

**MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
CITY COUNCIL REGULAR MEETING AND EXECUTIVE SESSION
THURSDAY, MARCH 16, 2023
7:00 PM**

CALL TO ORDER

BE IT REMEMBERED that, on the above date, the City Council of the City of Alvin, Texas, met in Regular Session and Executive Session at 7:00 PM in the Council Chambers at City Hall, with the following members present: Mayor Paul A. Horn; Mayor Pro-Tem Gabe Adame; Councilmembers: 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; Michael Medwedeff, Assistant City Engineer; Brandon Moody, Director of Public Services and Robert E. Lee, Police Chief.

INVOCATION AND PLEDGE OF ALLEGIANCE

Council member Vaughn gave the invocation. Council member Moore led the Pledge of Allegiance to the American Flag. Council member Garivey led the Pledge to the Texas Flag.

PRESENTATIONS

Telecommunications Week Proclamation - April 9-15, 2023

Mayor Horn presented the proclamation to APD Telecommunications Staff for the upcoming National Telecommunications Week, April 9-15, 2023.

Alvin Library Day Proclamation - March 25, 2023 - Centennial Celebration

Mayor Horn presented the proclamation to Alvin Library Staff and Board members for the upcoming Centennial Celebration.

Presentation of the Distinguished Budget Presentation Award from the Government Finance Officers Association (GFOA) as awarded to the City of Alvin for FY23.

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

Presentation of the Certificate of Achievement for Excellence in Financial Reporting Award from the Government Finance Officers Association (GFOA) as awarded to the City of Alvin for FY21.

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

PUBLIC COMMENT

There were no comments from the public.

CONSENT AGENDA

Consider approval of the February 16, 2023 City Council Workshop meeting minutes.

Consider approval of the February 16, 2023 City Council meeting minutes.

Consider approval of the February 22, 2023 City Council Workshop meeting minutes.

Proclaim the month of April 2023 as Fair Housing month in the City of Alvin, Texas.

This proclamation is listed under the Consent Agenda as it will not be formally presented at the City Council meeting. This is required by Brazoria County for Community Development Block Grants. Staff recommends proclaiming the Month of April 2023 as Fair Housing month in the City of Alvin as requested.

Consider Ordinance 23-E, amending Chapter 15, Offenses and Miscellaneous Provisions of the Code of Ordinances of the City of Alvin, Texas, for the purpose of amending Section 15-115 to allow funds to be used toward beautification activities in the form of landscaping and tree planting and the maintenance thereof; to improve public property; providing for severability and setting forth other provisions related thereto.

One of the intents of the Tree Fund is to provide funding for the replacement or replanting of trees that are removed during construction, development, or redevelopment. Under the current Ordinance, the funds collected and deposited in the Tree Fund are limited to being used to purchase and replace trees. During the City Council workshop on March 7, 2023, it was recommended that the Tree Fund Ordinance be amended to allow funds to be used for landscaping, and tree planting and the maintenance thereof to improve public property.

Staff recommends adoption of Ordinance 23-E.

Consider approval of Ordinance 23-F, amending the City of Alvin 2021-2022 fiscal year-end budget by increasing (decreasing) certain expenditures and increasing (decreasing) certain revenues to the individual budget accounts in all funds set forth in the attached Exhibit A.

Each fiscal year-end, the City amends the budget to appropriate expenditures which occurred during the year. Reason being, under certain circumstances, the City has more definite cost information at year-end. FY 2021-2022 is nearing completion and has the need to make a number of budget adjustments as a way to put the final FY 2021-2022 budget in line with actual (approved and/or authorized) expenditures. These adjustments include increases and decreases in budget appropriations in comparison to actual expenditures and revenues. Per the City's auditor's recommendation, we should do a batch or closing budget amendment at fiscal year-end to capture expenditures and/or revenues from the year that require a budget amendment.

Consider a bid award (B-23-04) to DXI Industries, Inc. as the vendor for providing Sodium Hypochlorite for one (1) year with an option to continue for an additional one (1) year at the same price, terms, and conditions, for an estimated total of \$65,000 per year; and authorize the City Manager to sign the agreement upon legal review.

