MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
CITY COUNCIL REGULAR MEETING
AND EXECUTIVE SESSION
THURSDAY, MAY 2, 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 and Executive Session at 7:00 PM in the Council Chambers at City Hall, with the following members present: Mayor Gabe Adame; Council members: Martin Vela, Keko Moore, Joel Castro, 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; Paul Chavez, Economic Development Director; Chris Thomas, Director of Administrative Services; Dan Kelinske, Parks and Recreation Director; Michael Medwedeff, Assistant City Engineer; Nick Newell, Information Technology Manager; Brandon Moody, Director of Public Services and Robert E. Lee, Police Chief.

INVOCATION AND PLEDGE OF ALLEGIANCE

Council member Castro gave the invocation. Council member DeKeyzer led the Pledge of Allegiance to the American Flag. Council member Garivey led the Pledge to the Texas Flag.

PRESENTATIONS

Proclamation - Police Week May 12-18, 2024.

Mayor Adame proclaimed May 12-18, 2024 as Police Week and formally issued the proclamation to members of the Alvin Police Department in attendance.

Proclamation - Motorcycle Awareness Month.

Mayor Adame proclaimed the month of May to be Motorcycle Awareness Month and formally issued the proclamation to members of Warriors Bikers 4 Charity in attendance.

Information Technology Annual Departmental Presentation.

Nick Newell, Information Technology Manager, gave the annual departmental update of the Information Technology Department.

PUBLIC COMMENT

Becky Ullman presented comments regarding the Kendall Lakes South Planned Development variance request.

Kathleen Holton presented comments regarding traffic concerns on West Adoue Street.

Nancy Knape also presented comments regarding traffic concerns on West Adoue Street.

PUBLIC HEARING

Public hearing to receive comment on the proposed 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.

Mayor Adame opened the public hearing at 7:26 p.m.

No comments were presented by the public.

Mayor Adame closed the public hearing at 7:26 p.m.

CONSENT AGENDA

Consider approval of the April 18, 2024, City Council Workshop minutes.

Consider approval of the April 18, 2024, City Council meeting minutes.

Consider Addendum No. 3 for a one (1) year renewal agreement with LTS Lawncare for manicured mowing services of select parkland and other City-owned property and State Right of Way, in an amount not to exceed $161,176.35; and authorize the City Manager to sign the Addendum upon legal review.

This Agreement with LTS Lawncare was originally approved for the amount of $114,355.59 by City Council on May 6, 2021, utilizing the public bid process, Bid # B-21-11. Addendum No. 1 began October 1, 2022, and ended September 30, 2023. Addendum No. 2 began October 1, 2023, and will end September 30, 2024. Amendment 1 adding the new Recreation Center was approved by City Council on February 1, 2024, for an amount not to exceed $31,500 for service dates from March 1 through September 30, 2024. Addendum No. 3 is the third of three one (1) year renewal options and includes the Recreation Center location, which would begin October 1, 2024, and end September 30, 2025.

Service Year	***Proposal***
FY25 (3rd one year renewal option - Addendum 3)	*$161,176.35*
FY24 (2nd one year renewal option - Addendum 2)	*$123,714.91 + $31,500 = $155,214.91*
FY23 (1st one year renewal option - Addendum 1)	*$118,956.64*
FY22 (Initial Award)	*$114,355.59*

This addendum is the third and final of three, one-year renewals allowed per the agreement, having an effective date of October 1, 2024, to September 30, 2025. The 3% proposed increase is below the latest consumer price index for all urban consumers. Staff recommends approval of addendum No. 3 allowed in the manicured mowing agreement in the amount of $161,176.35 with LTS Lawncare as their performance continues to provide good value to the City of Alvin.

Consider Addendum No. 2 for a one (1) year renewal agreement with LTS Lawncare for manicured mowing services of select City-owned and State Right of Way property including parkland, lift stations, water wells, and various building grounds, in an amount not to exceed $56,252.65; and authorize the City Manager to sign the Addendum upon legal review.

This is the second of two manicured mowing agreements, originally approved in the amount of $54,614.22 with LTS Lawncare by City Council on April 21, 2022, utilizing the public bid process, Bid# B-22-05. The first year of service began October 1, 2022, and will end September 30, 2023. Addendum No. 1 was the first of up to three one (1) year renewal options, which began October 1, 2023, and will end September 30, 2024. Addendum No. 2 is the second of up to three one (1) year renewal options, which would begin October 1, 2024, and end September 30, 2024.

