and the company or individual whose ~~agreement~~Agreement is terminated shall repay, as liquidated damages, all taxes previously abated by virtue of the ~~agreement~~Agreement to the City within thirty (30) days of the termination, with interest not to exceed the highest lawful rate.

b. Should the City determine that the company or individual is in default according to the terms and conditions of its ~~agreement~~Agreement, the City shall notify the company or individual of such default in writing at the address stated in the ~~agreement~~Agreement, and if such is not cured within sixty (60) days from the date of such notice ("cure period"), then the ~~agreement~~Agreement may be terminated.

8. Administration.

a. The Chief Appraiser of the Brazoria County Appraisal District will annually determine an assessment of the real and personal property comprising the reinvestment zone. Each year, the company or individual receiving abatement shall furnish the Chief Appraiser with such information as may be necessary for the abatement. Once value has been established, the Chief Appraiser will notify the City of the amount of the assessment.

b. An abatement agreement shall stipulate that employees or designated representative of the City will have access to the reinvestment zone during the term of the ~~abatement~~Abatement to inspect the facility to determine if the terms and conditions

of the ~~agreement~~-Agreement are being met. All inspections will be made only after the giving of twenty-four (24) hours prior notice and will only be conducted in such manner as to not unreasonably interfere with representatives of the company or individual, and in accordance with its safety standards.

- c. Upon completion of construction, the designated representative of the City shall annually evaluate each facility receiving ~~abatement~~-Abatement to ~~insure~~ensure compliance with the ~~agreement~~Agreement, and a formal report shall then be made to the City Council of Alvin regarding the findings of the evaluation.

9. Assignment of Tax Abatement Agreements.

Abatement may be transferred and assigned by the holder to a new owner or lessee of the same facility upon the approval by resolution of the City subject to the financial capacity of the assignee and provided that all conditions and obligations in the abatement agreement are guaranteed by the execution of a new contractual agreement with the City. No assignment or transfer shall be approved if the parties to the existing ~~agreement~~Agreement, the new owner or new lessee, are liable to any jurisdiction for outstanding taxes or other obligations. Approval of assignments will not be unreasonably withheld.

10. Sunset Provision.

These tax abatement criteria and guidelines are effective upon the date of their adoption and will remain in force for two years, unless amended by three-quarters vote of the City Council, at which time all reinvestment zones and tax abatement agreements created pursuant to these provisions will be reviewed to determine whether the goals have been achieved. Based on that review, the criteria and guidelines may be modified, renewed, or eliminated.

II. Availability of Tax Increment Reinvestment Zones for Public Improvements.

A. Existence of Tax Increment Reinvestment Zones.

The City of Alvin has previously created Tax Increment Reinvestment Zones. To be designated as a Tax Increment Reinvestment Zone (TIRZ), an area must meet the criteria established for reinvestment zones under Section 311.005 of the Tax Code. Designation of an area of the City as an enterprise zone under Chapter 2303, Tex. Gov't Code, as amended from time to time, the Texas Enterprise Zone Act, qualifies an area automatically for designation as a tax increment financing reinvestment zone.

B. Development Agreements.

The City will consider entering into development agreements with the owners of property within a TIRZ where construction of a public improvement(s), e.g., a street, sewer or water line, bridge, railroad spur, or drainage project, using tax increment funds is likely to result in the significant expansion or modernization of an existing facility, the construction of a major

new facility, the creation of a significant number of new jobs, or otherwise accomplishes one of the major goals of Chapter 311 of the Tax Code. The City Council may by ordinance or resolution, with the advice and recommendation of the Board of Directors of a Tax Increment Reinvestment Zone may establish minimum criteria for consideration of development agreements.

III. Additional Economic Incentives within the City

A. Designation of Enterprise Zone.

The City of Alvin has an area of the City designated as an enterprise zone by the State of Texas, acting through its Department of Commerce, under Chapter 2303, Tex. Gov't Code, as amended from time to time (the Texas Enterprise Zone Act). As having an approved area designated as an enterprise zone by the State, the City will consider granting several types of economic incentives within the enterprise zone.

1. Sales and Use Tax refunds.

- a. Minimum qualifications. To encourage development of the enterprise zone, the City will consider granting sales and use tax rebates to businesses within the enterprise zone which:
 - (1) meet the definition of "qualified businesses" for purposes of the Texas Enterprise Zone Act;
 - (2) meet the qualifications for and receive designation by the State as an enterprise project as provided for in the Texas Enterprise Zone Act.
- b. Eligible taxes. The City may agree to a refund of its sales and use taxes paid by qualified business designated as an enterprise project on the purchase, lease, or rental of equipment or machinery for use in an enterprise zone or on the purchase of material for use in remodeling, rehabilitating, or constructing a structure in the enterprise zone.
- c. Agreement required. The City will, by development agreement, consider refunding up to one-half (1/2) of the eligible sales and use tax paid by a qualified business and enterprise project for a period of up to two (2) years.
- d. Documentation required. A qualified business and enterprise project entitled to a refund of sales and use tax under this Section by agreement shall pay the entire amount of State and local sales and use taxes at the time of purchase. A qualified business and enterprise project entitled to a refund of sales and use tax by agreement may request a refund once each year in writing. A qualified business and enterprise project entitled to a refund of sales and use tax by agreement must provide documentation necessary to support a refund claim in a form prescribed by the City's Director of Finance.

2. Waiver of Permit Fees.

By resolution, the City Council may adopt a policy to waive certain building, permit, license or development fees to qualified businesses which have been designated as enterprise projects within the enterprise zone.

B. Other Economic Incentives Within the City.

1. Pursuant to authority delegated by the Legislature to cities under Chapter 380 of the Local Government Code, and as authorized by Article 3, Section 52-a of the Texas Constitution and the City Charter, the City will consider making loans or grants of public funds or property, or the selling or leasing City of property at or below the fair market value of said property, to promote State or local economic development and to stimulate business and commercial activity within the City, provided that the applicant meets the minimum requirements established by the City Council.
2. Upon ~~application~~[request](#), the City may consider one or more of the following economic tools to encourage economic development:
 - (a) The City may purchase tracts of land in the City to encourage economic development if it determines that assembly of smaller tracts into larger tracts will promote the sale or development of property over the long term. The City may also purchase land to sell or lease to a qualified business in the City, if it determines that a qualified business meets the minimum requirements for additional incentives set out below.
 - (b) As further authorized by Section 2303.513, Tex. Gov't Code, as amended from time to time, the City may sell or lease City-owned property to private developers, if the City Council determines that the property is not needed for any other public purpose, and that sale of the property to a private developer will result in capital improvements or the creation of new jobs within the City. The City will generally sell or lease public property at its fair market value but will consider making a one-time grant to an applicant or selling or leasing property at less than fair market value. To qualify for additional incentives, a qualified business must agree to the following minimum investment in both improvements to real property (new construction or expansion of existing facility) and the creation of jobs set forth in the table of Exhibit "~~D~~[A](#)". The amount of the grant is set forth in Exhibit "~~D~~[A](#)".

~~C. Additional Economic Incentives in the Downtown Development Area.~~

- ~~1. Pursuant to authority delegated by the Legislature to cities under Chapter 380 of the Local Government Code, and as authorized by Article 3, Section 52-a of the Texas Constitution, the City will consider making loans or grants of public funds or property, or the selling or leasing of City property at or below the fair market value of said property, to promote State or local economic development and to stimulate business and commercial activity in the Downtown Development Area, as shown on Exhibit "A",~~

~~provided that the applicant meets the minimum requirements established by the City Council.~~

~~2. Upon application, the City of Alvin will consider one or more of the following economic tools to encourage economic development in the Downtown Development Area:~~

~~(a) The City may purchase tracts of land in the Downtown Development Area to encourage economic development if it determines that assembly of smaller tracts into larger tracts will promote the sale or development of property over the long term. The City may also purchase land to sell or lease to a qualified business in the Downtown Development Area, if it determines that a qualified business meets the minimum requirements for additional incentives set out below.~~

~~(b) As further authorized by Section 2303.513, Tex. Gov't Code, as amended from time to time, the City may sell or lease City-owned property to private developers, if the City Council determines that the property is not needed for any other public purpose, and that sale of the property to a private developer will result in capital improvements or the creation of new jobs in the Downtown Development Area. The City will generally sell or lease public property at its fair market value but will consider making a one-time grant to an applicant or selling or leasing property at less than fair market value. To qualify for additional incentives, a qualified business must agree to the following minimum investment in both improvements to real property (new construction or expansion of existing facility) and the creation of jobs set forth in the table of Exhibit "E". The amount of the grant is set forth in Exhibit "E".~~

~~3. In order for a proposal to be considered for the additional incentives under this Part III, an applicant is required to submit a business plan detailing sufficient information to evaluate the development and the opportunities for success. A development agreement will establish performance standards for the applicant and will provide clauses that insure the return of monetary or real incentives granted for a project in the event that the project is not undertaken within a specified time or the applicant does not comply with the performance standards or terms of the agreement.~~

DC. Additional Economic Incentives - Business Incentive Program

The City of Alvin by means of a Business Incentive Program policy will consider a matching grant program based on specific guidelines within the Business Incentive Program policy document.

Exhibit "A" Downtown Development Area

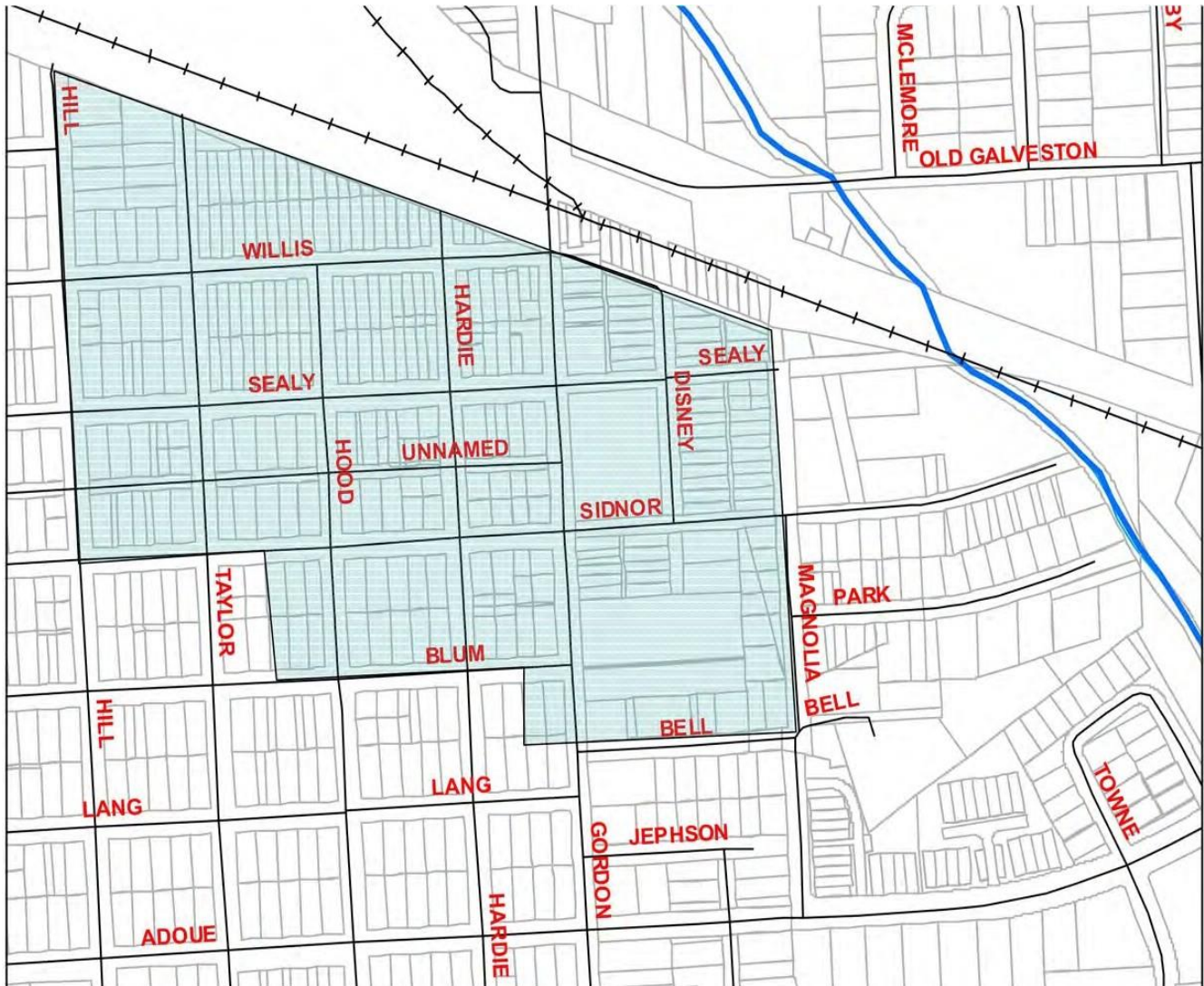


Exhibit "B" Gordon Street Corridor

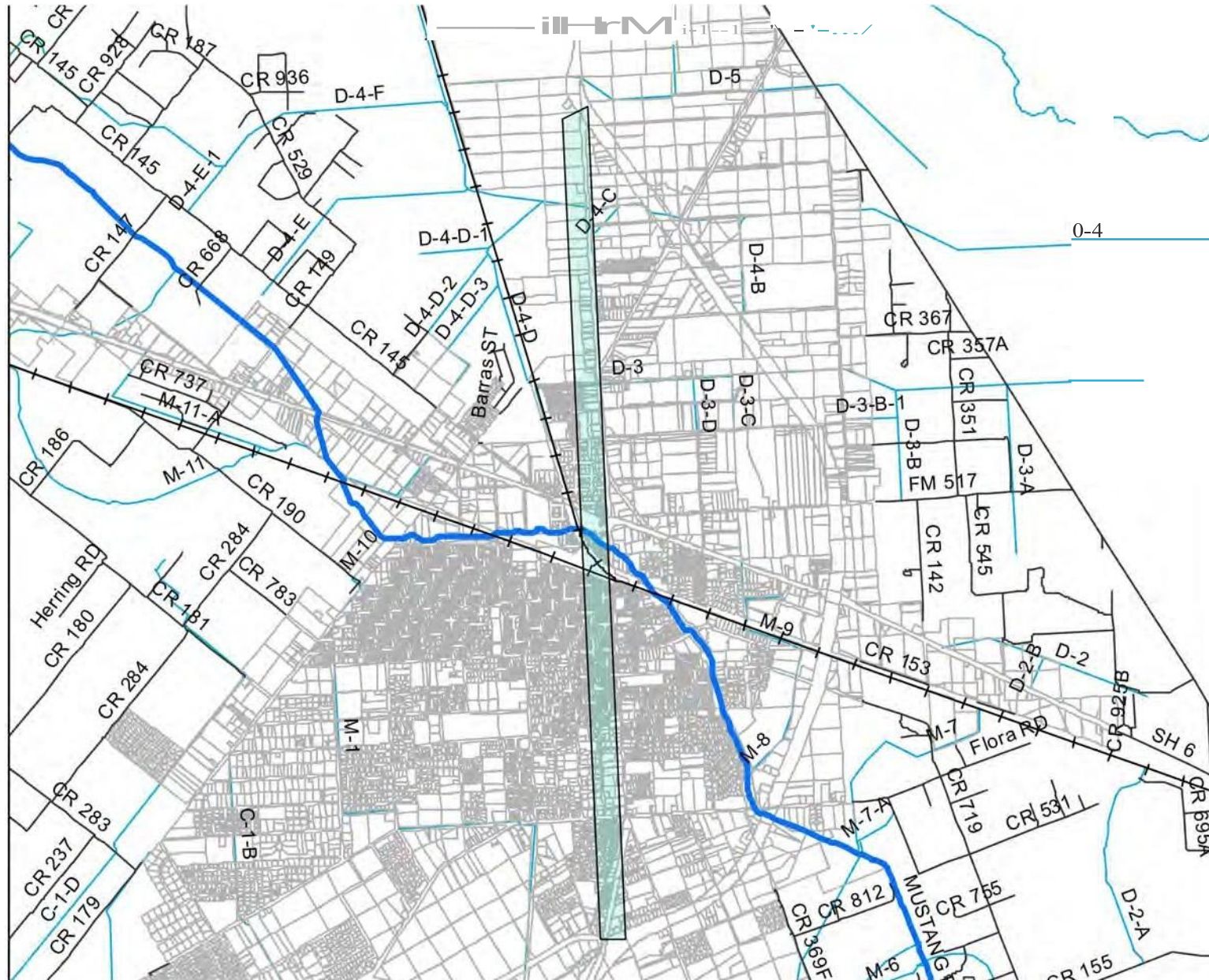


Exhibit C

Minimum-Eligible Property Improvements and Minimum Job Creation Table	10 Jobs	25 Jobs	50 Jobs	75 Jobs	100 Jobs		125 Jobs	150 Jobs	175 Jobs	200 Jobs	225 Jobs
\$1MM-Eligible Property	55%	60%	65%	70%	75%		80%	85%	90%	95%	100%
\$2MM-Eligible Property	60%	65%	70%	75%	80%		85%	90%	95%	100%	100%
\$3MM-Eligible Property	65%	70%	75%	80%	85%		90%	95%	100%	100%	100%
\$4MM-Eligible Property	70%	75%	80%	85%	90%		95%	100%	100%	100%	100%
\$5MM-Eligible Property	75%	80%	85%	90%	95%		100%	100%	100%	100%	100%
\$6MM-Eligible Property	80%	85%	90%	95%	100%		100%	100%	100%	100%	100%
\$7MM-Eligible Property	85%	90%	95%	100%	100%		100%	100%	100%	100%	100%
\$8MM-Eligible Property	90%	95%	100%	100%	100%		100%	100%	100%	100%	100%
\$9MM-Eligible Property	95%	100%	100%	100%	100%		100%	100%	100%	100%	100%
\$10MM-Eligible Property	100%	100%	100%	100%	100%		100%	100%	100%	100%	100%

Downtown Development Area Minimum Eligible Property Improvements and Minimum Job Creation/Retention Table	5-Jobs	25-Jobs
\$50,000-Eligible Property	75%	100%
\$100,000-Eligible Property	100%	100%

Gordon Street Corridor Area Minimum Eligible Property Improvements and Minimum Job Creation/Retention Table	5-Jobs	25-Jobs
\$100,000-Eligible Property	75%	100%
\$250,000-Eligible Property	100%	100%

Exhibit "~~D~~A"

Other Economic Incentives within the City

Real Property Improvements	Job Creation	Value of Grant, or Value of Reduction in Lease Payments or Sale Price
Not less than \$7.5 million	Not less than 125 <u>50</u> new jobs	Not to exceed \$100,000
Not less than \$15 million	Not less than 250 <u>100</u> new jobs	Not to exceed \$200,000
Not less than \$22.5 million	Not less than 375 <u>150</u> new jobs	Not to exceed \$300,000
Not less than \$30 million	Not less than 500 <u>200</u> new jobs	Not to exceed \$400,000
Not less than \$37.5 million	Not less than 625 <u>250</u> new jobs	Not to exceed \$500,000

~~Exhibit "E"~~

~~Additional Incentives in the Downtown Development Area within the City~~

Real Property Improvements	Job Creation	Value of Grant, or Value of Reduction in Lease Payments or Sale Price
Not less than \$70,000	Not less than 3 new jobs	Not to exceed \$6,000
Not less than \$100,000	Not less than 5 new jobs	Not to exceed \$8,000
Not less than \$175,000	Not less than 10 new jobs	Not to exceed \$10,000
Not less than \$225,000	Not less than 15 new jobs	Not to exceed \$15,000
Not less than \$300,000	Not less than 20 new jobs	Not to exceed \$18,000

**ECONOMIC DEVELOPMENT POLICY
FOR
THE CITY OF ALVIN**

**RE-ADOPTED
Via Resolution 22-R-__**

I. Criteria and Guidelines Governing Tax Abatement.

A. Definitions.

"Abatement" means the full or partial exemption from ad valorem taxes of certain real property in a reinvestment zone designated by the City for economic development purposes.

"Agreement" means a contract between a property owner or lessee and the City.

"Base Year Value" means the assessed value of eligible property on January 1st of the year of the execution of the tax abatement agreement, plus the agreed upon value of eligible property improvements made after January 1 but before the execution of the agreement.

"Business Incentive Program" means a policy by which the City of Alvin will consider a matching grant program based on specific guidelines in a separate policy document.

"Deferred Maintenance" means those improvements necessary for continued operation, but which do not improve productivity or alter any process technology.

"Eligible Facilities" means those new, expanded, or modernized buildings and structures, including fixed machinery and equipment, which are reasonably likely as a result of granting abatement, to contribute to the retention or expansion of primary employment or to attract major investment in the reinvestment zone that would be a benefit to the property and that would contribute to the economic development within the City. Eligible facilities in all commercial/industrial tax abatement reinvestment zones include manufacturing, distribution and storage facilities, office buildings, transportation facilities, and entertainment complexes.

"Enterprise Zone" means an area that is (1) a block group, as defined by the most recent federal decennial census available at the time of designation, in which at least 20 percent of the residents of the block group have an income at or below 100 percent of the federal poverty level; (2) an area designated by the federal government as a renewal community, a federal empowerment zone, or a federal enterprise community, including any developable area approved by the federal agency responsible for making that designation; (3) an area located in a distressed county; or (4) an area inside the boundaries of a defense base development authority established under Chapter 379B, Local Government Code.

"Expansion" means the addition of buildings, structures, machinery, equipment, or payroll for purposes of increasing production capacity.

"Facility" means property improvements completed or in the process of construction which together comprise an integral whole.

"Ineligible Property" means the following types of property which shall be fully taxable and ineligible for tax abatement: land, inventories, supplies, deferred maintenance, and property to be rented or leased.

"Manufacturing Facility" means buildings and structures, including fixed machinery and equipment, the primary purpose of which is or will be the manufacturing of tangible goods or materials or the processing of such goods or materials by physical or chemical change.

"Modernization" means a complete or partial demolition of facilities and the complete or partial reconstruction or installation of a facility of similar or expanded production capacity. Modernization may result from the construction, alteration, or installation of buildings, structures, machinery or equipment, or both.

"New Facility" means a property previously undeveloped which is placed into service by means other than or in conjunction with expansion and modernization.

"Other Basic Industry" means buildings or structures, including fixed machinery and equipment not elsewhere described, used or to be used for the production of products or services, which primarily serve a market outside of the city.

"Productive Life" means the number of years a property improvement is expected to be in service for a facility.

"Regional Distribution Facility" means buildings and structures, including fixed machinery and equipment, used or to be used primarily to receive, store, service, or distribute goods or materials owned by the facility operator where a majority of the goods or services are distributed outside of the city.

"Regional Entertainment / Tourism Facility" means buildings and structures, including fixed machinery and equipment, used or to be used to provide entertainment and/or tourism related services, from which a majority of revenues generated by the activity at the facility are derived from outside of the city.

"Regional Service Facility" means buildings and structures, including fixed machinery and equipment, used or to be used to service goods where a majority of the goods being serviced originate from outside of the city.

"Reinvestment Zone" means a contiguous or noncontiguous geographic area that is in the corporate limits of the municipality, in the extraterritorial jurisdiction of the municipality, or in both to be a reinvestment zone to promote development or redevelopment of the area if the City Council of the

City of Alvin determines that development or redevelopment would not occur solely through private investment in the reasonably foreseeable future.

"Research Facility" means buildings and structures, including machinery and equipment, used or to be used primarily for research or experimentation to improve new tangible goods or materials or to improve or develop the production processes thereto.

B. Statement of Purpose.

The City is committed to the promotion of high quality commercial and industrial development in all parts of the City, and in the ongoing improvement of the quality of life for its citizens. These objectives may be served by the enhancement and expansion of the local economy. The City will consider granting property tax abatement, on a case-by-case basis, as a stimulus for economic development in accordance with the criteria and guidelines established herein. Nothing herein shall imply or suggest that the City is under any obligation to provide tax abatement to any applicant, that any applicant has a property right or interest in tax abatement, or that the City is precluded from considering other options which may be in the best interest of the City.

C. Designation of Tax Abatement Reinvestment Zones.

The City will consider designating areas within the City limits or extraterritorial jurisdiction of the City as commercial-industrial tax abatement reinvestment zones which meet one or more of the criteria for designation of a reinvestment zone under Section 312.202 of the Tax Code, and where the property owner meets the minimum qualifications to qualify for a tax abatement under Part I.D.2. of this Policy. Designation of an area as a tax abatement reinvestment zone is a prerequisite to entering into a tax abatement agreement with the owner of the property in a particular area. Property located within a City created (and State-approved) enterprise zone or within the City's Tax Increment Financing Reinvestment Zone is eligible for consideration for tax abatement agreements without the necessity of separate designation as a tax abatement reinvestment zone.

D. Abatement Authorized.

1. Eligible Facilities.

Upon application, the City will consider granting tax abatement on Eligible Facilities as hereinafter provided.

- a. Creation of New Value. The City will consider granting tax abatement only for the additional value of Eligible Facilities made subsequent to, and specified in, an abatement agreement between the City and the property owner or lessee, subject to such limitations as the City may require.
- b. New and Existing Eligible Facilities. The City will consider granting abatement for new Eligible Facilities and for improvements to existing Eligible Facilities for purposes of Modernization and Expansion.

- c. Eligible Property. The City will consider granting abatement to the value of real property improvements (buildings, structures, fixed [permanently attached] machinery and equipment, site improvements, related fixed improvements necessary to the operation and administration of the facility), and personal property (excluding inventory or supplies) with a productive life of ten years or more.
- d. Ineligible Property. The following types of property shall remain fully taxable and ineligible for tax abatement: land, supplies, inventory, Deferred Maintenance, property to be rented or leased except as provided in subpart (e) below, and other property which has a productive life of less than ten (10) years.
- e. Owned/Leased Facilities. If a leased facility is granted abatement, the agreement shall be executed with the lessor and the lessee.

2. Standards for Tax Abatement

- a. Minimum Standards. The City will consider tax abatement only on Eligible Facilities which meet at least two of the following criteria and that meet the requirements set forth in Part I.D.2.b and c.
 - (1) The project involves a minimum increase in property value of three hundred percent (300%) for construction of a new facility, or fifty percent (50%) for expansion of an existing facility, with an overall new investment of at least \$1 million in taxable assets.
 - (2) The project makes a substantial contribution to redevelopment efforts, special area plans, or strategic economic development programs by enhancing either functional or visual characteristics, e.g., historical structures, traffic circulation, parking, façades, materials, signs.
 - (3) The project has high visibility, image impact, or is of a significantly higher level of development quality.
 - (4) The project is an area which might not otherwise be developed because of constraints of topography, ownership patterns, site configuration, etc.
 - (5) The project can serve as a prototype and catalyst for other development of a higher standard.
 - (6) The project stimulates desired concentrations of employment or commercial activity.
 - (7) The project generates greater employment than would otherwise be achieved, e.g., commercial/industrial versus manufacturing versus warehousing.
- b. Minimum Required Investment. An applicant requesting tax abatement shall agree as a condition of any tax abatement ultimately approved by the City Council to

expend a certain minimum amount of funds on real or personal property improvements, or to create a certain number of jobs. If the proposed project meets the general criteria provided herein and has a capital cost exceeding \$100,000 then abatement of any or all increased value shall be considered on a case-by-case basis. In no case shall a tax abatement agreement exceed the maximum allowed by state law, presently 100% for ten (10) years.

If a request for tax abatement is justified on the basis of the purchase and maintenance of eligible personal property or on the creation of jobs, the applicant must agree to maintain the personal property or jobs for a period of not less than twice the period for which tax abatement is granted. For example, if an applicant requests and receives 75% tax abatement for five years based on the purchase and maintenance of eligible personal property, the applicant must agree in the tax abatement agreement, subject to recapture of all abated taxes, to maintain the personal property on the property tax roll for not less than ten years.

Personal property with a useful life of less than ten years is not eligible for tax abatement. Personal property on site prior to the effective date of the tax abatement agreement is not eligible. Supplies and inventory are ineligible for tax abatement under this Policy and State law.

As used herein, the creation of jobs refers to the creation of a job paying not less than \$15 per hour. To qualify for a level of tax abatement based on the creation of a specific number of jobs, you must commit to hiring the required effective number of employees by the end of year 2 of the agreement. To calculate the effective number of jobs created: (1) calculate the total annual payroll created (based on the number of employees you will hire at various annual salaries); (2) divide this annual payroll by \$31,200 (our calculated annual salary for a \$15/hr. employee); and (3) round this figure to the nearest whole integer.