Sodium Hypochlorite (liquid bleach) is a chemical used to disinfect the effluent (treated wastewater) from the city's wastewater treatment plant.

On February 14, 2023, bids were opened and DXI Industries, Inc. was the lowest qualified bidder for Sodium Hypochlorite at \$2.14 per gallon. Staff recommends approval of this bid award.

Consider a bid award (B-23-05) to Hawkins, Inc. as the vendor for providing Sodium Bisulfite for one (1) year with an option to continue for an additional one (1) year at the same price, terms, and conditions, for an estimated total of \$15,000 per year; and authorize the City Manager to sign the agreement upon legal review.

Sodium Bisulfite is used at the Wastewater Treatment Plant following chlorine disinfection prior to discharging the effluent to the receiving water to process and treat the wastewater.

On February 14, 2023, bids were opened, and Hawkins, Inc. was the lowest qualified bidder for Sodium Bisulfite at \$2.71 per gallon. Staff recommends approval of this bid.

Consider a bid award (B-23-06) to Hawkins, Inc. as the vendor for providing Polyphosphate for one (1) year with an option to continue for an additional one (1) year at the same price, terms, and conditions, for an estimated total of \$35,000 per year; and authorize the City Manager to sign the agreement upon legal review.

Phosphates have many uses in the treatment of drinking water. They are used to prevent "red" (from iron) and "black" (from manganese) water; to prevent and/or retard scale formation (from mineral depositing) and corrosion (from low pH and/or dissimilar metals) in the water distribution system; and to reduce soluble lead and copper in potable water delivered to the consumer's tap

On February 14, 2023, bids were opened, and Hawkins, Inc. was the lowest qualified bidder for Polyphosphate at \$7.68 per gallon.

Consider the purchase of a STPH 5.0 Truck Mounted Pothole Patcher from Doggett Freightliner of South Texas, LLC, through The Interlocal Purchasing System (TIPS) for an amount not to exceed \$234,994.00.

Utilizing the Interlocal Purchasing System (TIPS) to purchase a Stepp Mfg's STPH 5.0 Asphalt Pothole Patching Truck to be used to heat and reclaim both hot asphalt mix and cold asphalt mix materials, and apply them to roads, parking lots, and bridge decks to repair pothole and/or utility cuts in the roadways. TIPS is a state-approved method of satisfying competitive bid requirements. This purchase was a budgeted item in the FY23 budget.

If approved, this unit is already built and will be delivered to the City on May 1, 2023. The current 2008 Pothole Truck will be taken out of service and auctioned.

Consider a final plat of CRW Ranch Estates (located at 5522 County Road 42), being 25.469 acres located in the Chester S. Gorbett League, abstract 64, Brazoria County, Texas.

On December 1, 2022, the Engineering Department received a Final Plat of CRW Ranch Estates for review. This subdivision is in the City of Alvin's Extraterritorial Jurisdiction (ETJ) and is located at 5522 County Road 42. This final plat consists of 22 lots, 1 reserve, and 1 block. This plat complies with all requirements of the City's Subdivision Ordinance.

The City Planning Commission unanimously approved the plat at their meeting on February 21, 2023. Staff recommends approval.

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

OTHER BUSINESS

Consider Ordinance 23-D, granting consent to the addition of approximately 140.702 acres of land to Brazoria County Municipal Utility District No. 81; making findings of fact; providing a severability clause; and providing an effective date.

On August 5, 2021, the City consented to the creation of Brazoria County Municipal Utility District No. 81 within the corporate limits of the City (the "District") by Resolution 21-R-18.

On September 26, 2022, the City received a Petition for Consent to Include Additional Land from the District and Sullivan Brothers Builders, Ltd., to include approximately 140.702 acres into the District. Section 54.016 of the Texas Water Code provides that no land within the corporate limits of a city or within the extraterritorial jurisdiction of a city, shall be included within a municipal utility district unless such city grants its written consent to the inclusion of the land within the district.

This development will be called Magnolia Trails and is located east of FM 2403, just south of Quail West Road. The proposed development will have approximately 301 residential lots. Staff recommends approval of Ordinance 23-D.