Service Year	***Proposal***
FY25 (2nd one year renewal option - Addendum 2)	*$56,252.65 (3%)*
FY24 (1st one year renewal option - Addendum 1)	*$54,614.22*
FY23 (Initial Award)	*$54,614.22*

The 3% proposed increase for FY25 is below the consumer price index for all urban users. Staff recommends approval of Addendum No. 2 allowed in the manicured mowing agreement in the amount of $56,252.65 with LTS Lawncare as their performance continues to provide good value to the City of Alvin.

Consider Addendum No. 1 for a one (1) year renewal agreement with Horticare Landscape Management for landscape maintenance services for flowerbeds of City-owned buildings, parks, and other City property and rights-of-way, in an amount not to exceed $82,772; and authorize the City Manager to sign the Addendum upon legal review.

This agreement was originally approved in the amount of $82,772.00 with Horitcare Landscape Management by City Council on August 3, 2023, utilizing the public request for pricing, RFP 23-04. The first year of service began August 3, 2023, and will end September 30, 2024. Addendum No. 1 is the first of three one (1) year renewal options, which would begin October 1, 2024, and end September 30, 2025.

At the March 7, 2023, budget workshop, City Council directed staff to focus on better servicing the exterior of city properties, in particular landscaping. Thereafter, on March 16, 2023, City Council adopted Ordinance 23-E which expanded the use of funds received in the Tree Preservation Fund to be used for beautification activities in the form of landscaping and landscaping maintenance, which was used to fund the first year of this agreement. Thereafter, staff would include the cost of landscape maintenance service agreement within the facility maintenance fund budget.

This addendum is the first of up to three, one-year renewals allowed per the agreement, having an effective date October 1, 2024, to September 30, 2025. Staff recommends approval of Addendum No. 1 allowed in the landscape maintenance service agreement in the amount of $82,772.00 with Horticare Landscape Management as their performance continues to provide good value to the City of Alvin.

Consider Addendum No. 2 for a one (1) year renewal agreement with American Janitorial Services LTD, for janitorial services of City-owned buildings and park restrooms, in an amount of $220,340.40; and authorize the City Manager to sign the Addendum upon legal review.

This agreement with American Janitorial Services LTD was originally approved for the amount of $140,976.00 by City Council on April 21, 2022, utilizing the public bid process, Bid # B-22-04. Addendum No. 1 was the first of up to three one-year renewal options which began October 1, 2023, and ended September 30, 2024. Amendment 1, adding the new Recreation Center, was approved by City Council on February 1, 2024, for an amount not to exceed $38,456 for janitorial service from March 1 through September 30, 2024. Addendum No. 2 is the second of up to three one-year renewal options and includes the full year of janitorial service ($77,204.00) at the Recreation Center location, which would begin October 1, 2024, and end September 30, 2025.

Service Year	***Proposal***
FY25 (2nd one year renewal option - Addendum 2)	*$220,340.40*
FY24 (1st one year renewal option - Addendum 1)	*$143,136 + $38,456 = $181,592*
FY23 (Initial Award)	*$140,976*

Staff recommends approval of Addendum No. 2 as allowed in the Janitorial Services agreement in the amount of $220,340.40 with American Janitorial Services as their performance continues to provide good value to the City of Alvin.

Consider Addendum No. 2 for a one (1) year renewal agreement with The Brandt Companies, LLC, for HVAC preventative Maintenance services of City-owned buildings, in an amount not to exceed $109,958; and authorize the City Manager to sign the Addendum upon legal review.

The agreement with The Brandt Companies, LLC, was originally approved for the amount of $10,437 for the remaining months of August and September 2022 and $84,667 for the first full year of service from October 1, 2022, through September 30, 3023. Addendum No. 1 began October 1, 2023, and will end September 30, 2024. Amendment 1 added the new Recreation Center and was approved by City Council on February 1, 2024, for an amount not to exceed $15,489 for service beginning March 1 through September 30, 2024. Addendum No. 2 is the second of up to three one (1) year renewal options and includes the Recreation Center ($22,751 full annual cost) and a separate increase of $2,540 (3%) of the annual cost $84,667, which will begin October 1, 2024, and end September 30, 2025. Per the current agreement, "This contract is subject to a price revision upon the renewal date. The revision will be based on the current Consumer Price Index (CPI)."

Service Year	***Proposal***
FY25 (2nd one year renewal option - Addendum 2)	*$109,958 = ($84,667+ 22,751 +$2,540)*
FY24 (1st one year renewal option - Addendum 1 + amendment 1)	*$100,156 = ($84,667 + $15,489)*
FY23 (1st full year of service)	*$84,667*

FY22 (Initial Award, 2 months of service)	*$10,437*

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 process
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 a competitively bid contract
6.) Oversight through Choice Partners which audits the accuracy of all job order contract proposals

Staff recommends approval as their performance continues to provide good value to the City of Alvin.

