

**MINUTES  
CITY OF ALVIN, TEXAS  
216 W. SEALY STREET  
CITY COUNCIL REGULAR MEETING  
THURSDAY, JUNE 15, 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 Gabe Adame; Mayor Pro-Tem Chris Vaughn; Councilmembers: Martin Vela, Keko Moore, Joel Castro, Glenn Starkey, and Meagan DeKeyzer.

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; Michelle Segovia, City Engineer; 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 Vaughn led the Pledge of Allegiance to the American Flag. Council member Moore led the Pledge to the Texas Flag.

**CANVASS ELECTION RESULTS**

Consider Resolution 23-R-19, canvassing the returns and declaring the results of the Runoff Election held on June 10, 2023, for the purpose of electing a member to fill the vacancy in the position of City Council District E; and providing for other matters related thereto.

Council member Castro moved to approve Resolution 23-R-19, canvassing the returns and declaring the results of the Runoff Election held on June 10, 2023, for the purpose of electing a member to fill the vacancy in the position of City Council District E; and providing for other matters related thereto. Seconded by Council member Starkey; motion carried with all members present voting Aye.

**OATH OF OFFICE**

Administer Oath of Office to Meagan DeKeyzer, City Council District E, by Alvin Municipal Court Judge Mo Ghuneim.

Judge Mo Ghuneim administered the official Oath of Office to City Council District E member, Meagan DeKeyzer. Council member DeKeyzer was accompanied by members of her family.

**PRESENTATIONS**

Presentation and pinning of successful Police Promotional Candidates to the ranks of Lieutenants, Sergeants, and Corporal/Specialists.

Chief Lee presented the promotional pinning of the following officers: Jake Schauer and David Elsner promoted to Lieutenant, Robert "Bobby" Vincent and Daniel Burgess promoted to Sergeant and Quentin Santucci and Michael Garcia promoted to Corporal/Specialist. Each officer had a family member in attendance that pinned them with their new badges.

Presentation of Outstanding Young Citizen Award to Ayla Cast, for her work at the Oak Park Cemetery.

Mayor Adame presented Ayla Cast with the Outstanding Young Citizen Award after a short video highlighting her contributions to the Oak Park Cemetery. Ms. Cast was accompanied by her parents.

Chamber of Commerce Update, Cary Perrin, President.

Presentation made by Chamber President, Cary Perrin regarding the goals of the Chamber of Commerce and the wonderful partnership between the City and the Chamber. Mr. Perrin was accompanied by various Board members.

**PUBLIC COMMENT**

There were no comments from the public.

**CONSENT AGENDA**

Consider approval of the June 1, 2023 City Council Workshop minutes.

Consider approval of the June 1, 2023 City Council meeting minutes.

Consider the resignation of Jason Jones from the Parks and Recreation Board.

*On May 27, 2023, Jason Jones submitted his resignation from the Parks and Recreation Board for his term ending December 31, 2024. This agenda item is the formal acceptance of his resignation. With the resignation of Mr. Jones, there will be six (6) members on the Board. Chapter 16.5, Parks and Recreation, Article I, In General, Section 16.5-1 Parks and Recreation Board, states that the Board shall be composed of seven (7) to nine (9) members. Current members are Alan Denny, Caty Fontenot, Justin Gatlin, Milton Morgan, Dwight Rhodes, and Jamie Van Horne. City Council will consider the appointment of a member to the Board at the July 6, 2023 City Council meeting.*

Consider Resolution 23-R-22, authorizing certain officers of the City to sign and endorse checks and drafts on the City of Alvin bank accounts with Wells Fargo; and providing for other related matters thereto.

