

**MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
CITY COUNCIL REGULAR MEETING
AND EXECUTIVE SESSION
THURSDAY, OCTOBER 17, 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 Pro-Tem Keko Moore; Council members: Martin Vela, Chris Vaughn, 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; Chris Thomas, Director of Finance; Dan Kelinske, Parks and Recreation Director; Michelle Segovia, City Engineer; Brandon Moody, Director of Public Services; Paul Chavez, Economic Development Director and Tim Hubbard, Police Captain.

INVOCATION AND PLEDGE OF ALLEGIANCE

Darrell Bailey with First Methodist Church gave the invocation. Council member Castro led the Pledge of Allegiance to the American Flag. Council member Garivey led the Pledge to the Texas Flag.

PRESENTATIONS

Administer the Oath of Office to newly appointed Associate Municipal Court Judge, Pat Monks (Alvin Municipal Court Judge, Mo Ghuneim).

Alvin Municipal Court Judge Mo Ghuneim administered the Oath of Office to newly appointed Associate Judge Pat Monks.

Proclamation - Alvin Police Department Chaplain Week - October 13-19, 2024.

Mayor Pro-tem Moore presented the proclamation to Alvin Police Department Chaplains and staff in attendance.

Proclamation - Municipal Court Week November 4-8, 2024.

Mayor Pro-tem Moore presented the proclamation to Alvin Municipal Court staff in attendance.

Municipal Court Annual Departmental Presentation.

Judge Mo Ghuneim and Sonya Cates, Court Administrator, delivered the annual departmental update before City Council.

PUBLIC COMMENT

Charles Batty presented comments regarding the Texas Hope organization that provides Christmas gifts to local families in need. This year they will be having a fundraiser on Saturday, October 26, 2024, from 11:00 am to 2:00 p.m. at the Chevron next to Taco Bell.

PUBLIC HEARINGS

Public hearing to receive comment on the proposed annexation of approximately 168.36 acres, located near the intersection of State Highway 288 and FM 1462, in Brazoria County, Texas.

Mayor Pro-tem Moore opened the public hearing at 7:27 p.m. There were no comments made. Mayor Pro-tem Moore closed the public hearing at 7:28 p.m.

Public hearing to receive comments on the proposed Economic Development Incentive Policy for the City of Alvin.

Mayor Pro-tem Moore opened the public hearing at 7:28 p.m. There were no comments made. Mayor Pro-tem Moore closed the public hearing at 7:29 p.m.

CONSENT AGENDA

Consider approval of the October 3, 2024, City Council Workshop minutes.

Consider approval of the October 3, 2024, City Council meeting minutes.

Consider the approval of Kimley-Horn and Edgeland Group, the top ranked firms selected through the Request For Qualifications process (RFQ 24-01), for professional landscaping services for future City project needs.

On June 30 and July 7, 2024, the City advertised Requests for Qualifications from professional landscape architects to provide services on an as-needed basis for various City projects. A selection committee reviewed and evaluated the qualifications submitted by five (5) firms, scoring them based on experience, methodology and approach, creativity, and reference/client feedback. Following the evaluation, Kimley-Horn received the highest score from the selection committee, with Edgeland ranking second. It is recommended that the City Council approve these firms as the top-ranked providers of landscaping services. This approval will enable the City to engage these firms for future landscape architecture projects, as needed, with terms negotiated for each individual contract. While there are currently no defined projects, potential projects include improvements to the "Corner @ Willis/Gordon" and the caboose grounds at the Depot. Architects will be identified as required for these and other projects. Staff recommends approval.

Consider a three (3) year contract with CrowdStrike for Falcon Endpoint Protection services, to be purchased through DataVox utilizing The Interlocal Purchasing System (TIPS), at a total cost not to exceed sixty-four thousand three hundred eighty-five dollars and ninety-eight cents (\$64,385.98) for the entire term; and authorize the City Manager to execute the contract and all related documents upon legal review.

The proposed contract involves entering into a three-year agreement with CrowdStrike for Falcon Endpoint Protection services, at a total cost of sixty-four thousand three hundred eighty-five dollars and ninety-eight cents (\$64,385.98) for the entire term. This purchase will be made through DataVox utilizing The Interlocal Purchasing System (TIPS) to ensure efficient procurement in compliance with purchasing standards. CrowdStrike Falcon Endpoint Protection will provide advanced, cloud-based security across all City devices, enhancing defenses against sophisticated cyber threats, ransomware, and zero-day vulnerabilities. Recognized for its robust threat intelligence and real-time monitoring capabilities, CrowdStrike will integrate seamlessly with the City's existing security infrastructure, ensuring proactive threat detection and response. This investment is a key part of the City's ongoing efforts to improve IT security infrastructure, reducing the risk of potential disruptions and data breaches. Staff recommends approval of this budgeted item, ensuring compliance and safeguarding the City's digital assets.