- c. Additional or Enhancement Factors. In addition to the minimum investment or job creation criteria listed in subsection b above, the following factors, among others, shall be considered in determining whether to grant tax abatement, and if so, in what percentage of value to be abated and the duration:

- (1) value of land and existing improvements, if any;
- (2) type and value of proposed improvements;
- (3) productive life of proposed improvements;
- (4) number of existing jobs to be retained by proposed improvements;
- (5) number, salary, and type of new jobs to be created by proposed improvements;
- (6) amount of local payroll to be created;
- (7) whether the new jobs to be created will be filled by persons residing or projected to reside within the City;
- (8) amount of local sales taxes to be generated directly;
- (9) the costs, if any, to be incurred by the City to provide facilities or

- services directly resulting from the new improvements;
- (10) the amount of ad valorem taxes to be paid the City during the abatement period considering the existing values, the percentage of new value abated, the abatement period, and the projected property value after expiration of the abatement period;
- (11) population growth that occurs directly as a result of new improvements;
- (12) the types and value of public improvements, if any, to be constructed and paid for by the applicant seeking abatement;
- (13) the extent to which the proposed improvements compete with existing businesses;
- (14) the positive or negative impact on the opportunities of existing businesses;
- (15) the attraction of other new businesses to the area;
- (16) the overall compatibility with the City's subdivision regulations, and overall comprehensive plan; and
- (17) whether the project is environmentally compatible with the community (no appreciable negative impact on quality-of-life perceptions).

Each eligible facility shall be reviewed on its merits utilizing the factors provided above. After such review, abatement may be denied entirely or may be granted to the extent deemed appropriate after full evaluation.

3. Abatement Barred in Certain Circumstances

Neither a reinvestment zone nor an abatement agreement shall be authorized, if the City Council determines that:

- a. there would be a substantial adverse effect on the provision of government service or tax base;
- b. the applicant has insufficient financial capacity to meet the requirements of the proposed abatement agreement;
- c. planned or potential use of the property would constitute a hazard to public safety, health, or morals;
- d. approval of a reinvestment zone or abatement agreement would violate State or Federal laws or regulations; or
- e. there exists any other valid reason for denial deemed appropriate by the City.

4. Property Subject to Taxation.

From the execution of an abatement agreement to the end of the effective abatement period under the agreement, taxes shall be payable as follows:

- a. the value of ineligible property (Part I.D.1.d.) shall be fully taxable;

- b. the base year value of existing eligible property as determined each year shall be fully taxable;
- c. the additional value of new eligible property shall be taxed in the manner and for the period provided for in the abatement agreement; and
- d. the additional value of new, eligible property shall be fully taxable at the end of the abatement period.

5. Request for Tax Abatement.

- a. Any present or potential owner of taxable property within the City of Alvin may request the creation of a reinvestment zone and a tax abatement agreement by filing a written request with the City Secretary. The application shall then be forwarded to the City Manager or his designee for review. After processing the application, the City Manager shall make a recommendation to the City Council of the City for final disposition.
- b. The request shall include, among other things, the following: (i) a general description of the project, including the purpose and an explanation of the improvements as well as how the project will meet these guidelines and criteria; (ii) expansion or new improvements which will be a part of the facility; (iii) a descriptive list of the improvements which will be part of the facility; (iv) a map showing the location of the property, all roadways within 500 feet of the site and all existing land uses within 500 feet of the site [a complete legal description shall be provided if the property is described by metes and bounds]; and (v) a time schedule for undertaking and completing the planned improvements. In the case of Modernization, a statement of the assessed value of the facility, separately stated for real and personal property, shall be given for the tax year immediately preceding the written request. The written request shall require such financial and other information as the City deems appropriate for evaluating the financial capacity of and other factors regarding the applicant.
- c. Prior to the adoption of an ordinance designating a reinvestment zone, the City shall hold a public hearing on the designation. Notice shall be given as provided by §312.201, Tax Code, i.e., (1) written notice to the presiding officer of the governing body of each taxing unit which includes within its boundaries real property that is to be included in the proposed reinvestment zone, such notice to be given not later than the seventh (7th) day before the public hearing; and (2) publication in a newspaper of general circulation within the City not later than the seventh (7th) day before the public hearing.
- d. The City shall not establish a reinvestment zone for the purpose of Abatement if it finds that the request for the Abatement was filed after the commencement of construction of a New Facility, or alteration, Modernization, or Expansion of an

existing facility.

- e. Information that is provided to the City in connection with the written request for tax abatement and that describes the specific processes or business activities to be conducted or the equipment or other property to be located on the property for which tax abatement is sought is confidential and not subject to public disclosure until the Abatement Agreement is executed.

6. Tax Abatement Agreements

- a. After preliminary approval for tax abatement, the City shall formally pass a resolution authorizing an Agreement with the owner (and lessee, where applicable) of the facility, which Agreement shall include, but not be limited to:
 - (1) The kind, number, and location of all proposed improvements of the property;
 - (2) A provision for access to and authorization of inspection of the property by municipal employees to ensure that the improvements or repairs are made according to the specifications and conditions of the Agreement;
 - (3) Limits for the uses of the property consistent with the general purpose of encouraging development or redevelopment of the zone during the period the property tax exemptions are in effect;
 - (4) A provision for recapturing property tax revenue lost as a result of the Agreement if the owner of the property fails to make the improvements or repairs as provided by the Agreement;
 - (5) Each term agreed to by the owner of the property;
 - (6) A requirement that the owner of the property annually certify to the governing body of each taxing unit that the owner is in compliance with each applicable term of the Agreement and provide documentation sufficient to allow the City to verify compliance;
 - (7) A provision that the City Council may cancel or modify the Agreement if the property fails to comply with the Agreement or the owner fails to provide the documentation necessary to allow the City to determine compliance with the Agreement;
 - (8) The percentage of value to be abated each year; and
 - (9) The commencement date and the termination date of Abatement.
- (10) The Economic Development Policy guidelines and criteria adopted by the City of Alvin are effective for two years from the date adopted as authorized by Section

312.002 (c) of the Tax Code. During that period, the guidelines and criteria may be amended or repealed only by a vote of three-fourths of the members of City Council.

- b. To be effective, a tax abatement agreement must be approved by the affirmative vote of a majority of the members of the City Council at a regularly scheduled meeting of the City Council.
- c. Agreements shall normally be approved or disapproved within ninety (90) days from the date the applicant filed a properly completed written request for tax abatement with the City Manager.

7. Recapture of Abated Taxes Upon Default.

- a. In the event that the company or individual:
 - (1) allows its ad valorem taxes owed the City to become delinquent and fails to timely and properly follow the legal procedures for their protest or contest, or
 - (2) violates any of the terms and conditions of the abatement agreement and fails to cure during the cure period hereinafter described, then the Agreement may be terminated, and the company or individual whose Agreement is terminated shall repay, as liquidated damages, all taxes previously abated by virtue of the Agreement to the City within thirty (30) days of the termination, with interest not to exceed the highest lawful rate.
- b. Should the City determine that the company or individual is in default according to the terms and conditions of its Agreement, the City shall notify the company or individual of such default in writing at the address stated in the Agreement, and if such is not cured within sixty (60) days from the date of such notice ("cure period"), then the Agreement may be terminated.

8. Administration.

- a. The Chief Appraiser of the Brazoria County Appraisal District will annually determine an assessment of the real and personal property comprising the reinvestment zone. Each year, the company or individual receiving abatement shall furnish the Chief Appraiser with such information as may be necessary for the abatement. Once value has been established, the Chief Appraiser will notify the City of the amount of the assessment.
- b. An abatement agreement shall stipulate that employees or designated representative of the City will have access to the reinvestment zone during the term of the Abatement to inspect the facility to determine if the terms and conditions of the Agreement are being met. All inspections will be made only after the giving of twenty-four (24) hours prior notice and will only be conducted in such manner as

to not unreasonably interfere with representatives of the company or individual, and in accordance with its safety standards.

- c. Upon completion of construction, the designated representative of the City shall annually evaluate each facility receiving Abatement to ensure compliance with the Agreement, and a formal report shall then be made to the City Council of Alvin regarding the findings of the evaluation.

9. Assignment of Tax Abatement Agreements.

Abatement may be transferred and assigned by the holder to a new owner or lessee of the same facility upon the approval by resolution of the City subject to the financial capacity of the assignee and provided that all conditions and obligations in the abatement agreement are guaranteed by the execution of a new contractual agreement with the City. No assignment or transfer shall be approved if the parties to the existing Agreement, the new owner or new lessee, are liable to any jurisdiction for outstanding taxes or other obligations. Approval of assignments will not be unreasonably withheld.

10. Sunset Provision.

These tax abatement criteria and guidelines are effective upon the date of their adoption and will remain in force for two years, unless amended by three-quarters vote of the City Council, at which time all reinvestment zones and tax abatement agreements created pursuant to these provisions will be reviewed to determine whether the goals have been achieved. Based on that review, the criteria and guidelines may be modified, renewed, or eliminated.

II. Availability of Tax Increment Reinvestment Zones for Public Improvements.

A. Existence of Tax Increment Reinvestment Zones.

The City of Alvin has previously created Tax Increment Reinvestment Zones. To be designated as a Tax Increment Reinvestment Zone (TIRZ), an area must meet the criteria established for reinvestment zones under Section 311.005 of the Tax Code. Designation of an area of the City as an enterprise zone under Chapter 2303, Tex. Gov't Code, as amended from time to time, the Texas Enterprise Zone Act, qualifies an area automatically for designation as a tax increment financing reinvestment zone.

B. Development Agreements.

The City will consider entering into development agreements with the owners of property within a TIRZ where construction of a public improvement(s), e.g., a street, sewer or water line, bridge, railroad spur, or drainage project, using tax increment funds is likely to result in the significant expansion or modernization of an existing facility, the construction of a major new facility, the creation of a significant number of new jobs, or otherwise accomplishes one of the major goals of Chapter 311 of the Tax Code. The City Council may by ordinance or resolution, with the advice and recommendation of the Board of Directors of a Tax Increment

Reinvestment Zone may establish minimum criteria for consideration of development agreements.

III. Additional Economic Incentives within the City

A. Designation of Enterprise Zone.

The City of Alvin has an area of the City designated as an enterprise zone by the State of Texas, acting through its Department of Commerce, under Chapter 2303, Tex. Gov't Code, as amended from time to time (the Texas Enterprise Zone Act). As having an approved area designated as an enterprise zone by the State, the City will consider granting several types of economic incentives within the enterprise zone.

1. Sales and Use Tax refunds.

- a. Minimum qualifications. To encourage development of the enterprise zone, the City will consider granting sales and use tax rebates to businesses within the enterprise zone which:
 - (1) meet the definition of "qualified businesses" for purposes of the Texas Enterprise Zone Act;
 - (2) meet the qualifications for and receive designation by the State as an enterprise project as provided for in the Texas Enterprise Zone Act.
- b. Eligible taxes. The City may agree to a refund of its sales and use taxes paid by qualified business designated as an enterprise project on the purchase, lease, or rental of equipment or machinery for use in an enterprise zone or on the purchase of material for use in remodeling, rehabilitating, or constructing a structure in the enterprise zone.
- c. Agreement required. The City will, by development agreement, consider refunding up to one-half (1/2) of the eligible sales and use tax paid by a qualified business and enterprise project for a period of up to two (2) years.
- d. Documentation required. A qualified business and enterprise project entitled to a refund of sales and use tax under this Section by agreement shall pay the entire amount of State and local sales and use taxes at the time of purchase. A qualified business and enterprise project entitled to a refund of sales and use tax by agreement may request a refund once each year in writing. A qualified business and enterprise project entitled to a refund of sales and use tax by agreement must provide documentation necessary to support a refund claim in a form prescribed by the City's Chief Financial Officer.

2. Waiver of Permit Fees.

By resolution, the City Council may adopt a policy to waive certain building, permit, license or development fees to qualified businesses which have been designated as enterprise projects within the enterprise zone.

B. Other Economic Incentives Within the City.

1. Pursuant to authority delegated by the Legislature to cities under Chapter 380 of the Local Government Code, and as authorized by Article 3, Section 52-a of the Texas Constitution and the City Charter, the City will consider making loans or grants of public funds or property, or the selling or leasing City of property at or below the fair market value of said property, to promote State or local economic development and to stimulate business and commercial activity within the City, provided that the applicant meets the minimum requirements established by the City Council.
2. Upon request, the City may consider one or more of the following economic tools to encourage economic development:
 - (a) The City may purchase tracts of land in the City to encourage economic development if it determines that assembly of smaller tracts into larger tracts will promote the sale or development of property over the long term. The City may also purchase land to sell or lease to a qualified business in the City, if it determines that a qualified business meets the minimum requirements for additional incentives set out below.
 - (b) As further authorized by Section 2303.513, Tex. Gov't Code, as amended from time to time, the City may sell or lease City-owned property to private developers, if the City Council determines that the property is not needed for any other public purpose, and that sale of the property to a private developer will result in capital improvements or the creation of new jobs within the City. The City will generally sell or lease public property at its fair market value but will consider making a one-time grant to an applicant or selling or leasing property at less than fair market value. To qualify for additional incentives, a qualified business must agree to the following minimum investment in both improvements to real property (new construction or expansion of existing facility) and the creation of jobs set forth in the table of Exhibit "A". The amount of the grant is set forth in Exhibit "A".

C. Additional Economic Incentives - Business Incentive Program

The City of Alvin by means of a Business Incentive Program policy will consider a matching grant program based on specific guidelines within the Business Incentive Program policy document.

Exhibit "A"

Other Economic Incentives within the City

Real Property Improvements	Job Creation	Value of Grant, or Value of Reduction in Lease Payments or Sale Price
Not less than \$7.5 million	Not less than 50 new jobs	Not to exceed \$100,000
Not less than \$15 million	Not less than 100 new jobs	Not to exceed \$200,000
Not less than \$22.5 million	Not less than 150 new jobs	Not to exceed \$300,000
Not less than \$30 million	Not less than 200 new jobs	Not to exceed \$400,000
Not less than \$37.5 million	Not less than 250 new jobs	Not to exceed \$500,000



AGENDA COMMENTARY

Meeting Date: 8/18/2022

Department: City Secretary

Contact: Dixie Roberts, City Secretary

Agenda Item: Consider resignation from Parks and Recreation Board member, Clarence Wittwer.

Type of Item: ☐Ordinance ☐Resolution ☐Contract/Agreement ☐Public Hearing ☐Plat ☐Discussion & Direction ☒Other

Summary: The City Secretary's Office received email confirmation from Mr. Wittwer resigning from the Parks and Recreation Board for his term ending December 31, 2022. This agenda item is the formal acceptance of his resignation.

Mr. Wittwer is moving from the city and will no longer be eligible to serve on the Parks Board. Article IX of the Alvin Charter states that members must be residents, qualified voters of the City of Alvin and who have resided within the City of Alvin for a period of not less than six months immediately preceding their appointment.

With the resignation of Mr. Wittwer, there will be six (6) members on the Parks and recreations Board. Article IX of the Alvin Charter states that there must be at least seven (7) members, no more than nine (9) members on the Parks and Recreation Board. City Council will consider an appoint to fill this vacancy at a future meeting.

Funding Expected: Revenue ☐ Expenditure ☐ N/A ☒ **Budgeted Item:** Yes ☐ No ☒ N/A ☐

Funding Account: _____ **Amount:** _____ **1295 Form Required?** Yes ☐ No ☒

Legal Review Required: N/A ☒ Required ☐ **Date Completed:** _____

Supporting documents attached:

- Resignation letter from Mr. Wittwer

Recommendation: Move to accept the resignation form Parks and recreation Board member, Clarence Wittwer.

Reviewed by Department Head, if applicable ☐
Reviewed by City Attorney, if applicable ☐

Reviewed by Chief Financial Officer, if applicable ☐
Reviewed by City Manager ☒

From: Clarence W. [REDACTED]
Sent: Sunday, July 31, 2022 3:35 PM
To: Dan Kelinske <dkelinske@psf.cityofalvin.com>
Subject: Re: Park Board Agenda 8/2

Dan,

Sorry for the short notice.

We have officially moved into our "temporary" home south of Liverpool and initiated the change of address.

I'm guessing this means I am no longer an Alvin resident and no longer eligible to serve on the Parks Board?

How do we proceed, do you need a formal resignation letter or does this email suffice?

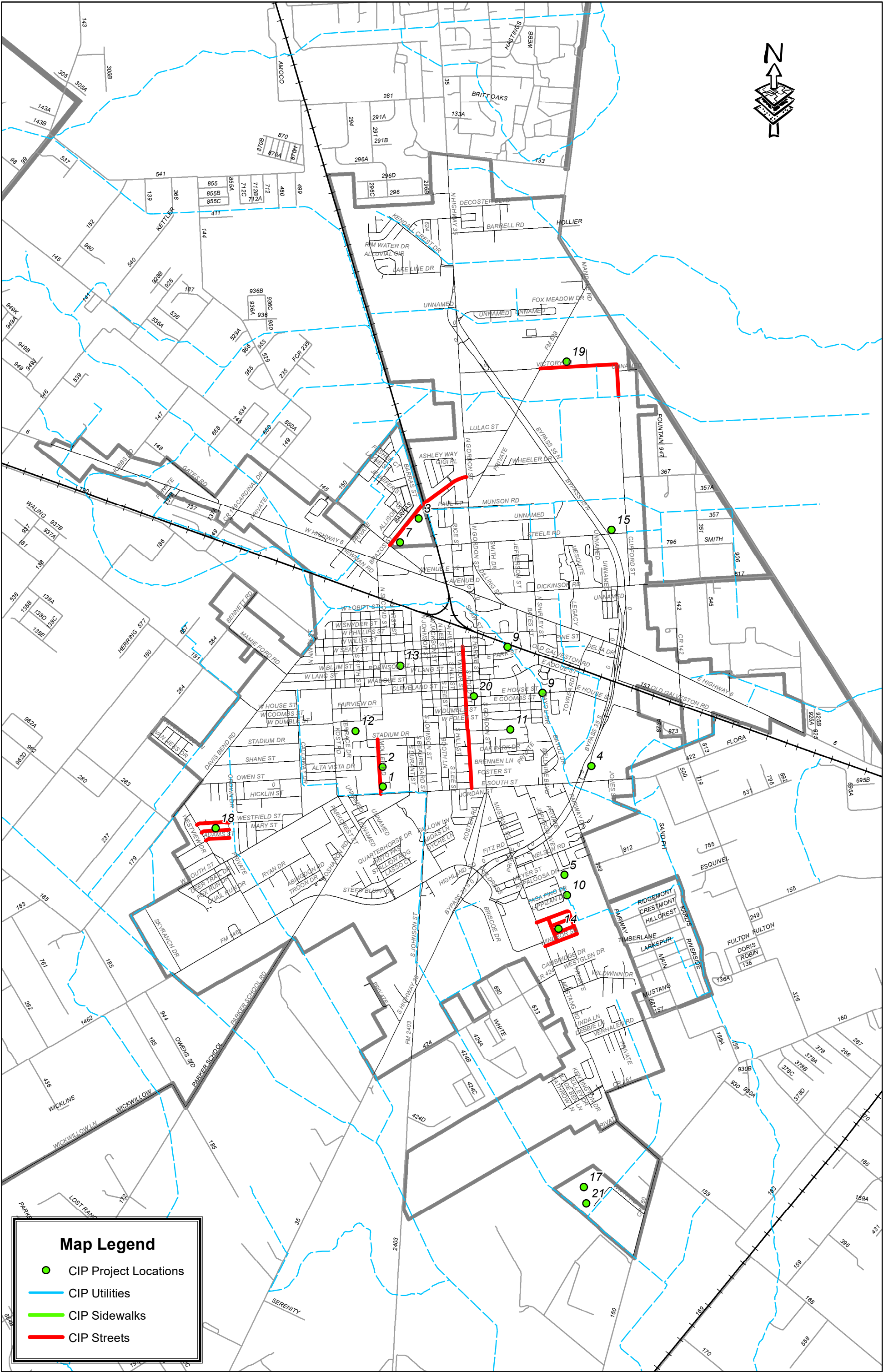
Thanks

[photo]

Clarence L. Wittwer

**Capital Improvement Program
Quarterly Report
August 2022**





FY 2022 CIP Project Location Map



FY 2022 Capital Improvement Program Project Schedule - August 2022

PROJECTS:	10/15/21	10/31/21	11/15/21	11/30/21	12/15/21	12/31/21	1/15/22	1/31/22	2/15/22	2/29/2022	3/15/22	3/31/22	4/15/22	4/30/22	5/15/22	5/31/22	6/15/22	6/30/22	7/15/22	7/31/22	8/15/22	8/31/22	9/15/22	9/30/22
1. Moller Road Storm Sewer and Pavement Phase 1	Construction																							
2. Moller Road Storm Sewer and Pavement Phase 2	Design																							
3. FM 528 Extension	Design																							
4. Lift Station 30 Expansion & Hwy. 35 Gravity Mains	Construction																							
5. 54" Eastside Interceptor	Construction																							
6. Northwest/Northeast Basin Sewer Rehab. Project	Construction															Project Complete								
7. Water Plant #6 Tank Replacement Remaining Work	Bid								Construction								Project Complete							
8. Wayfinding Signs Project	Design																							
9. Mustang Bayou Bank Repair	Bid								Construction															
10. Hike and Bike Trail Phase III	Design																							
11. Waterline Improvements Phase 3	Design													Bid									Construction	
12. Waterline Improvements Phase 4																				Design				
13. Water Plant #4 Tank Replacement	Design														Bid								Construction	
14. 2021 Asphalt Pavement Project	Bid								Construction															
15. Lift Station 23 Expansion	Design																							
16. 2021 Wastewater Master Plan Update/Rate Study	Design																							
17. WWTP Facility Plan	Design																							
18. 2021 Concrete Pavement and Drainage Project	Design																					Bid		
19. 2022 Asphalt Pavement Project																								
20. 2022 Concrete Pavement and Drainage Project																								
21. WWTP Critical Improvements																				Design				



Moller Road Storm Sewer and Pavement Improvements Phase 1

Project Number:	1
Project Type:	Streets
Strategic Plan:	Maintain Infrastructure
Funding:	Sales Tax Fund / Bond Funds
Assigned:	City Engineer
Project Location:	Moller Road near South Street. Project location identified as number 1 on the CIP project location map.
Project Description:	This project includes the design of the first of a three phase project to add a storm sewer system, concrete curb and gutter pavement, and sidewalk along Moller Road. This is the third of several drainage improvement projects that were recommended in the M-1 Ditch Watershed Study that was completed in January 2011 by Dannenbaum Engineering.
Project Justification:	To improve drainage in the M-1 Ditch Watershed by adding a storm sewer system along Moller Road.
Current Status:	Triple B Services started construction of this 410 calendar day project on October 20, 2021. Project nearing completion.
Impact on Operating Budget:	No
Estimated Useful Life of Capital Investment:	30+ years

PROJECT COST					
	<u>ESTIMATED</u>	<u>ACTUAL</u>	<u>FUNDS BUDGETED</u>	<u>FISCAL YEAR</u>	
<u>DESIGN</u>	\$250,000	\$249,932	\$250,000	2018	
<u>CONSTRUCTION</u>	\$1,803,659	\$1,292,299	\$1,800,000	2019	Bond
<u>GEO. STUDY</u>					
<u>TOTAL:</u>	\$2,053,659	\$1,542,231	\$2,050,000		



Moller Road Storm Sewer and Pavement Improvements Phase 2 (Design)

Project Number:	2
Project Type:	Streets
Strategic Plan:	Maintain Infrastructure
Funding:	Sales Tax Fund
Assigned:	City Engineer
Project Location:	Moller Road near South Street. Project location identified as number 2 on the CIP project location map.
Project Description:	This project includes the design of the second of a three phase project to add a storm sewer system, concrete curb and gutter pavement, and sidewalk along Moller Road. This is the fourth of several drainage improvement projects that were recommended in the M-1 Ditch Watershed Study that was completed in January 2011 by Dannenbaum Engineering.
Project Justification:	To improve drainage in the M-1 Ditch Watershed by adding a storm sewer system along Moller Road.
Current Status:	Dannenbaum Engineering is completing the final design of the project. This project will bid so that construction can start once construction of Moller Road Storm Sewer and Pavement Improvements Phase 1 is complete.
Impact on Operating Budget:	No
Estimated Useful Life of Capital Investment:	30+ years

PROJECT COST					
	<u>ESTIMATED</u>	<u>ACTUAL</u>	<u>FUNDS BUDGETED</u>	<u>FISCAL YEAR</u>	
<u>DESIGN</u>	\$250,000	\$381,980	\$381,980	2019	Bond
<u>CONSTRUCTION</u>	\$3,550,000		\$3,700,000	2020	Bond
<u>GEO. STUDY</u>					
<u>TOTAL:</u>	\$3,800,000	\$381,980	\$4,081,980		



FM 528 Extension (Design)

Project Number:	3
Project Type:	Streets
Strategic Plan:	Maintain Infrastructure
Funding:	Sales Tax Fund
Assigned:	City Engineer
Project Location:	Extension of FM 528 from Gordon Street to Highway 6. Project location identified as number 3 on the CIP project location map.
Project Description:	This project involves the construction of the extension of FM 528 from Gordon Street to Highway 6 along right-of-way that has been acquired in the last ten plus years.
Project Justification:	Completion of this project will help to relieve traffic congestion at the Gordon Street and Highway 6 intersection, as well as, provide a secondary evacuation route over the railroad tracks in the event that the railroad underpass along Highway 6 floods.
Current Status:	TXDOT has this project scheduled to let for construction in 2028. Council approved an Advance Funding Agreement with TXDOT for their review of the plans for the project on 7/16/2020. In June 2021 TXDOT informed HDR that the project drainage would have to be redesigned to include Atlas 14 design parameters and the bridge would have to be redesigned using the inverted tee green ribbon bent caps before they would do a full review of the plans. On August 2, 2021 TXDOT notified HDR that they would accept the aesthetics of the bridge as designed and would not required the inverted tee green ribbon bent caps. In November 2021 HDR received more review comments from TXDOT regarding the need to redesign the roadway/bridge typical section using new criteria for shared use bike/pedestrian pathways. HDR has informed City Staff that they have exhausted the original design budget and that an additional proposal would need to be approved for this design work.
Impact on Operating Budget:	No
Estimated Useful Life of Capital Investment:	30-35 years

PROJECT COST

	<u>ESTIMATED</u>	<u>ACTUAL</u>	<u>FUNDS BUDGETED</u>	<u>FISCAL YEAR</u>	
<u>DESIGN</u>	\$1,000,000	\$1,186,353.11	\$1,000,000	2018	
<u>CONSTRUCTION</u>	\$15,100,000				
<u>OTHER</u>					
<u>TOTAL:</u>	\$16,100,000	\$1,186,353.11	\$1,000,000		



Lift Station 30 Expansion & HWY 35 Bypass Gravity Mains

Project Number:	4
Project Type:	Sewer
Strategic Plan:	2015 Utility Master Plan - Wastewater CIP Projects - 2020
Funding:	2018 Water and Sewer Bond Funds
Assigned:	City Engineer
Project Location:	Lift Station 30 Expansion and HWY 35 Bypass gravity mains. Project location identified as number 4 on the CIP project location map.
Project Description:	This project includes the expansion of lift station 30 from a firm capacity of 4.61 MGD to a firm pumping capacity of 11.5 MGD. This project includes a new 24 inch force main, and the upsizing of the gravity lines to 36 inches immediately upstream and downstream of lift station 30.
Project Justification:	Identified in the 2015 Utility Master Plan by Freese and Nichols, Inc. that was approved by the City Council on March 3, 2016.
Current Status:	On April 15, 2021 Council awarded a bid to TLC Construction Contract Services for the construction of this 330 calendar day project. The Preconstruction meeting for the project was held on June 2, 2021 and the Notice to Proceed was issued June 21, 2021. Construction in progress. The estimated completion date for this project is November 2022.
Impact to Operating Budget:	No
Estimated Useful Life of Capital Investment:	20-25 years

PROJECT COST					
	<u>ESTIMATED</u>	<u>ACTUAL</u>	<u>FUNDS BUDGETED</u>	<u>FISCAL YEAR</u>	
<u>DESIGN</u>	\$1,495,900	\$760,515	\$679,865	2018	Bonds
<u>CONSTRUCTION</u>	\$10,064,900	\$8,833,433	\$10,064,900	2019/2020	Bonds
<u>OTHER</u>					
<u>TOTAL:</u>	\$11,560,800	\$9,593,948	\$10,744,765		



54" Eastside Interceptor

Project Number:	5
Project Type:	Sewer
Strategic Plan:	2015 Utility Master Plan - Wastewater CIP Projects - 2020
Funding:	2018/2019/2020 Water and Sewer Bond Funds
Assigned:	City Engineer
Project Location:	Replacement 54" Eastside Interceptor. Project location identified as number 5 on the CIP project location map.
Project Description:	This project includes the construction of a 54 inch wastewater line from the 35 Bypass to the WWTP. The model showed the existing 27 inch and 33 inch wastewater lines do not have enough capacity to convey existing peak flows to the plant.
Project Justification:	Identified in the 2015 Utility Master Plan by Freese and Nichols, Inc. that was approved by the City Council on March 3, 2016.
Current Status:	Bids were opened on November 17, 2020 and Harper Brothers Construction, LLC was the qualified low bidder. Council awarded the bid in the amount of \$16,044,022 to Harper Brothers at their meeting on December 17, 2020. This is a 540 calendar day project. The Pre-Construction Meeting was held on March 24, 2021 and construction started April 26, 2021. Council approved a change order to add the coating of the WWTP lift station wet well to the project on 4/7/2022. Construction in progress. The estimated completion date for this project is March 2023.
Impact to Operating Budget:	No
Estimated Useful Life of Capital Investment:	30+ years

