

**MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
CITY COUNCIL REGULAR MEETING
THURSDAY, MARCH 21, 2024
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 Gabe Adame; Mayor Pro-Tem Chris Vaughn; Councilmembers: Martin Vela, Keko Moore, Glenn Starkey, Richard Garivey and Meagan DeKeyzer.

Staff members present: Junru Roland, City Manager; Suzanne Hanneman, City Attorney; Dixie Roberts, Assistant City Manager/City Secretary; Dan Kelinske, Parks and Recreation Director; Michelle Segovia, City Engineer; Amy Sanchez, Utility Billing Manager; Michelle Nesrsta, Recreation Superintendent and Robert E. Lee, Police Chief.

INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Adame 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.

PUBLIC COMMENT

There were no comments from the public.

CONSENT AGENDA

Consider approval of the March 7, 2024, City Council Workshop minutes.

Consider approval of the March 7, 2024, City Council meeting minutes.

Proclaim the month of April 2024 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 2024 as Fair Housing Month in the City of Alvin as requested.

Consider awarding Request for Proposal 24-01 to DataProse for Bill Printing and Mailing Services for the Utility Billing Department; and authorize the City Manager to sign the Agreement upon legal review.

On February 27, 2024, bids were opened and Dataprose offered the third-lowest bid with an estimated annual cost of \$85,500 for three (3) years, effective June 1, 2024, with two (2) additional one (1) year renewable options. Each bidder was reviewed and graded based upon their organization and qualifications, service quality, product appearance and quality, and pricing and fees. Dataprose emerged with the highest overall average score. We have been using Dataprose since 2003, and their compatibility with our software provider, Incode, has been seamless. Additionally, an existing deposit with Dataprose remains in place, and there will be no alterations to current services upon the awarding of this RFP/Agreement. The lowest bidders were not selected based upon the basic bids provided. Peregrine did not provide electronic tracking availability, bill viewing capability or same-day mailing or provide samples of their products. SPM did not provide information regarding their company, skills or qualifications and the proposed total was incomplete. Staff recommends awarding this proposal to Dataprose. Upon Council approval, an award letter will be sent to vendors.

Consider Resolution 24-R-13, adopting Rules and Regulations for the Bob S. Owen Pool and Facilities located at 919 Bayou Drive, Alvin, Texas; aligning said Rules and Regulations with those of the Alvin Recreation Center Pool for uniformity; and setting forth other matters related thereto.

On February 1, 2024, City Council adopted Resolution 24-R-05, establishing rules and regulations for the Alvin Recreation Center, including its onsite pool. At that time, staff recommended for future City Council consideration, adopting the same pool rules at the Bob Owen Pool. At this time, staff recommends adopting the pool rules per Resolution 24-R-13 for the Bob S. Owen pool. By doing so, it provides consistency and uniformity at each location.

Consider Resolution 24-R-15, suspending the April 10, 2024, effective date of CenterPoint Energy Houston Electric, LLC's requested rate change to permit the City time to study the request and to establish reasonable rates; approving continued cooperation with the Gulf Coast Coalition of Cities; hiring Lloyd Gosselink attorneys and consulting services to negotiate with the Company and direct any necessary litigation and appeals; requiring reimbursement of Cities' rate case expenses; finding that the meeting at which this Resolution is passed is open to the public as required by law; requiring notice of this Resolution to the Company and Legal Counsel for the Gulf Coast Coalition of Cities.

CenterPoint Energy Houston Electric, LLC ("CenterPoint" or "Company") filed an application on March 6, 2024 with cities retaining original jurisdiction, seeking to increase system-wide transmission and distribution rates by \$60 million per year. The Company asks the City to approve an increase of \$17 million in retail transmission and distribution rates (an increase of about 1%) and \$43 million in wholesale transmission rates (an increase of about 6.6%). According to CenterPoint, the impact on an average residential customer would be an increase of about \$1.25 per month. This Resolution suspends the April 10, 2024, effective date of the Company's rate increase for the maximum period permitted by law to allow the City, working in conjunction with other members of GCCC served by CenterPoint to evaluate the filing, determine whether the filing complies with law, and if lawful, to determine what further strategy, including settlement, to pursue. The law provides that a rate request made by an electric utility cannot become effective until at least 35 days following the filing of the application to change rates. The law permits the City to suspend the rate change for 90 days after the date the rate change would otherwise be effective. Staff recommends approval of Resolution 24-R-15.

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

OTHER BUSINESS

Consider Resolution 24-R-16, accepting the Petition for Annexation of an 18.23 acre tract of land, and a 0.44 acre tract of land, both located along State Highway 6, in Brazoria County, Texas; setting an annexation schedule; setting public hearings; providing for open meetings; and providing for other matters related thereto.

On or about February 20, 2024, the City received a Petition for Annexation from the Alvin Independent School District, requesting the annexation of an 18.23 acre tract and a 0.44 acre tract of land, contiguous to the Alvin ISD Transportation Center, on Highway 6. This Resolution sets public hearings for the Annexation for May 2 and May 16, 2024. Staff recommends approval of Resolution 24-R-16.

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

Council member Moore moved to approve Resolution 24-R-16, accepting the Petition for Annexation of an 18.23 acre tract of land, and a 0.44 acre tract of land, both located along State Highway 6, in Brazoria County, Texas; setting an annexation schedule; setting public hearings; providing for open meetings; and providing for other matters related thereto Seconded by Council member Vela; motion carried with all members present voting Aye.