*This resolution updates various City Officials as authorized signers and limited signers to the City of Alvin bank accounts, effective June 19, 2023.*

*Account # XXX0295 Consolidated Operating Account*

*Add: Gabe Adame, Mayor (Signer)*

*Remove: Paul Horn (former Mayor)*

*Account # XXXXXX7428 Utility Billing*

*Add: Gabe Adame, Mayor (Signer)*

*Remove: Florence Chapa (former employee)*

*Account # XXXXXX4433 TIRZ-Kendall Lakes*

*Add: Ron Mercer (Signer)*

*Remove: Andres Reyes, Jr.*

*Add: Michael Higgins, Dir. of Adm. Services (Signer)*

*Update: Junru Roland, City Manager (Change from Limited Signer to Signer)*

*Account # XXXXX9224 EMS/Medicare*

*Add: Gabe Adame, Mayor (Signer)*

*Remove: Paul Horn (former Mayor)*

Consider Resolution 23-R-23, designating authorized representatives of the City to complete the necessary transactions in connection with the TexPool Investment Accounts; and providing for other related matters thereto.

*This resolution updates various City Officials on the City of Alvin Texpool Investment Account, effective June 19, 2023.*

*Texpool Investment Pool*

*Add: Gabe Adame, Mayor (Authorized Rep)*

*Add: Christine Turner, Controller (Authorized Rep)*

*Remove: Paul Horn, Kimberly Hawkins (former employee), Maria Aguirre (former employee)*

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

**OTHER BUSINESS**

Consider Resolution 23-R-20, authorizing the publication of the Notice of Intention to Issue Certificates of Obligation; authorizing the preparation of preliminary official statements and notices of sale; declaring intent to reimburse certain prior capital costs; and providing for other matters related thereto.

*A Certificate of Obligation (CO) is a financing instrument that, according to Section 271 of the Texas Local Government Code, can be issued by a city to: Pay for the restoration of historic structures (Sec. 271.0461) Pay for the demolition of dangerous structures (Sec. 271.0461) Pay for the construction of any public work (Sec. 271.045) Purchase materials, supplies, equipment, machinery, buildings, land, and right of way for authorized needs and purposes (Sec. 271.045) Pay contractual obligations for professional services, including services provided by tax appraisers, engineers, architects, attorneys, map makers, auditors, financial advisors,*

and fiscal agents (Sec. 271.045).

Staff is proposing the issuance of Certificates of Obligations to finance the costs associated with the (i) acquisition, construction of improvements to, and the equipment for a recreational building (Thelma Ley Anderson YMCA building); and (ii) the costs of professional services incurred in connection therewith. Under Section 271.049 of the Texas Local Government Code, the City is required to publish notice of its intention to issue the Certificates before City Council may approve an ordinance authorizing the sale of the Certificates.

The public notice must state: the time and place tentatively set for the passage of the order or ordinance authorizing the issuance of the certificates; the purpose of the certificates to be authorized; the maximum amount of certificates that can be authorized; and the manner in which the certificates will be paid for, whether by taxes, revenues, or a combination of the two. The city must publish notices of intent in a newspaper of general circulation. The notice must be published once a week for two consecutive weeks. The City is also required to post notices of intent on the city's website for at least 45 days before the date set for the passage of authorizing the ordinance to issue the COs. Exceeding the the Texas Local Government Code's public notice mandates, staff intends to publish the notice of intent on all of the City's social media outlets, as well as advertise and host a townhall meeting to give citizens an opportunity to voice any concerns that they may have.

#### *Contents of the Notice of Intention to Issue the Certificates*

The contents of the notice of intention to issue the Certificates are dictated by state law. The maximum par amount listed in the notice of intention sets the maximum amount of certificate proceeds that may be used for the purposes outlined above. If the final total costs for the acquisition and servicing of the building is lower than the maximum estimated (as noted in the Notice of Intent), prior to the sale of the COs, the City may either lower the amount requested in the Notice of Intent or add similar/related capital items listed in the notice up to the maximum.

COs do not require up-front voter approval. If the City receives a petition protesting the issuance of the CO that is signed by five percent (5%) of the city's qualified voters, the City must hold an election to issue the COs. A petition triggering a CO election must be received by the City prior to the date tentatively set for the order or ordinance that authorizes the issuance of the CO -- a minimum of 45 days must pass after the first publication of the notice of intent to issue COs and adoption of the order or ordinance.