PROJECT COST

	<u>ESTIMATED</u>	<u>ACTUAL</u>	<u>FUNDS BUDGETED</u>	<u>FISCAL YEAR</u>	
<u>DESIGN</u>	\$2,165,300	\$2,076,000	\$2,076,000	2018	Bond
<u>CONSTRUCTION</u>	\$16,399,450	\$16,044,022	\$16,047,130	2019/2020	Bond
<u>OTHER</u>	\$89,865	\$89,865		2019	Bond
<u>TOTAL:</u>	\$18,654,615	\$18,209,887	\$18,123,130		



Northwest and Northeast Sanitary Sewer Basin Rehabilitation Project

Project Number:	6
Project Type:	Sewer
Strategic Plan:	2015 Utility Master Plan - Wastewater CIP Projects - 2020
Funding:	2018 Water and Sewer Bond Funds
Assigned:	City Engineer / Public Services Director
Project Location:	Northwest and Northeast Sanitary Sewer Basins in the northern portion of the City.
Project Description:	Utilities Master Plan recommended that a Sanitary Sewer Evaluation Survey be conducted throughout the Northeast and Northwest Basins to identify sources of Inflow and Infiltration. Once sources of I/I are found, the City should address them as required to reduce excess water from entering the wastewater system.
Project Justification:	Identified in the 2015 Utility Master Plan by Freese and Nichols, Inc. that was approved by the City Council on March 3, 2016.
Current Status:	Project complete as of May 27, 2022.
Impact to Operating Budget:	No
Estimated Useful Life of Capital Investment:	20-25 years

PROJECT COST

	<u>ESTIMATED</u>	<u>ACTUAL</u>	<u>FUNDS BUDGETED</u>	<u>FISCAL YEAR</u>	
<u>DESIGN</u>	\$95,300	\$95,200	\$95,300	2018	
<u>CONSTRUCTION</u>	\$855,700	\$540,265	\$850,000	2020	
<u>OTHER</u>					
<u>TOTAL:</u>	\$951,000	\$635,465	\$945,300		



Water Plant #6 Tank Replacement Remaining Work

Project Number:	7
Project Type:	Water
Strategic Plan:	2015 Utility Master Plan - Water CIP Projects - 2020
Funding:	2018 Water and Sewer Bond Funds
Assigned:	City Engineer
Project Location:	Water Plant No. 6 Ground Storage Tank Replacement identified as project number 7 on the CIP project location map.
Project Description:	Decommission three existing 0.43 MG ground storage tanks and add new 1.5 MG ground storage tank at Water Plant No. 6
Project Justification:	Identified in the 2015 Utility Master Plan by Freese and Nichols, Inc. that was approved by the City Council on March 3, 2016.
Current Status:	The contract with T & C Construction, Ltd. was terminated on 11/9/2020 due to their inability to complete the project. The tank was placed online in December 2020 and the remaining site work was bid on 11/23/2021. The City Council awarded a bid for the remaining work on 1/6/2022 to W.W. Payton Corporation in the amount of \$415,635. Construction is anticipated to start in February 2022 on this 75 calendar day project. The preconstruction meeting was held on 3/1/2022 and the Notice to Proceed to Proceed was issued on 3/3/2022. Construction complete as of June 2022.
Impact to Operating Budget:	No
Estimated Useful Life of Capital Investment:	20-25 years

PROJECT COST

	<u>ESTIMATED</u>	<u>ACTUAL</u>	<u>FUNDS BUDGETED</u>	<u>FISCAL YEAR</u>	
<u>DESIGN</u>	\$526,500	\$330,380	\$330,380	2018	Bond
<u>CONSTRUCTION</u>	\$2,632,500	\$2,583,157	\$2,583,157	2018/2022	Bond/Impact Fees
<u>OTHER</u>					
<u>TOTAL:</u>	\$3,159,000	\$2,913,537	\$2,913,537		



Wayfinding Signs Project

Project Number:	8
Project Type:	Wayfinding
Strategic Plan:	Planning for directional movement in the City to key locations.
Funding:	General Fund
Assigned:	Economic Development Coordinator
Project Location:	Corporate City Limits
Project Description:	To develop a wayfinding signage system that will create a uniqueness about Alvin while also improving the economic vitality of lesser known parts of the City that tourists and visitors may not be aware of.
Project Justification:	By implementing wayfinding signage, visitors will be easily directed to key locations creating a more positive experience and it will encourage others to see what the City of Alvin has to offer beyond the visible elements on the main roadways.
Current Status:	Ongoing (07/19/22): City Council recently voted to change the City's logo, which will affect the design of the signage. Staff will need to re-engage with wayfinding stakeholders and National Sign Plazas to have the design of the signs altered to reflect the new City logo.
Impact on Operating Budget:	No
Estimated Useful Life of Capital Investment:	N/A

PROJECT COST					
	<u>ESTIMATED</u>	<u>ACTUAL</u>	<u>FUNDS BUDGETED</u>	<u>FISCAL YEAR</u>	
<u>DESIGN</u>	\$50,000	\$49,500	\$49,500	2019	
<u>CONSTRUCTION</u>	\$180,500	\$180,500	\$105,500	2020	
<u>OTHER</u>					
<u>TOTAL:</u>	\$230,500	\$230,000	\$155,000		



Mustang Bayou Bank Repair

Project Number:	9
Project Type:	Park / Drainage
Strategic Plan:	Maintain Infrastructure
Funding:	General Fund
Assigned:	City Engineer / Parks Director / City Attorney
Project Location:	Two areas along the bank of Mustang Bayou that washed out during Hurricane Harvey. Project location identified as number 9 on the CIP project location map.
Project Description:	This project includes the design and repair of two locations along Mustang Bayou where the bayou side slope failed due to flood waters from Hurricane Harvey.
Project Justification:	This project is needed to restore the portion of the Hike and Bike Trail that was destroyed due to the side slope failure and to restore the bayou.
Current Status:	City Council awarded the bid to WadeCon, LLC in an amount not to exceed \$519,266 on August 5, 2021. Construction started on the National Oak Park portion of the project on February 21, 2022. The National Oak portion of the project is complete. The Contractor is waiting for the delivery of the handrails for the Bayou Drive portion of the project.
Impact on Operating Budget:	No
Estimated Useful Life of Capital Investment:	20 years

PROJECT COST

	<u>ESTIMATED</u>	<u>ACTUAL</u>	<u>FUNDS BUDGETED</u>	<u>FISCAL YEAR</u>	
<u>DESIGN</u>	\$156,408	\$156,408	\$156,408	2018	
<u>CONSTRUCTION</u>	\$302,126	\$519,266	\$519,266	2022/FEMA	
<u>OTHER</u>					
<u>TOTAL:</u>	\$458,534	\$675,674	\$675,674		



Hike and Bike Trail Phase III Design

Project Number:	10
Project Type:	Parks
Strategic Plan:	Extending the existing hike and bike trail as a key addition to the Alvin trail system for non-motorized transportation
Funding:	General Fund
Assigned:	Parks and Recreation Director
Project Location:	Identified on the CIP project location map as project number 10 . South Street to Mustang Road within the Corporate City Limits.
Project Description:	Design third phase of the existing Hike and Bike Trail adding approximately 1.6 miles of trail to the existing 1.7 miles.
Project Justification:	Provide non-motorized transportation from downtown Alvin to Alvin Community College.
Current Status:	Kimley/Horn is approximately 98.92% complete on the final design of the trail.
Impact on Operating Budget:	Yes
Estimated Useful Life of Capital Investment:	20+ years

PROJECT COST

	<u>ESTIMATED</u>	<u>ACTUAL</u>	<u>FUNDS BUDGETED</u>	<u>FISCAL YEAR</u>	
<u>DESIGN</u>	\$100,000	\$150,000	\$150,000	2020/2021	
<u>CONSTRUCTION</u>	\$2,756,000				
<u>OTHER</u>					
<u>TOTAL:</u>	\$2,856,000	\$150,000	\$150,000		



Water Line Improvements Phase 3

Project Number:	11
Project Type:	Water
Strategic Plan:	2015 Utility Master Plan - Water CIP Projects - 2020
Funding:	2020 Water and Sewer Bond Funds
Assigned:	City Engineer
Project Location:	General project location identified as project 11 on the CIP project location map.
Project Description:	New 8-inch and 6-inch water lines to connect and replace existing small diameter water lines in the area bounded by House Street, Bayou Drive, South Street, and Gordon Street. In addition replacement of waterline along Foley Street and within an easement from Legion Street to Adoue Street.
Project Justification:	Identified in the 2015 Utility Master Plan by Freese and Nichols, Inc. that was approved by the City Council on March 3, 2016.
Current Status:	On July 21, 2022 City Council awarded a bid to D. L. Elliott Enterprises, Inc. in the amount of \$3,523,435. Contracts are currently being signed and construction is anticipated to start in September 2022 for this 210 calendar day project.
Impact to Operating Budget:	No
Estimated Useful Life of Capital Investment:	20-25 years

PROJECT COST					
	<u>ESTIMATED</u>	<u>ACTUAL</u>	<u>FUNDS BUDGETED</u>	<u>FISCAL YEAR</u>	
<u>DESIGN</u>	\$549,900	\$549,900	\$549,900	2019	Bond
<u>CONSTRUCTION</u>	\$2,728,092	\$3,523,435	\$2,728,092	2019/2020	Bond
<u>OTHER</u>					
<u>TOTAL:</u>	\$3,277,992	\$4,073,335	\$3,277,992		



Water Line Improvements Phase 4

Project Number:	12
Project Type:	Water
Strategic Plan:	2015 Utility Master Plan - Water CIP Projects - 2022
Funding:	Water and Sewer Bond Funds
Assigned:	City Engineer
Project Location:	General project location identified as project 12 on the CIP project location map.
Project Description:	New 12-inch, 10-inch, 8-inch, and 6-inch water lines to connect and replace existing small diameter water lines in the area bounded by Blum Street, Johnson Street, South Street, and Callaway Drive.
Project Justification:	Identified in the 2015 Utility Master Plan by Freese and Nichols, Inc. that was approved by the City Council on March 3, 2016.
Current Status:	On July 21, 2022 City Council approved an Engineering Services Agreement with LJA Engineering in the amount of \$520,500 for the design of this project. Design is currently underway.
Impact to Operating Budget:	No
Estimated Useful Life of Capital Investment:	20-25 years

PROJECT COST					
	<u>ESTIMATED</u>	<u>ACTUAL</u>	<u>FUNDS BUDGETED</u>	<u>FISCAL YEAR</u>	
<u>DESIGN</u>	\$527,500	\$520,500	\$527,500	2018	Bond
<u>CONSTRUCTION</u>	\$2,645,034		\$2,645,034	2019/2020/2023	Bond
<u>OTHER</u>					
<u>TOTAL:</u>	\$3,172,534	\$520,500	\$3,172,534		



Water Plant #4 Tank Replacement

Project Number:	13
Project Type:	Water
Strategic Plan:	2015 Utility Master Plan - Water CIP Projects - 2020
Funding:	2021 Water and Sewer Bonds / Impact Fees
Assigned:	City Engineer
Project Location:	Water Plant No. 4 Ground Storage Tank Replacement identified as project number 13 on the CIP project location map.
Project Description:	Decommission the existing 0.21 and 0.43 Million Gallon (MG) steel ground storage tanks and add a new 1.0 MG concrete ground storage tank at Water Plant #4.
Project Justification:	Identified in the 2015 Utility Master Plan by Freese and Nichols, Inc. that was approved by the City Council on March 3, 2016.
Current Status:	On July 21, 2022 City Council awarded a bid to W. W. Payton Corporation in the amount of \$4,685,100 for the construction of this 545 calendar day project. Contracts are currently being signed and construction is expected to start in September 2022.
Impact to Operating Budget:	No
Estimated Useful Life of Capital Investment:	20-25 years

PROJECT COST

	<u>ESTIMATED</u>	<u>ACTUAL</u>	<u>FUNDS BUDGETED</u>	<u>FISCAL YEAR</u>	
<u>DESIGN</u>	\$351,000	\$378,500	\$378,500	2021	Impact Fees
<u>CONSTRUCTION</u>	\$3,800,000	\$4,685,100	\$3,800,000	2018	ARPA Funds/Impact Fees
<u>OTHER</u>					
<u>TOTAL:</u>	\$4,151,000	\$5,063,600	\$4,178,500		



2021 Asphalt Pavement Project (Contractor)

Project Number:	14
Project Type:	Streets
Strategic Plan:	Maintain Infrastructure
Funding:	Sales Tax Fund
Assigned:	City Engineer
Project Location:	Windsor Square, Oxford Road, Hurstgreen Lane, and Coventry Lane. Identified as number 14 on the CIP Project Location Map.
Project Description:	This project involves the rehabilitation of various asphalt streets within the City of Alvin. The project includes the reclamation, stabilization, and overlay of asphalt streets. The project locations will be determined based on recommendations from the 2014 Asphalt Pavement Assessment by JET Consulting.
Project Justification:	To improve existing infrastructure.
Current Status:	Council awarded a bid to Texas Materials Group, Inc. at their meeting on 11/18/2021 in the amount of \$1,651,931, for this 120 calendar day project. The Pre-Construction meeting was held on 2/1/2022 and the Notice to Proceed was issued on 2/15/2022. Construction is nearing completion.
Impact on Operating Budget:	No
Estimated Useful Life of Capital Investment:	10-15 years

PROJECT COST					
	<u>ESTIMATED</u>	<u>ACTUAL</u>	<u>FUNDS BUDGETED</u>	<u>FISCAL YEAR</u>	
<u>DESIGN</u>		\$98,000	\$98,000	2021	
<u>CONSTRUCTION</u>	\$1,300,000	\$1,651,931	\$1,651,931	2021/2022	
<u>OTHER</u>		\$35,000	\$35,000	2020	Geo./Topo.
<u>TOTAL:</u>	\$1,300,000	\$1,784,931	\$1,784,931		



Lift Station 23 Expansion Project (design)

Project Number:	15
Project Type:	Sewer
Strategic Plan:	2015 Utility Master Plan
Funding:	2015 Certificates of Obligation Bond Funds/ 2022 Water and Sewer Revenue Bond
Assigned:	City Engineer
Project Location:	Lift Station 23 Expansion. Project location identified as number 15 on the CIP project location map.
Project Description:	This project includes the expansion of lift station 23 from a firm capacity of 2.02 MGD to a firm pumping capacity of 9.0 MGD and elimination of lift stations 15 and 16. This project includes 7,000 feet of new 24 inch force main along Bypass 35, and the upsizing 14,720 feet of the gravity mains along Steele Rd., N. Gordon, Rice St., and Ave. E 1/2 ranging in size from 15-inch to 30-inch.
Project Justification:	Identified in the 2015 Utility Master Plan by Freese and Nichols, Inc. that was approved by the City Council on March 3, 2016.
Current Status:	On October 21, 2021 City Council approved a professional services agreement with LJA for the acquisition of 35 easements and 1 fee simple property acquisition that are required for the construction of the project. LJA is currently in negotiations with several property owners to acquire the easements needed for the project. Agreements have been signed on 13 easements so far.
Impact to Operating Budget:	Yes
Estimated Useful Life of Capital Investment:	20-25 years

PROJECT COST

	<u>ESTIMATED</u>	<u>ACTUAL</u>	<u>FUNDS BUDGETED</u>	<u>FISCAL YEAR</u>	
<u>DESIGN</u>	\$1,389,800	\$1,389,800	\$1,389,800	2015	Bond
<u>CONSTRUCTION</u>	\$19,800,000		\$2,248,800	2022	Bond
<u>OTHER- Easement Acquisition</u>	\$150,000	\$151,200	\$151,200	2022	Bond
<u>TOTAL:</u>	\$21,339,800	\$1,541,000	\$3,789,800		



2021 Wastewater Master Plan Update / Utility Rate Study

Project Number:	16
Project Type:	Utility
Strategic Plan:	Maintain Infrastructure / Planning for the Future
Funding:	Utility Project Fund
Assigned:	City Engineer / Public Services Director
Project Location:	All areas of the City and ETJ that the Wastewater System serves.
Project Description:	This project will provide an update to the wastewater portion of the City's Utility Master Plan that was done in 2015, provide an evaluation of the City's West-Central/Central Sanitary Sewer Basins, and provide a Water and Wastewater Rate Study (the last one was done in 2016).
Project Justification:	This project is needed in order to evaluate the City's Wastewater System now that projects that were recommended in the 2015 Utility Master Plan are in process or complete.
Current Status:	Council approved a contract with Freese and Nichols for engineering design services at their meeting on January 7, 2021. It is anticipated that design will be complete in 18 months. The kickoff meeting for the project was held on February 3, 2021. Freese presented the proposed projects that were identified in the updated plan to Staff on February 23, 2022 and Staff presented the projects to Council at the March 1, 2022 CIP Workshop. The final Wastewater Master Plan Report and the Rate Study Report are scheduled to be submitted in August 2022.
Impact to Operating Budget:	No
Estimated Useful Life of Capital Investment:	5-10 years

PROJECT COST

	<u>ESTIMATED</u>	<u>ACTUAL</u>	<u>FUNDS BUDGETED</u>	<u>FISCAL YEAR</u>	
<u>DESIGN</u>	\$380,000	\$380,000	\$380,000	2021	
<u>CONSTRUCTION</u>					
<u>OTHER</u>					
<u>TOTAL:</u>	\$380,000	\$380,000	\$380,000		



2021 Wastewater Treatment Plant Facility Plan

Project Number:	17
Project Type:	Sewer
Strategic Plan:	Maintain Infrastructure / Planning for the Future
Funding:	Utility Project Fund
Assigned:	City Engineer / Public Services Director
Project Location:	City's Wastewater Treatment Plant. Identified as number 17 on the CIP Project Location Map.
Project Description:	This project will provide an evaluation of the City's Wastewater Treatment Plant and develop a facility plan that will identify improvements that will be required at the plant in the 5-year, 10-year, and 20-year planning periods.
Project Justification:	This project is needed in order to evaluate the City's only wastewater treatment plant now that the two optimization projects (2008 and 2018) are complete.
Current Status:	Council approved a contract with Freese and Nichols for engineering design services at their meeting on January 7, 2021. This evaluation will use wastewater flow projections from the Wastewater Master Plan Update, therefore this plan is time dependent on that plan. The project kickoff meeting was held on February 3, 2021 and the onsite assessment of the WWTP was conducted on March 3, 2021. Preliminary results of the onsite assessment were presented to Staff on April 21, 2021. Flow monitoring results were received May 27, 2021. Staff met with Freese on October 13, 2021 to discuss their preliminary findings. Staff is currently reviewing the draft report that was received last week.
Impact to Operating Budget:	No
Estimated Useful Life of Capital Investment:	10-15 years

PROJECT COST

	<u>ESTIMATED</u>	<u>ACTUAL</u>	<u>FUNDS BUDGETED</u>	<u>FISCAL YEAR</u>	
<u>DESIGN</u>	\$59,914	\$59,914	\$59,914	2021	
<u>CONSTRUCTION</u>					
<u>OTHER</u>					
<u>TOTAL:</u>	\$59,914	\$59,914	\$59,914		



2021 Concrete Pavement and Drainage Project

Project Number:	18
Project Type:	Streets
Strategic Plan:	Maintain Infrastructure
Funding:	Sales Tax Fund
Assigned:	City Engineer
Project Location:	Westfield Drive (Adams Street to Rowan Burton), Perry Lane (Adams Street to Rowan Burton), and Adams Street (portion that runs east-west to Rowan Burton). Project location identified as a number 18 on the CIP Project Location Map.
Project Description:	This project includes the removal and replacement of concrete pavement / curbs, the installation of storm pipe, manholes, inlets, and sidewalks.
Project Justification:	This project will replace the broken and uneven pavement and upgrade the storm system to allow for proper drainage.
Current Status:	On June 3, 2021 Council approved an engineering services agreement with Adico Consulting Engineers, LLC for the design of the project. Staff reviewed the final plan set and submitted comments to Adico in January 2022. The 100% plan set was received 3/7/2022. Staff to bid the project once the 2021 Asphalt Pavement Project is complete.
Impact on Operating Budget:	No
Estimated Useful Life of Capital Investment:	25-30 years

PROJECT COST					
	<u>ESTIMATED</u>	<u>ACTUAL</u>	<u>FUNDS BUDGETED</u>	<u>FISCAL YEAR</u>	
<u>DESIGN</u>		\$140,460			
<u>CONSTRUCTION</u>	\$1,584,000		\$1,800,000	2021	
<u>OTHER</u>					
<u>TOTAL:</u>	\$1,584,000	\$140,460	\$1,800,000		



2022 Asphalt Pavement Project

Project Number:	19
Project Type:	Streets
Strategic Plan:	Maintain Infrastructure
Funding:	Sales Tax Fund
Assigned:	City Engineer
Project Location:	Victory Lane from FM 528 to Clifford Street and Clifford Street from Victory Lane to the bridge over the D-4 Ditch. Identified as number 19 on the CIP Project Location Map.
Project Description:	This project involves the rehabilitation of various asphalt streets within the City of Alvin. The project includes the reclamation, stabilization, and overlay of asphalt streets. The project locations were determined based on recommendations from the 2020 Asphalt Pavement Assessment by JET Consulting.
Project Justification:	To improve existing infrastructure.
Current Status:	It is anticipated that design will start in November 2022.
Impact on Operating Budget:	No
Estimated Useful Life of Capital Investment:	10-15 years

PROJECT COST					
	<u>ESTIMATED</u>	<u>ACTUAL</u>	<u>FUNDS BUDGETED</u>	<u>FISCAL YEAR</u>	
<u>DESIGN</u>					
<u>CONSTRUCTION</u>	\$1,500,000		\$1,500,000	2022	
<u>OTHER</u>					
<u>TOTAL:</u>	\$1,500,000	\$0	\$1,500,000		



2022 Concrete Pavement and Drainage Project

Project Number:	20
Project Type:	Streets
Strategic Plan:	Maintain Infrastructure
Funding:	Sales Tax Fund
Assigned:	City Engineer
Project Location:	Hood Street from Sealy Street to South Street. Project location identified as a number 20 on the CIP Project Location Map.
Project Description:	This project includes the removal and replacement of concrete pavement / curbs, the installation of storm pipe, manholes, inlets, and sidewalks.
Project Justification:	This project will replace the broken and uneven pavement and upgrade the storm system to allow for proper drainage.
Current Status:	It is anticipated that design of this project will start in January 2023.
Impact on Operating Budget:	No
Estimated Useful Life of Capital Investment:	25-30 years

PROJECT COST					
	<u>ESTIMATED</u>	<u>ACTUAL</u>	<u>FUNDS BUDGETED</u>	<u>FISCAL YEAR</u>	
<u>DESIGN</u>					
<u>CONSTRUCTION</u>			\$1,600,000	2023	
<u>OTHER</u>					
<u>TOTAL:</u>	\$0	\$0	\$1,600,000		



Wastewater Treatment Plant Critical Improvements

Project Number:	21
Project Type:	Sewer
Strategic Plan:	Maintain Infrastructure / Planning for the Future
Funding:	FY 2022/2023 Water and Wasterwater Revenue Bonds
Assigned:	City Engineer / Public Services Director
Project Location:	City's Wastewater Treatment Plant. Identified as number 21 on the CIP Project Location Map.
Project Description:	Complete critical WWTP improvements to the influent screen and lift station, grit removal system, a new blower at the aeration basins, erosion control at the clarifiers, two new RAS pumps, valves and flow meters, new tanks and improvements at the chemical building, new gates/valves/guardrails at the aerated sludge holding tank, one new blower, a blower replacement and miscellaneous improvements.
Project Justification:	These critical improvements were noted during the initial inspection of the plant for the 2021 WWTP Facility Plan.
Current Status:	Staff requested that Freese and Nichols combine the design for these critical improvements with the preliminary design of the WWTP Expansion, a design services agreement was approved by City Council on July 21, 2022. The design kickoff meeting is scheduled for August 23, 2022.
Impact to Operating Budget:	No
Estimated Useful Life of Capital Investment:	25+ years

PROJECT COST

	<u>ESTIMATED</u>	<u>ACTUAL</u>	<u>FUNDS BUDGETED</u>	<u>FISCAL YEAR</u>	
<u>DESIGN</u>	\$701,276	\$685,000	\$701,276	2022	Bond
<u>CONSTRUCTION</u>	\$4,079,867		\$4,079,864	2022/2023	Bond
<u>OTHER</u>					
<u>TOTAL:</u>	\$4,781,143	\$685,000	\$4,781,140		



AGENDA COMMENTARY

Meeting Date: 8/18/2022

Department: EMS

Contact: Ron Schmitz, EMS Director

Agenda Item: Consider authorizing the expenditure of American Rescue Plan Act (ARPA) funds for the purchase of a Utility Terrain Vehicle (UTV) from UVC Powersports in an amount not to exceed \$20,549.

Type of Item: ☐ Ordinance ☐ Resolution ☐ Contract/Agreement ☐ Public Hearing ☐ Plat ☐ Discussion & Direction ☒ Other

Summary: The ARPA is a \$1.9 trillion economic stimulus bill passed by the 117th United States Congress and signed into law on March 11, 2021. Of the \$1.9 trillion, the City of Alvin was allocated approximately \$6.6 million.

Several public meetings were held to discuss and consider various projects that could be funded using the funds allocated to the City of Alvin. The purchase of the CRD cell towers were identified as a viable project and funds were appropriated by City Council on March 17, 2022 (per Ordinance 22-V). Upon approval of Ordinance 22-V, staff indicated that before funds were expended, final authorization would come before City Council for approval.

The E.M.S. Department is requesting to purchase a Utility Terrain Vehicle (UTV) using American Rescue Plan Act (ARPA) funds and procure the equipment.

The Utility Terrain Vehicle (UTV) is a multipurpose vehicle that would enhance the City's capabilities for public safety response. The vehicle would allow for the transportation of personnel and equipment to areas inaccessible to standard vehicles. The vehicle can be fitted with inserts such as stretcher mounts to transport the sick or injured as well as foam tanks and pumps for firefighting.

Funding Expected: Revenue ☐ Expenditure ☒ N/A ☐ **Budgeted Item:** Yes ☒ No ☐ N/A ☐

Funding Account: _____ **Amount:** \$20,549 **1295 Form Required?** Yes ☒ No ☐

Legal Review Required: N/A ☒ Required ☐ **Date Completed:** _____

Supporting documents attached:

- Vendor Quote

Recommendation: Move to authorize purchase of a Utility Terrain Vehicle (UTV) from UVC Powersports in an amount not to exceed \$20,549.

Reviewed by Department Head, if applicable ☐
Reviewed by City Attorney, if applicable ☐

Reviewed by Chief Financial Officer, if applicable ☐
Reviewed by City Manager ☒

Texas Veteran Woman Owned Small Business Family Owned & Operated UVC1STOP.COM							
Company Name		CITY OF ALVIN					
Name		RON SCHMITZ					
Address							
CITY, STATE, ZIP							
PHONE		713-254-9245					
EMAIL		RSCHMITZ@CITYOFALVIN.COM					
DATE OF QUOTE		8/11/2022					

QTY	2023 MULE PRO-FXT		MULE PRO-FXT Gas - TWO BENCH SEAT - 6 passenger . Inc 3 YEAR KAWASAKI STRONG WARRANTY	MSRP			UVC PRICE	Custom MULE Total
1	KAT820BPFNN FXTBPF-*****	MULE PRO-FXT EPS Timberline Green & BRIGHT WHITE	2023 Kawasaki MULE PRO-FXT EPS 4x4 Two Bench, Six Passenger - Electric Power Steering with tilt steering, Includes 3 year Kawasaki Strong Warranty.	17,599.00			17,599.00	17,599.00
	EXTENDED COVERAGE	GAS/DIESEL	KAWASAKI STRONG EXTENDED COVERAGE	EXT COVERAGE PRICE			UVC PRICE	Total Extended COVERAGE
	36 Mo. Pro	GTPP	36 months Good Times Protection Extended Coverage	1,034.00			1,034.00	-
			DESTINATION, SET UP & SURCHARGE					
1			Kawasaki Destination / Freight Charges for unit	2,500.00			2,500.00	2,500.00
1			Assembly & Prep	450.00			450.00	450.00
		JOB CODE	ADDITIONAL ACCESSORIES & OPTIONS	UV Price not Installed	TOTAL HOURS	INSTALL TIME PER Line Item	TOTAL \$ LABOR TO INSTALL	TOTAL PRICE INCLUDING INSTALLATION
			Tops & Roofs FXT / DXT				-	
1	99994-0545	Top	PLASTIC ROOF	427.95	1.00	1.0	150.00	577.95
			MULE Windshields * AIR BAR				-	
	42020602	WS	PRO WINDSHIELD DOT FLIP OUT 3 POS	1,319.00	-	1.0	-	-
SUB-TOTAL MULE PRO								21,126.95



DISCOUNT (FREE TOP) (577.95)
New Sub-total BEFORE TAX 20,549.00

*Please Note: Prices are subject to change due to the validity of our current situation with our government and of our supply & demand.