Consider Ordinance 24-J, granting consent to the addition of approximately 42.648 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.

On August 5, 2021, the City consented to the creation of Brazoria County Municipal Utility District No. 81 (the "District") by Resolution 21-R-18 within the corporate limits of the City. On February 28, 2022, the City received a Petition for Consent to Include Additional Land from the District and D.R. Horton – Texas, LTD., to include approximately 42.648 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. Since receiving the Petition, the City and the District have been working on the details for water and wastewater capacity for the additional acreage. Staff recommends approval of Ordinance 24-J.

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

Council member DeKeyser moved to approve Ordinance 24-J, granting consent to the addition of approximately 42.648 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 Moore; motion carried with all members present voting Aye.

Consider Resolution 24-R-14, approving the Second Amendment to the Utility Services Contract with Brazoria County Municipal Utility District Number 81; and setting forth other provisions related thereto.

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), and approved Resolution 23-R-05, the First Amendment to the Utility Services Contract. On March 21, 2024, in Ordinance 24-J, the City consented to the addition of approximately 42.648 acres of land into the District. This Second Amendment to the Utility Services Contract contains the following amendments:

- *includes both the original 103.714 acre tract (Tract A), the annexed 140.702 acre tract (Tract A-1), and the 42.648 acre tract (Tract A-2) into the property description;*
- *adds provisions regarding capacity, improvements and payments for wastewater capacity, and improvements and payments for Lift Stations 27 and 33*

Staff recommends approval of Resolution 24-R-14, approving the Second Amendment to the Utility Services Contract.

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

Council member Garivey moved to approve Resolution 24-R-14, approving the Second Amendment to the Utility Services Contract with Brazoria County Municipal Utility District Number 81; and setting forth other provisions related thereto Seconded by Council member Moore; motion carried with all members present voting Aye.

Consider Ordinance 24-I, establishing a "No Parking" zone along a portion of W. Cleveland Street; authorizing the installation of appropriate signage; providing for a penalty and publication; and making other findings related thereto.

Ordinance 24-I establishes a "No Parking" zone along the north side of W. Cleveland Street beginning at the east right-of-way line of S. Johnson Street and extending eastward a distance of 170 feet. This Ordinance is being proposed due to traffic safety concerns that were received from the owner of the proposed Promiseland Preschool to be located at 715 W. Adoue. The attached photos show the W. Cleveland Street side of the preschool's property and the typical vehicle parking situation. Staff recommends approval of Ordinance 24-I.

Michelle Segovia, City Engineer, presented this item before City Council with explanation.

Council member Garivey moved to approve Ordinance 24-I, establishing a "No Parking" zone along a portion of W. Cleveland Street; authorizing the installation of appropriate signage; providing for a penalty and publication; and making other findings related thereto. Seconded by Council member Vela; motion carried with all members present voting Aye.

Consider Ordinance 24-H, amending the City of Alvin, Code of Ordinances, Chapter 3, Alcoholic Beverages, for the purpose of adding definitions, revising language, and providing for a variance; providing for severability; providing for a penalty; providing for publication; and providing for other matters related thereto.

Over the last several months, it has become apparent that an update to this Ordinance is warranted. As discussed in the workshop held with City Council on March 7, 2024, this ordinance update encompasses the following:

- *incorporates a list of definitions*
- *compiles a record of what Texas Alcoholic Beverage Commission (TABC) licenses have been authorized in the City per local option elections held*
- *removes the 500 ft. residency requirement restricting the placement of bars within 500 ft of a dwelling*
- *includes a variance provision for distance requirements*
- *incorporates minor adjustments in wording to enhance clarity and ease of comprehension*

This comprehensive update aims to ensure the ordinance aligns with current needs and standards, facilitating smoother implementation and enforcement moving forward.

Suzanne Hanneman, City Attorney, presented this item before City Council with explanation. Council member Starkey stated he does not agree with the variance process proposed or removal of the 500-foot requirement. Council member Vaughn expressed similar disagreement. Further discussion was had on the proposed changes to the ordinance.

Council member Moore moved to approve Ordinance 24-H, amending the City of Alvin, Code of Ordinances, Chapter 3, Alcoholic Beverages, for the purpose of adding definitions, revising language, and providing for a variance; providing for severability; providing for a penalty; providing for publication; and providing for other matters related thereto. Seconded by Council member Garivey; motion carried with Mayor Adame casting a tie-breaking vote of Aye, and Council members Starkey, Vela and Vaughn all 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.

No items were requested by any Council members to be placed on the upcoming agenda.

REPORTS FROM THE CITY MANAGER

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

Mr. Roland announced items of community interest.

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 mentioned the Alvin Music Fest this coming weekend.

Council member Starkey expressed thanks to the Alvin Museum Society for their recent fundraiser at which they raised over \$4,000 for the VFW.

Mayor Adame invited everyone to the Lego Land exhibit at the Alvin Museum.

ADJOURNMENT

Mayor Adame adjourned the meeting at 7:36 p.m.

PASSED and APPROVED the 4th of April 2024.

ATTEST:

Gabe Adame, Mayor

Dixie Roberts, City Secretary