

**MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
CITY COUNCIL REGULAR MEETING
THURSDAY, SEPTEMBER 21, 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, 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; Michael Higgins, Director of Administrative Services; Dan Kelinske, Parks and Recreation Director; Ron Schmitz, Director of Emergency Services, and Robert E. Lee, Police Chief.

INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Adame gave the invocation. Mayor Adame's daughters, Melissa and Avery, led the Pledge of Allegiance to the American Flag and the Pledge to the Texas Flag.

PRESENTATION

Proclamation - declaring Thursday, October 5, 2023 as World Teacher's Day.

Mayor Adame proclaimed October 5, 2023, as World Teacher's Day and formally issued the proclamation to Ms. Nelson, Alvin independent School District Superintendent.

Proclamation - declaring Friday, September 22, 2023 as Cooper Williams Day.

Mayor Adame proclaimed September 22, 2023, as Cooper Williams Day and formally issued the proclamation to Mr. Williams. Mr. Williams was accompanied by his family.

PUBLIC COMMENT

Gary Moore presented comments regarding the upcoming Veterans Day Walk to fundraise for Camp Hope and other organizations that support mental health for Veterans.

CONSENT AGENDA

Consider approval of the September 7, 2023, City Council meeting minutes.

Consider Ordinance 23-Y, repealing the Code of Ordinances of the City of Alvin, Texas, Chapter 15 – Offenses and Miscellaneous Provisions, Article IV. – Curfew Hours for Juveniles, Sections 15-61 through 15-65; repealing Ordinance Numbers 94-BBB, 98-XX, 01-LL, 07-P, 10-C, 16-I, and 19-N, in response to House Bill 1819, effective September 1, 2023; providing for severability; and providing for other matters related thereto.

During the last legislative session, the State of Texas passed HB 1819 which amends Chapter 370 of the Local Government Code by adding Section 370.007 - Juvenile Curfews Prohibited. Section 370.007 reads:

Sec. 370.007. JUVENILE CURFEWS PROHIBITED.

(a) Notwithstanding any other law, a political subdivision may not adopt or enforce an order, ordinance, or other measure that imposes a curfew to regulate the movements or actions of persons younger than 18 years of age.

(b) This section does not apply to a curfew implemented under Chapter 418, Government Code, for purposes of emergency management.

Therefore, it is recommended the juvenile curfew found in the Alvin Code of Ordinances, Article IV. Curfew Hours for Juveniles, Sections 15-61 through 15-65, be repealed from the Code of Ordinances, and that Ordinance Numbers 94-BBB, 98-XX, 01-LL, 07-P, 10-C, 16-I, and 19-N, setting the juvenile curfews, likewise be repealed.

Consider authorizing the expenditure of American Rescue Plan Act (ARPA) funds for the purchase of three (3) LifePak 15 Monitors/Defibrillators from Stryker Medical through the sole source procurement method, in an amount not to exceed \$120,687.44.

The ARPA is a \$1.9 trillion economic stimulus bill passed by the 117th United States Congress and signed into law on March 11, 2021. Of the \$1.9 trillion, the City of Alvin was allocated approximately \$6.6 million. Several public meetings were held to discuss and consider various projects that could be funded using the funds allocated to the City of Alvin. The purchase of the Monitor/Defibrillators were identified as a viable project and funds were appropriated by City Council on March 17, 2022 (per Ordinance 22-V). Upon approval of Ordinance 22-V, staff indicated that before funds were expended, final authorization would come before City Council for approval. The E.M.S. Department is requesting to purchase three (3) LifePak 15 Monitor/Defibrillators using American Rescue Plan Act (ARPA) funds and procure the equipment through the sole source procurement method. Monitor/Defibrillators are a key component of providing advanced medical care in the pre-hospital environment. These devices are standard equipment on all ambulances and all paramedics to evaluate and monitor a patients EKG and Cardiac Function, Blood Pressure, Oxygen Saturation and Automatic Defibrillation.