AGENDA COMMENTARY

Meeting Date: 8/18/2022

Department: Public Services

Contact: Brandon Moody, Director

Agenda Item: Consider a one (1) year Contract with Aqua Backflow for the Base Program Cross Connection Control Services; and authorize the City Manager to sign the Contract upon legal review.

Type of Item: ☐Ordinance ☐Resolution ☒Contract/Agreement ☐Public Hearing ☐Plat ☐Discussion & Direction ☐Other

Summary: The Texas Commission on Environmental Quality (TCEQ) rules place the responsibility for recognizing and evaluating hazards within the Public Water Systems (PWS) distribution system on the Public Water System. The City of Alvin's Public Water System serves a wide variety of customers, and it is our responsibility to provide clean potable drinking water to every resident, business owner, and visitor of the City. In order to protect the drinking water, TCEQ requires the PWS to establish an effective cross connection program to prevent any possible hazard that could cause contamination. This is done by identifying the health hazards and non-health hazards within the distribution system, and then determining what type of backflow assembly is necessary to prevent a cross connection or possible contamination.

Backflow assemblies are purchased by the customer and placed on the private side (typically inside structures) and are required to be annually tested by a certified TCEQ backflow assembly tester. The tester will then submit the completed compliant test form to the City to keep on record. There are an estimated 1,200 backflow assemblies in the City on private fire protection lines, in restaurants, in doctor's offices, irrigation systems, and places where hazardous chemical are used.

Aqua Backflow's Cross Connection Program Services will notify customers, track all records for testing, and monitor compliance on all backflow assemblies within City's PWS. The City will provide all identified records stored on backflow devices to Aqua Backflow who will then create an online database of customers for the City. Aqua Backflow will notify customers by mail thirty (30) days in advance of their annual inspection required for compliance. Customers can utilize any registered certified TCEQ backflow assembly tester of their choosing. The cost of the program is free to the City, but there will be a \$9.95 fee per backflow test that is paid by the backflow tester. Typically, testers will pass this fee onto the customer having the backflow assembly tested. Once Aqua Backflow receives the completed compliant test form, they will upload the form to the online database and the customer will be in compliance until the next annual inspection is due. The database will store all the backflow assemblies test results for the City, therefore keeping the City's (PWS) in compliance with TCEQ rules and regulations.

This is not a new requirement for customers with backflow assemblies. The City of Alvin's Code of Ordinances Chapter 17, Plumbing, Article II, addresses the Cross Connection Control. All the requirements pertaining to backflow assemblies are currently in place and have been for many years. This section of the Code is included in your packet for reference.

Prior to the implementation of the backflow program, staff will publish information regarding this program on social media, the city's website, and will also include an article in the upcoming fall/winter edition of the Alvin Rail newsletter.

Staff recommends signing a one (1) year contract with Aqua Backflow for the Base Program Cross Connection Services.

Funding Expected: Revenue ☐ Expenditure ☐ N/A ☒ **Budgeted Item:** Yes ☐ No ☐ N/A ☒

Funding Account: N/A **Amount:** N/A **1295 Form Required?** Yes ☐ No ☐

Legal Review Required: N/A ☐ Required ☐ **Date Completed:** 7/28/2022 SLH

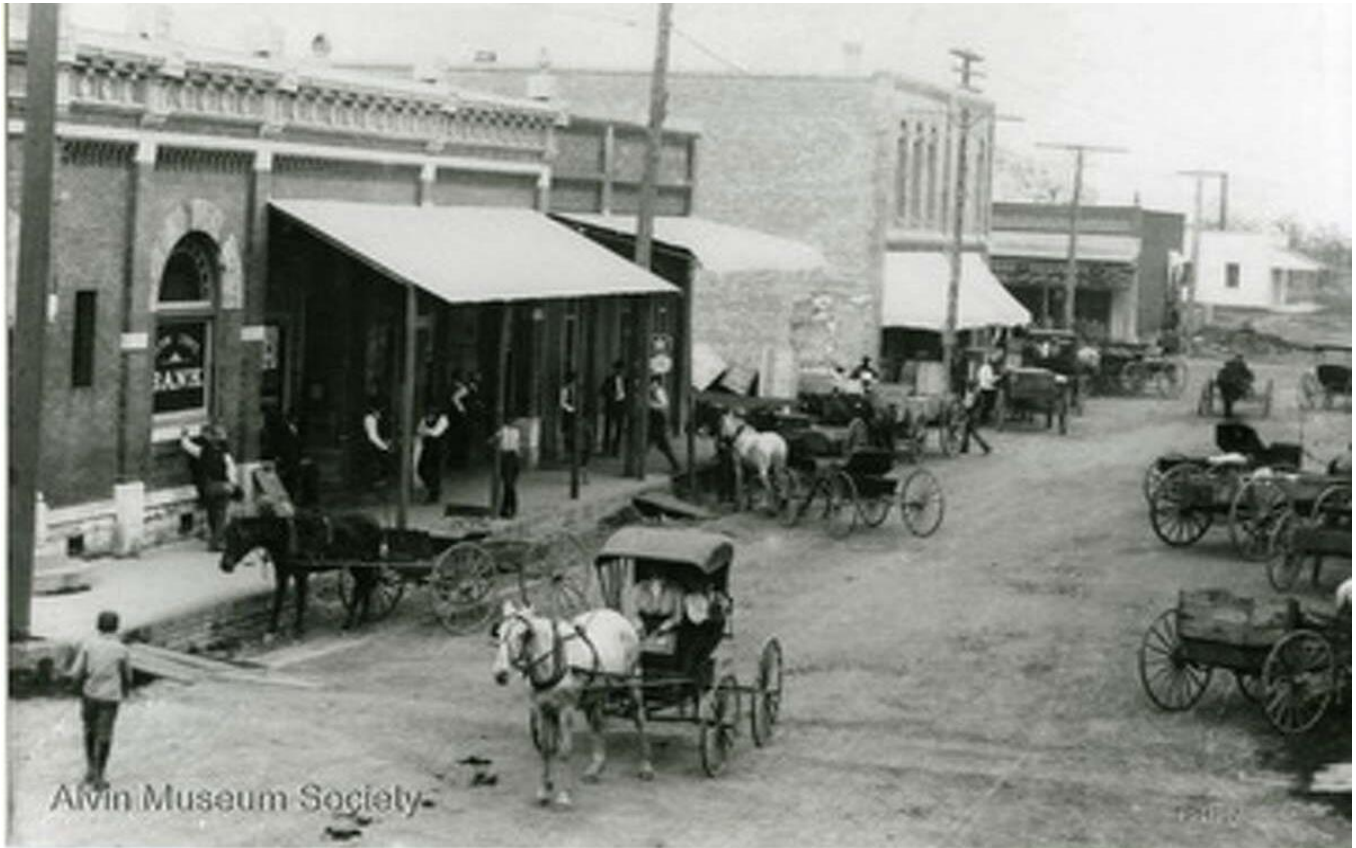
Supporting documents attached:

- Aqua Backflow's Cross Connection Program Services (Contract on page 15)
 - Aqua Backflow Sample Letters
 - City of Alvin's Code of Ordinances Chapter 17 Plumbing
-

Recommendation: Move to approve a one (1) year Contract with Aqua Backflow for the Base Program Cross Connection Control Services; and authorize the City Manager to sign the Contract upon legal review.

Reviewed by Department Head, if applicable ☐
Reviewed by City Attorney, if applicable ☒

Reviewed by Chief Financial Officer, if applicable ☐
Reviewed by City Manager ☒



CROSS CONNECTION CONTROL PROGRAM SERVICES

July 15, 2022



866-777-2124

Contact: Tom Staroske – Tom@AquaBackflow.com

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Protecting your water supply from contamination ®

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www.AquaBackflow.com
www.TrackMyBackflow.com

Cover Letter / Executive Summary

Brandon Moody
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City of Alvin
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Alvin, TX 77511

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jarredondo@psf.cityofalvin.com

Brandon Moody & Johnny Arredondo,

July 15, 2022

Thank you for the opportunity for us to provide you with a guide to our professional services. Aqua Backflow has a unique, global approach to solving a decades old paper-consuming and data entry nightmare...Internet-based tracking programs that can be funded specifically by those customers that have created this additional expense and workload for you.

Each and every tracking program is unique and is set up to the specifications or requests of the water purveyor. All forms, educational material, and letters can be customized to your program. You also always have full unlimited access to your data, histories, site notes, tests, and more via your included online portal. Unlimited utility users have 24/7/365 access to your up-to-the minute 'live' data.

Aqua Backflow is a spin-off of a 50+ year-old plumbing & backflow firm. We incorporated over 15 years ago and have been meeting / exceeding our client's needs since inception. Our knowledge, professionalism, and experience spans decades. Staff is comprised of licensed plumbers, backflow technicians & cross connection control experts, inspectors, military, former municipal personnel, and more.

Aqua Backflow currently assists hundreds of water utility clients in over 20 states. Of all of our clients, the smallest has only 4 backflow preventers while our largest has over 50,000.

Conflict of interest? Not with Aqua Backflow. Unlike some firms that also operate large backflow testing companies, we do not. We do not test, repair, or install backflow preventers. We also do not refer customers to any specific tester. Rather, we have a full registered tester list on our website.

Need to generate revenue? Not a problem with our program. We can return and/or bank 100% of any excess funds received on your behalf!



Protecting your water supply from contamination ®

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www.AquaBackflow.com
www.TrackMyBackflow.com

Cover Letter / Executive Summary

Need to send a Water Use Survey? Easily done! Aqua Backflow's TrackMyBackflow.com program has automated the process. A Water Use Survey post card can be mailed to any/all of your water customers with a unique identification number on it. Your customer then goes to our website, enters the number, and answers a few simple questions. Based on replies, notices may then get sent to your customers as a follow-up. Elderly or water customers without a computer can simply call our offices to complete the 30 second survey while on the phone. Again, our program can be all-inclusive!

In review, Aqua Backflow truly is unique and innovative. Not only will your program be effective, eco-friendly, and low cost, it will also be easy to use for your local testers. We regularly receive testimonials from backflow testers stating that they love the simplicity of our program, love dealing with our courteous staff, and have also noted that they have seen an increase in work since we took over the program. Water purveyors love us too, as witnessed by the accolades Aqua Backflow receives from its customers.

There is no cost to you for our program - NOTHING! Utility-owned assembly tests are entered online by your tester at no charge. You can even lock in pricing for up to 3 years. We have never raised our prices! To the contrary, as we add more customers, we gain in efficiencies. Cost of Living (Consumer Price Index) increases? NO! Increase our rates due to higher postage costs? NO!

Want to pay for your program in-house? Great! You won't find lower pricing than what we are offering you. It's much less than if you were to buy the software, staff the program, and administer the program in-house!

Ask our water utility clients and/or backflow testers...Who has the best program, customer service, and pricing? Aqua Backflow does. We hear it all the time.

Thank you again for your time and consideration. Feel free to contact me if you have any questions.

Sincerely,

Tom Staroske
Chief Operating Officer

General Information

1. Aqua Backflow incorporated in 2006 and specializes in cross connection control programs. 99% of our business is backflow, while the remaining 1% is Fats, Oils, and Grease (FOG) Programs.
2. We are owned and managed by plumbers/backflow technicians. Both the President and COO come from families of plumbers and certified backflow professionals
3. Our staff members have backgrounds in the plumbing, backflow, military, and/or municipal water industry. They have also been trained extensively in cross connection control, plumbing codes, and customer service.
4. To keep costs down, we operate out of only 1 office which is located in the Midwest, near Chicago. We can always quickly be at your doorstep however, if the need arises
5. Your primary contact is Tom Staroske, COO. All of our customers have come to expect (and receive) prompt, professional, and courteous customer support from Tom as well as all other managers and support staff.
6. Aqua Backflow has never worked with any subcontractors. All work is performed by experienced, trained, and professional employees of our firm.
7. Aqua Backflow staff hold numerous licensing, certifications, and degrees, making us uniquely qualified to manage your program.
8. We currently assist hundreds of water purveyors nation-wide with their program, with more signing up regularly.
9. Aqua Backflow is an originator of online cross connection control tracking that includes online payment methodology options. Many of the programs you see today, took our knowledge, expertise, and experience to create their own program versions for themselves.
10. Aqua Backflow does not use an “Auto-Attendant” for answering incoming phone calls. Any and all staff answer the phones and also answer any/all questions! Callers don’t get transferred from person to person.

Program and scope of work:

1. Track all existing as well as newly found and/or installed backflow assemblies
2. Track all testers, tester licensing, certifications, test kits and annual test kit calibrations.
3. Track the testing companies, employees, licensing, and certifications.
4. Track the quality and skill level of the testers. Verify that tests are performed per recommended practices.
5. Send notifications of “test due” to the customer. 1st year educational tri-fold brochure can be included.
6. Send notifications of “past due” to the customer as applicable.
7. Send notifications of “final notice” via registered/certified mail to the customer *(only if approved by the utility as there are additional costs associated with this service...can be funded by increased test entry fee)*
8. Send “test failure” notices for backflow tests that have been submitted to us indicating a test failure.
9. If the water purveyor has a cross connection control inspector, we will work with him/her to gain compliance. “Installation Due” and follow-up notifications are all included.
10. We train and educate your employees and local testers about your program via webinars, phone & email support, and if your utility is large enough, on-site visits.
11. We encourage online data entry but will allow and accept occasional “off-line” backflow test results for those testers that do not have access to a computer or are computer illiterate. Off-line fees apply.
12. There are never any licensing costs, software upgrade fees, new release expenses, hardware costs...we are all-inclusive. Utilities also have unlimited access to all data on PCs as well as on mobile devices.
13. Your utility and testers do not need any special hardware, apps, or software to access your online data. A basic computer workstation, laptop, tablet, smart-phone, etc. is all that’s needed!
14. Data received on behalf of the water purveyor or directly from the water purveyor remains the property of the water purveyor. Water and backflow information is kept in the strictest confidence and is not accessible or distributed to anyone without the express written consent of the water purveyor. Upon completion of the contract, all paper and electronic files will be returned to the water purveyor.
15. Informational and/or tracking websites maintained by us:

www.AquaBackflow.com	www.BackflowCases.com	www.TrackMyBackflow.com
		www.TrackMyFOG.com
16. With hundreds of customers in over 20 states (including in Texas), rest assured that you are choosing the firm with the best customer service, most experienced, and lowest cost provider to partner with. We have many customers with 97%, 98%, 99%, even 100% compliance rates!

Corporate Background...The Aqua Backflow Organization:

What differentiates our organization, programs, and services from others? Aqua Backflow has earned a nationwide reputation for proactive, innovative, and professional cross connection control services and management. With over 50 years in the plumbing and backflow prevention industry, we have strived to develop programs that meet the needs of our customers, ensuring that you will receive the best possible services while conserving your, and your water customers' dollars. John Skirmont is president, while Tom Staroske is the Chief Operating Officer and both direct the company from corporate offices in Elgin, Illinois along with expert consultants and software, programming, and other intellectual technology professionals. Our support staff is second to none.

While there are many attributes that set us apart from others in this industry, a few of these we consistently hear from our customer-partners include:

Customer Service = Customer Loyalty:

Our ability to customize to meet our customer's needs is unsurpassed. Aqua Backflow is consumer focused and result driven and as such, we can customize services according to a customer's needs & requirements rather than trying to make a client fit "our box." While Aqua Backflow is recognized as a leader in the industry, we try to maintain the "small company" approach to customized and personalized service. Even though we are living in a society where names rarely matter, we feel it is important to know and build relationships with customers and we do that by continued contact and visits to our customers.

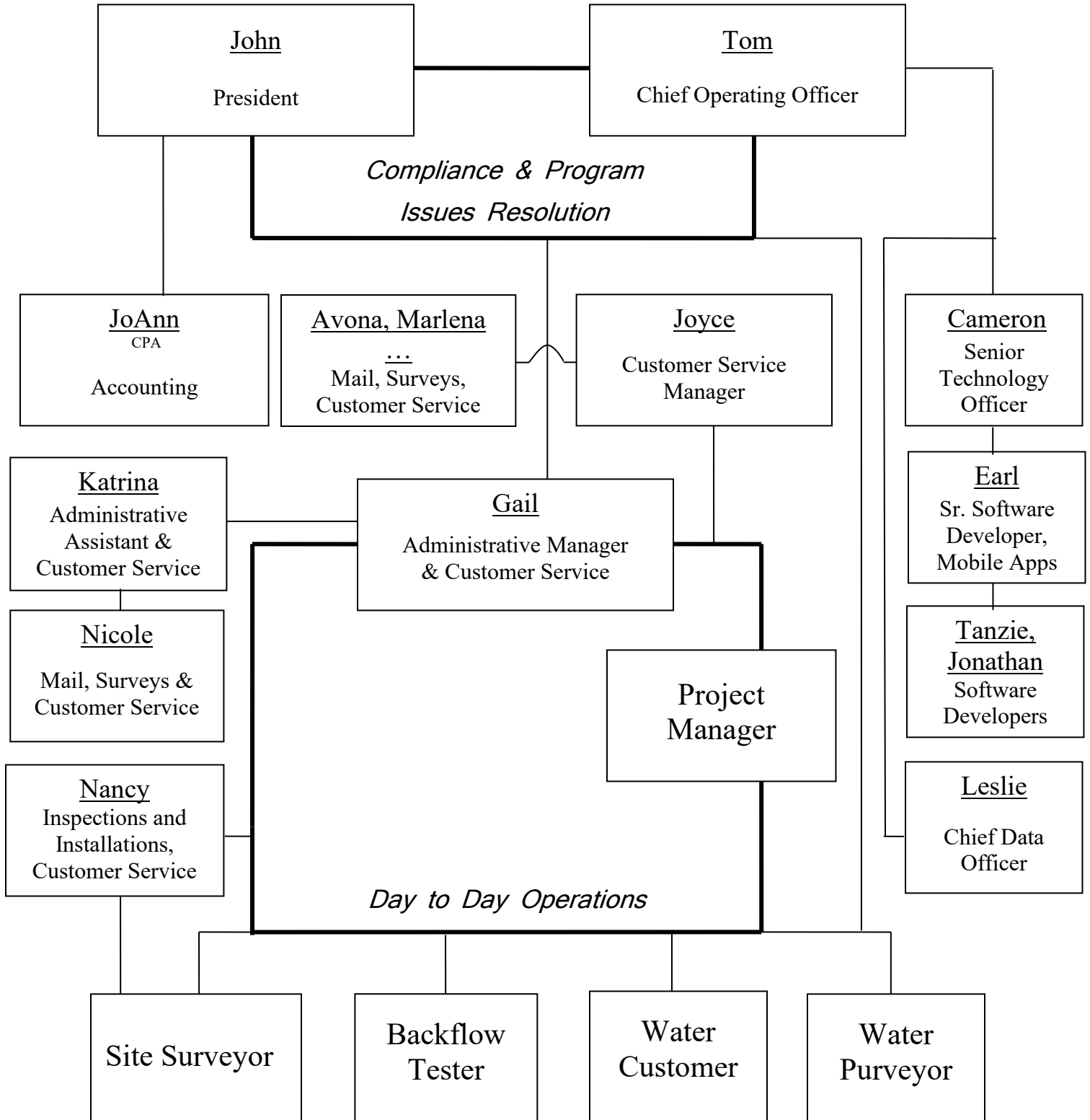
Staff:

Aqua Backflow's office and field staff set us apart from our competition. Our average in-field of expertise time is 12+ years. Most have numerous cross connection control certifications for surveying, ordinance creation, and/or program management. All have been professionally trained in customer service, software programs, plumbing issues, and backflow prevention. Staff walks a fine line as strong and compassionate advocates for your water customers, while working to gain regulation compliance in order to protect your water distribution systems.

IT:

Aqua Backflow has a very strong internal IT department with programmers on staff, as well as long-term relationships with several software, hardware, and web development professionals. This allows us to offer immediate problem solving solutions to any issues that may arise. In addition, specialty reports can be programmed to meet the customer's needs rather than only giving a customer the option of utilizing "canned" report data. Also note that your data is securely stored in several locations throughout the U.S.

Partial
Staffing Flow Chart



Some professionals available for your project...

- Contractor Information and Experience -

Note that there are many more support staff members that are not listed

Jack Skirmont - President

Jack earned his Bachelor of Science and Construction Management from Colorado State University and his certification of: Cross Connection Control Management; Cross Connection Control Survey and Inspection; and Cross Connection Control Ordinance and Organization from the University of Florida - TREEO Center. He has been a licensed plumber for over 23 years and an Illinois EPA Cross Connection Control Device Inspector for over 19 years.

Tom Staroske -Chief Operating Officer

Tom earned his certification of: Cross Connection Control Management; Cross Connection Control Survey and Inspection; and Cross Connection Control Ordinance and Organization from the University of Florida - TREEO Center, as well as Cross Connection Control Surveying from the University of Wisconsin - School of Engineering. He has been a licensed plumber for over 38 years and has been performing Cross Connection Control Inspections for over 29 years. Tom is also certified by the Texas Commission on Environmental Quality (TCEQ) and the Illinois Environmental Protection Agency (IEPA) as a Backflow Prevention Assembly Tester. Tom has managed office and field personnel on backflow program management, inspections, installations, and repairs for well over 25 years.

Leslie Craig – Chief Data Officer

Leslie spent 4+ years as a US Navy diesel mechanic and is very experienced and knowledgeable with “hands-on” mechanical operations. She has held administrative positions where her responsibilities were to several senior managers. Prior to joining Aqua Backflow over 14 years ago, Leslie worked in a local municipality for the finance director for over 5 years. She currently analyzes & scrutinizes all data daily, as well as assists clients with data uploads/downloads.

Joyce Anderson - Customer Service Manager

Joyce has been office manager and in charge of customer service and dispatch for several mechanical contractors for over 25 years. She has been with Aqua Backflow; assisting water purveyors, water customers, and licensed plumbers and testers with any questions they may have for the past 13 years. She also assists all testers and testing companies in the registration process and with their online data entry on a daily basis.

Gail Manning – Administrative Manager

Gail has been with us for 8 years and came from a strong customer healthcare service & billing background. She creates and/or customizes all letters to the requests of the water purveyor and oversees mailing processing. Gail also maintains the organization of all records and assists water purveyor customers with bringing sites into compliance.

Cameron Staroske – Senior Technology Officer

With a Business Degree from Northern Illinois University as well as extensive training in Computer Sciences, Web Design, and Finance, Cameron oversees any and all special tasks that require more than a quick resolution.

Wolfgang Staroske – Consultant, Inspector, and Surveyor

Wolf earned his certification of Cross Connection Control Management; Cross Connection Control Survey and Inspection; and Cross Connection Control Ordinance and Organization from the University of Florida – TREEO. He has been a licensed plumber & certified HVAC technician for over 40 years, and successfully managed firms specifically in plumbing and cross connection control.

REFERENCES

(dozens more available upon request)

Alabaster Water Board
213 1st Street North
Alabaster, AL 35007
Contact: Kenyatta Dunnigan
Phone: 205-663-6155
Email: KDunnigan@AlabasterWater.com

Online tracking. Site inspections by Aqua Backflow
Population: 32,000
BFPs: 700



City of Salida
340 West Highway 291
Salida, CO 81201
Contact: David Lady – Director of Public Works
Phone: 719-539-6257
Email: David.lady@cityofsalida.com

Online tracking. Site inspections by Utility staff
Population: 5,500
BFPs: 500



Village of Lincolnshire
1 Olde Half Day Road
Lincolnshire, IL 60069
Contact: Max Geib – Utilities Superintendent
Phone: 847-913-2383
Email: mgeib@lincolnshireil.gov

Online tracking and mailed site surveys
Population: 7,500
BFPs: 850



City of North Liberty
1 Quail Creek Circle
North Liberty, IA 52317
Contact: Tom Palmer – Building Official
Phone: 319-626-5736
Email: tpalmer@northlibertyiowa.org

Online tracking. Site inspections by Utility staff
Population: 20,000
BFPs: 1,000



City of Fort Wayne Utilities
200 East Berry Road
Fort Wayne, IN 46802
Contact: Miranda Braun – CCC Program Manager
Phone: 260-427-2543
Email: miranda.braun@cityoffortwayne.org

Online tracking. Site inspections by Utility staff
Population: 266,000
BFPs: 8,500



City of Pleasanton – Utilities
333 Busch Road
Pleasanton, CA 94566
Contact: Scott Walker – Backflow Program Administrator
Phone: (925) 931-5527
E-Mail: swalker@cityofpleasantonca.gov

Online tracking. Site inspections by Utility staff
Population: 82,400
BFPs: 3,000



City of Evansville
Water & Sewer Utilities
1931 Allens Lane
Evansville, IN 47720
Contact: Jeff Merrick – Regulatory Compliance Officer
Phone: 812-436-7853
Email: jmerrick@ewsu.com

Online tracking. Site Inspections by EWSU staff
Population: 118,000
BFPs: 5,800



Extremely proud to continually be chosen to
work for many branches of the Military across
the United States of America



U.S. AIR FORCE



HELPING PROTECT THE WATER FOR:



Population: 100,000
Backflow Preventers: 2,200



Population: 103,400
Backflow Preventers: 9,100



Naperville

Population: 150,000
Backflow Preventers: 15,300



Cedar Falls Utilities
THE POWER OF SERVICE

Population: 41,600
Backflow Preventers: 1,700



Population: 266,000
Backflow Preventers: 8,500



Population: 97,000
Backflow Preventers: 6,000



Population: 33,000
Backflow Preventers: 3,300



Population: 85,000
Backflow Preventers: 5,000



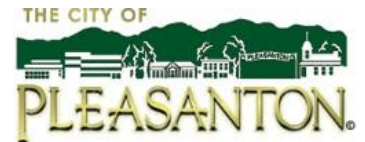
Population: 57,200
Backflow Preventers: 4,000



Population: 214,000
Backflow Preventers: 221 +



Population: 862,817
Backflow Preventers: 50,000



Population: 82,400
Backflow Preventers: 3,000



Population: 32,300
Backflow Preventers: 1,200



Population: 52,300
Backflow Preventers: 1,500



Population: 118,000
Backflow Preventers: 5,800



Population: 60,000
Backflow Preventers: 1,000



Population: 350,000
Backflow Preventers: 12,500



Population: 26,600
Backflow Preventers: 1,800



Population: 7,500
Backflow Preventers: 5,000



Population: 47,200
Backflow Preventers: 2,200

Low-cost programs with high-end results.

The top portion below is a snippet of a newsletter that gets sent regularly to local backflow testers by the utility.



CITY OF FORT WAYNE

THOMAS C. HENRY, MAYOR

September 30, 2016

Cross Connection Control and Backflow Prevention News

From Fort Wayne City Utilities

In This Issue

- ❖ COMPLIANCE RATE CLIMBS – THANK YOU
- ❖ DISCONNECTION OF WATER SERVICE DUE TO NON-COMPLIANCE !
- ❖ TURNING WATER BACK ON FOR INSPECTION !
- ❖ SUBMITTING TEST RESULTS PROMPTLY
- ❖ DCDA's ON FIRE SYSTEMS

There are new changes to City Utilities' Cross Connection Control & Backflow Prevention Program! We ask that you please read this newsletter carefully.

❖ COMPLIANCE RATE CLIMBS – THANK YOU

City Utilities is proud to announce that since April 1st, 2016, the implementation date of the TrackMyBackflow.com website, the backflow prevention device testing compliance rate has risen an incredible 30% with a current compliance rate of 91%! This could not have been possible without your dedication and professionalism. We thank you, and we are excited to see this rate continue to climb as we continually strengthen our program.

❖ DISCONNECTION OF WATER SERVICE DUE TO NON-COMPLIANCE ! IMPORTANT

City Utilities works diligently to ensure the safety and quality of our drinking water, including pursuing enforcement actions against

Unsolicited Utility praises

I'm really liking the services that Aqua Backflow provides. Your staff is great and it's so good to see people getting their devices tested.

Tom Ruzicka, Water Division
Bartlett, IL

Tom, that makes total sense. I cannot thank you enough. I have heard a lot of opinion, different code interpretations, and some strange theories, but you tied the code to common sense. I will make sure we get this installation cleaned up to meet the code. (A photo was sent to Aqua Backflow from the Village, a Code question was asked, and an explanation was provided by Aqua Backflow)

Keith Steiskal, Building Official
Village of Lombard

Unsolicited Backflow Tester praises

Customer service is perfect - Pleasure talking with customer service and very helpful - Aqua Backflow was the best of help when I was originally introduced to them. Everyone at your company has been great and very helpful, I just wish you would cover more areas because you are more reasonably priced than others and that helps with customer satisfaction.

Please keep up the great quality service. Have a great day!