Acknowledge receipt of the Quarterly Investment Report as of September 30, 2024.

The City Charter requires the Investment Officer to report on the financial condition of the City each quarter. In 2013, the City of Alvin adopted the Public Funds Investment Act pursuant to Chapter 2256 of the Texas Government Code. The Code contains certain requirements for investing public funds and how those funds are to be administered. These requirements include annual reviews of the policy, training, internal controls, prudence, ethics, and reporting. The City's investment policy states that the Investment Officer shall generate investment reports at least quarterly for presentation to the City Manager, Mayor, and City Council. Attached is the quarterly report for the period ending September 30, 2024. The City's investment portfolio as of September 30, 2024, was \$135,829,865.97. In Summary:

- \$98,884,935.32 in the Investment Pools;
- \$3,000,000 in Fixed Income Securities and CD's;
- \$33,944,930.65 in bank depository accounts.
- Interest earned during the quarter was \$1,438,220.99.
- The City's average yield for the quarter was 4.115% while the City's benchmark rate (i.e. the 90-day T-Bill) was 4.9896% - 5.1222%

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

OTHER BUSINESS

Final review and acceptance of the Alvin Livable Centers Study for Downtown Alvin development.

The City of Alvin applied for and was awarded a grant from the Houston-Galveston Area Council (H-GAC) in September 2021 for a Livable Centers Study of the Downtown Alvin area. The study officially kicked off in August 2023 with Kimley-Horn selected as the consulting team to lead the study. The consulting team, staff members, and representatives from H-GAC worked together to study the designated area for ways the downtown community could be enhanced for pedestrian safety and overall traffic appeal. A final report is now available and attached to this agenda for review and acceptance.

Paul Chavez, Economic Development Director, and Payton Arens with Kimley-Horn, presented this item before City Council with explanation. Mr. Arens summarized the findings of the Livable Centers Study. The City of Alvin received a grant from the Houston-Galveston Area Council (H-GAC) in September 2021 for a Livable Centers Study focused on Downtown Alvin. The H-GAC, a metropolitan planning organization promoting regional cooperation, created the Livable Centers Program in 2008 to support infrastructure and policy improvements for enhanced community living, reducing dependence on vehicles. The study consists of two phases: first, analyzing current conditions and gathering community input on local needs, and second, developing and prioritizing projects based on this feedback. Eight key themes, or "calls to action," emerged from the analysis and public engagement. These were grouped into two categories: *Infrastructure Actions*; Including improvements to sidewalks, street lighting, signage, and connections to parks and schools and *Policy Actions*; Encompassing low-impact development, diverse housing options, downtown business growth, and revisiting past plans. A list of project recommendations was generated from these themes, with some targeting specific areas and others, such as street debris cleanup, covering the entire study area. A total of 1,673 votes were received, with 66 participants voting in person at Frontier's Day and 217 voting online; some participants selected fewer than 10 projects. Kimley-Horn developed a funding matrix to address the implementation of proposed projects.

Council member Castro moved to accept the Alvin Livable Centers Study for Downtown Alvin development. Seconded by Council member Vela; motion carried with all members present voting Aye.

Consider Resolution 24-R-30, amending the City of Alvin Personnel Policy Manual, and providing for other matters related thereto.

*The City of Alvin's Personnel Policy Manual has been reviewed and updated to ensure compliance with current federal and state laws, as well as to provide clear guidance on City procedures. Major updates include the addition of Juneteenth as an official City holiday, the inclusion of Paid Parental Leave, and the establishment of Mental Health Leave for City employees. These changes reflect the City's commitment to fostering a supportive and inclusive workplace while maintaining compliance with regulatory requirements. These updates were reviewed in a workshop with the City Council held on October 3, 2024, where staff and Council discussed the proposed changes. Members of City Council and staff also received a copy of the revised Personnel Policy Manual for review. As discussed during the workshop session, the policy has been updated to include 40 hours of mental health leave for **all** employees. Staff recommends approval of Resolution 24-R-30.*

Tina Rodriguez, Intirim Human Resources Manager, presented this item before City Council with explanation.

Council member DeKeyzer moved to approve Resolution 24-R-30, amending the City of Alvin Personnel Policy Manual, and providing for other matters related thereto. Seconded by Council member Starkey; motion carried with all members present voting Aye.

Consider Resolution 24-R-31, adopting the Economic Development Incentive Policy for the City of Alvin, Texas; and setting forth other matters related thereto.