Consider authorizing the expenditure of American Rescue Plan Act (ARPA) funds for the purchase of one (1) new ambulance module from Frazer, Ltd. through the Houston-Galveston Area Council Cooperative Purchasing Program, in amount not to exceed \$204,300.00.

The ARPA is a \$1.9 trillion economic stimulus bill passed by the 117th United States Congress and signed into law on March 11, 2021. Of the \$1.9 trillion, the City of Alvin was allocated approximately \$6.6 million. Several public meetings were held to discuss and consider various projects that could be funded using the funds allocated to the City of Alvin. The purchase of the of an additional ambulance was identified as a viable project and funds were appropriated by City Council on March 17, 2022 (per Ordinance 22-V). Upon approval of Ordinance 22-V, staff indicated that before funds were expended, final authorization would come before City Council for approval. The E.M.S. Department is requesting a new ambulance module using American Rescue Plan Act (ARPA) funds to procure the equipment through the H-GAC Cooperative Purchasing program.

Consider the purchase of one new ambulance module, replacing Unit #845, out of the City's Vehicle Replacement Program, from Frazer, Ltd. through the Houston-Galveston Area Council Cooperative Purchasing Program, in a total amount not to exceed \$204,300.00.

Ambulance Unit#845 was a 2016 Chevrolet 3500 damaged in an accident in January 2023 that resulted in a total loss. This unit was due to be replaced in FY 23/24 and had 219,000 miles at the time of the accident. The City received \$31,150.00 from TML insurance. This purchase is for the replacement of the ambulance module and attachment to a separately purchased chassis (F450).

Consider Resolution 23-R-31, nominating Tommy King for a position on the Board of Directors of the Brazoria County Appraisal District.

This Resolution is to nominate a candidate(s) to serve on the Brazoria County Appraisal District (BCAD) Board of Directors. Cities, school districts, and counties may nominate one or more persons to serve on the Board. The Board is composed of five members who serve two-year terms, all of which expire December 31, 2023. In December, City Council will cast votes for various nominees by resolution. The Chief Appraiser will then count the votes, declare the results, and notify the five candidates who received the largest vote totals before December 31, 2023. In 2015, 2017, 2019, and 2021, the City of Alvin nominated and cast their votes for Mr. Tommy King. Staff reached out to Mr. King, who currently serves as the BCAD chair, and expressed his willingness to continue servicing the community in this capacity. He thanked the Mayor and Council for their past support. Alvin ISD will also be nominating him to maintain his service on the BCAD Board. Staff recommends approval of Resolution 23-R-31.

Consider accepting the resignation of Keith Thompson from the Alvin Senior Citizen Board.

The City Secretary's Office received a letter from Keith Thompson on September 11, 2023, resigning from the Senior Board for his term ending on December 31, 2024. This agenda item is the formal acceptance of his resignation. Mr. Thompson has served on the board since December 1, 2022. City Council will consider an appointment to fill this vacancy at a future meeting.

Consider Resolution 23-R-32, establishing a Board and Commission Handbook, and providing for other related matters thereto.

Resolution 23-R-32 formally adopts the Board & Commission Handbook. All the procedures for boards and commissions as discussed at the last meeting have been incorporated into the handbook. Specifics include:

- *City Council will conduct a workshop to hold interviews for all board and commission applicants on a night other than the normally scheduled city council meeting.*
- *Applicants are asked to attend a scheduled interview and also attend the December meeting when board and commission appointments are made.*
- *Term limits are written into the policy so that a board or commission member shall not serve more than three (3) consecutive terms on a single board or commission without sitting out a full term.*

This document, once approved, will be sent out to all board and commission members and will also be placed on the city's website.

The following proposals, derived from the September 7, 2023 City Council meeting will be provided to the Charter Review Commission regarding the Planning Commission and the Parks Board:

- *Each a 7 member board*
- *Implementing term limits (3 consecutive terms)*
- *keep the following requirement consistent across all boards/commissions: members must be a registered voter, and a resident of the city for at least 6 months prior to appointment.*

Staff recommends approval of Resolution 23-R-32.