At the time of the writing of the agenda summary, the City is not under contract to acquire the YMCA building. On June 1, 2023, City Council authorized that a Letter of Intent to acquire the YMCA building be submitted to the YMCA officials. The Letter of Intent was executed and approved by the YMCA Board on June 8, 2023. Resolution 23-R-20 authorizes the publication of the statutorily required notice and authorizes the City's administrative staff, with the assistance of Bond Counsel (Bracewell LLP) and Financial Advisors (US Capital Advisors LLC), to proceed with the preparation of the preliminary official statements\* and notices of sale for the proposed certificates.

\* Preliminary Official Statement – prospectus on a pending new issue, usually circulated to gauge the level of interest among prospective investors by giving broad information (but without indicating the price of the issue) Staff recommends approving Resolution 23-R-20.

Junru Roland, City Manager, and Jonathon Frells, with Bracewell, presented this item before City Council with explanation. Council member Castro made comments regarding his opinion of the intent behind the use of Certificates of Obligation and allowing voters to make the decision on whether the city should expend resources to purchase the building. Mr. Frells explained the amount of \$9,079,740 as the total principal and interests as it relates to this purchase. He also explained the process by which voters would still have an opportunity to provide input and submit a petition rejecting the purchase. At any time throughout this process, the City of Alvin can withdraw their intent. Discussion was had on this source of funding and the costs of alternatives and the process of issuing certificate of obligation bonds. Lengthy discussion continued.

Council member Vela moved to approve Resolution 23-R-20, authorizing the publication of the Notice of Intention to Issue Certificates of Obligation; authorizing the preparation of preliminary official statements and notices of sale; declaring intent to reimburse certain prior capital costs; and providing for other matters related thereto. Seconded by Council member Starkey; motion carried with Council members Castro and Moore voting No and all other members present voting Aye.

Consider Ordinance 23-O, approving the Plan of Development for a Planned Unit Development, on certain property consisting of a 2,962-acre tract located in the limits of the City of Alvin, Texas, east of State Highway 288, South of the Metropolitan Houston Area between FM 1462 on the North and County Road 51 on the South; amending all ordinances or parts of ordinances in conflict herewith; providing for severability; finding and determining that the meeting at which this ordinance is passed is open to the public as required by law; and providing for other matters related thereto.

The Planned Unit Development (PUD) establishes comprehensive guidance and regulations for Preservation Creek. The intent of the PUD is to provide a means by which development may occur in an orderly and responsible manner by establishing guidelines that ensure quality development and specifically address the goals of both the City and the Developer. The PUD will bring to life the City's vision for the future of West Alvin. In planning this development, the Developer reached out to the City about its goals for West

*Alvin and regionalization of public infrastructure. The guidelines within the PUD create regulations that will ensure the quality and character desired by both the Developer and the City.*

*The proposed PUD helps to develop and improve the property as a master-planned, mixed-use community in various phases, with single-family and multi-family rental residential dwelling units, commercial development, institutional development, and other uses permitted in the PUD. Sections of the PUD document include: The Development Plan: consisting of goals & objectives, a preliminary land use plan, transport, parks, open space, and infrastructure; The Development Regulations: consisting of design guidelines and development standards for residential and non-residential areas; and the Administration & Amendments: consisting of proposed amendments to the City Code of Ordinances, project specific regulations, and administrative approval. Staff recommends approval of Ordinance 23-O adopting the Preservation Creek Planned Unit Development.*

Junru Roland, City Manager, presented this item before City Council with explanation.

Council member Starkey moved to approve Ordinance 23-O, approving the Plan of Development for a Planned Unit Development, on certain property consisting of a 2,962-acre tract located in the limits of the City of Alvin, Texas, east of State Highway 288, South of the Metropolitan Houston Area between FM 1462 on the North and County Road 51 on the South; amending all ordinances or parts of ordinances in conflict herewith; providing for severability; finding and determining that the meeting at which this ordinance is passed is open to the public as required by law, and providing for other matters related thereto. Seconded by Council member Vaughn; motion carried with all members present voting Aye.

Consider Resolution 23-R-21, approving a Development Agreement with W Land Development Management LLC, a Texas limited liability partnership and development manager of the Property for WB West Alvin Land LLC and its successors and assigns, for the development of Preservation Creek, a 2,962 acre tract located in the limits of the City of Alvin, Texas, east of State Highway 288, between FM 1462 and County Road 51 in connection with Tax Increment Financing Reinvestment Zone Number One; and authorize the Mayor to sign the Agreement upon legal review.

