

**MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
CITY COUNCIL REGULAR MEETING
AND EXECUTIVE SESSION
THURSDAY, MAY 18, 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 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: Martin Vela, Keko Moore, Joel Castro, 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; Brandon Moody, Director of Public Services and Police Captain Todd Arendell.

INVOCATION AND PLEDGE OF ALLEGIANCE

Darrell Bailey with Together For Alvin 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 HEARING

Public hearing to receive comment regarding an ordinance establishing Standards of Care for youth recreation programs conducted by the City of Alvin Parks and Recreation Department for elementary age children ages five (5) through – thirteen (13).

In response to community demand for after-school and summer day camp programs, the Parks and Recreation Department plans to offer these style camps. A day camp is considered extending 11.5 hours per day for approximately 5 days per week. A participant (ages 5 to 13) can expect daily engagement from instructor lead learning, crafts and physical activity, as well as lunch and snacks provided. Location will vary based on availability of space, until a more permanent location is available.

Chapter 42 of the Texas Human Resources Code exempts certain after-school and summer recreation programs from state licensing requirements as identified in Subsection 42.041 (14), provided that the governing body of the municipality annually adopts standards of care by ordinance after a public hearing, and that such standards are provided to the parents of each program participant. The ordinance shall include minimum staffing ratios, qualifications, facility, health and safety standards and mechanisms for monitoring and enforcing the adopted local standards, as well as notify parents that the program is not licensed by the state and cannot be advertised as a child-care facility. Before an Ordinance is adopted, a public hearing is required. Notice of said public hearing was published in the Alvin Sun on April 30th, 2023 and has been posted on the City's website. City Council will consider the adoption of Ordinance 23-I under Consent during this meeting.

Mayor Horn opened the public hearing at 7:02 p.m. There were no comments made. Mayor Horn closed the public hearing at 7:02 p.m.

PUBLIC COMMENT

There were no comments from the public.

CONSENT AGENDA

Consider approval of the April 26, 2023 City Council Workshop meeting minutes.

Consider approval of the May 4, 2023 City Council Regular meeting minutes.

Consider Resolution 23-R-12, declaring the results of the General Election held on May 6, 2023, for the purpose of electing the City of Alvin Mayor and a member to City Council District E; and providing for other related matters thereto.

The official canvassing for this election is scheduled for Wednesday May 17, 2023, at 5:31 p.m., which is the statutory last day to canvass the election. A meeting notice was posted for said canvassing. State Election Code, Chapter 67, states that a full quorum of the governing body is not required for the canvassing of an election and can be completed with only two (2) members of the governing body in attendance. At the canvassing, the election returns will be read aloud by the City Secretary and an affidavit signed by those in attendance declaring the official results.

Resolution 23-R-12 formally declares the results of the May 6, 2023, General Election in resolution and minute format, where it will be maintained as an official record of the City. The election returns for each item on the ballot do not have to be read orally at the May 18, 2023, City Council meeting, as this will be done at the official canvassing on Wednesday, electing Gabe Adame to the office of Mayor and declaring the votes received for City Council District E, which resulted in a required runoff election. Staff recommends the approval of Resolution 23-R-12.

Consider Resolution 23-R-13, ordering a Runoff Election for the General Election to be held on June 10, 2023, for the purpose of electing a member to City Council District E; establishing the procedures for the June 10, 2023 Runoff Election for City Council District E in Alvin, Texas; and providing for other related matters thereto.

This Resolution is calling for a Runoff Election for Saturday, June 10, 2023, to elect a member to fill the Alvin City Council District E vacancy. No candidate in the May 6, 2023 General Election received more than 50% of the vote, therefore requiring a runoff.

The City of Alvin has contracted with the Brazoria County Elections Office to conduct this election. Brazoria County has the voting equipment required to conduct elections. The City Secretary's Office will handle the filings and all required paperwork and postings as required by state election law. Early Voting will begin on Tuesday May 30, 2023, and will continue through Tuesday, June 6, 2023, at the Alvin Library.

May 30-June 3 8am-5pm; June 5-6 8am-5pm. Election Day voting (6/10) will be held at the Alvin Library from 7:00am to 7:00pm.

Consider authorization of construction services with Horizon International Group through the Choice Partners Cooperative Purchasing Network, for the renovation of the men's and women's restrooms at the Alvin Library, in an amount not to exceed \$64,948.00.

This item is for the renovation of the men's and women's public restrooms located at the Alvin Library. Staff utilized Choice Partners Cooperative Purchasing Network, engaging the services of Horizon International Group for the scope of work.

Scope of Work \$64,948.00

Remove all toilet partitions, 5 lavatories and tops	Remove 2 toilets, mirrors, damaged tile and backboard as needed
Install new backer board at tile repair area	Install new tile to match
Install new hard surface at tops	Furnish and install 5 new individual mirrors
Repair all drywall as needed	Apply tape, float and finish coats.
Furnish and install new solid surface countertop with front apron and removable plan clad panels under sinks	Prep and paint 2 door frames, re-furbish 2 doors
Furnish and install plastic laminate headrail braced toilet compartments	Particleboard core, chrome plated zama hardware
58"H Doors/Panels	Provide and install new urinal and carrier
Provide and install new water closets	Provide and install new lavatories
Dispose and remove all debris.	Protect all flooring and provide dust containment

Staff recommends the selection of Horizon International Group to provide construction services for the renovation of the men's and women's restrooms at the Alvin Library. This project is a budgeted item funded through the General Projects Fund (Fund 311) in the FY2022-2023 Budget.

