

**MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
REGULAR CITY COUNCIL MEETING
THURSDAY MARCH 15, 2018
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 Session at 7:00 P.M. in the Council Chambers at City Hall, with the following members present: Mayor Paul A. Horn; Mayor Pro-Tem Brad Richards; Councilmembers: Gabe Adame, Adam Arendell, Scott Reed, Glen Starkey, and Keith Thompson.

Staff members present: Sereniah Breland, City Manager; Suzanne Hanneman, City Attorney; Junru Roland, Assistant City Manager/CFO; Dixie Roberts, City Secretary; Michelle Segovia, City Engineer; Dan Kelinske, Director of Parks & Recreation; Todd Arendell, Police Captain and Ron Schmitz, EMS Director/Emergency Management Coordinator.

INVOCATION AND PLEDGE OF ALLEGIANCE

Judy Zavala gave the invocation.

Council member Richards led the Pledge of Allegiance to the American Flag and Council member Reed led the Pledge to the Texas Flag.

PRESENTATIONS

Proclamation – April 2018 Fair Housing Month.

Mayor Horn declared the month of April as Fair Housing Month.

Engineering Departmental Update.

Michelle Segovia, City Engineer, gave a departmental update.

PUBLIC COMMENT

There were no public comments.

CONSENT AGENDA

Approve minutes of the March 1, 2018 City Council meeting.

Consider authorizing Galavant Taxi Company to conduct business as a taxicab service in the City of Alvin.

The City's Code of Ordinance requires any new taxicab company wanting to operate their business within the City to submit a Taxi Service Application to the City Secretary's Office. This application is reviewed and then forwarded to the Chief of Police and the City's Health Inspector for vetting. A public hearing before City Council was held on March 1, 2018, as required. There were no comments from any members of the public, other than the owner of Galavant Taxi Company, speaking in favor of said application.

Galavant Taxi Co. has submitted the required application for the operation of one (1) taxicab. All information has been vetted by the City's Inspector and Police Department. City Council must approve this application before they may begin operating within the City.

The only other taxi service licensed to operate in the City is LBR Taxi which was approved by Council on February 15th. Both companies stated that they have had many requests for service in Alvin, thus the reason for their application. Staff recommends approval.

Consider appointment of Belt Harris Pechacke, LLP as the City's auditors for the fiscal year ending September 30, 2018; and authorize the City Manager to sign the Auditor's Engagement Letter.

Chapter 103 of the Local Government Code requires cities to have its records and accounts audited, and an annual financial statement prepared based on the audit. Belt Harris Pechacek, LLP (BHP) has served as the City's independent auditors since FY09. BHP is proposing a base estimated fee of \$38,910 for the City's FY18 financial statement audit; with additional estimated fees of \$7,000, if the City requires a single audit; or \$1,000 - \$2,500 for Other Post Employment Benefit (OPEB) schedules** if the City requires OPEB reporting.*

Staff is requesting that City Council approve the engagement of BHP to provide auditing services for FY18. By engaging BHP for FY18, the City retains an audit firm that is extremely knowledgeable of the City's accounting and internal controls.

BHP's Prior Fiscal Year Engagement Fees

Base audit fee: \$38,240 + \$7,000 for single audit.

FY18 Audit Budgets for Comparative Cities

Lake Jackson: \$46,000

Webster: \$38,280

Friendswood: \$45,000

La Porte: \$60,000

Deer Park: \$58,000

** A "single audit" is additional auditing procedures that are required if the City expends over \$750,000 of federal (grant) funds in a fiscal year.*

*** Effective FY18, the Governmental Accounting Standards Board (GASB) has released GASB 75 which is a new accounting standard requiring additional accounting and financial reporting for postemployment benefits other than pensions for eligible governmental entities.*

Consider Resolution 18-R-11, reappointing Dr. Safi Madain as the Alvin Emergency Medical Service's Medical Director in accordance with Chapter 2, Article X of the Alvin Code of Ordinances.

The Texas Department of State Health Services requires all EMS providers to retain the services of a Board-Certified physician to act as their Medical Director. The Medical Director's role is to provide oversight and guidance regarding medical care and protocol development. Dr. Madain is a Board-Certified Emergency Physician, and is currently the Medical Director for Adult and Pediatric Emergency Services at Clear Lake Regional Medical Center. He is familiar with our staff and patient care abilities, and has provided exceptional service over the last two years. His willingness to provide medical guidance, follow-up patient care, and training has been invaluable to the EMS department and our community. He is looking forward to continuing to serve as the Medical Director for Alvin EMS.