Consider a final plat of Preservation Creek Phase I, Preservation Creek Boulevard Segment 1 (located along the south side of FM 1462 one mile east of the SH-288 intersection), being a Planned Unit Development of 7.225 acres, out of the C.M. Hayes survey, Abstract No. 534, City of Alvin, Brazoria County, Texas.

On March 19, 2024, the Engineering Department received the final plat of Preservation Creek Phase I, Preservation Creek Boulevard Segment 1 for review. The property is located along the south side of FM 1462 one mile east of the SH-288 intersection, being a Planned Unit Development of 7.225 acres containing a public boulevard width ROW dedication for the construction of Preservation Creek Boulevard, and complies with the Preservation Creek Development Agreement (Ordinance 23-O) approved June 15, 2023 and the General Plan previously approved by Council on December 7, 2023

The City Planning Commission approved the plat unanimously at their meeting on April 16, 2024. Staff recommends approval of the plat.

Consider a final plat of Preservation Creek Municipal Utility District No. 1 Lift Station No. 1 (located along the south side of FM 1462 one mile east of the SH-288 intersection), being a Planned Unit Development of 0.19 acres containing 1 reserve and one block, out of the W.D.C. Hall survey, Abstract No. 69, City of Alvin, Brazoria County, Texas.

On March 18, 2024, the Engineering Department received the final plat of Preservation Creek Municipal Utility District No. 1 Lift Station No. 1 for review. The property is located along the south side of FM 1462 one mile east of the SH-288 intersection, being a Planned Unit Development of 0.19 acres containing 1 reserve and 1 block, and complies with the Preservation Creek Development Agreement (Ordinance 23-O) approved June 15, 2023 and the General Plan previously approved by Council on December 7, 2023.

The City Planning Commission unanimously approved the plat at their meeting on April 16, 2024. Staff recommends approval of the plat.

Consider Resolution 24-R-18, declaring the results of the Local Option Petition to "legalize the sale of all alcoholic beverages, including mixed beverages;" declaring that the petition issued on February 5, 2024, was circulated by the Petitioners through April 12, 2024; finding that the petition did not contain the required number of signatures by City of Alvin qualified voters to order a Special Local Option Election in the City of Alvin; and setting forth other provisions related thereto.

On February 5, 2024, the City Secretary's Office received an application for a Local Option Petition to legalize the sale of all alcoholic beverages, including mixed beverages, in the City of Alvin. The petition contained the names and verified signatures of 10 qualified voters of the City of Alvin.

The petition was issued by the City Secretary's Office on February 12, 2024, for circulation. The required number of signatures needed by City of Alvin registered voters was equivalent to 35% of the total votes cast in the last gubernatorial election, which amounted to 2,212 signatures based on the 6,320 votes recorded in the 2022 gubernatorial election within Alvin. The petition was circulated and was turned in by the petitioner on April 12, 2024, as required by state law. After thorough review, it has been determined that the circulated petition did not acquire the necessary number of valid signatures needed to call for a Local Option Election as mandated by state law. The petition submitted contained a total of 2,871 signatures. However, upon examination, only 1,504 of these signatures were verified as registered voters in the City of Alvin. Therefore, the petition fell short of the required number of valid signatures by 708 signatures. This item is on the City Council agenda for City Council's acknowledgment, ensuring its official recording in the minutes of the governing body in accordance *with state law,*

Staff recommends approval of Resolution 24-R-18

Texas Election Code §501.023, §501.024, §501.025
Texas Election Code §501.032
Texas Election Code §501.032, §1.006
Texas Election Code §501.033

<u>Consider the resignation of Missy Jordan for an unexpired term on the Planning Commission ending December 31, 2025.</u>

Missy Jordan submitted her resignation from the Alvin Planning Commission for her term ending December 31, 2025. Her letter of resignation is included in the City Council packet.

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

<u>OTHER BUSINESS</u>

<u>Consider authorizing an expenditure of $119,700 for the roof replacement of the Verhalen Water Tower to Maguire Iron Inc. through the Interlocal Purchasing System (TIPS); and authorize the City Manager to sign related documents upon legal review.</u>

On February 1, 2024, City Council approved the expenditure of $766,670 to Maguire Iron for the rehabilitation of the Bypass 35 and Verhalen Water Towers. Maguire promptly mobilized in March 2024 to start the necessary work on the Bypass 35 Tower, which included the cleaning of the interior and exterior of the tank, applying a new protective coating layer with the approved City logos, and disinfecting the tank before it was placed back into service. The work completed will extend the life of the structure for many years and ensure compliance with TCEQ rules and regulations.

