

**MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
REGULAR CITY COUNCIL MEETING
THURSDAY FEBRUARY 3, 2022
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 at 7:00 P.M. in the Council Chambers at City Hall, with the following members present: Mayor Paul A. Horn; Mayor Pro-Tem Martin Vela; Councilmembers: Gabe Adame, Keko Moore, Joel Castro, Glenn Starkey, Richard Garivey, and Chris Vaughn.

Staff members present: Junru Roland, City Manager; Suzanne Hanneman, City Attorney; Dixie Roberts, Assistant City Manager/City Secretary; Michael Higgins, Chief Financial Officer; Dan Kelinske, Parks and Recreation Director; Brandon Moody, Director of Public Services and Robert E. Lee, Police Chief.

INVOCATION AND PLEDGE OF ALLEGIANCE

Wesley Duncan, Pastor at First Methodist Alvin, 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.

PRESENTATION

Presentation was made by Michael Higgins, Chief Financial Officer, to his staff, of the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association to the City of Alvin for the Fiscal Year ending 9/30/2020 (FY20).

PUBLIC HEARING

Mayor Horn opened the public hearing to receive public comment regarding an application to conduct taxicab services in the City of Alvin, by Alvin Express Taxi, LLC, at 7:05 P.M.

Mr. Mickey Moffett Jr, sole proprietor of Alvin Express Taxi, LLC, made application with the City of Alvin in December of 2021 to operate taxi service in the City of Alvin. This public hearing is required by Section 23-29 of the City of Alvin Code of Ordinances as part of the approval process for his application with the City. Advertisement was published in the Alvin Sun on Sunday, January 23, 2022, and a notice of the public hearing was also placed on the City's website.

Mayor Horn closed Public Hearing at 7:06 P.M., no comments were made.

PUBLIC COMMENT

There were no comments from the public.

CONSENT AGENDA: CONSIDERATION AND POSSIBLE ACTION

Consider approval of the January 11, 2022, Special City Council meeting minutes.

Consider approval of the January 11, 2022, Council Workshop meeting minutes.

Consider approval of January 15, 2022, City Council Workshop meeting minutes.

Consider approval of the January 20, 2022, City Council meeting minutes.

Acknowledge receipt of the Quarterly Financial Report ending December 31, 2021.

The City Charter requires the Director of Administrative Services to report on the financial condition of the City. Included in the December 31, 2021 report are the following:

- *General Fund Summaries*
- *Sales Tax Revenues*
- *Utility Fund Revenue & Expense Comparison*
- *Sanitation Fund Revenue & Expense Comparison*
- *EMS Fund Revenue & Expense Comparison*
- *Operating Revenues & Expenditures – Budget vs. Actual (General, Utility, Sanitation, EMS)*
- *Cash & Investment Summary*
- *Major Funds Recap – General, Hotel, Utility, Sanitation, EMS, Sales Tax, Fleet)*

Acknowledge receipt of the Quarterly Investment Report ending December 31, 2021.

The City Charter requires the Director of Administrative Services 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 quarterly (investment) reports to the City Manager, Mayor, and City Council. Attached is the quarterly report for the period ending December 31, 2021.

In summary, the City of Alvin has an investment portfolio as of December 31, 2021, of \$96 million, which consists of \$81 million invested in the Local Government Investment Pools, \$1.6 in Certificates of Deposits and Fixed Income Securities, and \$13.4 million in the City's bank depository accounts (i.e. checking accounts). Interest earned during the quarter was \$18,466. The City's yield for the quarter was .06% (or 6 basis points) and the 90-day T-Bill was .05% (or 5 basis points).

Acknowledge receipt of the quarterly Fiscal Year 2022 Capital Improvement Projects Report.

Consider an award of Bid (B-22-01) to Carpenter Bus Sales for the purchase of a 2022 Ford E-450 StarCraft All Star 27-foot-long bus, accommodating 21 passenger +2 wheelchair accessible bus in an amount not to exceed \$87,900; and authorize the City Manager to sign the Agreement upon legal review.