*W Land Development Management LLC (WLand) has requested a Development Agreement by and between the City of Alvin and W Land. The subject Agreement would allow for the development of up to 2,962 acres of land for a master-planned community.*

*A Development Agreement is a contract negotiated between a project proponent and a public agency that governs the land uses to be allowed for a particular project, and which will benefit both parties. The City has concluded that the development of the property will further the growth of the City, facilitate the development of West Alvin, increase the assessed valuation of the real estate situated within the City, particularly West Alvin, foster increased economic activity within the City, increase employment opportunities within the City, upgrade public infrastructure within West Alvin, and otherwise be in the best interest of the City by furthering the health, safety, and welfare of its residents.*

*There were several meetings with W Land. Below are some of the meeting dates:*

*10/19/21 – City Council Workshop*

*11/11/21 – Design and Visioning Session with W Land’s design team.*

*03/10/22 – Predevelopment Meeting*

*03/22/22 – Meeting with W Land’s legal counsel*

*05/05/22 – Predevelopment Meeting*

*08/05/22 – Meeting with Developer (Mayor, Mayor Pro-tem and City Manager)*

*03/09/23 – Predevelopment Meeting*

*04/26/23 – City Council & City Staff Workshop with WLand*

*05/11/23 – City Manager meeting with Developer*

*05/31/23 – Predevelopment Meeting*

*Major Terms of the Proposed Development Agreement are as follows:*

*Reactivation of Tax Increment Financing Zone (TIRZ) Number One.*

*This 2,962 acre tract was annexed into the City of Alvin in 2003, for the Super Speedway Development, which was to consist of a motor speedway racetrack with a few commercial sites, hotels, greenbelts, recreational facilities and residential housing. TIRZ 1 was also created in 2003 to fund the construction of public improvements and infrastructure in the tract; however, the Super Speedway Development never came to fruition. As a result, TIRZ 1 was never fully functional and has been dormant for many years. The proposed Development Agreement would authorize the reactivation and extension of the boundaries of TIRZ 1 to include the development of Preservation Creek. In accordance with the provisions of a TIRZ, the Developer shall fund improvements to the property sufficient to produce a tax increment that will result in revenues sufficient to fund and/or reimburse the Developer for the cost of the public improvements, together with associated debt service and municipal services to be provided to the property.*

*Consent to the Creation of Special District(s)*

*The Development Agreement contemplates the creation of Municipal Utility Districts (MUDs); with the MUDs and/or TIRZ reimbursing the developer for infrastructure needed for the development. The costs of certain public infrastructure will be financed*

as a TIRZ project and certain other public infrastructure will be financed by MUDs.

*Implementation of a Planned Unit Development*

*The Developer will improve the property as a master-planned, mixed-use community in various phases, with single family and multi-family and rental residential dwelling units, commercial development, institutional development, public/community development and other uses permitted in conformance with the Planned Unit Development.*

*Utilities & Fees*

*The Development Agreement allows for water and wastewater services to be provided by the District or, upon agreement between the City and the District, through the use of a private investor-owned utility company. The District will be responsible for owning, operating, and maintaining the water and sewer plants, including billing and collecting from District customers on the property for water and wastewater services. A municipal service fee shall be recovered from the TIRZ to reimburse the City for the cost of the fire and emergency services.*

*Emergency Services Substation*

*Because the development is in the city limits, the city will provide fire, police and other city services. Proceeds from TIRZ bonds or the increment from the increased values will finance the land and improvements necessary for a police/fire/emergency medical services facility. Staff recommends approval of Resolution 23-R-21.*

Junru Roland, City Manager, presented this item before City Council with explanation. Mayor Adame asked about the style of home that is being proposed to be built. Lisa Clark of W Land Development explained that such design criteria are still to be determined. Ms. Clark explained the design guidelines are created by her team to set criteria related to setbacks, layouts, building materials etc. For example, there will be a masonry requirement that might be brick, but it could also be stucco. Council will have the opportunity to review these guidelines before they are finalized but will have no oversight. She further clarified that once a criterion is set, she is accountable for it, and she is committed to retaining the value that has been proposed. She is also willing to make herself available for future workshops for any question that may arise, and any input Council would like to provide.