Advantages of using Choice Partners Cooperative Purchasing Network:

- 1.) Competitive Bid Pricing
- 2.) Streamlined Purchasing Process compliant with procurement laws
- 3.) Lower procurement and administrative costs
- 4.) Oversight through Choice Partners, which audits the accuracy of all job order contractor proposals
- 5.) Member Rebates

Consider Ordinance 23-I, establishing Standards of Care for Youth Recreation Programs conducted by the City of Alvin Parks and Recreation Department for elementary age children ages five (5) through thirteen (13); providing for compliance with state law; providing a savings clause; providing a severability clause; and providing an effective date.

This is an annual review and adoption of an ordinance for Standards of Care for Youth Recreation Programs conducted by the City of Alvin Parks and Recreation Department. Ordinance 20-K was the original ordinance adopted by City Council on April 16, 2020, and then superseded by Ordinance 22-HH adopted by City Council in 2022 on May 19th.

In response to community demand for after school and summer day camp programs, the Parks and Recreation Department plans to offer these style camps. A day camp is considered extending 11.5 hours per day for approximately five (5) days per week. A participant (ages 5 to 13) can expect daily engagement from instructor lead learning, crafts and physical activity, as well as lunch and snacks provided. Primary location is the Recreation Station, located at 302 W. House Street.

Chapter 42 of the Texas Human Resources Code exempts certain after-school and summer recreation programs from state licensing requirements as identified in Subsection 42.041 (14), provided that the governing body of the municipality annually adopts standards of care by ordinance after a public hearing, and that such standards are provided to the parents of each program participant. The ordinance

shall include minimum staffing ratios, qualifications, facility, health and safety standards and mechanisms for monitoring and enforcing the adopted local standards as well as notify parents that the program is not licensed by the state and cannot be advertised as a child-care facility. Ordinance 23-I will formally replace Ordinance 22-HH, meeting the state requirements.

City Council called the public hearing at their last regular meeting held on April 20, 2023 for May 18, 2023 at 7:00 p.m. The public hearing notice for this Ordinance was published in the Alvin Sun on April 30, 2023 and has been posted on the City's website. Staff recommends adoption of Ordinance 23-I with no changes from previous Ordinance 22-HH.

Consider approval of Resolution 23-R-14, authorizing the payment of five (\$0.05) cents per capita to the Gulf Coast of Coalition of Cities to fund regulatory and related activities related to electric and gas utility service; and providing other matters related thereto.

The City of Alvin has been a member of the Gulf Coast Coalition of Cities since 2012. GCCC has been the primary public interest advocate before the Public Utility Commission, ERCOT, the Courts, and the Legislature on electric utility regulation matters for nearly two decades. There are non-reimbursable proceedings, rulemakings, and legislative efforts impacting the rates charged within the City. It is possible that additional efforts will be necessary on new issues that arise during the year, and it is important that GCCC be able to fund its participation on behalf of its member cities. When needed, a per capita assessment has historically been used, and is a fair method for the members to bear the burdens associated with the benefits received from that membership. With the current population of 27,576, the City of Alvin's shared cost will be \$1,378.00.

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

RESOLUTION

Consider Resolution 23-R-15, honoring Gabe Adame for his service as City Council member District E, City of Alvin, Texas.

Resolution 23-R-15 is a formal recognition of City Council member Adame (Mayor Elect) who served for three (3) consecutive terms in Council District E from May 2014 to May 2023 and will be recorded in the city's archive of records. A framed copy of said Resolution will be presented to Mayor Elect Adame before he takes the official Oath of Office to serve as the City's next Mayor.

Mayor Horn presented Mayor Elect Adame (Council member District E) with a Resolution in honor of his dedicated service to the City as an elected official for Council District E over the last nine (9) years.

Council member Vaughn moved to approve Resolution 23-R-15, honoring Gabe Adame for his service as City Council member District E, City of Alvin, Texas. Seconded by Council member Vela; motion carried with all members present voting Aye.

OATH OF OFFICE

Administer Oath of Office to Gabe Adame, Mayor of the City of Alvin, by Judge Mike Merkel.

Judge Mike Merkel administered the official Oath of Office to City of Alvin Mayor, Gabe Adame. Mayor Adame was accompanied by members of his family.

RESOLUTION

Consider Resolution 23-R-16, honoring Paul A. Horn for his service as Mayor, City of Alvin, Texas.

Resolution 23-R-16 is a formal recognition in honor of Mayor Horn who served for three (3) consecutive terms as Mayor from May 2014 to May 2023 and will be recorded in the city's archive of records. A framed copy of said Resolution will be presented to Mayor Horn.

Mayor Adame presented the Resolution to Mayor Horn for his service as Mayor of the City of Alvin over the past nine (9) years.