Consider Ordinance 23-AA, amending Chapter 2, Administration, Article I - In General, of the Code of Ordinances of the City of Alvin, Texas, for the purpose of amending the appointments and introducing term limits on the Alvin Senior Citizens Board; providing for severability; and setting forth other provisions related thereto.

This ordinance is amending Chapter 2 Administration - Article - 1 - Section 2-20.3 Senior citizens board stemming from the board and commission discussion had with council and staff at the September 7, 2023 council meeting.

The changes to this ordinance are as follows:

- *adding language to implement term limits, allowing members to serve a maximum of three consecutive two-year terms, abstaining from service on this board for one term (equivalent to two years) before being eligible to reapply. Said term limits will commence with December 2023 appointments moving forward.*
- *Removing outdated language*
- *Adding in additional language that absences from 3 consecutive meetings without excuse makes a member subject to dismissal. This provision is included in the criteria for other boards and commissions, ensuring that the board requirements align with those of all other boards and commissions, as previously discussed. Please note that this board does not impose residency requirements, given that the Alvin Senior Center serves the broader community beyond the city boundaries of Alvin. This ordinance amendment has no impact on this aspect.*

Staff recommends approval of Ordinance 23-AA.

Consider the cancellation of the October 5, 2023, City Council meeting.

A majority of the members of City Council will be attending the Texas Municipal League Annual Conference in Dallas and will not be able to attend the meeting scheduled for October 5, 2023.

Item I, Ordinance 23-AA regarding amending the appointments and introducing term limits to the Alvin Senior Citizens Board was removed from the Consent Agenda by Council member Vaughn.

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

OTHER BUSINESS

Item removed from the consent agenda by Council member Vaughn: Consider Ordinance 23-AA, amending Chapter 2, Administration, Article I - In General, of the Code of Ordinances of the City of Alvin, Texas, for the purpose of amending the appointments and introducing term limits on the Alvin Senior Citizens Board; providing for severability; and setting forth other provisions related thereto.

This item removed from the Consent Agenda by Council member Vaughn. Council member Vaughn stated he wanted it explained that this is not the only Board that will be amended to have term limits. The Senior Citizen Board was created by Ordinance and can only be changed by an Ordinance, the other boards and commissions are dictated by the City Charter and thus can only be changed by a Charter amendment.

Council member Vaughn moved to approve Ordinance 23-AA, amending Chapter 2, Administration, Article I - In General, of the Code of Ordinances of the City of Alvin, Texas, for the purpose of amending the appointments and introducing term limits on the Alvin Senior Citizens Board; providing for severability; and setting forth other provisions related thereto. Seconded by Council member Starkey; motion carried with all members present voting Aye.

Consider the approval of the annual windstorm and hail coverage renewal for Fiscal Year 2024; and authorize the City Manager to sign the Proposal Acceptance Form and the Windstorm Quote.

Summary: *Windstorm insurance is property and casualty insurance that specifically covers loss due to damage by high winds: i.e., hurricanes and hail damage. The City's general property and liability insurance provider, Texas Municipal League –*

Intergovernmental Risk Pool), does not offer windstorm and hail coverage to coastal counties. The City of Alvin is located in Brazoria County, which is a coastal county. The City's current underwriting manager in placing windstorm coverage is Victor Insurance Managers, Inc (VIM). The current (annual) windstorm policy for FY23 expires October 1, 2023, and the City's total scheduled assets to cover is \$64,582,277.

Victor Insurance Mangers, Inc. canvassed the open marketplace and initially approached 27 different carriers on behalf of the City of Alvin. Each carrier modeled and reviewed multiple layers (i.e., primary, buffers, and excess), as well as various terms (deductibles, extensions of coverage, etc.) in an attempt to yield the most competitive placement available. As a reminder, the Texas Windstorm Insurance Association (TWIA) does not cover properties that do not already have WPI8 wind certifications and if there is a quote in the open market. The City of Alvin has therefore been obtaining insurance through private carriers in the open market.