The Texas Tax Code, Chapter 312.002(c) recommends the City update and/or renew its Economic Development Incentive Policy every two years as it relates to economic development activity. The attached policy outlines the incentives available and gives business prospects the guidance necessary to pursue an incentive application if desired. Of note, staff incorporated recommendations brought forward from the 2025 Strategic Plan and made significant updates to the previous policy that reflect action items noted in the Strategic Plan.

Paul Chavez, Economic Development Director, presented this item before City Council with explanation. Discussion was had. Council member DeKeyzer asked that the word "shall" be changed to "may" regarding the section within the policy stating that food establishments "shall" have an "A" rating to engage in the

incentives as presented. Council concurred to make this change upon adoption.

Council member DeKeyzer moved to approve Resolution 24-R-31, adopting the Economic Development Incentive Policy for the City of Alvin, Texas; and setting forth other matters related thereto. Seconded by Council member Vela; motion carried with all members present voting Aye.

Consider an award of bid (B-24-03) to Scohil Construction Services, LLC., in an amount not to exceed \$2,607,859, for the Water Line Improvements Phase 4 Project; and authorize the City Manager to sign the contract upon legal review.

On September 17, 2024, bids were opened for the Water Line Improvements Phase 4 Project, and Scohil Construction Services, LLC., was the qualified bidder. LJA Engineering, the City's consultant that designed the project, and City Staff reviewed all bids that were received and have recommended Scohil Construction Services, LLC., for this project (recommendation letter attached).

Contract Amount:	\$2,483,675 (Base Bid, Supplemental Items, and Alternate A)
5% Contingency:	<u>\$124,184</u>
Total Amount:	\$2,607,859 (Alternate B is not included and will be awarded under a separate contract since it is CDBG Grant funded)

This project consists of the installation of 18,750 linear feet of 4-inch, 6-inch, 8-inch, and 12-inch water lines to connect and replace existing small diameter water lines in the area generally bounded by Blum Street, Johnson Street, South Street, and Callaway Drive. Once complete, these improvements will increase fire flow capacity, improve water quality, and provide better connectivity within the water system. These improvements were based on recommendations in the 2015 Utility Master Plan by Freese and Nichols, Inc. that was approved by City Council on March 3, 2016. Funding for this project will come from the 2022 and 2023 Water & Sewer System Revenue Bonds that were issued on July 7, 2022, and November 16, 2023. The project is scheduled to start in November 2024 and has a construction time of 210 calendar days. Staff recommends bid award and contract to Scohil Construction Services, LLC.

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

Council member Garivey moved to award bid (B-24-03) to Scohil Construction Services, LLC., in an amount not to exceed \$2,607,859 for the Water Line Improvements Phase 4 Project; and authorize the City Manager to sign the contract upon legal review. Seconded by Council member Vela; motion carried with all members present voting Aye.

Consider an award of bid to Scohil Construction Services, LLC., for the Alvin South Bypass 35 Waterline Replacement Project (B-24-07), in an amount not to exceed \$232,628; and authorize the City Manager to sign the contract upon legal review.

On September 17, 2024, bids were opened for the Water Improvements Project Phase 4 and the Alvin South Bypass 35 Waterline Replacement Project was included as Alternate B under bid number B-24-07. Scohil Construction Services, LLC was the qualified bidder. LJA Engineering, the City's consultant that designed the project, and City Staff reviewed all bids that were received and have recommended Scohil Construction Services, LLC., for this project (recommendation letter attached).

Project Budget:	\$237,500
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Contract Amount:	\$211,480 (Shown as Alternate B on pages 14-16 of the attached recommendation letter).
10% Contingency:	<u>\$ 21,148</u>
Total Amount:	\$232,628

The Alvin South Bypass 35 Replacement Project consists of the replacement of 1,600 linear feet of 8-inch Schedule 40 PVC waterline along Bypass 35 with 8-inch C900 PVC due to multiple and increasing pipe failures. The project is located along South Bypass 35 between Fairway Drive and Jephson Lane. The project is scheduled to start in November 2024 and construction must be complete by December 31, 2024. This project will be 100% funded by the Community Development Block Grant (CDBG) that was awarded to the City on October 1, 2023. Staff recommends approval.

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

Council member Garivey moved to award a bid to Scohil Construction Services, LLC., for the Alvin South Bypass 35 Waterline Replacement Project (B-24-07) in an amount not to exceed \$232,628; and authorize the City Manager to sign the contract upon legal review. Seconded by Council member Castro; motion carried with all members present voting Aye.

Consider a contract with CSA Construction, Inc., in an amount not to exceed \$2,269,460.27, to provide Construction Manager at Risk Construction Phase Services for the Wastewater Treatment Plant Expansion and Improvements Project; and authorize the City Manager to sign the contract upon legal review.