Council member Adame moved to approve the consent agenda as presented. Seconded by Council member Thompson; motion to approve carried on a vote of 6 Ayes.

OTHER BUSINESS

Presentation by Belt Harris Pechacek, LLP of the City's Comprehensive Annual Financial Report (CAFR) as of September 30, 2017; and Council's acknowledgement of receipt of the CAFR.

As required by state statute, an independent audit has been completed by the CPA firm of Belt Harris Pechacek, LLP, for the fiscal year ended September 30, 2017. At the end of an audit, Generally Accepted Auditing Standards mandate that auditors must express an opinion on the financial records. For FY17 the City received an unmodified opinion from the auditors – which is the highest form of assurance that our financial statements "give a true and fair view" of the City's financial position.

Pursuant to Section 103.003 of the Texas Local Government Code, the annual financial statements, including the auditor's opinion must be filed with the City Secretary within 180 days after the last day of the fiscal year (September 30, 2017). The CAFR, which includes the auditor's opinion, will be presented to the Mayor and City Council; and to the City Secretary for filing.

Stephanie Harris, from Belt Harris Pechacek, LLP will present the report. Hard copies of the report will also be available for you at the council meeting.

Mr. Junru Roland, Chief Financial Officer, introduced Stephanie Harris, from Belt Harris Pechacek, LLP. Ms. Harris presented the 2017 Comprehensive Annual Financial Report. She mentioned that the 2016 CAFR received the National Excellence Award from the Government Finance Officers Association.

Council member Starkey moved to acknowledged receipt of the Comprehensive Annual Financial Report (CAFR) as of September 30, 2017. Seconded by Council member Adame; motion carried on a vote of 6 Ayes.

Consider Resolution 18-R-10, appointing Mike Merkel to serve as Associate Municipal Judge for the Alvin Municipal Court for a two-year term; and approving the Memorandum of Understanding between the City of Alvin and Mike Merkel; and authorize the Mayor to sign.

Judge Mike Merkel is currently the Justice of the Peace for Precinct 3-1, and would like to continue serving the City of Alvin as the associate municipal court judge on a volunteer basis, without compensation or health insurance benefits. As an associate judge, Judge Merkel will receive direction from the presiding judge, Donna Starkey, for his duties which include, but are not limited to, arraigning prisoners in the City jail. Judge Merkel's current two-year term expires March 20, 2018.

Article VI Section 2 of the City's charter states that City Council shall have authority to elect an associate judge of the municipal court in the same manner and with the same qualifications set forth for the presiding judge. The associate judge shall have the same duties and responsibilities as the presiding judge and shall serve in the absence of the presiding judge. In the event either the presiding judge or associate judge (if one is so appointed) of the municipal court is unable to act for any reason, the mayor shall act in his/her place until the council has appointed a replacement.

Council member Reed moved to approve Resolution 18-R-10, appointing Mike Merkel to serve as Associate Municipal Judge for the Alvin Municipal Court for a two-year term; and approving the Memorandum of Understanding between the City of Alvin and Mike Merkel; and authorize the Mayor to sign. Seconded by Council member Arendell; motion carried on a vote of 6 Ayes.

Consider an agreement with Kimley/Horn to provide professional design and permitting services for grading and drainage, construction documents and construction phase services for the proposed disc golf course, in an amount not to exceed \$21,800; and authorize the City Manager to sign.

The original location and scope of the Disc Golf Course included a 9-hole course along the Hike & Bike Trail (approved budget of \$35,000). In FY17, three other temporary disc golf course locations were "tested" in order to select the most favorable location to construct a disc golf course. Players of all skill levels were invited to play disc golf at Marina Park, National Oak Park, and Briscoe Park to assist in proposing the most favorable location. The results of the survey were presented to city council at a workshop on June 24, 2017, where city council directed staff to consider the 42 acres of currently undeveloped (city owned) property south of Briscoe Park as a potential site for the disc golf course. As a result, staff worked with professional disc golf player, Chris Vandagriff, on the feasibility of the undeveloped property to feature an eighteen-hole disc golf course. Gormley Surveying provided a topography survey (\$4,500), which was completed February 2018 in order to begin development of the 42-acre property.