The initial quote (Option 1) only provided \$5,000,000 of 'certain' asset coverage in the amount \$452,908.77. The deductible also increased from \$100,000 to \$250,000. During this process, VIM also notified staff that the Texas Windstorm Insurance Association (TWIA) will cover items that open market insurance carriers will not cover. The total amount of this added TWIA coverage is \$8,568,000 in property value at a total cost of \$89,832. As a result, the total FY24 cost for Option 1 is **\$542,740.77**.

As in FY23, staff asked VIM to obtain excess coverage quotes for the value coverage difference. In FY23, the City added \$20,000,000 in additional coverage at a cost of \$255,915.84. This resulted in a total premium of \$595,846.61 for \$25,000,000 in total asset coverage. For FY24, this excess coverage quote has not been received as of the date of writing this agenda item.

A second quote (Option 2) was later received from Compo/Navigators/Axis, also covering \$5,000,000 in property assets, at a total price of **\$539,445.66** with a deductible of \$250,000. However, this quote will cover all assets, less the deductible. Since this policy will cover all assets, the added TWIA coverage is not available. As noted above, the added excess coverage quotes have not been received as of the writing of this agenda item.

There are two final comments regarding the policy. The first is the excess coverage timing and the expected cost of the quote. VIM has advised staff that the excess coverage quotes are usually good for 5 days from the date of receipt. Depending on the timing and cost for the added coverage quotes, a special council meeting date may be needed to add the excess coverage. The other comment is the policy coverage period. In FY23, staff had been in contact with VIM regarding changing the renewal period to a more suitable time period such as May-April. This would allow the quotes to be obtained in April when there is more inventory, or capacity, of available insurance policies, and when the quote process is not during the prime season for hurricanes. VIM has since advised staff that changing the policy coverage period is very costly and insurance carriers are not allowing the change of policy periods. The other option was to request quotes for a shorter-term policy such as October-April, and then to reset the policy period to a new 12-month policy period from May-April. VIM has advised staff that insurance carriers are not offering a short-term policy. To combat this issue, staff has asked for VIM to research the option to obtain a secondary policy where certain high-end or more costly properties are transferred over to a new policy with a May-April coverage period and possibly at a lower premium. These items are still up for discussion at the time of writing this agenda item.

Windstorm & Hail Coverage Options (Oct 1, 2023 – Sept 30, 2024)

Option #	Carriers	Total Limit	Deductible	Premium
1	Ventus	\$5,000,000	5% Named Storm/ \$250,000 per occurrence	\$452,908.77
	TWIA	<u>\$8,568,000</u>		<u>\$89,832.00</u>
		\$13,568,000	Hail/Wind \$250,000	\$542,740.77
2	Compo (50%) Navigators (25%) Axis (25%)	\$5,000,000	5% Named Storm/ \$250,000 per occurrence	\$539,445.66
		Hail/Wind \$250,000		

Staff is recommending Option #1, which covers assets of \$13,568,000, less the deductible, Ventus/TWIA for a total cost of **\$542,740.77**, with the notation that the excess coverage policy quotes may be provided to City Council at a later date and the possibility of amending the policy in FY24 based upon the additional criteria mentioned above.

Michael Higgins, Director of Administrative Services, presented this item before City Council with explanation. Discussion was had on the options for coverage and the timeline related to each one. A representative from Victor Insurance Managers, Inc (VIM) was present to discuss and answer questions. She stated that she was still waiting a few other quotes. Council and staff discussed holding a special meeting next week to wait for additional quotes to come in before a decision is rendered.

Council member Starkey moved to table the annual windstorm and hail coverage renewal for Fiscal Year 2024 with Ventus/TWIA for a total cost of \$542,740.77 to a Special Council Meeting to be held on Monday, September 25, 2023 at 6:00 p.m. Seconded by Council member Garivey; motion carried with all members present voting Aye.