On December 1, 2022 the City Council approved Resolution 22-R-32 which authorized the use of the Construction Manager at Risk (CMAR) delivery method for the Wastewater Treatment Plant (WWTP) Expansion Project. On January 30, 2023 an Industry Awareness Meeting was held to make interested contractors aware of the upcoming project and representatives from six companies attended the meeting. A Request for Proposals (RFP) for construction manager at risk services was advertised on March 26th and April 2, 2023. Proposals were received from four companies on April 24, 2023. Proposals from all companies were reviewed/ranked by a Staff Review Committee, consisting of the Engineering and Public Services Department Staff, in May 2023. The top two companies were then interviewed on May 15, 2023. Following the interviews, the Staff Review Committee selected CSA Construction, Inc. (CSA) to submit a fee-based proposal for CMAR services for the Wastewater Treatment Plant Expansion Project. On June 15, 2023 City Council approved a contract with CSA Construction, Inc. to provide Construction Manager at Risk Design Phase Services for the WWTP Expansion Project.

The current contract being considered will provide Construction Manager at Risk services during the construction phase of the project, which includes the approval of Guaranteed Maximum Price (GMP) Proposal #1. GMP #1 will allow for the early procurement of the two generators and the two rotary drum thickeners that are required for the project. This equipment is being procured early to lock in pricing and due to their long lead times of 64 weeks for the generators and 55 weeks for the thickeners. This contract is for equipment procurement only and does not include any installation or construction activities. An amendment to this contract, which will include all remaining construction and equipment for completion of the WWTP Expansion Project is expected to come before Council in January 2025 for approval. This project was identified in the 2022 Wastewater Master Plan Update that was presented to City Council in workshops on March 1, 2022 and January 17, 2023. The project includes the expansion of the City's sole Wastewater Treatment Plant from 5.0 million gallons per day (MGD) to 7.5 MGD along with the remaining critical improvements that were identified in the 2021 Wastewater Treatment Plant Facility Plan. Staff recommends approval of this Contract.

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

Council member Starkey moved to approve a contract with CSA Construction, Inc., in an amount not to exceed \$2,269,460.27, to provide Construction Manager at Risk Construction Phase Services for the Wastewater Treatment Plant Expansion and Improvements Project; and authorize the City Manager to sign the contract upon legal review. Seconded by Council member Garivey; motion carried with all members present voting Aye.

Consider Ordinance 24-DD, releasing approximately 273.364 acres of land from the Extraterritorial Jurisdiction of the City of Alvin, Texas; providing findings of fact; containing a severability clause; and providing for other matters related thereto.

During the meeting, Mayor Pro-tem Moore moved this item before consideration of Resolution 24-R-31, Adoption of the Economic Development Policy, but it is recorded in its original order on the agenda to maintain the integrity of the outline.

On or about September 26, 2024, the City received a Petition for Release from the Extraterritorial Jurisdiction of the City from Maple Farms Holdings, LLC, the owner of approximately 273.364 acres of land near the city limits of Iowa Colony and the City of Sandy Point ETJ, as reflected in the attached map. Section 42.105(d) of the Texas Local Government Code provides that a City shall take action on a Petition for Release before either the 45th day after receiving the petition, or the next meeting that occurs after the 30th day after receiving the petition, whichever is later. This Ordinance is being presented within 45 days of receiving the Petition. Staff recommends approval.

Suzanne Hanneman, City Attorney, presented this item before City Council with explanation. Ms. Hanneman explained that this request exemplifies the intended purpose of the recently passed Senate bill regarding ETJ's. Attorney Andrew Vaughn with Allen Boone Humphries Robinson LLP explained the project that will be developed; a 700-acre master planned community within Iowa Colony, that will allow for uniformed development standards. Council member Vela expressed concern about releasing territory, stating he disagrees with the state law that makes this release compulsory.

Council member Starkey moved to approve Ordinance 24-DD, releasing approximately 273.364 acres of land from the Extraterritorial Jurisdiction of the City of Alvin, Texas; providing findings of fact; containing a severability clause; and providing for other matters related thereto. Seconded by Council member Garivey; motion carried with all members present voting Aye, and council members Moore and Vela 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/or review preliminary list of items for next Council meeting.

Mr. Junru 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.

No items were presented by Council members.

EXECUTIVE SESSION

Mayor Pro-tem Moore called for executive session at 8:00 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 Pro-tem Moore reconvened the meeting to open session at 8:23 p.m.

Consider possible action regarding the appointment of a Human Resources Director.

Council member Vaughn moved to appoint Tina Rodriguez as Human Resources Director; Seconded by Council member Starkey; motion carried with all members present voting Aye.

ADJOURNMENT

Mayor Pro-tem Moore adjourned the meeting at 8:23 p.m.

PASSED and APPROVED the 7th of November 2024.

ATTEST:

Gabe Adame, Mayor

Dixie Roberts, City Secretary