Council member Starkey moved to approve Resolution 23-R-21, approving a Development Agreement with W Land Development Management LLC, a Texas limited liability partnership and development manager of the Property for WB West Alvin Land LLC and its successors and assigns, for the development of Preservation Creek, a 2,962 acre tract located in the limits of the City of Alvin, Texas, east of State Highway 288, between FM 1462 and County Road 51 in connection with Tax Increment Financing Reinvestment Zone Number One; and authorize the Mayor to sign the Agreement upon legal review. Seconded by Council member Moore; motion carried with all members present voting Aye.

Consider Ordinance 23-M, amending Chapter 22, Article I, Section 22-14 of the City of Alvin Code of Ordinances, to provide for an increase in the tax exemption on a residence homestead to the greater of either twenty percent (20%) of the appraised value of a residence homestead, or Five Thousand Dollars (\$5,000); providing a severability clause; establishing an effective date; and providing for other matters related thereto.

*In 2008, the City of Alvin adopted Ordinance 08-C, exempting from taxation the greater of 1% of the value of qualifying homesteads or \$5,000. The Texas Local Government Code allows municipalities to adopt local-option homestead exemptions and provides for a minimum exemption of \$5,000, with a maximum percentage exemption of 20% of the appraised value of each qualified homestead. To qualify for a residence homestead exemption, the taxable property must be the owner's principal place of residence as of January 1 of the tax year. A residence homestead is a separate structure positioned on land owned or leased by the homeowner, as long as that person owns and lives in the structure.*

*Staff recommends approval of Ordinance 23-M increasing the residential homestead exemption from 1% to 20% -- the maximum percentage allowed by the Texas Local Government Code. By state statute, any adjustment to the homestead exemption must be adopted prior to July 1st to be effective for the current tax year. This item was presented to City Council at a workshop on June 1, 2023.*

Junru Roland, City Manager, presented this item before City Council with explanation.

Council member Castro moved to approve Ordinance 23-M, amending Chapter 22, Article I, Section 22-14 of the City of Alvin, Code of Ordinances, to provide for an increase in the tax exemption on a residence homestead to either the greater of twenty percent (20%) of the appraised value of a residence homestead, or Five Thousand Dollars (\$5,000); providing a severability Clause; establishing an effective date; and providing for other matters related thereto. Seconded by Council member Moore; motion carried with all members present voting Aye.

Consider Addendum No. 3 to the Contract for Refuse Collection and Disposal Services between the City of Alvin and Texas Pride Disposal, to adjust rates paid to Texas Pride Disposal due to the net increase in the

revised Consumer Price Index Rate for All Urban Consumers (CPI-U) for the Houston-The Woodlands-Sugar Land, Texas area, fuel cost adjustments, and operational costs pursuant to the agreement; and authorize the Mayor to sign Addendum No. 3 upon legal review.

*The City's contract with Texas Pride Disposal for refuse collection and disposal service contains a provision for an annual adjustment of compensation paid to the contractor. The contract states that the contractor shall be compensated in accordance with the CPI-U adjustment, a fuel adjustment and an operating cost adjustment.*

*Contractual Terms*

*The CPI-U shall mean the revised Consumer Price Index rate for all urban consumers for the Houston, The Woodlands, and Sugarland, Texas area. The fuel rate is adjusted if during the previous cost adjustment year, the average price of diesel fuel exceeded \$3.70 per gallon. This past year, the average price of fuel was \$4.62. Lastly, Texas Pride may petition for an additional operational rate and price adjustments on the basis of material or unusual changes in their cost of operations. Texas Pride has submitted documents and records sufficient to establish the necessity of the rate adjustment. Staff has reviewed the supporting documentation for the operating adjustment and believe it is in compliance with the terms of the contract.*

*History of Contractual Rate Increases:*

	FY22 Amend#1	FY23 Amend#2	FY24 (proposed) Amend#3
CPI-U	4.5%	8.5%	4.00%
Fuel adj	0%	0%	3.282%
*Requested operating adjustment	0%	0%	4.725%
Net adjustment:	4.5%	8.5%	12.007%

*Based on estimated FY23 end of year projections, the 12.007% contractual increase equates to a \$340,000 increase for FY24. Should City Council approve the contractual rate increase of 12.007%, the effective date would be October 1, 2023.*

Michael Higgins, Chief Financial Officer, presented this item before City Council with explanation. Mr. Higgins explained that the increase is in compliance with the terms of the current contract.