Prior to utilizing the 42-acre of undeveloped land, a drainage plan and land/dirt work must be performed. Tonight, staff is requesting that city council approve a professional services contract with Kimley/Horn to provide professional design and permitting services for grading, drainage, construction documents, and construction phase services in an amount not to exceed \$21,800.

Council member Reed moved to approve an agreement with Kimley/Horn to provide professional design and permitting services for grading and drainage, construction documents and construction phase services for the proposed disc golf course, in an amount not to exceed \$21,800; and authorize the City Manager to sign. Seconded by Council member Thompson; motion carried on a vote of 6 Ayes.

Consider an agreement with Joiner Architects Inc. for planning and design of a new EMS/Fire Station to replace Fire Station #1 and EMS Station; and authorize the City Manager to sign the agreement upon legal review.

The City published Request for Qualifications (RFQ) on January 28, 2018, and February 4, 2018. The City received responses to the RFQ until 4:00 p.m. on Thursday, February 8, 2018.

The City received ten (10) submittals of Statements of Qualifications and Experience. Selected Architectural groups were interviewed during the week of February 19, 2018.

Joiner Architects Inc. is proposed as the architect for the planning and design of the new EMS/Fire Station.

Submittals were evaluated by a Preliminary Evaluation Team which consisted of City Staff Representatives. The criteria used to evaluate the RFQ responses included the following: (not listed in order of importance):

Qualifications of Firm - Specifically as they relate to experience on similar projects.

Team Members - Related project experience of the firm(s) and the individuals who would be assigned to this Project.

Resources to Complete Project - This criterion would include the analytical, design tools, personnel, resources or methodologies commonly used by the firm that may be applicable to the project categories.

Professional References and Quality and Responsiveness of the Submittal

Current Capabilities - the Firm's capacity to respond (current workload and availability) and the specific services provided by team members regularly that office in facilities located within the greater Houston-Galveston area, with the ability to quickly respond to issues arising during design and construction.

If selected, Joiner Architects Inc will work with a design committee of employees, volunteers and a community member with fire station expertise to perform the following tasks, but not limited to; examine strengths and weaknesses of our existing stations, examine best practices, perform space planning and use, establish design goals, produce options, and construction management. Joiner Architects Inc. is an award-winning firm that specializes in Fire/EMS Stations and municipal facilities. With 40 years of experience, over 150 projects for dozens of cities and municipalities, and maintaining headquarters in Houston, staff recommends an agreement that allows the city to partner with Joiner Architects to begin the process to build a Fire/EMS station.

Council member Arendell moved to approve an agreement with Joiner Architects Inc. for planning and design of a new EMS/Fire Station to replace Fire Station #1 and EMS Station; and authorize the City Manager to sign the agreement upon legal review. Seconded by Council member Richards; motion carried on a vote of 6 Ayes.

Consider termination of contract with McCrory CTI Services and award of bid to L.G. & G. Construction, Inc., the second lowest bidder, for the 2017 Sidewalk Project in an amount not to exceed \$307,527; and authorize the City Manager to sign the contract upon legal review.

On October 19, 2017, City Council approved a bid award to McCrory CTI Services (the low bidder), for the 2017 Sidewalk Project. Staff recommended the award of bid to McCrory CTI Services based on a reference check which included a company that McCrory had worked as a subcontractor for, a bank that they were currently performing work for, and a property development company that they had performed several jobs for in the past. All previous project references stated that they were pleased with the work performed by McCrory CTI Services and would hire them again. McCrory CTI Services began construction on January 3, 2018, along the Willis Street portion of the project. However, due to the reasons as outlined in the Notice of Termination Letter dated February 28, 2018 from the City Attorney (attached hereto), the contract with McCrory CTI Services has been terminated.

In order to complete the project Staff recommends approval of an award of bid to L.G. & G. Construction, Inc., the second low bidder, from the original bid that was opened on September 12, 2017. L.G. & G. has done numerous projects for the City of Alvin, the most recent being the 2016 Downtown Sidewalk Project. Staff has been highly satisfied with all previous work performed by L.G. & G. Construction, Inc.

Project Budget: \$325,000

Contract Amount: \$279,570

10% Contingency: \$ 27,957

Total Amount: \$307,527

Part 1 of the 2017 Sidewalk Project consists of the continuation of a multiphase project to provide adequate pedestrian access throughout the historic downtown Alvin area. Brick paver sidewalks will be installed in compliance with the Americans with Disabilities Act (ADA) requirements and match the existing decorative sidewalks in the area. Specific

project locations include: Gordon Street (new sidewalk, west side, in front of Kibbe Realty), Sealy Street (replacement sidewalk, south side, between Gordon and Hardie), and Hardie Street (replacement sidewalk, east side, mid-block to Sealy).