Replacement of the current bus, being a 2006 Ford E-450 Aerotech and having a capacity of 20 passengers + 1 wheelchair was identified for replacement in Fiscal Year 2022.

Bid #B-22-01 advertised on January 9, 2022, and January 16, 2022, bids were opened on January 25, 2022, with Carpenter Bus Sales providing the lowest/best value bid for a 2022 Ford E-450 StarCraft All Star 27' bus, accommodating 21 passengers + 2 wheelchairs.

Bid Results as follows:

Carpenter Bus Sales - \$87,900

Creative Bus Sales - \$99,999.00

Texas Bus Sales - \$87,150.00 (discounted bid due to substitution of different style bus other than specified in the bid document)

Funding for this purchase was identified in the FY22 budget. Staff recommends awarding purchase of a 2022 Ford E-450 StarCraft All Star 27-foot-long bus from Carpenter Bus Sales.

Consider Resolution 22-R-02, calling and establishing the procedures for the May 7, 2022, General Election in Alvin, Texas, and providing for related matters thereto.

This Resolution is calling the City of Alvin General Election for Saturday, May 7, 2022, to elect members to City Council District A, District D, and At Large Position 2.

The City of Alvin will contract with the Brazoria County Elections Office to conduct this election. Brazoria County has the voting equipment required to conduct elections. The City Secretary's Office will handle the filings and all required paperwork and postings as required by state election law.

The first day to file for a place on the May 2022 General Election ballot was Wednesday, January 19, 2022, and will continue through Friday, February 18, 2022.

Early Voting will begin on Monday, April 25, 2022, and will go through Tuesday, May 3, 2022, and will be held at the Alvin Library. Voters can cast their ballot at any Early Voting location throughout Brazoria County.

Early Voting Locations:

Angleton (Main): East Annex, 1524 E. Mulberry

Alvin: Alvin Library, 105 S. Gordon

Brazoria: Brazoria Library, 620 S. Brooks

Freeport: Freeport Library, 410 Brazosport Blvd.

Lake Jackson: Lake Jackson Annex, 202 Peach St Rm 144

Manvel: North Annex, 7313 Corporate Dr.

Pearland: Pct. 3 Sub Office, 2436 S. Grand Blvd.

Pearland East: Tom Reid Library, 3522 Liberty Dr.

Pearland West: Westside Event Center, 2150 Country Place Pkwy.

Shadow Creek: Westside Library, 11801 Shadowcreek Pkwy

Sweeny: Sweeny Community Center, 205 W. Ashley Wilson Rd.

West Columbia: Precinct 4 Building, 121 N. 10th Street, Building 2

Early voting dates and hours:

April 25-29; 8am-5pm

April 30; 7am-7pm

May 2-3; 7am-7pm

Election Day voting will be held at the Alvin Library. Voters can also cast their ballot at any Voting Center in Brazoria County. An election contract with Brazoria County for the May 7th General Election will be brought before City Council for consideration at the February 17th meeting.

Staff recommends approval of Resolution 22-R-02.

Consider Ordinance 22-A, amending Chapter 2, Administration, of the Code of Ordinances of the City of Alvin, Texas, for the purpose of amending Article I, In General, Section 2-20.1, Carrying Concealed Handguns on City property; and Section 20.3, Senior Citizens Board; and setting forth other provisions related thereto.

This Ordinance amends Chapter 2, Administration of the Code of Ordinances. The proposed changes were presented to City Council at the January 15, 2022, council/staff workshop facilitated with Ron Cox. During such time City Council had no objections to the amendments as presented. The changes in summary are:

- Section 2-20.1 – Amending the carrying of a firearm on City property to reflect current law (presented by Chief Lee)*
- Section 2-20.3 - Adding residency requirements to the Alvin Senior Citizens Board (presented by Dixie Roberts)*

Staff recommends approval of Ordinance 22-A.

Consider Ordinance 22-B, removing Chapter 7, Court, from the Code of Ordinances of the City of Alvin, Texas, in its entirety; repealing Ordinance 97-K, Ordinance 99-CCC, Ordinance 03-EEE; and Ordinance 07-KKK; and setting forth other provisions related thereto.