Council member DeKeyzer moved to approve Addendum No. 3 to the Contract for Refuse Collection and Disposal Services between the City of Alvin and Texas Pride Disposal, to adjust rates paid to Texas Pride Disposal due to the net increase in the revised Consumer Price Index Rate for All Urban Consumers (CPI-U) for the Houston-The Woodlands-Sugar land, Texas area, fuel cost adjustments, and operational costs pursuant to the agreement; and authorize the Mayor to sign Addendum No. 3 upon legal review. Seconded by Council member Vaughn; motion carried with all members present voting Aye.

Consider a Professional Services Agreement with Freese and Nichols, Inc. in an amount not to exceed \$5,846,200 for engineering design services for the Final Design of the Wastewater Treatment Plant Expansion Project; and authorize the City Manager to sign the Agreement upon legal review.

*On March 1, 2022, during the Visioning and Goal-setting Workshop, Staff presented the City Council draft results of the 2022 Wastewater Master Plan Update. The updated plan proposed the need for a 2.5 MGD expansion to the City's only Wastewater Treatment Plant. The expansion to the plant is necessary due to the increased flows (7% annual average increase in flow since 2016) at the plant and the need to stay in compliance with TCEQ regulations. On July 21, 2022, City Council approved an Engineering Services Agreement with Freese and Nichols to perform the Preliminary Engineering Design for the project. The Preliminary Engineering Report and the Preliminary Plans were completed and submitted to staff on May 8, 2023.*

*The Professional Services Agreement currently being considered will provide final engineering design and bid phase services, as outlined in the attached agreement, for the 2.5 MGD Wastewater Treatment Plant (WWTP) Expansion Project. Time of completion for the final design is 15 months and 3 months for the bid phase once the design is complete. This Engineering Services Agreement will be funded from the 2022 Water and Sewer System Revenue Bonds that were authorized by City Council on July 7, 2022. Staff recommends approval of this Agreement.*

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

Council member Starkey moved to approve a Professional Services Agreement with Freese and Nichols, Inc. in an amount not to exceed \$5,846,200 for engineering design services for the Final Design of the Wastewater Treatment Plant Expansion Project; and authorize the City Manager to sign the Agreement upon legal review. Seconded by Council member Vela; motion carried with all members present voting Aye.

Consider a Design Phase Services Contract with CSA Construction, Inc. to serve as Construction Manager at Risk (CMAR) for the Wastewater Treatment Plant Expansion Project in an amount not to exceed \$488,840; 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 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.*

*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. The contract being considered will provide Construction Manager at Risk services during the design phase in order to provide the best value to the City for this important project. Staff recommends approval of this contract.*

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

Council member Vela moved to approve a Design Phase Services Contract with CSA Construction, Inc. to serve as Construction Manager at Risk (CMAR) for the Wastewater Treatment Plant Expansion Project in an amount not to exceed \$488,840; and authorize the City Manager to sign the Contract upon legal review. Seconded by Council member Starkey; motion carried with all members present voting Aye.

Consider Ordinance 23-L, amending Chapter 24, Traffic, of the Code of Ordinances, City of Alvin, Texas, for the purpose of designating the prima facie speed limit of 25 miles per hour within the Kendall Lakes Subdivision; authorizing and directing the placement and installation of speed control signage; providing for a penalty and publication; and setting forth other provisions related thereto.