Part 2 of the 2017 Sidewalk Project consists of the installation of concrete sidewalks to provide adequate pedestrian access in areas of downtown where pedestrians are frequently observed. Specific project locations include: Willis Street (new sidewalk, south side, between Second Street and Hood Street), Second Street (new sidewalk, west side, between Willis Street and the Mustang Bayou Bridge), and E. House Street (connecting sidewalk, north side, between Legion Road and Tovrea Road).

The project is scheduled to continue, as soon as possible, and has a construction time of 90 calendar days.

Staff recommends official termination of the contract with McCrory CTI Services and approval of the contract with L.G. & G. Construction, Inc.

New sidewalks planned for FY 2018 (2018 Sidewalk Project) include Pearson Road (east side, between Johnson St. and FM 1462), Durant St. (west side, between Adoue St. and Sealy St.), Tovrea Road (east side, between Delta Dr. and Highway 6), Willis St. (north side, between Gordon St. and Hardie St.), Gordon St. (east side, between South St. and Mustang Rd.), and Depot Centre Blvd. (east side, between Sidnor St. and the Depot).

Council member Adame moved to terminate the contract with McCrory CTI Services and award of bid to L.G. & G. Construction, Inc., the second lowest bidder, for the 2017 Sidewalk Project in an amount not to exceed \$307,527; and authorize the City Manager to sign the contract upon legal review. Seconded by Council member Starkey; motion carried on a vote of 6 Ayes.

Consider an interlocal agreement with the Brazoria County Conservation and Reclamation District #3 for the funding of a drainage study for the C-1 ditch; and authorize the Mayor to sign.

In February 2018, at the request of Mayor Horn, Staff met with representatives of C&R #3 and the Texas Department of Transportation (TXDOT) to discuss the two C-1 Drainage Ditch Crossings at FM 1462 and County Road 172, and the possibility of making improvements (i.e. adding culverts and/or replacing the bridge) to those two ditch crossings to allow for more water to flow through during large rain events. Mayor Horn reported that he observed the water level of the C-1 Ditch at FM 1462 to be over 1.5 feet higher on the north side (upstream side) of the crossing versus the south side (downstream side) of the crossing during Hurricane Harvey. To make improvements and to gauge the effects that those improvements would have on the C-1 Ditch Watershed, an engineered drainage study is required.

This Interlocal Agreement would allow the City of Alvin to work in cooperation with the C&R #3 to fund the required study.

As stated in the Agreement, C & R #3 shall provide a study for the following:

- Determine whether the C-1 ditch crossings at FM 1462 and County Road 172 could be improved to allow more water to pass downstream.
- Review the potential impact to detention ponds along the C-1 drainage ditch.
- The study will incorporate the geographical area from Davis Bend Road to Highway 35.

As stated in the Agreement, the City shall provide funding for the study for drainage on the C-1 Ditch, not to exceed \$40,000 in Fiscal Year 2018.

Following a discussion with Richard McLaren, General Manager of C & R District 3, Council member Adame moved to approve an interlocal agreement with the Brazoria County Conservation and Reclamation District #3 for the funding of a drainage study for the C-1 ditch; and authorize the Mayor to sign. Seconded by Council member Richards; motion carried on a vote of 6 Ayes.

REPORTS FROM CITY MANAGER

Review preliminary list of items for next Council meeting.

Ms. Breland reviewed the preliminary list for the April 5, 2018 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.

Mrs. Roberts reviewed items of community interest.

Council member Thompson reported that there were potholes on Johnson Street south of FM 1462.

Council member Reed thanked Mr. Roland and the Finance staff for their work; he also commended the city employees for their work. He explained that his work is increasing but will make the Council meeting as much as possible.

Council member Arendell thanked Dixie Roberts, City Secretary, for her assistance.

Council member Richards expressed appreciation to the city staff and employees for the work they do.

ADJOURNMENT

Mayor Horn adjourned the meeting at 8:09 p.m.

PASSED and APPROVED this _____ day of _____, 2018.

Paul A. Horn, Mayor

ATTEST: _____
Dixie Roberts, City Secretary