This Ordinance removes Chapter 7, Court, from the Alvin Code of Ordinances. Legislation passed in 2019 consolidated a handful of local option municipal court fees into one local consolidated court fee. The local consolidated court fee is a \$14 fee assessed on a person convicted of a non-jailable misdemeanor. Every city is required to assign a portion of the local consolidated court fee revenue to building security, court technology, and juvenile case managers without regard for whether the city formally adopted the fee or not (not required to be adopted by ordinance).

The proposed changes were presented to City Council at the January 15, 2022, council/staff workshop facilitated with Ron Cox. During such time City Council had no objections to the amendment as presented. The change in summary:

- *Chapter 7 – Removing this chapter in its entirety, as the provision for municipal court fee collections is now codified under state law. In the past, this language had to be in a city's Code of Ordinances for the municipal court to have the authorization to collect certain fees directed to fund certain local court amenities. This is now done automatically due to the state codification. (Presented by Dixie Roberts / Suzanne Hanneman). Staff recommends approval of Ordinance 22-B.*

Item J, Consider Ordinance 22-A, amending Chapter 2, Administration, of the Code of Ordinances of the City of Alvin, Texas, for the purpose of amending Article I, In General, Section 2-20.1, Carrying Concealed Handguns on City property; and Section 20.3, Senior Citizens Board; and setting forth other provisions related thereto was removed from the Consent Agenda by Council member Starkey. Council member Adame moved to approve the consent agenda as presented, excluding Item J. Seconded by Council member Garivey; motion to approve carried with all members present voting Aye.

OTHER BUSINESS

Consider Ordinance 22-A, amending Chapter 2, Administration, of the Code of Ordinances of the City of Alvin, Texas, for the purpose of amending Article I, In General, Section 2-20.1, Carrying Concealed Handguns on City property; and Section 20.3, Senior Citizens Board; and setting forth other provisions related thereto.

This item was removed from the Consent Agenda by Council member Starkey. Council discussed residency requirements for members to serve on the Senior Citizens Board and felt that they would like to leave the current Code as is allowing those who live outside the city limits to be members on the Seniors Board. Council member Starkey also had questions pertaining to the amendment regarding carrying handguns on City property. Chief Lee addressed the concerns had. The ordinance presented will be amended to remove the residency requirements for Senior Board members and will be brought back for consideration. Council took no action on this item.

Discuss and consider Ordinance 22-C, annexing 193.55 acres of land, more or less, parcel of land located along State Highway 288 and FM 1462, in Brazoria County, Texas; approving a service plan for the annexed area; making findings of fact; providing a severability clause; and providing an effective date.

On or about October 28, 2021, the Cardon Group, LLC, the Property Manager for owners of real property located in Brazoria County, petitioned the City of Alvin, Texas for voluntary annexation of 193.55 acres. The land being petitioned for annexation is contiguous and adjacent to the corporate limits of the city along the stretch of State Highway 35 between East South Street and East House Street. City Council authorized the commencement of annexation proceedings on December 2, 2021, in Resolution 21-R-33.

Public hearings were held on January 6, 2022, and January 11, 2022. There were no comments made at either public hearing. This Ordinance, upon passage, will finalize the annexation. Staff recommends approval of Ordinance 22-C.

Suzanne Hanneman, City Attorney, presented this item before Council with explanation.

Council member Castro moved to approve Ordinance 22-C, annexing 193.55 acres of land, more or less, parcel of land located along State Highway 288 and FM 1462, in Brazoria County, Texas; approving a service plan for the annexed area; making findings of fact; providing a severability clause; and providing an effective date. Seconded by Council member Garivey; motion carried with all members present voting Aye.

Discuss and consider Ordinance 22-D, granting consent to the creation of Brazoria County Municipal Utility District Number 80; and providing for other matters related thereto.