While work was starting on the Bypass Tower, Maguire's crew started visiting and planning the necessary work needed and approved for the Verhalen Tower. Upon their mobilization, Maguire's crew discovered that the overall condition of the steel on the roof of the tower was far more deteriorated than what was initially assessed. Upon discovering the condition of the roof steel, Maguire informed City staff that a repair of the roof was not feasible and that a 28' diameter portion of the roof would need to be replaced. The council's agenda packet includes a letter from Maguire outlining the need for additional work and the proposal for the additional work needed.

Funding for this project will come from interest earnings on the 2020 Water & Sewer Revenue Bonds. In order to extend the life of the Verhalen Water Tower structure, meet TCEQ rules and regulations, and enhance water quality, staff recommends approving the replacement of the roof steel on the Verhalen Water Tower.

Brandon Moody, Director of Public Services, presented this item before City Council with explanation. Council member Starkey asked if the Lower Water Level condition should be investigated now to determine if the quoted additional costs will be needed. Roxanne from Maguire stated that there is no indication at this time that the additional work will be required. Further discussion was had on the history of repairs and the 5-year tank inspection plan to be implemented moving forward.

Council member Moore moved to approve an expenditure of $119,700 for the roof replacement of the Verhalen Water Tower to Maguire Iron Inc. through the Interlocal Purchasing System (TIPS); and authorize the City Manager to sign related documents upon legal review. Seconded by Council member Garivey; motion carried with all members present voting Aye.

<u>Consider a variance request for the property owner at 1974 Jobes Court to deviate from a side building setback requirement set forth in Chapter 21, Subdivisions and Property Development, Article III, Section 37(a) – Minimum Setback Lines, and through provisions set forth in the recorded Final Plat of Forest Heights Section 4, for the construction of a swimming pool.</u>

On April 8, 2024, the Engineering Department received a variance request for 1974 Jobes Court to encroach 17 feet into the 25-foot side building setback for the construction of a swimming pool. The City Planning Commission unanimously approved the variance at their meeting on April 16, 2024. Staff recommends approval of the variance.

Michael Medwedeff, Assistant City Engineer, presented this item before City Council with explanation. The homeowner was also in attendance. It was explained that the homeowner was requesting this variance to accommodate a need for aquatic therapy for an injury he has sustained. Mr. Medwedeff stated the Panning Commission had approved the variance request unanimously.

Council member Castro moved to approve a variance request for the property owner at 1974 Jobes Court to deviate from a side building setback requirement set forth in Chapter 21, Subdivisions and Property Development, Article III, Section 37(a) – Minimum Setback Lines, and through provisions set forth in the recorded Final Plat of Forest Heights Section 4, for the construction of a swimming pool. Seconded by Council member Garivey; motion carried with all members present voting Aye.

Consider a variance request for the Kendall Lakes South development, a Planned Unit Development of 51.52 acres, to deviate from a requirement set forth in Chapter 21, Subdivisions and Property Development, Article VI, Planned Unit Developments Section 110(c.)(6.), to construct park equipment amenities after plat recordation, instead of prior to plat recordation.

On April 1, 2024, the Engineering Department received a variance request for the proposed Kendall Lakes South Development to construct park amenities after plat recordation, instead of prior to recordation, to mitigate potential damage to installed equipment during the infrastructure construction phase and to delay the start of the warranty period for installed equipment to the developer. The City Planning Commission unanimously approved the plat at their meeting on April 16, 2024. Staff recommends approval of the variance.

Michael Medwedeff, Assistant City Engineer, presented this item before City Council with explanation. Becky Ullman, representative of Lennar Homes, further explained the need to access the water that would not be available prior to platting to complete construction of said park equipment.

Council member Vela moved to approve a variance request for the proposed Kendall Lakes South development, a Planned Unit Development of 51.52 acres, to deviate from a requirement set forth in Chapter 21, Subdivisions and Property Development, Article VI, Planned Unit Developments Section 110(c.)(6.), to construct park equipment amenities after plat recordation, instead of prior to plat recordation. Seconded by Council member Garivey; motion carried with all members present voting Aye.

Consider an agreement for the roof replacement of the city-owned building located at 302 W. House Street (Recreation Station) to JACO Roofing & Construction, Inc. through the Interlocal purchasing system (TIPS) in an amount not to exceed $114,904.00; and authorize the City Manager to sign related documents upon legal review.