Mark Mueller, Choice Plumbing

It's absolutely delightful to call Aqua Backflow and get personalized assistance from all the ladies, especially Joyce! She is always knowledgeable, helpful, cheerful and patient and seems to know exactly what every location has. Staff takes the time to review test sheets that are submitted Aqua Backflow. When something doesn't look right she immediately calls to verify information. It's comforting to know that our information is being protected against fraudulent use. As a plumbing contractor, we would recommend Aqua Backflow be used by every municipality to protect the health of their residents.

Maggie LePine, Code Mechanical, Inc

Alvin, TX

Full Implementation Plan and Timeline

ACTIVITY	Aug 1, 2022 Sept 1, 2022												
	SCHEDULE (in weeks)												
	1	2	3	4	5	6	7	8	9	10	11	12	13
Contract receipt, P.O. or similar from Utility	X												
Apply for and receive local & state licensing (if applicable)	X												
Creation of customer notices, brochures, etc.	X	X	X										
Accept all faxed and mailed test results until start-up	X	X	X										
Water & backflow database receipt from Utility	X												
Creation of Utility's new database & program		X	X										
Notification to local testers of new program	X												
Telephone, fax and online training for testers	X	X	X	X	X	...							
Meeting/Training Utility staff			X										
Meeting/Training local backflow testers			X	X	X	...							
Newsletter & newspaper articles published			X										
Initial "Test Due" notifications sent to customers			X										
Implementation of online tracking program				X									

We have included this implementation plan as a courtesy. Please recognize however, that Aqua Backflow can customize this, or shorten it when needed.

During implementation, Aqua Backflow will work closely with your Utility contact person. Our implementation team will work to ensure that all items are transitioned and implemented smoothly. Conference calls can be arranged upon request. While many items can be completed in a short period of time, the recommended timeline is shown above with additional information below.

Within 10 days of program approval:

- Aqua Backflow will receive, review, and sign into an agreement for your professional cross connection control program services. We typically accept your agreement or ours, a purchase order, or similar.
- We will supply you with a copy of our insurance coverage certificate.
- We will work with you for the creation of any specific features and/or functions that are not already included in our proposed base program
- We will receive electronic data from you pertaining to your water customer database as well as an electronic backflow preventer database
- We will receive paper documents (test results) from you that have not yet been entered into your electronic database
- We will receive your electronic logo and/or letterhead from you as you would like it to appear in your letters
- Custom features, letters, notifications, educational material, news briefs and articles, and more will have been created by us and have been approved by your staff
- We will have notified and trained Utility staff as well as local testers on your new program features, procedures, and online access.
- Test Due notifications, including educational items, will be mailed before the month that your online program tracking actually begins, to those backflow preventer sites where tests are due in that month.

We work with Utility staff to educate all local testers and water customers, and to receive and track tester information, assigning user names and passwords once registered and approved.

Sustainability and Triple Bottom Line

1. To reduce the consumption of paper, trees, and fuel, electronic test submission programs are suggested to all water purveyors.
2. Although mailed notices to your water customers are standard protocol, often times a customer may request email notifications instead. Email notification procedures save trees, paper, ink, and more. Email requests are typically honored.
3. Aqua Backflow staff is trained on eco-friendly procedures, including but not limited to the following:
 - a) Turn off computers when not in use for extended time periods
 - b) Turn off lights when not working in specific offices or work areas
 - c) Recycle all water bottles and soda cans.
 - d) Office-supplied Municipal water for drinking is encouraged verses bottled water
 - e) Recycle all paper, cardboard, chipboard, plastics, etc....anything recyclable.
 - f) Open exterior windows when weather permits, verses using air conditioning
 - g) Car pool to and from work when available
 - h) We encourage the use of Electric Vehicles (EVs) and allow vehicle charging while at work
4. Aqua Backflow estimates that approximately 80% of its office “waste” is recycled
5. Our offices and personal homes have automatic setback thermostats to save energy
6. Our offices and personal homes have high-efficiency heating & cooling systems
7. Our office light fixtures utilize energy efficient fluorescent and/or LED light bulbs
8. Individual offices, copy rooms, server rooms, etc. utilize motion sensing automatic light switches
9. In an effort to curb underemployment, Aqua Backflow supports efforts in giving our employees what they need in providing a comfortable, safe, and fun work atmosphere as well as providing enough income to support them. The majority of part-time employees become full-time employees.
10. Allowing our employees to retire comfortably, Aqua Backflow offers a 401k program with generous match contributions.
11. For employees physical and mental health, Aqua Backflow includes many Health Insurance plans
12. Aqua Backflow believes in contributing to local causes, such as schools & churches. We also are a regular contributor to the Water for People organization.
13. We encourage and pay for our employees to further their education. Microsoft products, college courses, cross connection control courses, and much more are available to our staff at no cost
14. We have a firm belief that our employees are family. Mental and financial assistance & support are given to those in need.
15. Time off is freely given to those with health issues, family health issues, and other private concerns.

Population: 26,975 **Total Water Connections:** 11,000+ **Non-Residential Connections:** 850 (est)
Total Backflow Preventers: 1,200 (est) **Total Utility-Owned Backflow Preventers:** 80 (est)

► **BASE PROGRAM:** Purveyor Annual Cost\$ 0.00

BASE PROGRAM includes: Notifications, educational material, creation of database, software, maintenance, secure online water purveyor dashboard with full real-time data access, and much more! *Also includes:* Tracking all backflow preventers, testers, testing companies, test kits & calibrations, etc. for annual certifications.

Base program is **tester funded** whereby testers pay \$9.95 per test submission entered online.

► 1-3 year contract: *Initial here* _____ *to accept Base Program for* _____ *years*

SAMPLE OPTIONS

Based on the quantities shown above. Other options are available

OPTION #1: Certified Letters - *Initial here* _____ *to add \$1.00 to the filing fee & accept this option for* _____ *years*

► *Includes BASE PROGRAM above PLUS all necessary 3rd notices (for non-compliant) will be sent via certified mail*

EX: Testers pay (\$ 10.95ea) for entering test results online..... Purveyor Annual Cost\$ 0.00

OPTION #2: Tester funded & Revenue Generator - *Initial here* _____ *to accept this option at \$* _____ *for* _____ *years*

► *Includes BASE PROGRAM above*

EX: Testers pay (\$ 14.95ea) for entering test results online.....Estimated Purveyor Annual REVENUE \$ 6,000.00

Any amount can be used as a tester fee. The water purveyor selects the fee to be implemented. Amounts above our \$9.95 fee can be utilized to help cover other purveyor administrative costs and can be 'banked' or returned via check, funds transfer, or similar to the water purveyor monthly, quarterly, or annually. Can be utilized on Base Program, Option #1, or other options

OPTION #3: Utility & Tester funded - *Initial here* _____ *to accept this option for* _____ *years*

► *Includes BASE PROGRAM above [Water purveyor pays \$5.00 for each test result entered. – invoiced monthly]*

Testers pay (\$ 4.95ea) for entering test results online.....Estimated Purveyor Annual Cost \$ 6,000.00

OPTION #4: Utility funded - *Initial here* _____ *to accept this option for* _____ *years*

► *Includes BASE PROGRAM above [Discounted to a \$9.50ea fee when paid monthly via check or EFT]*

Testers pay (\$ 0.00ea) for entering test results online.....Estimated Purveyor Annual Cost \$ 11,400.00

Mailed Surveys: *Initial here to accept* _____ *and to be invoiced \$1 x water customer quantity (min of 500 per mailing for below rate, otherwise \$2 ea.)*

Post card mailed and tracked by Aqua Backflow. Surveys are entered online at TrackMyBackflow.com..... \$ 1.00 ea

Paper surveys are not eco-friendly and are labor intensive to enter the data. Our process is completely automated & includes follow-up notices being sent.

Costs and revenues are estimated and are based on the quantity of tests entered each month

Notes:

* Other than what is noted on this page, there are no start-up, program, registration, tester, or filing fees.

* Purveyor-owned backflow preventers do not incur any data entry filing fee.

Aqua Backflow recommends Base Program or Options #1 - #2, as your annual cost will never change. Realize that any utility-funded program may see an increase in costs as more backflow preventers are found and placed into the system

CONTRACT

Cross Connection Control Program

This agreement is made this ____ day of _____, 2022 by and between, and shall be binding upon, the City of Alvin, TX herein after referred to as (the “Purveyor”) and Aqua Backflow, Inc, an Illinois corporation licensed throughout the U.S. (the “Contractor”).

Witnesseth that in consideration of the mutual promises of the parties delineated in the Contract Documents (attached hereto and made a part hereof), and herein, the Contractor agrees to provide services and the Purveyor agrees to pay at a minimum, every 30 days (if applicable) for the following described items and the management of the program as set forth in the Contract Documents:

Provide labor, software/data input, software maintenance, and management services as necessary to complete cross connection control data management, backflow preventer & tester tracking, and public education for a Cross Connection Control Program. Purveyor costs and specific program details are to be determined by the attached documents.

Simply initial at the selected Option(s) on page 15 of the proposal packet and fill in the term (years) of the contract. Then, complete & return this contract along with proposal page 15

1. This contract shall embrace and include all of the applicable Contract Documents listed below as if attached hereto or repeated herein:
 - A. Cross Connection Control Program Services dated July 15, 2022
2. The Purveyor agrees to pay, and the Contractor agrees to accept as full payment for the work described, which is the subject matter of this contract, in accordance with the provisions of the Local Government Prompt Payment Act or any other applicable State or Federal Regulation regarding the payment of Local Government Contractual expenses and the provisions of the Contract Documents.
3. Risk of loss, destruction, or damage of or to goods under this Contract shall be assumed by the Contractor until acceptance of the goods and services by the Purveyor. All data obtained by Aqua Backflow on behalf of or from the Purveyor remains property of the Purveyor.
4. The Contractor represents and warrants that it will comply with all applicable Federal, State, and local laws concerning prevailing wage rates regarding the services provided under this Contract and all Federal, State, and local laws concerning equal employment opportunities.

5. This Contract represents the entire understanding between the parties and supersedes any contracts, agreements or understandings (oral or written) of the parties, with respect to the subject matter hereof. In the event of any conflict between the terms and conditions set forth in this agreement and the terms and conditions set forth in any Contract Documents annexed hereto, the terms and conditions of this Contract Documents shall govern. No term of this Agreement may be amended except upon written agreement of both parties.
6. Contract will be automatically renewed until thirty (30) days written notice via registered and certified U.S. Mail is received by either party in reference to contract cancellation. Terms may be renegotiated after initial contract expiration and annually thereafter. All notices shall be in writing and shall be deemed given when received or refused, to the parties at the following addresses:

If to Contractor:

*Aqua Backflow, Inc.
977 Elizabeth Street
Elgin, IL 60120*

If to Purveyor:

*City of Alvin
1100 W Hwy 6
Alvin, TX 77511*

7. Aqua Backflow shall receive \$1,500 from the Purveyor if the Purveyor elects to terminate this contract within the first year after implementation for any reason other than lack of performance by the contractor. This reimbursement helps defray start-up costs.
8. Where the terms of this contract conflict with the provisions of the Contract Documents, the Contract Documents shall be binding.
9. Purveyor acknowledges that the services provided by Contractor are intended to assist the Purveyor in implementation and management of Purveyor services. Purveyor agrees that it does hold Contractor harmless and releases Contractor of any claims of any kind or nature whatsoever related to any incident or injury resulting from any act or omission not caused by Contractor. Further Purveyor does hereby release Contractor from any claims asserted by Purveyor or any third party on behalf of Purveyor related to any injury to property or person resulting from an event or occurrence alleged to be caused by any act or omission of Contractor, including but not limited to backflow incidents, latent or non visible cross connections, third party damage or the acts or omissions of third parties.

10. The failure of either party to insist upon strict compliance with any term of this Agreement in any one or more instances will not be deemed to be a waiver of its rights to insist upon such strict compliance with respect to any subsequent failure. If any term of this Agreement is declared invalid or unenforceable by a court or other body of competent jurisdiction or any arbitrator, the remaining terms of this Agreement will continue in full force and effect.
11. In any dispute resolution or suit filed between the parties in connection with this Agreement, the prevailing party will be entitled to recover its' reasonable attorney's fees and costs in such proceeding from the other party.

IN WITNESS WHEREOF, the City of Alvin, by _____
name

_____, _____
title
of the City of Alvin, and the Contractor have hereunto set their hands this ____ day of _____, 2022.

Signed this 15th day of July, 2022.

Aqua Backflow, Inc
An Illinois Corporation

By: 
John Skirmont, President

Accepted this _____ day of _____, 20____.

The City of Alvin, Texas

By: _____

Printed Name: _____

Position/Title: _____

ATTEST:

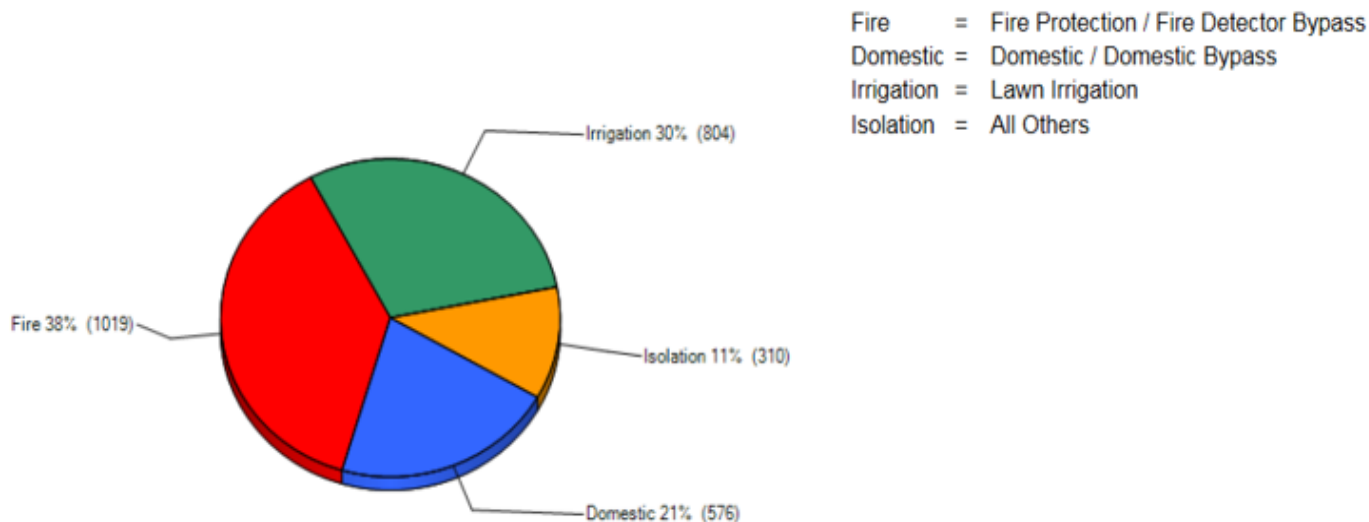
By: _____

Printed Name: _____

Position/Title: _____

SCREENSHOTS - Utility dashboard click-thru graphs and charts for easy compliance tracking

Summary of all Backflow Preventers



Click on any part of the pie chart or graph to view, save, download, and/or manipulate the data

Click a category in the chart above to view the details.

*Categories with high counts will take a little longer to view/ download.

[Print Chart](#)

Breakdown of Backflow Preventer Compliance



Categories

Fire = Fire Protection / Fire Detector Bypass

Domestic = Domestic / Domestic Bypass

Irrigation = Lawn Irrigation

Isolation = All Others

Compliance Percentages

Domestic 85%

Fire 86%

Irrigation 76%

Isolation 85%

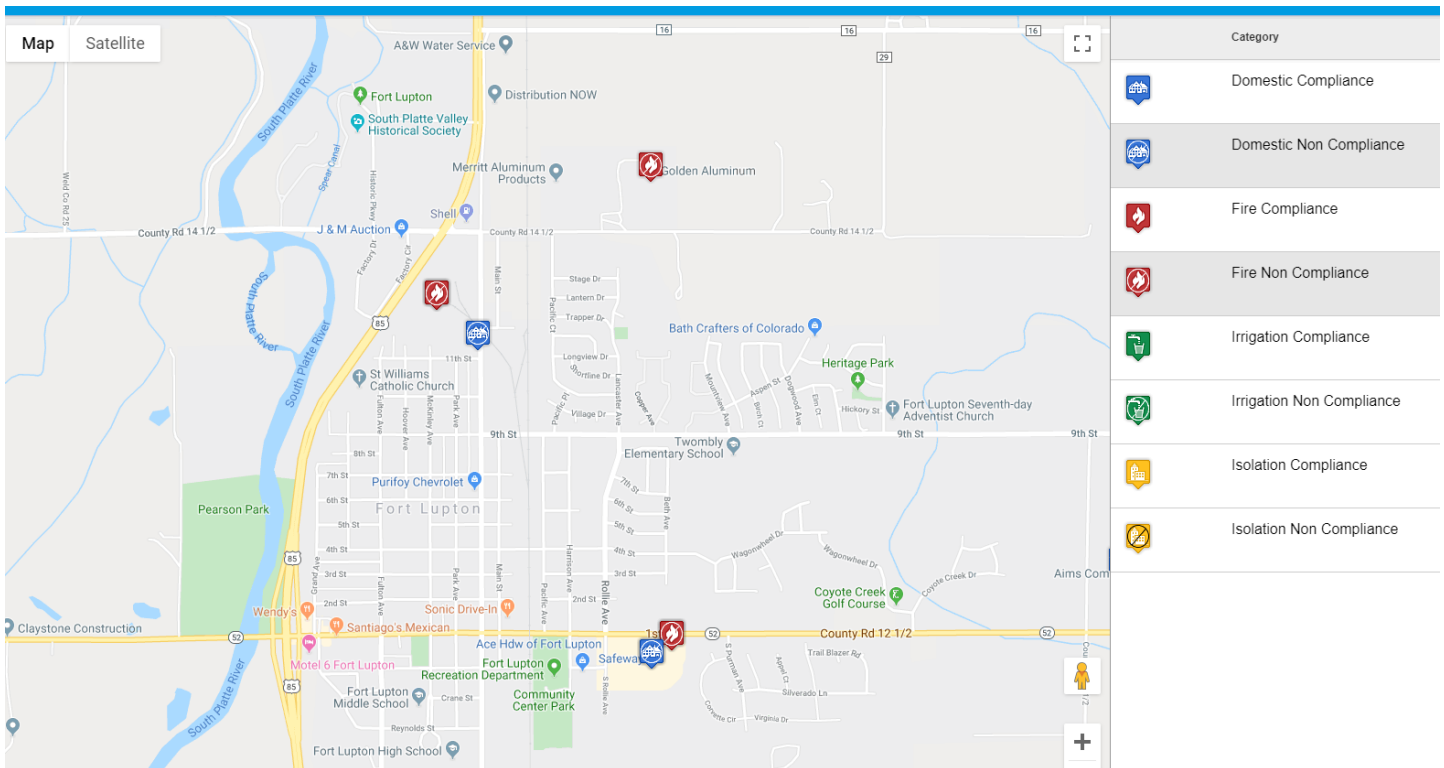
Current Total Compliance

83%

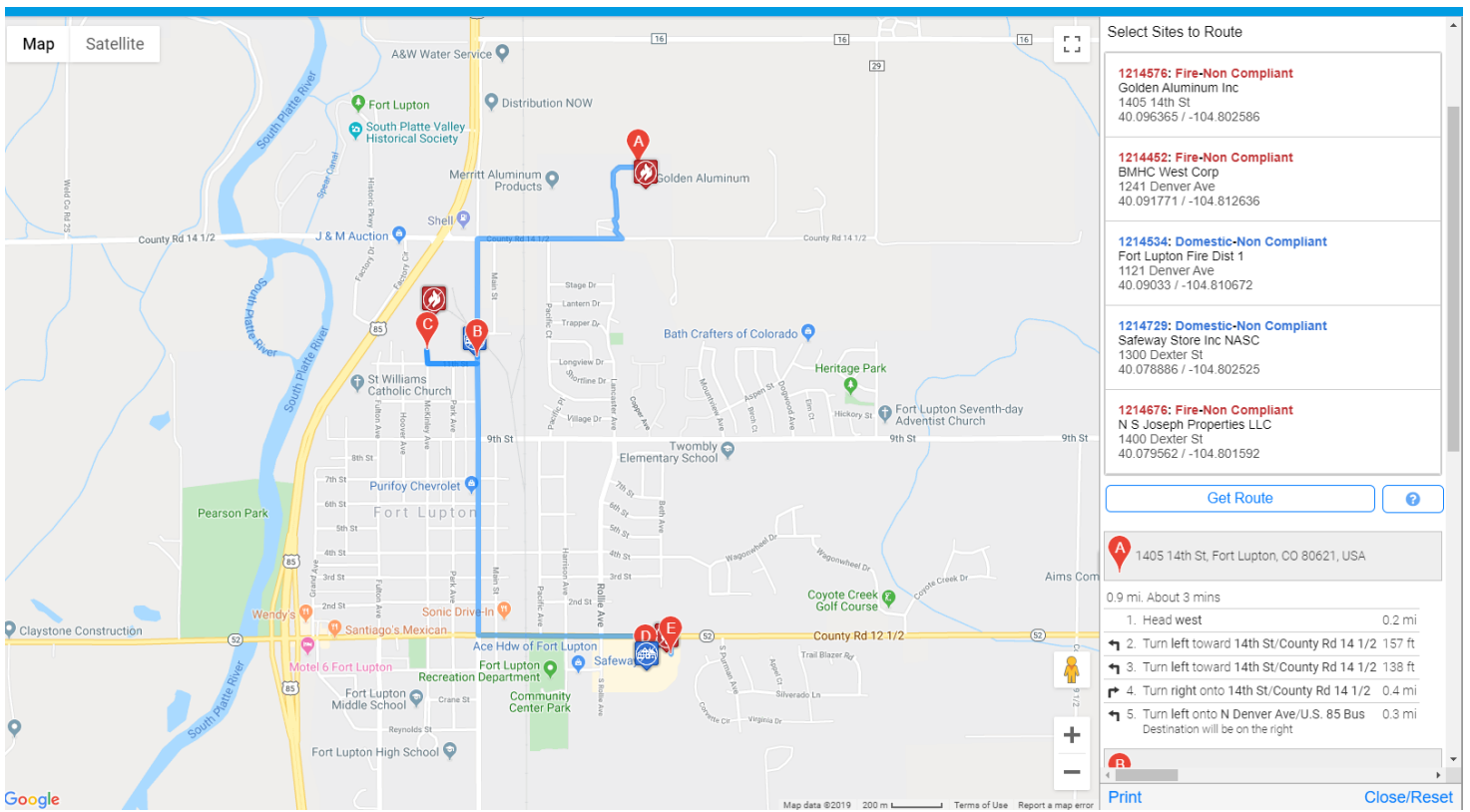
Click a category in the chart above to view the details.

*Categories with high counts will take a little longer to view/ download.

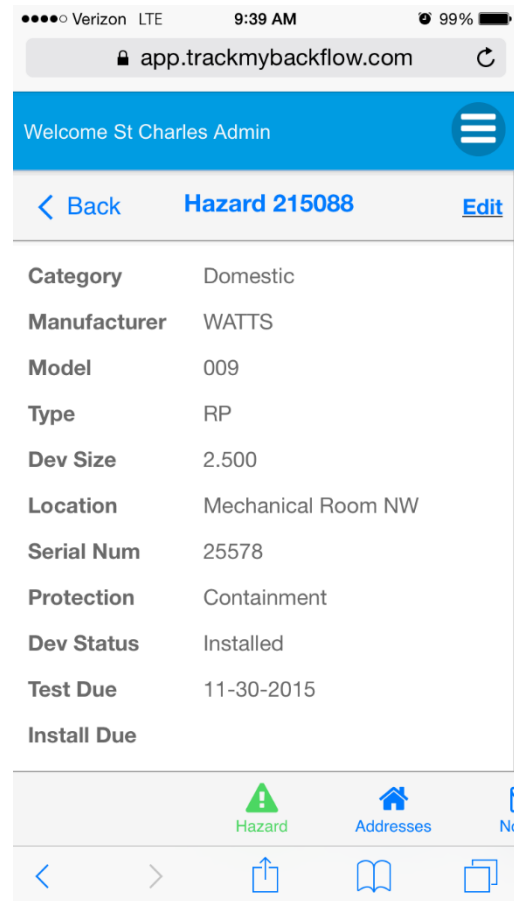
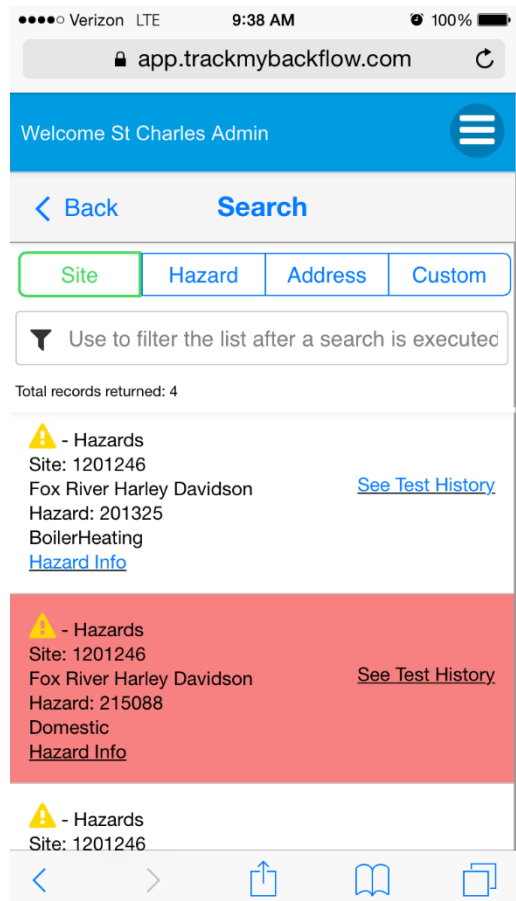
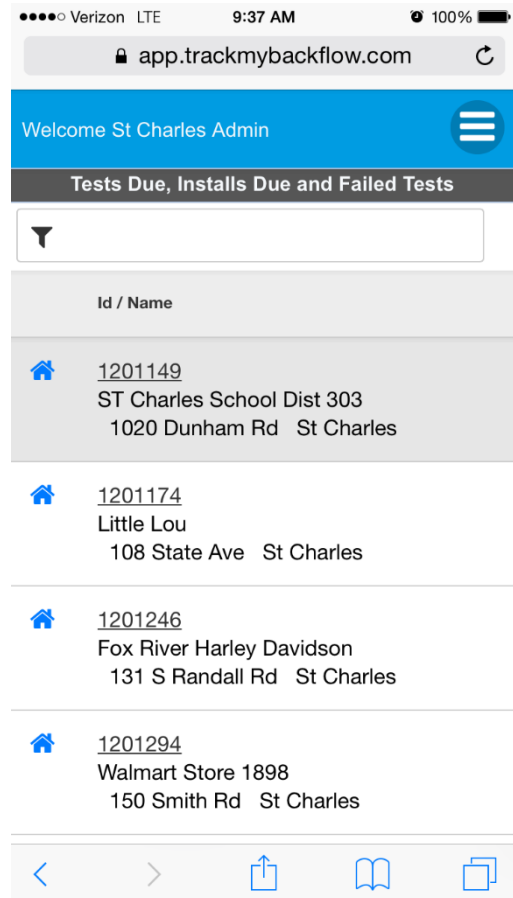
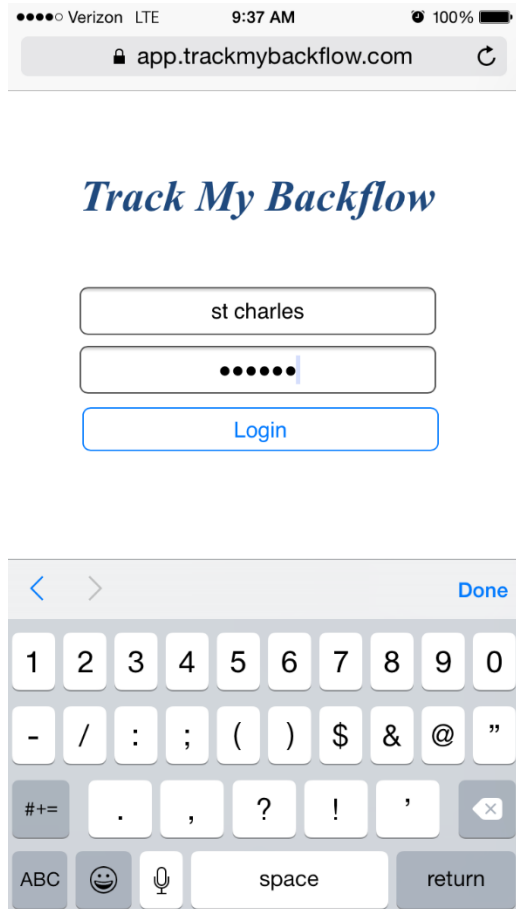
[Print Chart](#)



Built-in Mapping & Routing features makes follow-up compliance visits EASY!



Aqua Backflow is unique in that our program is built on a mobile platform. Information is easily accessed & edited via any mobile device without downloading an “app.” Actual iPhone screenshots are shown below.



The easiest program for your water customers to find local, registered backflow testers.