Council member Moore moved to approve Resolution 23-R-16, honoring Paul A. Horn for his service as Mayor in the City of Alvin, Texas. Seconded by Council member Castro; motion carried with all members present voting Aye.

PRESENTATIONS

National Foster Care Month Proclamation.

Mayor Adame proclaimed the month of May as National Foster Care Month and formally issued the proclamation to recipients in attendance.

Alvin High School Marine Corps JROTC Proclamation - May 18, 2023.

Mayor Adame proclaimed May 18th, 2023 as AHS Marine Corps JROTC Day and formally issued the proclamation to members and leaders of the JROTC in attendance.

EMS Week Proclamation - May 21-27, 2023.

Mayor Adame proclaimed the week of May 21-27, 2023 as EMS Week and formally issued the proclamation to members of Alvin EMS in attendance.

Public Works Week Proclamation - May 21-27, 2023.

Mayor Adame proclaimed the week of May 21-27, 2023 as Public Works Week and formally issued the proclamation to members of the Alvin Public Works Department in attendance.

OTHER BUSINESS

Consider a renewal of a ten-year Industrial District Agreement with Denbury Onshore LLC, commencing January 1, 2024 and ending December 31, 2033, and authorize the Mayor to sign upon legal review.

The State of Texas gives cities the authority to create Industrial Districts in their extraterritorial jurisdiction (ETJ) through the Texas Municipal Annexation Act, and through the Texas Local Government Code 42.044. Industrial Districts allow cities to attract industry and enhance the economic stability of cities. On December 2, 1993, the City Council adopted Ordinance No 93, designating the area located in the City of Alvin's extraterritorial jurisdiction (ETJ), described as Exhibit A, as an Industrial District.

Denbury Onshore LLC (producer of oil and gas) purchased land and assets located in the City's Industrial District, leading to an Industrial District Agreement (IDA) with the City of Alvin. An Industrial District Agreement contractually protects companies located in the designated district from annexation and City requirements such as permitting and platting in exchange for a Payment in Lieu of Taxes (PILOT). The current IDA with Denbury Onshore LLC was approved by City Council on November 21, 2013, commencing January 1, 2014 and ending December 31, 2023. The IDA consists of Denbury Onshore LLC remitting to the City of Alvin annual payments in lieu of property taxes on Denbury Onshore LLC's property. The annual payment is equal to 50% of the amount of ad valorem taxes which would otherwise be payable to the City of Alvin by Denbury Onshore LLC if such property were situated within the city limits of the City of Alvin.

Denbury Onshore LLC desires to renew the current Industrial Agreement under the same terms for another ten years -- through December 2033. Below is a historical summary of Denbury Onshore LLC's annual appraised values and payments to the City. Fiscal Year Appraised Value Annual Payment to the City:

Fiscal Year	Appraised Value	Payments to the City
2015	\$217,744,407	\$676,447
2016	\$161,327,761	\$944,826
2017	\$90,320,403	\$360,378
2018	\$110,710,159	\$436,198
2019	\$118,714,115	\$467,713
2020	\$142,625,472	\$554,969
2021	\$122,287,527	\$469,584
2022	\$100,228,385	\$384,483
2023	\$133,512,645	\$473,970
2024	\$163,771,737	\$581,390

*(preliminary)**

*Because the cost of providing city services to the Industrial District outweighs the benefits of annexing the land into the city limits at this time, staff recommends approval of the IDA. *Using the current ad valorem tax rate.*

Commissioner Stacy Adams presented remarks regarding Denbury Onshore LLC at the invitation of Mayor Adame. City Manager Junru Roland presented additional information before the City Council, explaining that the agreement will remain the same other than the effective dates.

Council member Castro moved to approve a renewal of a ten year Industrial District Agreement with Denbury Onshore LLC, commencing January 1, 2024 and ending December 31, 2033, and authorize the Mayor to sign upon legal review. Seconded by Council member Moore; motion carried with all members present voting Aye.

Consider the Mayor's appointment of Mayor pro-tem.

Per Article II, Section 8 of the City's Code of Ordinances, the first regular meeting following the election of members of Council, the Mayor shall appoint one of its members as Mayor Pro Tem, subject to approval by the Council. The Mayor Pro Tem shall serve for one year and shall act as Mayor during the absence or disability of the Mayor, and shall have power to perform every act the Mayor could perform if present.

Mayor Adame stated he has chosen to appoint Chris Vaughn as Mayor Pro-Tem.

Council member Garivey moved to approve the Mayor's appointment of City Council member Chris Vaughn to serve as Mayor pro-tem. Seconded by Council member Vela; 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.

Council Member Castro requested a workshop to discuss handicap parking in the downtown area. Council member Garivey requested a Budget Amendment for Fiscal Year 2022-2023 be added to the agenda for the next Council meeting for the purchase of rifles for the Alvin Police Department.

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 June 1, 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.

No items were presented by any Council members.

ADJOURNMENT

Mayor Adame adjourned the meeting at 7:38 p.m.

PASSED and APPROVED the 1st of June, 2023.

ATTEST:

Gabe Adame, Mayor

Dixie Roberts, City Secretary