The existing upper and lower roof of the building were installed January 1997. Both roofing systems have surpassed their useful life of approximately 20-25 years. During that time professional patchwork has been completed when necessary and now replacement is inevitable. The rain event on 4/28 saw water penetration in five different areas of the building. (Kitchen, Storage, Exercise, Pre-School and Art room). Both existing roofing systems and gutter will be removed and replaced. The new roofing system would be duro-last mechanically fastened roof system, providing a 15-year warranty on labor and materials. The not to exceed price includes $108,400 quote + $6,504 (6% contingency) = $114,904.00.

Funds for this project come from interest earned on money the City of Alvin received related to the American Rescue Plan Act of 2021. Interest earned on this money is not restricted per the ARPA guidelines and can be used for any worthwhile project. Staff recommends approval of the agreement with JACO Roofing & Construction Inc.

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

Council member Moore moved to approve an agreement for the roof replacement of the city-owned building located at 302 W. House Street (Recreation Station) to JACO Roofing & Construction, Inc. through the Interlocal purchasing system (TIPS) in an amount not to exceed $114,904.00; and authorize the City Manager to sign related documents upon legal review. Seconded by Council member Starkey; motion carried with all members present voting Aye.

Consider appointment to the Planning Commission to fill the unexpired term of Missy Jordan through December 31, 2025.

With the resignation of Ms. Jordan, there will be six (6) members on the Planning Commission. The Alvin Code of Ordinances states that the Planning Commission shall consist of no less than five (5) members, and may not have more than eleven (11) members. As outlined in the Board and Commission manual, City Council's preference is to maintain all boards and commissions at seven (7) members uniformly. Therefore, an appointment to the Planning Commission would be appropriate.

Current members on the Planning Commission are: Abrin brooks, Ashley Davis, Santos Garza, Jason Jones, Scott Loy and Samuel Washington.

Staff reviewed the notes from the Board and Commission interviews held in December 2024. Despite listing the Planning Commission as their first choice of service, the individuals below were appointed to their subsequent choices due to the lack of vacancies on the Planning Commission at that time.

- ***Clenon Mitchell,*** *(Building Board of Adjustments and Appeals and the Civil Service Commission)*
- ***Caiden Anderson,*** *(Parks & Recreation Board)*

Staff reached out to both individuals. Mr. Mitchell expressed keen interest in being considered for placement on the Planning Commission, indicating his readiness to resign from his position on the BBOAA if necessary. Mr. Anderson expressed interest in serving on the Planning Commission; however, he has decided to forgo consideration for appointment at this time and will remain on the Parks & Recreation Board.

Dixie Roberts, Assistant City Manager/City Secretary, presented this item before City Council with explanation.

Council member Castro moved to appoint Clennon Mitchell to fill the unexpired term of Missy Jordon on the Planning Commission through December 31, 2025. Seconded by Council member Vela; motion carried with all members present voting Aye.

Discuss the placement of east/west stop signs at the intersection of Adoue Street and Hill Street.

This item is on the agenda for discussion per Council member DeKeyzer's request at the April 18, 2024, city council meeting. A map of the area is included for discussion.

Council member DeKeyzer stated she received a complaint from resident Nancy Knape regarding the traffic situation, and explained what information she discovered in her research of the area. Mayor Adame further explained the history behind removing the stop sign at that location. Chief Lee then provided statistics from the speed trailer that was parked at the intersection of Hill and Adoue Streets for two weeks. Chief Lee suggested placing a covert traffic counter to obtain more data to ensure an accurate count of vehicles are traversing that location. Discussion was had on options moving forward. The consensus of City Council was for the Police Department to place the covert traffic counter for two weeks at the intersection to gather more data and to revisit this item after said time.

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 Vela stated he has received complaints regarding unsafe road conditions in his district. He requested a workshop to review these conditions and also the expansion of FM 528 Road.

Council member Starkey also requested a workshop regarding the area known as the "Ugly Corner."

REPORTS FROM THE CITY MANAGER

Items of Community Interest and/or 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.
Starkey congratulated the Sunrise Rotary for the repairs at Briscoe park.

EXECUTIVE SESSIONS
Mayor Adame called for executive session at 8:18 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.

Section 551.071(1)(A) of the Local Government Code provides as follows: Consultation with City Attorney regarding pending or contemplated litigation or **(B)** settlement offer.

RECONVENE TO OPEN SESSION
Mayor Adame reconvened the meeting to open session at 10:24 p.m.

ADJOURNMENT
Mayor Adame adjourned the meeting at 10:24 p.m.

PASSED and APPROVED the 16th day of May 2024.

ATTEST:

Gabe Adame, Mayor

Dixie Roberts, City Secretary