[HOME](#) [LOGIN](#) [NEW TESTER REGISTRATION](#) [RESOURCES](#)

Search for a registered backflow tester near you

Your location Search radius Results

Baumgartner Plumbing
1619 Ada Lane
Naperville IL 60540

Phone: (630)920-2500
Email: Lbaum52@aol.com

1.5 mi

Marquise Plumbing & Backflow
790 Royal Saint George Dr
Naperville IL 60563

Phone: (630)596-9115
Email: support@marquiseplumbers.com

2.3 mi

Expert Plumbing Heating & Electrical
424 Fort Hill Dr; Ste 122

Easy drop-down pre-populated online surveys for your water customers or your staff to complete

Site ID: 1214432

Track My Backflow

Name	Address	City	State	Zip
Aloha Tanning	306 Denver Ave	Fort Lupton	CO	80621

Phone
Fax
Email

Please edit name, phone, fax or email as applicable.

Mailing Addresses*

*Edit the mailing addresses below or delete if no longer valid

Company	Contact	Address1	City	State	Zip
Aloha Tanning		306 Denver Ave	Fort Lupton	CO	80621

Survey Questions

* Which best describes your facility?
Commercial

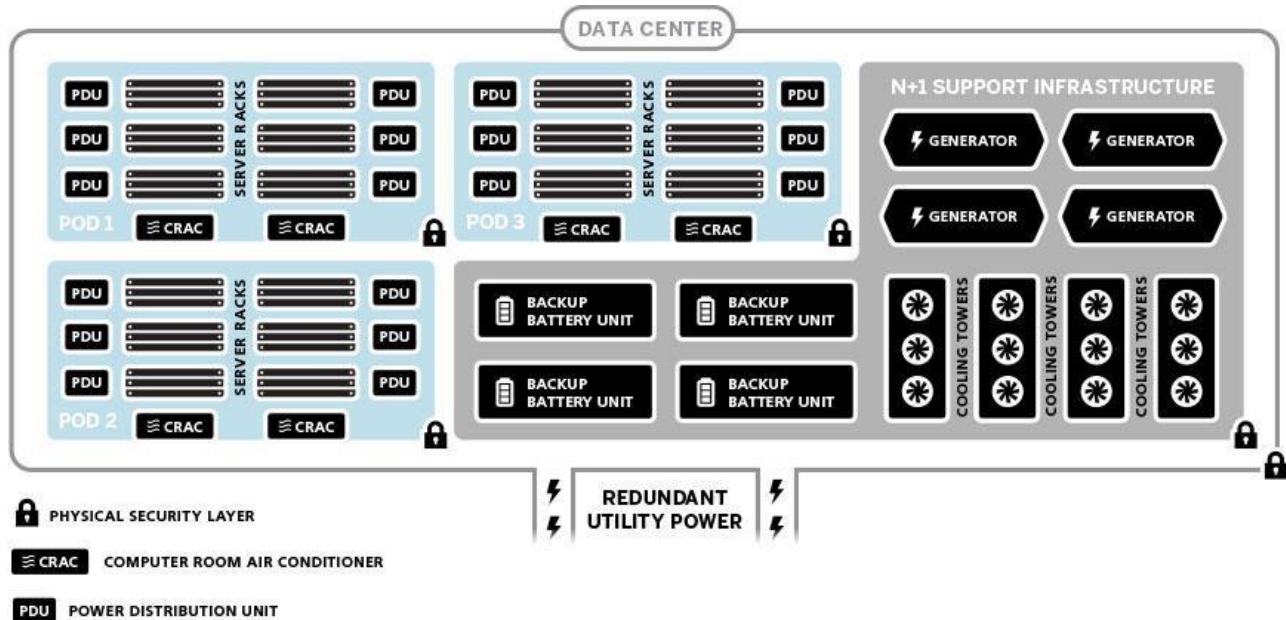
* What is your specific type of use? After Selecting, please scroll down to see all questions.
Salon/Grooming

* Do you have a backflow preventer at your water meter?
☐ Yes
☐ No

* Do you have a permanent in-ground lawn irrigation system?
☐ Yes
☐ No

* Do you have a water-based fire sprinkler system (sprinkler heads in or at the ceiling)?
☐ Yes

Your data is secure. Facilities are failsafe, guarded internally/externally, AND have extensive cyber security.



Considering your options???

A few reasons water purveyors elect to utilize Aqua Backflow's TrackMyBackflow.com program over 'others':

- 1) Our software is robust, yet very easy-to-use (we hear this all the time)
- 2) Aqua Backflow [ABF] has the best client, water customer, and tester support (we hear this all the time)
- 3) ABF has an available no-cost valve tagging feature
- 4) ABF has an included online site & hazard mapping feature
- 5) ABF has an included easy-to-use online registered tester locator feature for your water customers
- 6) ABF has an easy-access, pre-populated online survey that can be completed by your water customers or staff.
- 7) ABF is an originator of online tracking methodology that include many program, payment, submission, and revenue options.
- 8) ABF is and always has been \$9.95 per test submission OR LESS. Market average is now \$15.00.



PLUMBER LICENSE

PLUMBER ID Orig Issue Date EXPIRES
058-109349 **12/14/1982** **04/30/2022**

THOMAS STAROSKE
506 BRADLEY CIRCLE
ST CHARLES, IL 60174
Sex: M Height: 6' 6" Weight: 185
DOB: 01/08/1960



THOMAS STAROSKE
506 BRADLEY CIRCLE
ST CHARLES, IL 60174

This license issued under authority of the State of
Illinois -- Department of Public Health

If found return to 525 W. Jefferson Street
Springfield, IL 62761



Illinois EPA

Division of Public Water

Cross-Connection Control
Device Inspector

Issued: 11/18/2020
THOMAS STAROSKE
058-109349
XC1001



This certification is issued under the authority
of the Illinois Environmental Protection Agency



Attach
2022
Renewal
Sticker
Here

If Found Return To:
ERTC-SIUE
Box 1075
Edwardsville, IL
62026-1075



UNIVERSITY OF
FLORIDA

Similar certifications to this are held
by several Aqua Backflow staff

TREEO CENTER

Center for Training, Research and Education for Environmental Occupations

Certifies that

Thomas Staroske

has successfully met the requirements for

CROSS CONNECTION CONTROL PROGRAM MANAGER

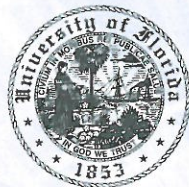
*Introduction to Backflow Prevention
Survey and Inspection
Ordinance and Organization*

Certification No: PM483

Date issued: 06/26/2009

A handwritten signature in black ink, reading "William T. Engel Jr.".

**William T. Engel Jr., PhD
Director**



UNIVERSITY OF
FLORIDA

Similar certifications to this are held
by several Aqua Backflow staff

TREEO CENTER

Center for Training, Research and Education for Environmental Occupations

Thomas Staroske

attended the

***Cross – Connection Control: Ordinance and
Organization***

June 25-26, 2009

and is awarded this

Certificate of Attendance

Date Issued: **06/26/2009**

CEU's: **1.0**

**William T. Engel Jr., PhD
Director**



UNIVERSITY OF
FLORIDA

Similar certifications to this are held
by several Aqua Backflow staff

TREEO CENTER

Center for Training, Research and Education for Environmental Occupations

Thomas Staroske

has successfully fulfilled the high standards and qualifications set by peers in cross-connection
control and is hereby awarded this certification as a

Cross – Connection Control: Survey and Inspection

course

June 23-24, 2009

Date Issued: 06/24/2009

Certification No: S0864

CEU's : 1.1

A handwritten signature in black ink, reading "William T. Engel Jr.", written over a horizontal line.

William T. Engel Jr., PhD

Director



*The College of Engineering and the Department of Engineering Professional Development
recognize the educational achievement of*

TOM STAROSKE

for successful completion of

Cross-Connection Control Surveying

on

January 5-7, 2011

2.1 CEU - 21 PDH

Paul S. Percy

Paul S. Percy, Dean, College of Engineering

Philip R. O'Leary

Philip R. O'Leary, Chairman of the Department

Benjamin Jordan

Benjamin Jordan, Program Director



American Water Works
Association

The Authoritative Resource on Safe Water®

Hereby certifies that
Tom Staroske

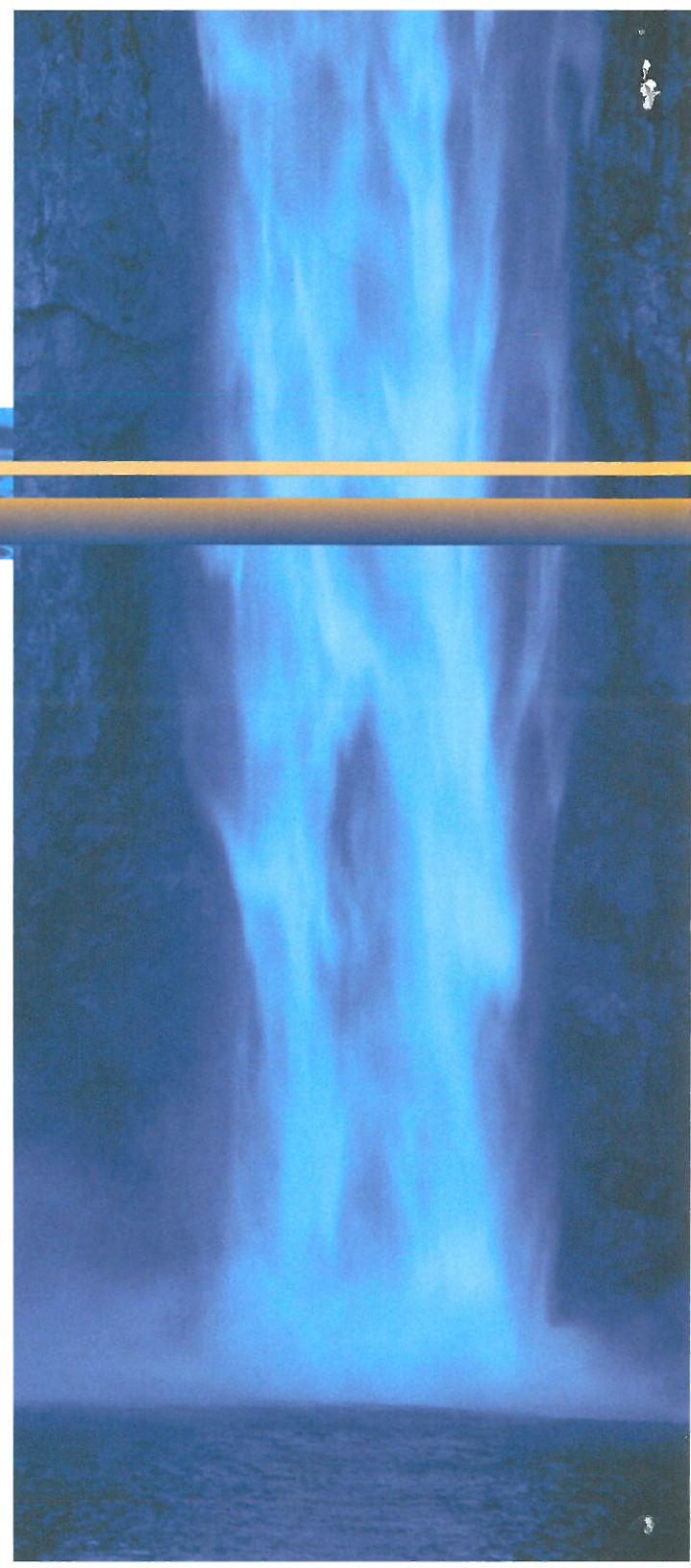
is a member of

American Water Works Association

and is entitled to all the rights and privileges thereof.

Member Since
January 2008

Jack W. Hoffhuth
Executive Director



CERTIFICATE OF MEMBERSHIP

This certifies that

Tom Staroske

is a Supporting Member of the

National Rural Water Association

and has contributed to the mission of strengthening State Rural Water Associations. NRWA Supporting Members help ensure that Americans have access to safe, clean, and affordable water in small and rural communities nationwide. The bearer of this certificate belongs to the grassroots affiliation of National and State Rural Water Associations that provides all members a voice in Washington, D.C.


DAVID BAIRD, PRESIDENT




MATTHEW HOLMES, CEO

SOUTHERN ILLINOIS UNIVERSITY
EDWARDSVILLE

ENVIRONMENTAL RESOURCES TRAINING CENTER

Awards This Certificate to

Tom Staroske

Who Has Earned 5 Hours
For Successful Completion of
Backflow Prevention Symposium

Held in Bloomington, IL on November 1, 2017

SOUTHERN ILLINOIS UNIVERSITY
EDWARDSVILLE



Director, Environmental Resources Training Center

#750-035-C2

#750-035

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Be it known that

TOM STAROSKE

*has fulfilled the requirements in accordance with the
laws of the State of Texas for*

BACKFLOW PREVENTION ASSEMBLY TESTER

License Number: **BP0014933**

Issue Date: **11/12/2012**

Expiration Date: **11/12/2015**

A handwritten signature in black ink, appearing to read "Zak Cox", is written over a horizontal line.

Executive Director

Texas Commission on Environmental Quality



AMERICAN BACKFLOW PREVENTION ASSOCIATION

Certificate of Attendance

Tom Staroske

Has attended the American Backflow Prevention Association Education

Conference as follows:

Training Event

2022 ABPA International
Conference & Trade Show
Las Vegas, Nevada

Training Dates

May 2 - 4, 2022

Contact Hours

Earn up to 20 Hours
(See reverse side for actual hours earned)



Frank Snyder, President
American Backflow Prevention Association

Backflow Preventer or FOG Tracking Compliance at absolutely no cost to you – NOTHING!

*minimum quantity required

- Is your Cross Connection Control or FOG Program suffering due to lack of funding?
- Is your staff already overworked because of a manpower freeze or reduction?
- Have you always known the requirements for a CCC or FOG program but never had \$?

WHAT ARE YOU WAITING FOR?

Public and Staff Education included

Unique User Online Dashboard

Ordinance and Policy Review

Simple Online Forms

Consultations

Easy Access

Training

Eco-Friendly

Site Inspections

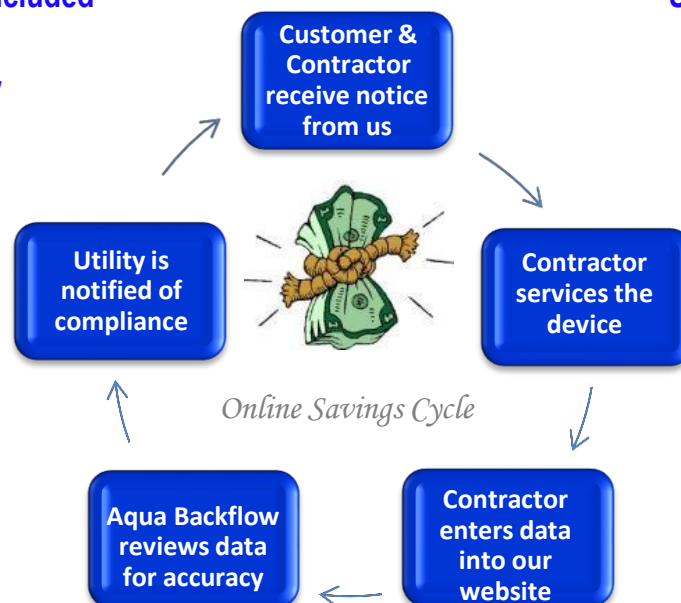
Tester-Friendly

Educational Brochures

Secure Data Protection

Web-Based CCC Programs

Web-Based FOG Programs



NO SOFTWARE TO BUY
NO SOFTWARE UPGRADES
NO ANNUAL SOFTWARE FEES
NO PAPERWORK TO FILE
NO OFFICE STAFF REQUIRED

NO HEALTH BENEFITS TO PAY
NO PENSION BENEFITS TO PAY
NO VEHICLE TO PURCHASE
NO FUEL TO PAY FOR
NO POSTAGE COSTS

NO ENVELOPES OR LETTERHEAD
NO FORMS TO CREATE
NO ONGOING EDUCATION COSTS
NO LICENSING OR CERTIFICATION
NO

866-777-2124

We increase our efficiencies, but NEVER our prices!



AquaBackflow.com

TrackMyBackflow.com

TrackMyFOG.com

BackflowCases.com

Lincolnshire, Village of



Backflow Prevention Assembly Test and Maintenance Report

Customer Information

Name Village of Lincolnshire Water Customer
Contact
Address 34 COLDSTREAM CIR
 LINCOLNSHIRE, IL 60069
Residential ☒ **Non-Residential** ☐

Assembly Information

Type RP **Model** 009QT
Size 1 **Serial#** 25246
Manufacturer Watts **Hazard** LawnIrrigation
Location Crawlspace
Hazard ID 3414017

Assembly Test Report

Initial Test		
Check Valve #1	Check Valve #2	Relief Valve
8.6	8.2	4.8
☒ Closed Tight	☒ Closed Tight	☒ Opened
☐ Leaked	☐ Leaked	☐ Did Not Open

Final Test		

Repairs and Notes: Device moved to outside, west side of house

Tester Information

The backflow prevention assembly detailed on this form has been tested and maintained as required by codes and regulations, is certified to be true & accurate, and is operating within acceptable parameters at time of testing. * Only Manufacturer's replacement parts have been used. **Test records must be kept for a minimum of three years

Tester Name Bruce DeHoog - Arrow Plumbing, Inc.
Tester License Expiration 05/31/2020
Certification # XC3187
Test Kit Mfr & Mod # Watts TK-99E
Serial # TG04162013
Company Arrow Plumbing, Inc.
Address 547 North Ave
 Libertyville, IL 60048-
Phone (847)549-9600

PASS

Test Date: 08/02/2019
Date Submitted: 08/08/2019

SAMPLE

Monthly Billing Report (if applicable) may be similar to the spreadsheet below. Unlimited access and spreadsheets are available through your TrackMyBackflow.com portal 24/7/365.

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
1	Billing - Monthly Utility Per Test														
	utilityid	siteid	company	address	hazid	hazardcat	devicestatus	location	serialnum	prevtestdue	lasttest	lastteststatus	testdue	testid	entered
2										8/3/2019	7/18/2019		8/3/2020		9/19/2019 8:58
3	45	3097164	LINCOLN LAND CC	800 S SPRESSER ST	3464681	FireDetectorBypass	Installed	RISER SHED	TU210	8/3/2019	7/18/2019	Pass	8/3/2020	6553826	9/19/2019 8:58
4	45	3097164	LINCOLN LAND CC	800 S SPRESSER ST	3464682	FireProtection	Installed	RISER SHED	NX861	9/7/2019	9/26/2019	Pass	9/7/2020	6553824	9/27/2019 10:03
5	49	3098232	WALGREENS'S #02289	899 S ROUTE 59	3692915	LawnIrrigation	Installed	NWC of Stock Room in Sprinkle	3923716	9/11/2019	9/27/2019	Pass	9/11/2020	6556087	9/27/2019 13:48
6	49	3098360	BREWSTER CREEK L.P.	891 S IL ROUTE 59	3426000	FireDetectorBypass	Installed	Sprinkler Room	H26408	9/11/2019	9/27/2019	Pass	9/11/2020	6556168	9/27/2019 13:48
7	49	3098360	BREWSTER CREEK L.P.	891 S IL ROUTE 59	3426001	FireProtection	Installed	Sprinkler Room	0070	9/14/2019	9/5/2019	Pass	9/14/2020	6556169	9/9/2019 11:39
8	49	3098448	7-ELEVEN, INC	1500 S IL ROUTE 59	3426248	EquipmentMisc	Installed	Soap Dispenser	09416	9/14/2019	9/5/2019	Pass	9/14/2020	6550660	9/9/2019 11:41
9	49	3098448	7-ELEVEN, INC	1500 S IL ROUTE 59	3426250	EquipmentMisc	Installed	Soap Dispenser	01408	9/14/2019	9/5/2019	Pass	9/14/2020	6550663	9/9/2019 11:40
10	49	3098448	7-ELEVEN, INC	1500 S IL ROUTE 59	3426253	LawnIrrigation	Installed	Utility Room	53199	9/14/2019	9/5/2019	Pass	9/14/2020	6550662	9/9/2019 11:40
11	49	3098448	7-ELEVEN, INC	1500 S IL ROUTE 59	3426254	Domestic	Installed	Utility Room	53193	9/2/2019	8/29/2019	Pass	9/2/2020	6550661	9/4/2019 6:18
12	49	3101718	PROMARK INTERNATIONAL	1268 HUMBACHT CIR (1260	3425565	FireProtection	Installed	SPRINKLER ROOM	R00658	9/2/2019	8/29/2019	Pass	9/2/2020	6548779	9/4/2019 6:19

Cross Connection Control Notice:

LAWN SPRINKLERS – Federal, state, and local regulations require every municipal water supplier to develop, implement, and maintain a comprehensive Cross Connection Control program designed to safeguard the public water supply.

Cross connections are sometimes protected by a valve called a backflow preventer. Backflow preventers are the property of the water customer and the responsibility lies with the customer for required annual testing and maintenance. The water customer must contract with a licensed tester to perform the required annual tests and any necessary repairs. Most plumbing contractors and irrigation firms are certified to test backflow preventers. Please realize that there are costs associated with testing and maintaining backflow preventers.

Backflow preventers may be found at any number of locations on your water systems. Typically, commercial & industrial customers will have backflow preventers just after the water meter and also on wet fire protection systems. Lawn irrigation systems or other water connections throughout their facilities may also have or require backflow protection.

Residential backflow preventers may be found on lawn irrigation systems, wet fire protection systems, hot water heating (boiler) systems, swimming pool fills, water features, etc. Backflow preventers may also be found or required if there is another water source on the site such as a well, pond, river, etc.

Lawn sprinkler systems will be starting up soon. Plumbing Code and state regulations require that your backflow preventer be tested annually upon system start-up and/or when a backflow preventer is re-installed every season.

Aqua Backflow has been hired by your utility to assist with administering the backflow program. They specialize in cross connection control management. If you have or require backflow protection, you may be notified by them for compliance (testing, repairs, installations, inspections, or surveys). Aqua Backflow can be reached at 847-742-2296 with any questions. Aqua Backflow **does not** test, install, or repair backflow preventers.

Remember that Connection Control programs are designed to safeguard public health. We ask for your cooperation with our program, its enforcement, and any requests for information that come from Aqua Backflow or Utility staff.

Aqua Backflow, Inc
Cross Connection Control Operations
977 Elizabeth Street
Elgin, IL 60120

Ph: 847-742-2296
Email: info@aquabackflow.com

Test Due - SAMPLE



Backflow Prevention Assembly Test(s) Request

John Doe
123 Main St
Anytown, USA 60123

Site Id: 3061920
John Doe

123 Main St
Sample, WY 00000

Notice Date: 06/30/2015

Dear Water Customer:

Our records indicate that your backflow preventer test anniversary date is approaching. As required by federal, state, and local regulations, backflow preventer(s) located on your water system should be tested regularly. Citizens Energy Group utilizes its Backflow Prevention and Cross Connection Control Program to keep our drinking water safe.

The responsibility lies with you to hire a licensed/certified backflow tester. Most plumbing contractors are licensed to perform these services. A tester list is available under the "Resources" tab at TrackMyBackflow.com.

After testing your backflow preventer(s), the tester enters the results on TrackMyBackflow.com. The tester also pays your \$9.95 per device filing fee. Please be sure to pay your tester promptly, so he/she does not hold your test(s) due to non-payment. Your test submission status can be viewed under the *Resources* tab at www.TrackMyBackflow.com. Click *My Backflow* and enter the requested information.

Be aware that if testing is not performed, Citizens may take further action. Actions may include penalties, fines, or possibly even termination of your water supply.

Contact Aqua Backflow with questions by emailing info@AquaBackflow.com or calling 847-742-2296. Aqua Backflow was hired by Citizens to assist with Cross Connection Control program operations, but does not test, repair, or install backflow preventers. General information about the backflow prevention program may be found on Citizens' website at www.citizensenergygroup.com.

Thank you for your cooperation.

<u>Hazard ID</u>	<u>Test Due</u>	<u>Size</u>	<u>Model</u>	<u>Serial</u>	<u>Service/Location</u>
3403021	07-31-2015	1	800M4	657078	Please Identify / Please identify location

Last tester on record: ABC Testing, 847-742-2296

Cross Connection Control Operations
977 Elizabeth Street
Elgin, IL 60120
PH: 847-742-2296
FAX: 847-214-9696
EMAIL: info@aquabackflow.com

Test Past Due - SAMPLE

Algonquin



Backflow Prevention Assembly Test(s) Due - FINAL NOTICE -

John Doe
123 Main St
Anytown, USA 60123

Site Id: 3061920
John Doe

123 Main St
Sample, WY 00000

Notice Date: 06/30/2015

Previous Notice Sent:
05-27-2015

Dear Sir/Madam:

The Village of Algonquin enforces its Cross Connection Control Program to keep our drinking water safe. Backflow preventer(s) currently located on your water system must be tested regularly.

**You were previously notified of your obligation to have the backflow preventer(s) tested at your site.
To date, we have not received confirmation of successful tests being performed.**

It is the responsibility of the water customer to hire a licensed and/or certified backflow tester. Most plumbing contractors are licensed to perform these services. A list of testers is available under the "Resources" tab at TrackMyBackflow.com.

Immediately after testing your backflow preventer(s), your tester must enter the test results through the website of TrackMyBackflow.com. Be sure to pay your tester promptly, so he/she does not "hold" your test(s) due to non-payment. Late data entries may result in you receiving a non-compliance letter from us.

You have 15 days from the date of this letter to fulfill your obligation. If compliance is not met, your Utility may take further action, which may include penalties, fines, or termination of your water supply.

If you have questions about the program, please contact Aqua Backflow by emailing info@AquaBackflow.com or calling 847-742-2296. Aqua Backflow was hired by the Village to assist with Cross Connection Control operations. Your Village of Algonquin contact is Andrew Warmus, Utilities Superintendent at 847-658-2754 x 4420.

Thank you for your cooperation.

<u>Hazard ID</u>	<u>Test Due</u>	<u>Size</u>	<u>Model</u>	<u>Serial</u>	<u>Service/Location</u>
3403021	07-31-2015	1	800M4	657078	Please Identify / Please identify location

Last tester on record: ABC Testing, 847-742-2296

Aqua Backflow, Inc
Cross Connection Control Operations
977 Elizabeth Street
Elgin, IL 60120

Ph: 847-742-2296



**Backflow Prevention Assembly Test Failure
- FINAL (only) NOTICE -**

TURNKEY NETWORK SOLUTIONS
7020 SOUTHBELT DR
CALEDONIA, MI 49316

Site Id: 1251094
TURNKEY NETWORK SOLUTIONS
1806 HAGEMANN DR
BATAVIA, IL 60510
Notice Date: 11-11-2020

Dear Water Customer:

The City of Batavia enforces its Cross Connection Control Program to keep our drinking water safe. Backflow preventer(s) currently located on your water system must be tested, repaired, and/or replaced regularly.

According to recent test results, your backflow preventer has failed and requires repair or replacement.

It is the responsibility of the water customer to hire a licensed and/or certified backflow tester, repair technician, and/or installer. Most plumbing contractors are licensed to perform these services. A list of testers is available under the Resources tab at TrackMyBackflow.com.

Your backflow tester must enter repairs made, passing test results, and/or replacement information through the website of TrackMyBackflow.com immediately upon completion of testing.

You have 15 days from the date of this letter to fulfill your obligation. If compliance is not met, your Utility may take further action, which may include penalties, fines, or termination of your water supply.

If you have questions about the program, please contact Aqua Backflow by emailing info@AquaBackflow.com or calling 847-742-2296. Aqua Backflow was hired by the City of Batavia to assist with Cross Connection Control operations, but does not test, repair, or install backflow preventers.

Thank you for your cooperation.

**Service: FireDetectorBypass
Hazard ID # 255167
Serial # 2218238
Location of Device: GARAGE APRON**

Cross Connection Control Operations
977 Elizabeth Street
Elgin, IL 60120
PH: 847-742-2296
FAX: 847-214-9696
EMAIL: info@aquabackflow.com



Backflow Prevention Assembly Installation Due

John Doe
123 Main St
Anytown, USA 60123

Site Id: 3061920
John Doe

123 Main St
Sample, WY 00000

Notice Date: 06/30/2015

Dear Sir/Madam:

As required by Federal, State, and Local regulations, the Town of Hot Sulphur Springs enforces its Cross Connection Control Program to keep our drinking water safe. Backflow preventer(s) are necessary on your water system(s) to keep our drinking water safe.

Please install the backflow preventer(s) as listed below. A successful installation should be completed by a licensed and/or certified backflow installer. Permits may be required. If compliance is not met, your Utility may take action which may include penalties, fines, or termination of your water supply.

If a hazard ID tag is enclosed, please hang it on the appropriate backflow preventer(s) upon completion of the installation. Your tester will use the tag to file test results on our TrackMyBackflow.com website. Test results must be submitted immediately after the installation.