*In June 2023, a request was received by the City Manager, from a resident in Kendall Lakes, to consider lowering the speed limit in the Kendall Lakes Subdivision that is located along Highway 35. The current posted speed limit within the subdivision is 30 miles per hour (MPH). Ordinance 23-L will establish a posted speed limit of 25 MPH within the entire Kendall Lakes Subdivision, authorize Staff to install the appropriate signage, and provide for the enforcement of the designated speed limit. Lowering the speed limit from 30 MPH to 25 MPH will make Kendall Lakes Subdivision consistent with other subdivisions within the city that are of similar size and configuration. Staff recommends approval of Ordinance 23-L.*

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

Council member Starkey moved to approve Ordinance 23-L, amending Chapter 24, Traffic, of the Code of Ordinances, City of Alvin, Texas, for the purpose of designating the prima facie speed limit of 25 miles per hour within the Kendall Lakes Subdivision; authorizing and directing the placement and installation of speed control signage; providing for a penalty and publication; and setting forth other provisions related thereto. Seconded by Council member Vela; motion carried with all members present voting Aye.

Consider approval of the purchase of rifle packages for eligible Alvin Police Department officers, to be reimbursed by the officer to the City through a payroll deduction program, and approve the purchase of five (5) patrol rifle packages and six (6) SWAT rifle packages for the Alvin Police Department, for a combined expenditure in an amount not to exceed \$162,432.00, from Loyal 9 Mfg (Sons of Liberty Gun Works); and authorize the City Manager to sign the purchase agreement upon legal review.

*Currently, the Alvin Police Department (APD) has nine (9) patrol rifles that are loaned to APD through the Department of Public Safety's 10-33 program, which allows U.S. Government surplus equipment to be used by local law enforcement agencies. These rifles have been greatly modified to allow for law enforcement use and are termed as "controlled" equipment which must be returned whenever the government halts the program or when the department no longer has a need for them. "Controlled" equipment must be inventoried regularly and any modifications must be documented, and any parts removed must be kept and inventoried regularly, as well as being returned if/when the rifles are returned. These, and other conditions on "controlled" property, make it difficult to issue these rifles to each officer, as each rifle is standardized and is designed specifically for each officer. This means that the optics (which are also 10-33 controlled equipment), stocks, grips, etc., are "universal" and are not set for a specific officer. This is a major drawback of the program, as each officer has different biometrics and, as such, would benefit from a platform which has been set up for their needs. The Department does not have enough of these rifles to issue to each officer regardless.*

*As a solution to this problem, the Department is proposing a purchase/payroll deduction program, where the City purchases the rifle, optic, rail, sling, and weapon light (rifle package) for the officer, and the officer pays back the cost of the rifle package to the City through 26 payroll deductions over a 12-month period. Several other cities in Texas have done this type of program and have had marked success. These cities include Abilene, Carrollton, College Station, LaPorte, Lubbock, Duncanville, and Aransas Pass to name a few. Any officer who purchases a rifle package in this manner would be required to carry/have this rifle package available while*

*on duty and would only be allowed to purchase one (1) at this time. The benefit of this, not inclusive of the moral boost for the officer, would be that each rifle package, although the same make/model of rifle, optic, and other equipment, can be set up by the officer for their individual biometrics and is, therefore, a more acceptable platform for their use. Additionally, the rifle package would be better cared for since the officer would own the individual weapon. Currently, 53 of the 58 eligible officers have expressed interest in this type of program. Each participant would be required to sign a purchase agreement, similar to the one attached, in order to participate in the program.*

*Along with the rifle packages purchased under a purchase/payroll deduction program, the Department wants to purchase five (5) additional rifle packages to be APD owned to have available for issuance to officers who chose not to purchase their own, and/or to be used by officers still in training that would not be eligible to participate in a purchase/payroll deduction program. Additionally, the Department also wants to replace six (6) older SWAT rifles with specific short barrel rifle packages also to be owned by APD.*

*These purchases, if all who expressed interest participate and to include the proposed APD owned, should not exceed \$162,432.00 including taxes on the officer purchased rifle packages. The total, with tax, for each officer will be \$2,421.55. The make/model of the rifle, along with the other equipment in the rifle package, are based upon the recommendation of our SWAT officers, who have been testing/comparing various packages for the last year and have chosen the Loyal 9 Mfg dba Sons of Liberty Gunworks as the best rifle platform.*

*It is our intent that this will be a permanent program and that all new officers who have concluded their probation period will be able to purchase a duty patrol rifle package in the future through this program. The purchase of a patrol rifle package, just like the purchase of a duty handgun and belt/holster, is a huge expense and the ability to purchase these tools in this manner would be of great benefit to the officers, APD, and to the City.*

Robert Lee, Police Chief, presented this item before City Council with explanation.