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

Council member Adame moved to approve Ordinance 23-D, granting consent to the addition of approximately 140.702 acres of land to the Brazoria County Municipal Utility District No. 81; making findings of fact; providing a severability clause; and providing an effective date. Seconded by Council member Starkey; motion carried with all members present voting Aye.

Consider Resolution 23-R-05, confirming and ratifying the First Amendment to the Utility Services Contract between the City of Alvin, Texas, and Brazoria County Municipal Utility District No. 81 (the "District"); and authorize the Mayor to sign the amended Contract upon legal review.

The City and D.R. Horton, on behalf of itself and the Brazoria County Municipal District No. 81 (the "District"), entered into a Utility Services Contract dated August 5, 2021 (the "Original Agreement"), providing for water and sanitary sewer service for approximately 103.714 acres of land situated within the boundaries of the City and the District (the "Original Tract").

On February 18, 2022, D.R. Horton assigned all of its rights, benefits and obligations in and to the Original Agreement to the District, all as contemplated by and in accordance with the Original Agreement.

On March 16, 2023, in Ordinance 23-D, the City consented to the addition of approximately 140.702 acres of land into the District (Magnolia Trails).

Staff recommends approval of Resolution 23-R-05, approving the First Amendment to the Utility Services Contract.

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

Council member Starkey moved to approve Resolution 23-R-05, confirming and ratifying the First Amendment to the Utility Services Contract between the City of Alvin, Texas, and Brazoria County Municipal Utility District No. 81 (the "District"), and authorize the Mayor to sign the amended Contract upon legal review. Seconded by Council member Garivey; motion carried with all members present voting Aye.

Consider a Memorandum of Understanding with the Alvin Independent School District (Purchasing Department) for the continued temporary use of the old EMS Building, located at 709 East House Street, and authorize the Mayor to sign upon legal review.

In July 2022, City Council agreed to allow AISD to temporarily use the old EMS facility to sort and stage old equipment for auction. AISD has again approached the City about the possibility of renting the ambulance bays of the old EMS building on House Street through December 2023. AISD is offering to pay the City \$3,500 a month for the rental of the old EMS building in accordance to the said Memorandum of Understanding. The City has not assessed AISD any rental or storage fees for use of the old EMS building in previous MOUs.

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

Council member Castro moved to approve a Memorandum of Understanding with the Alvin Independent School District (Purchasing Department), for the temporary use of the old EMS Building located at 709 East House Street (including monthly payment); and authorize the Mayor to sign upon legal review. Seconded by Council member Adame; motion carried with all members present voting Aye, and Council member Garivey voting No.

Consider the cancellation of the April 6, 2023 Council meeting due to the observance of the Easter holiday.

All non-emergency city offices will be closed on Thursday, April 6, 2023 in observance of the Easter Holiday.

Council member Castro moved to cancel the April 6, 2023 Council meeting due to the observance of the Easter Holiday. Seconded by Council member Starkey; motion carried with all members present voting Aye, and Council member Adame voting No.

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.

Council member Garivey requested an item be placed on the next agenda to allow Constable Thatcher, who's office is now located in Alvin, to come speak with Council and take questions.

Council member Castro requested a workshop session to discuss the possibility of a Special Downtown Alvin District.

REPORTS FROM THE 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 April 20, 2023, 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 Garivey reminded everyone of the upcoming Music Fest, March 24th and 25th at Briscoe Park.

Mayor Horn mentioned the Together for Alvin non-profit group comprised of Alvin area churches aimed at the betterment of the community. They will be having an event on May 5th.

EXECUTIVE SESSION

Mayor Horn called for executive session at 7:31 p.m. in accordance with the following:

Section 551.074 of the Local Government Code: Deliberation on the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

RECONVENE TO OPEN SESSION

Mayor Horn reconvened the meeting to open session at 7:57 p.m.

ADJOURNMENT

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

PASSED and APPROVED the 20th of April, 2023.

ATTEST:

Paul A. Horn, Mayor

Dixie Roberts, City Secretary