Consider Resolution 23-R-30, revising the Athletic Facilities Policy for the use of parks and recreational facilities; establishing an effective date; and setting forth other matters related thereto.

The Athletic Facilities Policy is designed to ensure all City facilities are utilized in a safe and efficient manner. The policy provides priority use of athletic facilities for those associations requiring perpetual use and who provide recreational service(s) or to meet a community need. Recommended changes to this policy occur as necessary and are the result of collaborative efforts between the Alvin Sport Associations (ASA), the Parks and Recreation Board, and Parks Department staff. Changes to this policy were previously approved by City Council on June 16, 2022, by Resolution 22-R-15.

On August 22, 2023, the Parks Department hosted a meeting with Alvin Sport Associations to gather suggestions and feedback on proposed changes to the Athletic Facility Policy. On September 5, 2023, at a regular Parks Board meeting, the Board recommended and unanimously approved the changes to the Athletic Facilities Policy.

PROPOSED CHANGES	REASON
<i>Eliminate Alvin Sport Associations listed within the policy</i>	<i>Create an addendum to the policy reviewed and adopted annually listing the Alvin Sport Associations</i>
<i>Require non-association athletic field requests no more than two weeks in advance</i>	<i>Prevent future scheduling conflict with Alvin Sport Association field use</i>
<i>Utilize Event Application for large scale tournaments</i>	<i>Utilize existing application to assist with preparation</i>
<i>MUSCO Lighting usage (Lions & Pearson Park)</i>	<i>Allow self service for sport field light schedule changes by Alvin Sport Associations</i>
<i>Subleasing athletic fields will be strictly prohibited effective 9/15/2024</i>	<i>Require control of all field scheduling/usage thru the Parks Department, provide 1 year effective date for affected Alvin sport associations</i>
<i>Remove Non Alvin Sport Association Application from within the policy</i>	<i>Application will be hosted online thru Civic Rec (City's registration & reservation platform)</i>

Staff recommends approval of Resolution 23-R-30.

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

Council member Garivey moved to approve Resolution 23-R-30, revising the Athletic Facilities Policy for use of parks and recreational facilities; establishing an effective date; and setting forth other matters related thereto. Seconded by Council member Starkey; motion carried with all members present voting Aye.

Consider Ordinance 23-Z, amending Chapter 28, Comprehensive Fee Ordinance, of the Code of Ordinances, City of Alvin, Texas, for the purpose of amending Athletic Facilities fees; providing for an effective date; and setting forth other provisions related thereto.

This Ordinance adopts the fee change into Chapter 28, Comprehensive Fee Ordinance of the Alvin code of Ordinances related to the use of Athletic Facilities. All fees charged by the City must be included within Chapter 28. Resolution 23-R-30, updating the Athletic Facilities, was passed on a previous agenda item. The fee amendment as presented and adopted in said resolution has been included in Ordinance 23-Z as outlined below:

Athletic Facilities Policy

** Athletic facilities (non-association groups):*

- Night use, per hour per field (lighted fields) -- increase rate from \$60 to \$70*

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

Council member Garivey moved to approve Ordinance 23-Z, amending Chapter 28 Comprehensive Fee Ordinance, of the Code of Ordinances, City of Alvin, Texas, for the purpose of amending Athletic Facilities fees; providing for an effective date; and setting forth other provisions related thereto. Seconded by Council member Starkey; 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.

Council member Starkey extended congratulations to the Alvin Museum Society for their hard work on the Hispanic Heritage Festival.

Council member Garvey mentioned the Smoke Eaters Challenge and 5k at the National Oak Park taking place this Saturday, September 23, 2023.

Mayor Adame reminded everyone of the Oktoberfest which is taking place October 7th, including a dunking booth at the Alvin Lutheran Church.

ADJOURNMENT

Mayor Adame adjourned the meeting at 7:49 p.m.

PASSED and APPROVED October 19th, 2023.

ATTEST:

Gabe Adame, Mayor

Dixie Roberts, City Secretary