Council member Castro moved to approve the purchase of rifle packages for eligible Alvin Police Department officers, to be reimbursed to the City through a payroll deduction program, and approve the purchase of five (5) patrol rifle packages and six(6) SWAT rifle packages for the Alvin Police Department, for a combined expenditure in an amount not to exceed \$162,432.00, from Loyal 9 Mfg (Sons of Liberty Gun Works); and authorize the City Manager to sign the purchase agreement upon legal review. Seconded by Council member Vaughn; motion carried with all members present voting Aye.

Consider Ordinance 23-N, amending the City of Alvin Ordinance 22-SS, passed and approved September 1, 2022, same being an ordinance approving and adopting the City of Alvin's budget for Fiscal Year 2022-23 for the purpose of amending the mid-year budget and providing for supplemental appropriation and/or transfer of certain funds as set forth; providing for severability; and providing for other matters related thereto.

*At the end of fiscal year 2022 (FY22), the City exceeded fund balance requirements/expectations in the General Operating Fund by \$93,500. This budget savings resulted from personnel vacancies throughout the year and revenues exceeding budget expectations (sales taxes, franchise tax revenues, license/permits). Staff has identified capital items that could be funded in the current fiscal year (FY23) utilizing prior year budget savings. As this proposed budget amendment is solely based on prior year budget savings, it will not compromise the current year's budget. Staff requests that City Council amend the FY23 General Operating Fund budget for the following projects:*

*Concrete Pads at the Alvin Animal Adoption Center (AAAC) - \$20,000*

*Proper exercise and playtime are essential for a dog's physical and mental well-being, especially in a shelter setting because of the stress of so many other animals, visitors, and close quarters. To help meet this need for dogs in AAAC custody, the play yards are used daily for the more active and stressed dogs. Utilizing the play yards has made a significant difference in the mental well-being for dogs showing signs of stress. It is a safety concern to not have concrete flooring in the play yards as many dogs dig holes at the perimeters. If successful, the dogs can then escape the enclosure completely or gain access to another play yard where another dog may be. Either scenario poses a safety risk for the potential escapee, other dogs it may encounter, and commuters on Highway 6 if the dogs were to disrupt traffic. It is imperative to properly disinfect common areas, as to not spread disease from one animal to another. AAAC staff cannot properly disinfect grass and dirt but would be able to properly disinfect sealed concrete.*

*Replace Window Unit Cat Kennels - \$12,000*

*The cat kennels are falling apart a bit at a time. Small repairs have been made to keep them in working order but it's getting necessary to have them replaced. Parts of the kennels are cracking and the top layer of the shelving is breaking off, exposing the porous material underneath – this makes it impossible to properly disinfect, and could lead to the spread of disease. One of the shelves is completely broke off in one kennel.*

*Porte Cacher/Awning on the east end of the Senior Center - \$61,500*

*Requested by the Senior Board Chair as a safety amenity to provide protection from the elements for seniors loading and unloading from the ActionS bus. Staff recommends approval of Ordinance 23-N.*



Junru Roland, City Manager, presented this item before City Council with explanation.

Council member Moore moved to approve Ordinance 23-N, amending the City of Alvin Ordinance 22-SS, passed and approved September 1, 2022, same being an ordinance approving and adopting the City of Alvin's budget for Fiscal Year 2022-23 for the purpose of amending the mid-year budget and providing for supplemental appropriation and/or transfer of certain funds as set forth; providing for severability; and providing for other matters related thereto. 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.

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. 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.

There were no comments made.

**ADJOURNMENT**

Mayor Adame adjourned the meeting at 8:34 p.m.

PASSED and APPROVED the 6th of July, 2023.

ATTEST:

\_\_\_\_\_  
Gabe Adame, Mayor

\_\_\_\_\_  
Dixie Roberts, City Secretary