If you have questions about the program, please contact Aqua Backflow by emailing info@AquaBackflow.com or calling 847-742-2296. Aqua Backflow was hired by the Town to assist with Cross Connection Control operations. You can contact your Town at 970-725-3933.

Thank you for your cooperation.

Sincerely,

Aqua Backflow

Installation Compliance Department
Contractor for the Utility

**Service: Please Identify
Hazard ID # 3403021**

Install Due Date: 07-15-2015

**Install a Reduced Pressure Zone (RPZ) backflow preventer
Forward proof of installation and test results to Aqua Backflow**

Cross Connection Control Operations
977 Elizabeth Street
Elgin, IL 60120
PH: 847-742-2296
FAX: 847-214-9696
EMAIL: info@aquabackflow.com



**Backflow Prevention Assembly Installation Due
- FINAL NOTICE -**

John Doe
123 Main St
Anytown, USA 60123

Site Id: 3061920
John Doe

123 Main St
Sample, WY 00000

Notice Date: 06/30/2015

Dear Sir/Madam:

A Cross Connection Control (Backflow) program is required by Federal, State and Local regulations. Backflow preventers are necessary on your water system(s) and regulations are enforced to keep our drinking water safe.

**You were previously notified of your obligation to have backflow preventer(s) installed at your site.
To date, we have not received confirmation of a successful installation being performed.**

Please install the backflow preventer(s) as listed below. A successful installation should be completed by a licensed and/or certified backflow installer. Permits may be required. Confirmation of the installation(s) and test results (if applicable) shall be forwarded to us within 15 days of the date of this letter. Immediately after testing your backflow preventer(s), your tester must enter the results through the website of TrackMyBackflow.com. If compliance is not met, your Utility may take further action, which may include penalties, fines, or termination of your water supply.

If you have questions about the program, a specific site, or a backflow preventer, please contact Aqua Backflow at (847) 742-2296 or email info@AquaBackflow.com. Aqua Backflow manages the backflow program for the Utility.

Thank you for your cooperation.

**Service: Please Identify
Hazard ID # 3403021
Install Due Date: 07-15-2015
Install a Reduced Pressure Zone (RPZ) backflow preventer
Forward proof of installation and test results to Aqua Backflow**

Backflow Assembly - Permanent Removal Form

If you have questions about the Utility's Cross Connection Control and Backflow Prevention Program, contact Aqua Backflow. Aqua Backflow was hired by your Utility to assist with operations. You may contact us at 847-742-2296 or info@aquabackflow.com.

Please complete and return this form, with photo evidence, to the mailing address, fax number, or email above within 30 days. This form must be signed by the water customer. It is recommended that you consult with and/or hire a licensed plumber or professional irrigation company. A representative from the Utility may, at their discretion, perform an on-site inspection after the form and supplemental photos have been submitted.

Site Address _____	City _____	State _____	Zip _____
--------------------	------------	-------------	-----------

Device Mfr. _____	Model _____	Size _____	Serial No. _____	Serves _____
-------------------	-------------	------------	------------------	--------------

1. IS THE BACKFLOW ASSEMBLY STILL ON THE WATER LINE?

☐ YES ☐ NO

If the backflow device is on the water line and is connected to the water supply, it must be tested annually even if the water has been turned off.

2. IF THE BACKFLOW ASSEMBLY HAS BEEN TAKEN OFF THE WATER LINE, WHERE IS THE VALVE NOW?

☐ IN STORAGE ☐ DESTROYED ☐ OTHER _____

Photos must be included with the submission of this form. Please take a photo depicting that the backflow assembly has been removed and there is physical disconnection between the irrigation system & the water supply.

Please also photograph the permanent cap at the water source, showing that there is no pipe dead-end per code.

Water Customer's Printed Name _____	Water Customer's Signature _____	Date Signed _____
-------------------------------------	----------------------------------	-------------------

I, the Water Customer, hereby certify that, to the best of my knowledge, the information contained hereon is accurate and true. No cross connections or conditions that may potentially permit the backflow of contaminants and/or pollutants from the Water Customer's piping system into the public water distribution system are present. Piping systems within the Water Customer's premises shall conform in all respects to the latest revision of Administrative & Plumbing Codes, the AWWA Cross Connection Control and Backflow Prevention M-14 Manual, other state regulatory agencies, and the Cross Connection Control Regulations of the Water Utility. I have received information about the requirements to prevent backflow from occurring from the Water Customer's piping systems and understand that I am responsible for illegal cross connections that may result from modifications to the Water Customer's piping systems after the date of this completed form. I agree to indemnify and hold harmless the Utility and/or Aqua Backflow for any claims of property damage, personal injury, or death that may result from any illegal cross connection from my piping system to the public water distribution system. I understand that the Utility may, at their discretion, remove the water meter.

OFFICIAL USE ONLY:

☐ Received by ABF	Date _____	☐ Received by Utility	Date _____
☐ Entered into database	Date _____	☐ Entered into database	Date _____



Liberty™

Cross Connection Control Survey





c/o Aqua Backflow
977 Elizabeth St
Elgin, IL 60120

Mailed survey post card SAMPLE (front & back)

IMPORTANT - PLEASE COMPLY

Water Use Survey - Cross Connection Control Program

Liberty Utilities supplies millions of gallons of safe, clean water every day to our customers. Our water quality exceeds the standards established by the United States Environmental Protection Agency (EPA) and New York State Department of Health (NYSDOH) Regulations.

Per program guidelines, we are performing a “survey” of water customers to help protect the public water systems.

Our program management firm of Aqua Backflow has helped us with our green initiative and created an eco-friendly online survey form for you to complete. It takes only a few moments and there is no cost to you.

Please visit TrackMyBackflow.com within 30 days. Click on Water Use Survey. Enter your Site ID # «**SiteID**» and complete the survey.

If you have any questions or are unable to complete online, please contact Aqua Backflow at 847-742-2296 or info@aquabackflow.com.

THANK YOU for your cooperation and assistance in keeping our water safe!

CURRENT OCCUPANT OR

«Contact»

«Company»

«Address»

«City», «State» «Zip»

SITE ADDRESS: «Address», «City», «State» «Zip»

Important information from the
City of Evansville regarding the safety
of your water supply!

Evansville Water Customer

Evansville's

Cross Connection Control Program

The City of Evansville proudly supplies millions of gallons of safe, clean water every day to our customers. Our water quality exceeds the standards established by the United States Environmental Protection Agency (EPA) and IDEM Regulations.

Congress established the Safe Drinking Water Act in 1974 to protect human health from contaminants in the drinking water.

The IDEM and Indiana Plumbing Codes require every water supplier to develop and implement a comprehensive cross connection control program for the elimination of all existing cross connections and the prevention of all future cross connections.

The Evansville Cross Connection Control Program is designed to safeguard public health. We ask for your cooperation with our program and its enforcement.

CBBP



Carbonated Beverage
Backflow Preventer

AVB



Atmospheric Vacuum
Breaker

The City of Evansville has contracted with *Aqua Backflow* to assist with the Water Utility's Cross Connection Control Program.

Aqua Backflow may contact you to request information, require a backflow test, or more. Your cooperation and courtesy is appreciated as we perform the required tasks for a complete cross connection control program. Please note that you may be asked to test or install backflow protection where needed in accordance to the State of Indiana Plumbing Code & IDEM Regulations

Let's keep our drinking water safe.

Aqua Backflow

977 Elizabeth Street

Elgin, IL 60120

Phone (866) 777-2124

Fax (866) 777-2125

www.AquaBackflow.com

www.TrackMyBackflow.com

For backflow stories, please visit

www.BackflowCases.com



Jeff Merrick

City of Evansville

Regulatory Compliance Officer

1500 Waterworks Rd

Evansville, IN 47720

(812) 428-0548

What is a Cross Connection?

Plumbing cross-connections are defined as actual or potential connections between a potable and non-potable water supply. This may cause a backflow condition or a serious health hazard to occur.

What is Backflow?

Backflow is when the water in your pipes (the pipes after the water meter) goes backwards (the opposite direction from normal flow).

There are two situations that can cause a backflow condition.

“Back Pressure” – a pressure greater than the supply pressure that may cause backflow.

(High-pressure boiler or pressure washer)

“Back Siphonage” – the creation of a backflow as a result of negative pressure.

(Water main break or use of fire hydrants)

Along with the required backflow preventers and their regular maintenance, site inspections or surveys may be performed at properties that present a potential hazard to our water systems:

* *External* (“site”, or “containment”) – to protect the City’s water supply from cross connections on the customer’s premises.

* *Internal* (“hazard”, or “isolation”) – to protect the customer from potentially hazardous cross-connection in their own system.



Dual Check w/vent



Reduced Pressure Zone



What is considered a potential hazard?

Cross-connections can occur at many points throughout a distribution system and a community's plumbing infrastructure. Cross-connections can be identified by looking for physical interconnections (or arrangements) between a customer's plumbing and the water system. Some examples of backflow incidents that occur are:

► Chemicals backflowing (backsiphoning) through a hose into indoor plumbing.

Over ½ of the nations cross-connections are from unprotected garden hoses!

► Carbonated water from a restaurant's soda dispenser entering a water system due to backpressure.

► Backsiphonage of chemicals from industrial buildings into distribution system mains.

► Backflow of boiler corrosion control chemicals into a building's water supply.



There are numerous, well-documented cases where cross-connections have been responsible for contaminating drinking water, and have resulted in the spread of disease.

The problem is a dynamic one, because piping systems are continually being installed, altered, or extended.

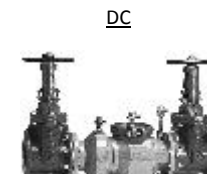


November, 2011 – Columbia, SC:

(WLTx) News19 anchor Andrea Mock discovered her home was missing an irrigation system backflow preventer after brown water ran through her tap. When DHEC came to test her water, they found an elevated level of 2, 4, D, an herbicide. Mock said, "As soon as I found out we didn't have this part, I called DHEC because I wanted to see what we had been drinking. And that test would only show what was in the water on that particular day. There's no telling what we might have consumed over the past five years. Without this part, anything we put on our grass had the potential to come into our water."



Pressure Vacuum Breaker



Double Check Valve

Did you know...

Your water can become contaminated if connections to your plumbing system are not properly protected!

The purpose of the local Cross-Connection Control Program, as required by State Plumbing Code and Regulations, is to ensure that everyone in the community has safe, clean drinking water.

Public Health & Safety....

To avoid contamination, backflow preventers are required by state plumbing codes wherever there is an actual or potential hazard for a cross-connection. The Wisconsin Department of Natural Resources requires all public water suppliers to maintain an on-going Cross-Connection Control Program involving public education, onsite inspections, and possible corrective actions by building owners if required.

More Information

WI Department of Safety and Professional Services (formerly DOC)
www.dsps.wi.gov

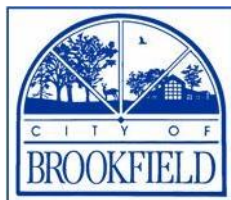
WI Department of Natural Resources
www.dnr.wi.gov

Environmental Protection Agency (EPA)
www.epa.gov

Cross-Connection Control / Backflow Prevention
www.AquaBackflow.com



Mark Simon
Water Superintendent
19700 Riverview Drive
Brookfield, WI 53045
(262) 796-6717



Drinking Water Information



City of Brookfield Water Utility
19700 Riverview Drive
Brookfield, WI 53045

SAMPLE

Residential Water User Cross-Connection Hazards

Bathrooms & Kitchens



We're All Connected.....

**Maintaining the integrity of your
public drinking water system.**

What is a Cross-Connection?

A cross-connection is an actual or potential connection between the safe drinking water (potable) supply and a source of contamination or pollution. State plumbing codes require approved backflow prevention methods to be installed at every point of potable water connection and use. Cross-Connections must be properly protected or eliminated.

How does contamination occur?

When you turn on your faucet, you expect the water to be as safe as when it left the treatment plant. However, certain hydraulic conditions left unprotected within your plumbing system may allow hazardous substances to contaminate your own drinking water or even the public water supply.

Water normally flows in one direction. However, under certain conditions, water can actually flow backwards; this is known as Backflow. There are two situations that can cause water to flow backward: back siphonage and backpressure.

Backsiphonage

May occur due to a loss of pressure in the municipal water system during a fire fighting emergency, a water main break or system repair. This creates a siphon in your plumbing system which can draw water out of a sink or bucket and back into your water or the public water system.

Backpressure

May be created when a source of pressure (such as a boiler) creates a pressure greater than the pressure supplied from the public water system. This may cause contaminated water to be pushed into your plumbing system through an unprotected cross-connection.

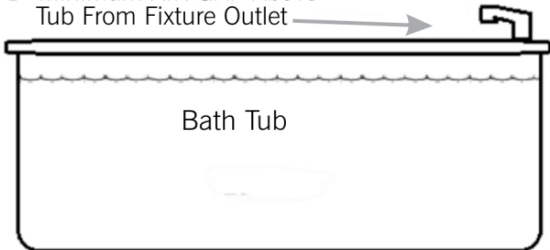
In the Bathroom - Hand Held Shower Fixture

The hand held shower fixture is compliant if:

- When shower head is hanging freely, it is at least 1" above top of the flood level rim of the receptor (tub)
- Complies with **ASSE#1014**
- Has the **ASME code 112.18.1** stamped on the handle



1" Minimum AIR GAP Above Tub From Fixture Outlet



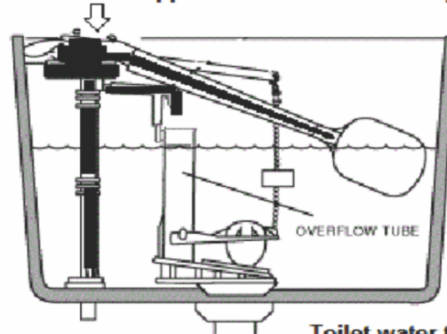
Bath Tub

In the Bathroom - Toilet Tanks

There are many unapproved toilet tank fill valve products sold at common retailers which do not meet the state plumbing code requirements for backflow prevention.

- Look for the **ASSE #1002** Standard symbol on the device and packaging
- Replace any unapproved devices with an **ASSE #1002** approved anti siphon ball-cock assembly. Average cost is typically \$12 to \$22 at home improvement stores
- Verify overflow tube is one inch below critical level (CL) marking on the device

ASSE #1002 Approved Ball Cock Assembly



Toilet water tank

Insights to protect your drinking water

Do...

- Keep the ends of hoses clear of all possible contaminants.
- Make sure dishwashers are installed with a proper "air gap" device.
- Verify and install a simple hose bibb vacuum breaker on all threaded faucets around your home.
- Make sure water treatment devices such as water softeners have the proper "air gap", which is a minimum of one inch above any drain.

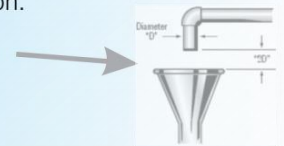
Hose bibb Vacuum Breaker



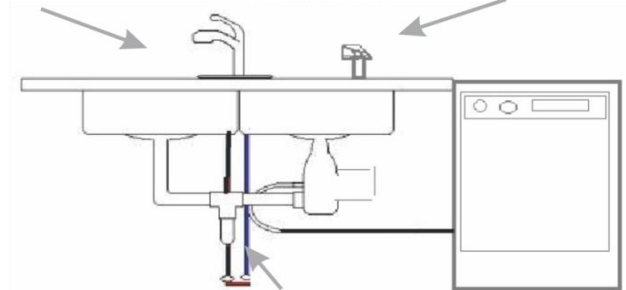
Don't...

- Submerge hoses in buckets, pools, tubs, sinks or ponds.
- Use spray attachments without a backflow prevention device.
- Connect waste pipes from water softeners or other treatment systems directly to the sewer or submerged drain pipe. Always be sure there is a one inch "air gap" separation.

Air Gap



In the Kitchen



Hoses and water treatment devices may create a potential backflow hazard if not properly isolated with backflow prevention methods.

What is a Cross Connection?

A cross connection is any connection between a potable (drinking) water supply system and any source of “non-potable” or “non-drinkable” liquid, solid, or gas. Under certain circumstances, a “non-drinkable” substance could either be pulled or pushed into the drinking water supply. This is called backflow.

Backflow can reverse the flow of water or other substances into the public or private water system, resulting in chemicals or contaminants getting into the drinking water. In other words, the water is flowing in the opposite direction from what it is intended.

Annual testing & reporting required:

Not allowed in Illinois



PVB/SVB



RP & RPDA



DC & DCDA

Annual testing not required:



Water purveyors around the globe have contracted with ***Aqua Backflow*** to manage the Water Utility's Cross Connection Control Program.

Aqua Backflow may contact you to request licensing information, ask for copies of certifications, ask for backflow test kit information, or more. Your cooperation is appreciated as we perform the required tasks for a complete cross connection control program. Please note that all test procedures and installations shall follow Federal, State and local Plumbing and Cross Connection Control Codes and regulations.

Let's keep our drinking water safe!

Aqua Backflow

977 Elizabeth Street

Elgin, IL 60120

Phone (847) 742-2296

Fax (847) 214-9696

Email: info@AquaBackflow.com

www.AquaBackflow.com

For backflow stories, please visit

www.BackflowCases.com

For online backflow tracking,

Please register at and/or visit

www.TrackMyBackflow.com

For online Fats, Oils, and Grease

(FOG) tracking, please visit

www.TrackMyFOG.com

Aqua Backflow's

TrackMyBackflow.com

CROSS CONNECTION CONTROL PROGRAM GUIDE

***This brochure may be used
as a procedural guide for:***

- Backflow testing companies
- Backflow testers
- Plumbing contractors
- Plumbers
- Office support staff

Backflow Prevention tracking over the internet

...why have you received this brochure?
***A water purveyor in your area has
elected to utilize our efficient and
Earth-friendly online backflow
tracking program.***

Please contact us for our
current customer list.

As required by the Safe Drinking Water Act, EPA Guidelines, State Codes, and Local Regulations:

...public water users must have their sites inspected...existing backflow assemblies must be tested annually by a licensed tester... an approved cross connection control program shall be in place...

In an effort to keep costs low, to be environmentally-friendly, and to be more efficient, water purveyors in your area have chosen to utilize our online backflow tracking program.



How the Process Begins:

Go to:

www.TrackMyBackflow.com

Register as a new backflow tester



Welcome to Track My Backflow

Once registered, you will receive a registration confirmation email within 24 business hours and a request for copies of your actual tester license/certification; test kit information; last test kit calibration certificate, etc.

Once all data has been received and verified, we will send you a user name and password. Then, proceed to TrackMyBackflow.com and log in.

Track My Backflow

User Name
Password
Login

Remember Me

☐

Now that you are logged in:

The Dashboard shows sites where your company is the last tester on record. **To add a new test:**

- 1) Select "Enter Test Results"
- 2) Locate your backflow preventer by entering the serial # and building #, OR the Hazard ID #, OR Site ID #.
 Houses represent sites
 Triangles represent hazard
- 3) Select "Add Test"
- 4) If device information is missing, complete the noted fields.
- 5) Complete the test form as you would any other. Fill in the initial test results, final test results will only apply to devices that were successfully repaired. Submit the data.
- 6) If you have more tests to enter, repeat steps 1 - 5. When finished, click My Company, Shopping Cart and highlight tests to be processed. You can pay for many tests at one time.
- 7) To cover costs of the program, a filing fee is often charged for test submissions. Tests are not considered "submitted" until they are paid for.
Contact us for a current price list.
- 8) Payment options include:
VISA * M/C * Discover * Debit
American Express * PayPal
Savings/Checking Withdrawal

Not computer savvy?

Let **Aqua Backflow** enter the data for you.
(a \$4 data entry fee is then required for each report)

ARTICLE II. CROSS CONNECTION CONTROL¹

Sec. 17-12. Purpose.

The purpose of this article is:

- (1) To protect the public potable water supply of the City of Alvin from the possibility of contamination or pollution by isolating within the consumer's internal distribution system(s) or the consumer's private water system(s) such contaminants or pollutants which could backflow into the public water systems; and,
- (2) To promote the elimination or control of existing cross connections, actual or potential, between the consumer's in-plant potable water system(s) and nonpotable water system(s), plumbing fixtures and industrial piping systems; and,
- (3) To provide for the maintenance of a continuing program of cross connection control which will systematically and effectively prevent the contamination or pollution of all potable water systems.

(Ord. No. 01-H, § 1, 3-15-01)

Sec. 17-13. Protection of public potable water distribution system.

The City of Alvin declares its intent to protect the public potable water distribution system from contamination or pollution due to the backflow of contaminants or pollutants through the water service connection. If, in the judgment of the director of public works and engineering an approved backflow prevention assembly is required (at the consumer's water service connection or within the consumer's private water system) for the safety of the water system, the department of public works and engineering or its designated representative shall give notice in writing to the consumer to install an approved backflow prevention assembly(s) at a specific location(s) on his/her premises, and the consumer shall immediately install such an approved backflow prevention assembly(s) at the consumer's own expense; failure, refusal or inability on the part of the consumer to install, have tested and maintained said assembly, shall constitute grounds for discontinuing water service to the premises until such requirements have been satisfactorily met.

¹Editor's note(s)—Former Art. II of Ch. 17, consisting of §§ 17-12 and 17-13, and pertaining to the city's heating and comfort cooling code, was derived from the following ordinances:

Ord. No.	Sec.	Date
66-R	—	11-17-66
68-D	—	4- 4-68
Ord. No.	Sec.	Date
72-M	—	11-16-72
82-O	—	6- 3-82

In order to provide better classification, and to facilitate their indexing, reference and use, the editor, at his discretion, has redesignated these provisions as Ch. 12½, Art. I, § 12½-1, and Art. II, § 12½-11.

Sec. 17-14. Definitions.

The following words, terms and phrases, as used in this article, shall have the meanings respectively ascribed to them in this section, unless the context clearly indicates otherwise:

Approval or approved means the following:

- (1) The term approved as herein used in reference to a water supply shall mean a water supply that has been approved by the regulatory agency having jurisdiction.
- (2) The term approved as herein used in reference to an air gap, a double check valve assembly, a reduced pressure principle backflow prevention assembly or other backflow prevention assemblies or methods shall mean an approval by the administrative authority having jurisdiction.

Auxiliary water supply means any water supply on or available to the premises other than the purveyor's approved public water supply will be considered an auxiliary water supply. These auxiliary waters may include water from another purveyor's public potable water supply or any natural source(s) such as a well, spring, river, stream, harbor, etc., or used waters or industrial fluids. These waters may be contaminated or polluted or they may be objectionable and constitute an unacceptable water source over which the water purveyor does not have sanitary control.

Backflow means the undesirable reversal of flow of water or mixtures of water and other liquids, gases or other substances into the distribution pipes of the potable supply of water from any source or sources. See terms "backsiphonage" and "backpressure."

Backpressure means any elevation of pressure in the downstream piping system (by pump, elevation of piping, or steam and/or air pressure) above the supply pressure at the point of consideration which would cause, or tend to cause, a reversal of the normal direction of flow.

Backsiphonage means a form of backflow due to a reduction in system pressure which causes a subatmospheric pressure to exist at a site in the water system.

Backflow preventer means an assembly or means designed to prevent backflow.

- (1) *Air gap* means a physical separation between the free flowing discharge end of a potable water supply pipeline and an open or nonpressure receiving vessel. An "approved air gap" shall be at least double the diameter of the supply pipe measured vertically above the overflow rim of the vessel—in no case less than one (1) inch (2.54 cm).
- (2) *Reduced pressure principle backflow prevention assembly* means an assembly containing two independently acting approved check valves together with a hydraulically operating, mechanically independent pressure differential relief valve located between the check valves and at the same time below the first check valve. The unit shall include properly located resilient seated test cocks and tightly closing resilient seated shutoff valves at each end of the assembly. This assembly is designed to protect against a nonhealth (i.e., pollutant) or a health hazard (i.e., contaminant). This assembly shall not be used for backflow protection of sewage or reclaimed water.
- (3) *Double check valve backflow prevention assembly* means an assembly composed of two (2) independently acting, approved check valves, including tightly closing resilient seated shutoff valves attached at each end of the assembly and fitted with properly located resilient seated test cocks. (See Section 10 of the most current edition of the Manual of Cross-Connection Control for additional details). This assembly shall only be used to protect against a non-health hazard (i.e., pollutant).

Commission means the [State of] Texas Commission on Environmental Quality ("TCEQ") or its successor agency.

Contamination means an impairment of the quality of the water which creates an actual hazard to the public health through poisoning or through the spread of disease by sewage, industrial fluids, waste, etc.

Cross-connection means any unprotected actual or potential connection or structural arrangement between a public or a consumer's potable water system and any other source or, system through which it is possible to introduce into any part of the potable system any used water, industrial fluid, gas, or substance or other than the intended potable water with which the system is supplied. Bypass arrangements, jumper connections, removable sections, swivel or change-over devices and other temporary or permanent devices through which or because of which backflow can or may occur are considered to be cross-connections.

- (1) The term direct cross-connection shall mean a cross-connection which is subject to both backsiphonage and backpressure.
- (2) The term indirect cross-connection shall mean a cross-connection which is subject to backsiphonage only.

Cross-connections—Controlled means a connection between a potable water system and a non-potable water system with an approved backflow prevention assembly properly installed and maintained so that it will continuously afford the protection commensurate with the degree of hazard.

Cross-connection control by containment means the term "service protection" [which] shall mean the appropriate type or method of backflow protection at the service connection, commensurate with the degree of hazard of the consumer's potable water system.

Hazard, degree of means the term "degree of hazard [which] shall mean either a pollutorial (non-health) or contamination (health) hazard and is derived from the evaluation of conditions within a system.

- (1) *Hazard—Health.* The term "health hazard" shall mean an actual or potential threat of contamination of a physical or toxic nature to the public potable water system or the consumer's potable water system that would be a danger to health.
- (2) *Hazard—Plumbing.* The term "plumbing hazard" shall mean an internal or plumbing type cross-connection in a consumer's potable water system that may be either a pollutorial or a contamination type hazard. This includes but is not limited to cross-connections to toilets, sinks, lavatories, wash trays and lawn sprinkling systems. Plumbing type cross-connections can be located in many types of structures including homes, apartment houses, hotels and commercial or industrial establishments. Such a connection, if permitted to exist, must be properly protected by an appropriate type of backflow prevention assembly.
- (3) *Hazard—Pollutorial.* The term "pollutorial hazard" shall mean an actual or potential threat to the physical properties of the water system or the potability of the public or the consumer's potable water system but which would not constitute a health or system hazard, as defined. The maximum degree or intensity of pollution to which the potable water system could be degraded under this definition would cause a nuisance or be aesthetically objectionable or could cause minor damage to the system or its appurtenances.
- (4) *Hazard—System.* The term "system hazard" shall mean an actual or potential threat of severe danger to the physical properties of the public or the consumer's potable water system or of a pollution or contamination which would have a protracted effect on the quality of the potable water in the system.

Industrial fluids means any fluid or solution which may be chemically, biologically or otherwise contaminated or polluted in a form or concentration which would constitute a health, system, pollutorial or plumbing hazard if introduced into an approved water supply. This may include, but not be limited to: polluted or contaminated used waters; all types of process waters and "used waters" originating from the public potable water system which may

deteriorate in sanitary quality; chemicals in fluid form; plating acids and alkalis; circulated cooling waters connected to an open cooling tower and/or cooling waters that are chemically or biologically treated or stabilized with toxic substances; contaminated natural waters such as from wells, springs, streams, rivers, bays, harbors, seas, irrigation canals or systems, etc.; oils, gases, glycerin, paraffins, caustic and acid solutions and other liquid and gaseous fluids used industrially, for other processes, or for fire fighting purposes.

Pollution means an impairment of the quality of the water to a degree which does not create a hazard to the public health but which does adversely and unreasonably affect the aesthetic qualities of such waters for domestic use.

Water—Potable means the term "potable water" [which] shall mean any public potable water supply which has been investigated and approved by the regulatory agency. The system must be operating under a valid health permit. In determining what constitutes an approved water supply, the regulatory agency has final judgment as to its safety and potability.

Water—Non-potable means the term "non-potable water" [which] shall mean a water supply which has not been approved for human consumption by the regulatory agency having jurisdiction.

Water—Service connection means the term "service connection" [which] shall mean the terminal end of a service connection from the public potable water system, (i.e., where the water purveyor may lose jurisdiction and sanitary control of the water at its point of delivery to the consumer's water system). If a water meter is installed at the end of the service connection, then the service connection shall mean the downstream end of the water meter.

Water system means the water system shall be considered as made up of two parts: The water purveyor's system and the consumer's system.

- (1) The water purveyor's system shall consist of the source facilities and the distribution system; and shall include all those facilities of the water system under the complete control of the purveyor, up to the point where the consumer's system begins. The source shall include all components of the facilities utilized in the production, treatment, storage, and delivery of water to the distribution system. The distribution system shall include the network of conduits used for the delivery of water from the source to the consumer's system.
- (2) The consumer's system shall include those parts of the facilities beyond the termination of the water purveyor's distribution system which are utilized in conveying potable water to points of use.

Water—Used means the term "used water" [which] shall mean any water supplied by a water purveyor from a public potable water system to a consumers water system after it has passed through the service connection and is no longer under the control of the water purveyor.

(Ord. No. 01-H, § 1, 3-15-01; Ord. No. 19-I, § 1, 5-2-19)

Sec. 17-15. Enforcement authority.

The city manager and director of public works and engineering and/or their designated representatives are invested with authority to implement an effective cross-connection control program and to enforce the provisions of this article.

(Ord. No. 01-H, § 1, 3-15-01)

Sec. 17-16. Requirements.

- (a) No water service connection to any premises shall be installed or maintained by the water purveyor unless the water supply is protected as required by The City of Alvin laws and regulations and this article. Service of water to any premises shall be discontinued by the water purveyor if a backflow prevention assembly required by this article is not installed, tested and maintained, or if it is found that a backflow prevention assembly has been removed, bypassed, or if an unprotected cross-connection exists on the premises. Service will not be restored until such conditions or defects are corrected.
- (b) The consumer's system should be open for inspection at all reasonable times to authorized representatives of the department of public works and engineering to determine whether unprotected cross-connections or other structural or sanitary hazards, including violations of these regulations exist. When such a condition becomes known, the director of public works and engineering shall deny or immediately discontinue service to the premises by providing for a physical break in the service line until the consumer has corrected the condition(s) in conformance with the city laws relating to plumbing and water supplies and the regulations adopted pursuant thereto.
- (c) An approved backflow prevention assembly shall also be installed on each service line to a consumer's water system at or near the property line or immediately inside the building being served; but, in all cases, before the first branch line leading off the service line wherever the following conditions exist:
 - (1) In the case of premises having an auxiliary water supply which is not or may not be of safe bacteriological or chemical quality and which is not acceptable as an additional source by the director of public works and engineering, the public water system shall be protected against backflow from the premises by installation of an approved backflow prevention assembly in the service line commensurate with the degree of hazard.
 - (2) In the case of premises on which any industrial fluids or any other objectionable substance is handled in such a fashion as to create an actual or potential hazard to the public water system, the public system shall be protected against backflow from the premises by installation of an approved backflow prevention assembly in the service line commensurate with the degree of hazard. This shall include the handling of process waters and waters originating from the water purveyor's system which have been subject to deterioration in quality.
 - (3) In the case of premises having (1) internal cross-connections that cannot be permanently corrected or protected against, or (2) intricate plumbing and piping arrangements or where entry to all portions of the premises is not readily accessible for inspection purposes, making it impracticable or impossible to ascertain whether or not dangerous cross-connections exist, the public water system shall be protected against backflow from the premises by installation of an approved backflow prevention assembly in the service line.
- (d) The type of protective assembly required under subsections (c)(1), (2), and (3), shall depend upon the degree of hazard which exists as follows:
 - (1) In the case of any premises where there is an auxiliary water supply as stated in subsection (c)(1), of this section and it is not subject to any of the following rules, the public water system shall be protected by an approved air gap or an approved reduced pressure principle backflow prevention assembly.
 - (2) In the case of any premises where there is water or a substance that would be objectionable but not hazardous to health if introduced into the public water system, the public water system shall be protected by an approved double check valve backflow prevention assembly.

-
- (3) In the case of any premises where there is any material dangerous to health which is handled in such a fashion as to create an actual or potential hazard to the public water system, the public water system shall be protected by an approved air gap or an approved reduced pressure principle backflow prevention assembly. Examples of premises where these conditions will exist include sewage treatment plants, sewage pumping stations, chemical manufacturing plants, hospitals, mortuaries and plating plants.
- (4) In the case of any premises where there are unprotected cross-connections, either actual or potential, the public water system shall be protected by an approved air gap or an approved reduced pressure principle backflow prevention assembly at the service connection.
- (5) In the case of any premises where, because of security requirements or other prohibitions or restrictions, it is impossible or impractical to make a complete in-plant cross-connection survey, the public water system shall be protected against backflow from the premises by either an approved air gap or an approved reduced pressure principle backflow prevention assembly on each service to the premises.
- (e) Any backflow prevention assembly required herein shall be a make, model and size approved by the director of public works and engineering. The term "approved backflow prevention assembly" shall mean an assembly that has been manufactured in full conformance with the standards established by the American Water Works Association entitled: AWWA/ANSI C510-921 Standard for Double Check Valve Backflow Prevention Assemblies; AWWA/ANSI C511-921 Standard for Reduced Pressure Principle Backflow Prevention Assemblies; and, have met completely the laboratory and field performance specifications of the Foundation for Cross-Connection Control and Hydraulic Research of the University of Southern California (USC FCCCHR) established in: Specifications of Backflow Prevention Assemblies—Section 10 of the most current edition of the Manual of Cross-Connection Control. Said AWWA and USC FCCCHR standards and specifications have been adopted by the director of public works and engineering. Final approval shall be evidenced by a "certificate of compliance" for the said AWWA standards; or "certificate of approval" for the said USC FCCCHR specifications issued by an approved testing laboratory.

The following testing laboratory has been qualified by the director of public works and engineering to test and approve backflow prevention assemblies: Foundation for Cross-Connection Control and Hydraulic Research, University of Southern California, KAP-200 University Park MC-2531, and Los Angeles, California 90089-2531. Testing laboratories other than the laboratory listed above will be added to an approved list as they are qualified by the director of public works and engineering.

Backflow preventers which may be subjected to backpressure or backsiphonage that have been fully tested and have been granted a certificate of approval by said qualified laboratory and are listed on the laboratory's current list of approved backflow prevention assemblies may be used without further test or qualification.

- (f) It shall be the duty of the consumer at any premises where backflow prevention assemblies are installed to have a field test performed by a certified backflow prevention assembly tester upon installation and at least once per year. In those instances where the director of public works and engineering deems the hazard to be great enough he may require field tests at more frequent intervals. These tests shall be performed at the expense of the water user and shall be performed by a certified tester who holds a current endorsement from the [State of] Texas Commission on Environmental Quality ("TCEQ"). The consumer shall notify the director of public works and engineering in advance when the tests are to be undertaken so that an official representative may witness the field tests if so desired. These assemblies shall be repaired, overhauled or replaced at the expense of the consumer whenever said assemblies are found to be defective. Original records of such tests, repairs and overhaul shall be kept and made available to the director of public works and engineering within five (5) working days of the test, repair or overhaul of the backflow prevention assembly. The consumer must provide a certification from the certified backflow prevention assembly tester showing that the backflow prevention assembly is operating within specifications. Test reports must be completed by a recognized backflow prevention assembly tester for each assembly tested.

-
- (g) No backflow prevention assembly or device shall be removed from use, relocated or other assembly or device substituted without the approval of the City of Alvin. Whenever the existing assembly is moved from the present location or can not be repaired, the backflow prevention assembly shall be replaced with a backflow prevention assembly or device that complies with this article, The American Water Works Association Manual M14, current addition, University of Southern California Manual of Cross Connection Control, current addition, or the current Plumbing Code of the City of Alvin, whichever is more stringent.
 - (h) Test gauges used for backflow prevention assemblies testing shall be calibrated at least annually in accordance with the University of Southern California's Manual of Cross Connection Control or the American Water Works Association's Recommended Practice for Backflow Prevention and Cross Connection Control (Manual M14). The original calibration form must be submitted to the City of Alvin within five (5) working days after calibration.
 - (i) A customer service inspection must be completed prior to the City [of Alvin] providing continuous water service to all new construction and on any existing service when the water purveyor has reason to believe that cross connections or other contaminant hazards exist, or after any material improvement, correction, or addition to the private water distribution facilities. Only individuals with the following credentials shall be recognized as capable of conducting a customer service inspection:
 - (1) Plumbing inspectors and water supply protection specialists that have been licensed by the [State of] Texas State Board of Plumbing Examiners.
 - (2) Customer service inspectors who have completed a commission approved course, passed an examination administered by the commission or its designated agent and hold current certification or endorsement as a customer service inspector.

The customer service inspection must certify that there are no violations of this article.

(Ord. No. 01-H, § 1, 3-15-01; Ord. No. 19-I, § 1, 9-5-19)

Sec. 17-17. Violations.

- (a) No direct connection between the public drinking water supply and a potential source of contamination is permitted.
- (b) No cross-connection between the public drinking water supply and a private water system is permitted.
- (c) No connection which allows water to be returned to the public drinking water supply is permitted.
- (d) No pipe fitting which contains more than one-fourth (0.25) percent lead may be used for the installation or repair of plumbing at any connection which provides water for human use.
- (e) No solder or flux which contains more than two-tenths (0.2) percent lead can be used for the installation or repair of plumbing at any connection which provides water for human use. A minimum of one lead test shall be required for each inspection.

(Ord. No. 01-H, § 1, 3-15-01; Ord. No. 19-I, § 1, 9-5-19)

Sec. 17-18. Penalty.

Any person who violates any provision of this article shall be deemed guilty of a misdemeanor and upon conviction thereof in municipal court shall be subject to a fine in an amount not to exceed two thousand dollars (\$2000.00) for each offense. Each day the violation exists shall constitute a separate offense.

(Ord. No. 01-H, § 1, 3-15-01)



AGENDA COMMENTARY

Meeting Date: 8/18/2022

Department: Finance

Contact: Michael Higgins, Dir. of Admin. Services

Agenda Item: Consider Resolution 22-R-16, authorizing publication of Notice of Intention to issue Certificates of Obligation; authorizing the preparation of preliminary official statements and notices of sale; declaring intent to reimburse certain prior capital costs; and providing for other matters related thereto.

Type of Item: ☐ Ordinance ☒ Resolution ☐ Contract/Agreement ☐ Public Hearing ☐ Plat ☐ Discussion & Direction ☐ Other

Summary: The City is currently planning the issuance of Certificates of Obligation (“Certificates”) to finance the costs associated with (i) the construction of improvements to and the equipment of City parks and recreational facilities; (ii) the construction of improvements to and the equipment of City drainage facilities; and (iii) the costs of professional services related thereto.

Section 271.045 (a) of the Texas Local Government Code states that a governing body may authorize Certificates to pay a contractual obligation to be incurred for the construction of any public work; the purchase of materials, supplies, equipment, machinery, buildings, land, and rights-of-way for authorized needs and purposes; and the payment of contractual obligations for professional services, including services provided by tax appraisers, engineers, architects, attorneys, map makers, auditors, financial advisors, and fiscal agents. However, before city council may approve an ordinance authorizing the sale of the Certificates, Section 271.049 of the Texas Local Government Code, requires the City to publish a notice of its intention to issue the Certificates. 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 maximum amount of certificates that can be authorized; and
- 4.) the manner in which the certificates will be paid for, whether by taxes, revenues, or a combination of the two.

Resolution 22-R-16 authorizes the publication of the statutorily required notice. In addition, Resolution 22-R-16 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 received preliminary estimates for the parks renovation building, while the other items have not been bid out, so the amount reflected in the Notice of Intent is the maximum estimated costs. If the final costs of the projects come in lower than the maximum estimated (noted

on the Notice of Intent), the City may either lower the amount requested on the Notice of Intent or add similar items listed in the notice (up to the maximum) and remove those items from the FY23 budget.

Pledging of Resources for the Certificates

The Certificates will be secured by a pledge of ad valorem taxes and a limited pledge of a subordinate lien of the net revenues of the City's water and sanitary sewer system. The pledge of water and sewer system revenues will be a *de minimis* limited pledge of net revenues in a total amount not to exceed \$1,000. 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.

** The Preliminary Official Statement (POS) is an informational disclosure document released prior to the sale, that describes the proposed new issue of bonds prior to final determination of the maturity amounts, interest rates, and offering prices/yields. The POS contains preliminary information on the terms and conditions of the bond sale, including the purpose, security features, and discloses economic, financial and legal information applicable to the issue. The POS is used by potential investors to evaluate the structure and credit quality of the transition.*

Funding Expected: Revenue ☐ Expenditure ☒ N/A ☐ **Budgeted Item:** Yes ☐ No ☐ N/A ☒

Funding Account: _____ **Amount:** _____ **1295 Form Required?** Yes ☐ No ☐

Legal Review Required: N/A ☐ Required ☒ **Date Completed:** 8/9/2022 SLH

Supporting documents attached:

- Resolution 22-R-16
 - Notice of Intent
-

Recommendation: Move to approve Resolution 22-R-16, authorizing publication of Notice of Intention to issue Certificates of Obligation; authorizing the preparation of preliminary official statements and notices of sale; declaring intent to reimburse certain prior capital costs; and providing for other matters related thereto.

Reviewed by Department Head, if applicable ☐
Reviewed by City Attorney, if applicable ☐

Reviewed by Chief Financial Officer, if applicable ☒
Reviewed by City Manager ☒

RESOLUTION NO. 22-R-16

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ALVIN, TEXAS,
AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE
CERTIFICATES OF OBLIGATION; AUTHORIZING THE PREPARATION OF
A PRELIMINARY OFFICIAL STATEMENT AND NOTICE OF SALE; AND
PROVIDING FOR OTHER MATTERS INCIDENTAL THERETO

THE STATE OF TEXAS	§
COUNTY OF BRAZORIA	§
CITY OF ALVIN	§

WHEREAS, the City Council of the City of Alvin, Texas (the “City”) deems it advisable to issue certificates of obligation (the “Certificates”) of the City in accordance with the notice hereinafter set forth; and

WHEREAS, the City desires to authorize the preparation of a preliminary official statement (the “Preliminary Official Statement”) and notice of sale (the “Notice of Sale”) in anticipation of its issuance of the Certificates; NOW, THEREFORE

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALVIN, TEXAS THAT:

Section 1. The findings, determinations, definitions and recitations set out in the preamble to this resolution are found to be true and correct and are hereby adopted by City Council and made a part hereof for all purposes.

Section 2. The City Secretary is hereby authorized and directed to cause to be published in the manner required by law and in substantially the form attached hereto as Exhibit A, a notice of the City’s intention to issue the Certificates (the “Notice”).

Section 3. The Notice shall be published once a week for two (2) consecutive weeks in a newspaper that is of general circulation in the City, the date of the first publication to be at least forty-six (46) days before the date tentatively set in the Notice for the passage of the ordinance authorizing the issuance of the Certificates. In addition, the Notice shall be posted continuously on the City’s website for at least forty-five (45) days before the date tentatively set in the Notice for the passage of the ordinance authorizing the issuance of the Certificates.

Section 4. For the purposes of the Notice, the City hereby designates as self-supporting those public securities listed in the attached Exhibit B, the debt service on which the City currently pays from sources other than ad valorem tax collections. The City plans to continue to pay these public securities based on this practice; however, there is no guarantee this practice will continue in future years.

Section 5. The City hereby authorizes the preparation and distribution of a Notice of Sale and Preliminary Official Statement relating to the Certificates and authorizes the City Manager or the Chief Financial Officer to approve the contents of and deem final such Preliminary

Official Statement within the meaning and for the purposes of paragraph (b)(1) of Rule 15c2-12 under the Securities Exchange Act of 1934.

Section 6. For purposes of section 1.150-2(d) of the Treasury Regulations, this Notice serves as the City's official declaration of intent to reimburse itself from proceeds of the Certificates in the maximum principal amount and for expenditures paid in connection with the projects, each as set forth in Exhibit A hereof. Any such reimbursement will only be made (i) for an original expenditure paid no earlier than 60 days prior to the date hereof and (ii) not later than 18 months after the later of (A) the date the original expenditure is paid or (B) the date the project to which such expenditure relates is placed in service or abandoned, but in no event more than three years after the original expenditure is paid.

Section 7. The City's financial advisor, US Capital Advisors LLC, and bond counsel, Bracewell LLP, are authorized and directed to proceed with the necessary arrangements for the sale of the Certificates in accordance with the aforesaid Notice of Sale and Preliminary Official Statement.

Section 8. The Mayor, City Manager, Chief Financial Officer, City Secretary, and other officers and agents of the City are hereby authorized and directed to do any and all things necessary or desirable to carry out the provisions of this resolution.

Section 9. This resolution shall take effect immediately upon its passage.

[Execution Page to Follow]

PASSED AND APPROVED on this the 18th day of August, 2022 by the City Council of the City of Alvin, Texas.

City Secretary
City of Alvin, Texas

Mayor
City of Alvin, Texas

[SEAL]

EXHIBIT A

NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION

NOTICE IS HEREBY GIVEN that the City Council of the City of Alvin, Texas (the “City”), will meet at the City Council Chambers, 216 West Sealy Street, Alvin, Texas, 77511, at 7:00 p.m., on the 20th day of October, 2022, which is the time and place tentatively set for the passage of an ordinance and such other action as may be deemed necessary to authorize the issuance of certificates of obligation, in the maximum aggregate principal amount not to exceed \$2,250,000, payable from ad valorem taxes and from a limited pledge of a subordinate lien, which lien shall be in an amount not to exceed \$1,000, on the net revenues of the City’s water and sewer system, bearing interest at any rate or rates not to exceed the maximum interest rate now or hereafter authorized by law, as shall be determined within the discretion of the City Council of the City at the time of issuance of the certificates of obligation, and maturing over a period not to exceed forty (40) years from the date of issuance, for the purposes of evidencing the indebtedness of the City for all or any part of the costs associated with (i) the construction of improvements to and the equipment of City drainage facilities; (ii) the construction of improvements to and the equipment of City parks and recreational facilities; and (iii) the costs of professional services related thereto. The estimated combined principal and interest required to pay the Certificates on time and in full is \$3,088,344. Such estimate is provided for illustrative purposes only, and is based on an assumed interest rate of approximately 4.60%. Market conditions affecting interest rates vary based on a number of factors beyond the control of the City, and the City cannot and does not guarantee a particular interest rate associated with the Certificates. As of the date of this notice, the aggregate principal amount outstanding of tax-supported debt obligations of the City (excluding public securities secured by an ad valorem tax but designated by the City as self-supporting in Resolution No. 22-R-___, dated August 18, 2022, which resolution is available from the City upon request) is \$20,708,968. Based on the City’s expectations, as of the date of this notice, the combined principal and interest required to pay all of the outstanding tax-supported debt obligations of the City (excluding public securities secured by an ad valorem tax but designated by the City as self-supporting) on time and in full is \$26,096,159.

WITNESS MY HAND AND THE OFFICIAL SEAL OF THE CITY, this 18th day of August, 2022.

Dixie Roberts
City Secretary
City of Alvin, Texas

EXHIBIT B

SELF-SUPPORTING DEBT

\$12,071,033 Total Principal Amount Designated as Self-Supporting

The total principal amount of self-supporting debt is comprised of some or all of the debt from the following series of obligations:

Series Designation

General Obligation Refunding Bonds, Series 2012

General Obligation Refunding Bonds, Series 2013

Tax & Revenue Certificates of Obligation, Series 2015

General Obligation Refunding Bonds, Series 2017

CERTIFICATE FOR RESOLUTION

THE STATE OF TEXAS §
COUNTY OF BRAZORIA §

I, the undersigned officer of the City Council of the City of Alvin, Texas, hereby certify as follows:

1. The City Council of the City of Alvin, Texas, convened in a regular meeting on the 18th day of August, 2022, at the regular meeting place of the City Council, and the roll was called of the duly constituted officers and members of said City Council, to wit:

Paul Horn	Mayor
Gabe Adame	Mayor Pro Tem and Council Member, District E
Martin Vela	Council Member, District A
Chris Vaughn	Council Member, District B
Richard Garivey	Council Member, District C
Glenn Starkey	Council Member, District D
Keko Moore	Council Member At Large 1
Joel Castro	Council Member At Large 2

and all of said persons were present, except the following absentee(s): _____, thus constituting a quorum. Whereupon, among other business, the following was transacted at said meeting: a written

RESOLUTION NO. 22-R-__

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ALVIN, TEXAS,
AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE
CERTIFICATES OF OBLIGATION; AUTHORIZING THE PREPARATION OF
A PRELIMINARY OFFICIAL STATEMENT AND NOTICE OF SALE; AND
PROVIDING FOR OTHER MATTERS INCIDENTAL THERETO

was duly introduced for the consideration of said City Council. It was then duly moved and seconded that said resolution be adopted; and, after due discussion, said motion, carrying with it the adoption of said resolution, prevailed and carried by the following vote:

Member(s) shown present voted “Aye.”

Member(s) shown present voted “No.”

Member(s) present abstained from voting.

2. A true, full and correct copy of the aforesaid resolution adopted at the meeting described in the above and foregoing paragraph is attached to and follows this certificate; that said resolution has been duly recorded in said City Council's minutes of said meeting; that the above and foregoing paragraph is a true, full and correct excerpt from said City Council's minutes of said meeting pertaining to the adoption of said resolution; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of said City Council as indicated therein; that each of the officers and members of said City Council was duly and sufficiently notified officially and personally, in advance, of the date, hour, place and purpose of the aforesaid meeting, and that said resolution would be introduced and considered for adoption at said meeting, and each of said officers and members consented, in advance, to the holding of said meeting for such purpose; that said meeting was open to the public as required by law; and that public notice of the date, hour, place and subject of said meeting was given as required by Chapter 551, Texas Government Code.

SIGNED AND SEALED this 18th day of August, 2022.

[SEAL]

City Secretary
City of Alvin, Texas



AGENDA COMMENTARY

Meeting Date: 8/18/2022

Department: Finance

Contact: Michael Higgins, Director of Admin. Services

Agenda Item: Consider Ordinance 22-QQ, amending Chapter 28, Comprehensive Fee Ordinance of the Code of Ordinances of the City of Alvin, for the purpose of revising certain water and wastewater fees for residential and commercial customers; providing for a ten percent (10%) penalty for late payment; providing for an effective date on the October 2022 billing cycles for Fiscal Year 2022-2023; and setting forth other provisions related thereto.

Type of Item: ☒Ordinance ☐Resolution ☐Contract/Agreement ☐Public Hearing ☐Plat ☐Discussion & Direction ☐Other

Summary: The City Ordinance requires that water and sewer rates be increased, at minimum, based on the annual consumer price index rate for all urban consumer (CPI-U) for the Houston-Galveston-Brazoria, Texas area. The ordinance also allows the consideration of other factors to determine if an additional increase in water and sewer rates is warranted.

The water and sewer rate adjustment is equal to the percentage that the CPI-U has changed over the previous 12-month period. The CPI-U has increased by 8.5%. For FY23, staff is recommending the minimum water and sewer rate adjustment of 8.5%, in accordance with the City's water and sewer fee ordinance. This calculates to a \$7.09 monthly increase to the average residential customer, using 5,000 gallons per month. The revenue generated from the rate increase will be used to fund the continuation of the Utility Master Plan capital improvement program, water and wastewater operations and maintenance needs, as well as the annual principal and interest on bonds and other bond covenant requirements.

In FY21, City Council authorized the appropriation of funds to hire a consultant to study the City's utility revenues and make recommendations to council concerning water and sewer rates; as well as analyze the revenue needs and rates for future years in lieu of the projects identified in the Utility Master Plan. The results of the study will be completed and presented to council in the near future.

The proposed water and wastewater rate increases for FY23 are as follows:

WATER RATES	Current Rate	8.5% rate Increase	Proposed Rate
Base 2,000 Gallons			
Residential	\$20.43	\$1.74	\$22.17
Commercial	\$21.44	\$1.82	\$23.26
Per each 1,000 (2,001- 7,000)	\$5.22	\$0.44	\$5.66
Per each 1,000 (7,001- above)	\$7.97	\$0.68	\$8.65

WASTEWATER RATES	Current	8.5% rate Increase	Proposed Rate
Base 2,000 Gallons			
Residential	\$31.68	\$2.69	\$34.37
Commercial	\$32.59	\$2.77	\$35.36
Per each 1,000 (2,001- above)	\$5.22	\$0.44	\$5.66

Staff recommends adoption of Ordinance 22-QQ

Funding Expected: Revenue ☒ Expenditure ☐ N/A ☐ **Budgeted Item:** Yes ☐ No ☐ N/A ☒

Funding Account: _____ **Amount:** _____ **1295 Form Required?** Yes ☐ No ☒

Legal Review Required: N/A ☐ Required ☒ **Date Completed:** SLH 8/15/22

Supporting documents attached:

- Ordinance 22-QQ

Recommendation: Move to approve Ordinance 22-QQ, amending Chapter 28, Comprehensive Fee Ordinance of the Code of Ordinances of the City of Alvin, for the purpose of revising certain water and wastewater fees for residential and commercial customers; providing for a ten percent (10%) penalty for late payment; providing for an effective date on the October 2022 billing cycles for Fiscal Year 2022-2023; and setting forth other provisions related thereto.

Reviewed by Department Head, if applicable ☐
Reviewed by City Attorney, if applicable ☐

Reviewed by Chief Financial Officer, if applicable ☒
Reviewed by City Manager ☒

ORDINANCE NO. 22-QQ

AN ORDINANCE AMENDING CHAPTER 28, COMPREHENSIVE FEE ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF ALVIN, TEXAS, FOR THE PURPOSE OF REVISING CERTAIN WATER AND SEWER FEES FOR RESIDENTIAL AND COMMERCIAL CUSTOMERS; PROVIDING FOR A TEN PERCENT (10%) PENALTY FOR LATE PAYMENT; PROVIDING FOR AN EFFECTIVE MONTH OF OCTOBER BILLING CYCLES FOR FISCAL YEAR 2022-2023; AND SETTING FORTH OTHER PROVISIONS RELATED THERETO.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALVIN:

Section 1. That Section 28-2 of the Code of Ordinances of the City of Alvin, Texas is hereby amended by revising the water and sewer fees as follows:

“Sec. 28-2. In General.

...

WATER AND SEWER

...

(10) Water rates (monthly charges):

Inside the city limits:

For the first increment of water usage up to and including 2,000 gallons, minimum rate:

- a) For residential and multi-family users.....\$22.17
- b) For commercial users.....\$23.26

For the second increment of water usage from 2,001 - 7,000 gallons of water, per 1,000 gallons.....\$5.66

For the third increment of water usage from 7,001 gallons and above, per 1,000 gallons\$8.65

Outside the city limits:

One and one-half times the charge applied inside the city limits for the same water usage.

Malfunctioning water meter that fails to register consumption - Average daily consumption as shown when meter operating properly.

Bulk Water:

Bulk water Fee.....\$30 per 1,000 gallons

Brazoria County Groundwater Conservation District user fee:

For the first increment of water usage up to and including 2,000 gallons,
minimum rate \$0.08

For the second increment of water usage, from 2,001 gallons of water,
per 1,000 gallons \$0.04

TCEQ (Texas Commission on Environmental Quality) user fee: \$0.50

(11) Wastewater rates (monthly charges):

Inside the city limits (for residents with water and sewer service):

For the first increment of water usage up to and including 2,000 gallons, minimum rate:

a) For residential and multi-family users\$34.37

b) For commercial users\$35.36

For the additional incremental water usage in excess of 2,000 gallons,
per 1,000 gallons\$5.66

Inside the city limits (for residents with city sewer service only):

Monthly Charge:

Monthly Charge\$79.80

Unless determined by the director of public works that the usage would greatly exceed that normally used by a standard commercial business or residence. In that case, an appropriate charge shall be determined by the director of public works on the basis of a comparable use in the city.

Outside the city limits:

One and one-half times the charge applied inside the city limits for the same usage.

- (17) Beginning with the October, 2015 billing cycles, and each year thereafter, the water and sewer rates shall be increased, at a minimum, based on the annual CPI-U rate using the preceding April data of that year. The Council may also use other factors to determine any additional increase. The rates, set in subsections (10) and (11) above, shall be automatically adjusted with the October billing cycles of each year.

*As used herein, "CPI-U" shall mean the revised consumer price index rate for all urban consumers (all items included) for the Houston-Galveston-Brazoria, TX area, based on the latest available figures from the Department of Labor's Bureau of Labor Statistics (the "bureau").

...

Section 2. That except as specifically amended herein all other provisions of Chapter 28 of the Code of Ordinances, City of Alvin, Texas shall remain in full force and effect. To the extent of any conflict or inconsistency between the provisions of this Ordinance and any other ordinance, the provisions of this Ordinance shall control. That all rights and remedies which have accrued in favor of the City under Chapter 28 and any amendments thereto shall be and are preserved for the benefit of the City.

Section 3. Severability Clause. If any section, clause, sentence, or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

Section 4. Publication. The City Clerk of the City of Alvin is hereby directed to publish this ordinance, or its caption and penalty clause, in one issue of the official City newspaper as required by *Chapter 52 of the Texas Local Government Code* and the *City of Alvin Charter*.

Section 5. Proper Notice and Meeting. It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, *Chapter 551 of the Texas Government Code*. Notice was also provided as required by *Chapter 52 of the Texas Local Government Code* and the *City of Alvin Charter*.

Section 6. Effective Date. This ordinance shall take effect beginning with the October 2022 billing cycles from and after its passage in accordance with the provisions of *Chapt. 52, Tex. Loc. Gov't. Code* and the *City of Alvin Charter*.

PASSED AND APPROVED on first and final reading, this 18th day of August 2022.

CITY OF ALVIN, TEXAS

ATTEST:

By: _____
Paul A. Horn, Mayor

By: _____
Dixie Roberts, City Secretary