On or about October 28, 2021, the Cardon Group, LLC, the Property Manager for owners of real property located in Brazoria County petitioned the City for consent to the creation of Brazoria County Municipal Utility District (MUD) No. 80 to serve approximately 224.37 acres of land in Brazoria County, Texas, which is in the extraterritorial jurisdiction of the City of Alvin, and for which the Developer has petitioned the City for annexation. This property is located on State Highway and FM 1462. The District was created and organized by an Act of the 87th Texas Legislature on May 24, 2021, under the terms and provisions of Article XVI, Section 59 of the Constitution of Texas, Article III, Section 52 of the Constitution of Texas, and pursuant to Chapters 49 and 54 of the Texas Water Code.

This property is located within an area which will experience a substantial and sustained residential growth within the foreseeable future, is urban in nature, and is not supplied with adequate water, sanitary sewer, drainage facilities and services, and roads. The health and welfare of the future inhabitants of the proposed MUD require the provision of adequate water, storm and sanitary sewer facilities and services, and roads. The property cannot be developed without the creation of the District to finance the water, sanitary sewer, drainage facilities and services, and roads; therefore, a public necessity for the creation of a municipal utility exists. The proposed improvements are practicable and feasible, and the terrain of the territory to be included in the proposed District is of such a nature that water, storm and sanitary sewer facilities and services, and roads can be constructed or provided at a reasonable cost; and said District will be rapidly developed primarily for residential purposes.

Although legislatively created, the landowners must still obtain the City's consent. Staff recommends approval of Ordinance 22-D.

Suzanne Hanneman, City Attorney, presented this item before Council with explanation.

Council member Castro moved to approve Ordinance 22-D, granting consent to the creation of Brazoria County Municipal District Number 80; and providing for other matters related thereto. Seconded by Council member Starkey; motion carried with all members present voting Aye.

Discuss and consider authorizing Alvin Express, LLC 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 for vetting. A public hearing before City Council will be held at the February 3, 2022, as required by the current Alvin Code of Ordinances.

Alvin Taxi, LLC has submitted the required application for the operation of one (1) taxicab. All information has been vetted by the City. The Alvin Code of Ordinances states that the City Council must approve such application before the taxi service may begin operating within the City. There are no other taxi services licensed to operate in the City. Staff recommends approval.

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

Council member Starkey moved to authorize Alvin Express Taxi, LLC to conduct business as a taxicab service in the City of Alvin. Seconded by Council member Adame; motion carried with all members present voting Aye.

Discuss and consider awarding a bid for RFP 21-01 Debris Monitoring, Recovery, and Other Related Services to Disaster Program and Operation, Inc. (DP&O) as the secondary contractor in response to an emergency event for a period of five (5) years, with an option to extend for one (1) additional five-year term; and authorize the City Manager to sign the Agreement upon legal review.

On December 16, 2021, city council awarded bids to tetra tech, inc. As the primary contractor and Debris Tech, LLC as the secondary contractor for debris monitoring services. Following the award of bid, the contractors were sent award letters. Tetra tech, inc. Is pleased to serve the city as the primary contractor for debris monitoring, but Debris Tech, LLC declined the offer to be the secondary contractor.

As a result, the review committee consisting of Brandon moody, director of public services, dan Kelinske, parks & recreation director, Ron Schmitz, Ems director/EMC, and Todd Arendell, police captain recommends awarding disaster program and operation, inc., who initially ranked third on the review committee's list, as the new secondary contractor for debris monitoring, recovery, and other related services. DP&O meets all of the required criteria requested in the request for proposal (RFP). Staff recommends award of RFP 21-01 as presented.

Brandon Moody, Director of Public Services, presented this item before Council with explanation.

Council member Adame moved to approve awarding a bid (RFP 21-01 Debris Monitoring, Recovery, and Other Related Services) to Disaster Program and Operation, Inc. (DP&O) as the secondary contractor in response to an emergency event for a period of five (5) years, with an option to extend for one (1) additional five-year term; and authorize the City Manager to sign the Agreement upon legal review. Seconded by Council member Starkey; motion carried with all members present voting Aye.

Discuss and consider Resolution 22-R-03, Rifle-Resistant Body Armor Project, authorizing the Police Department to make application for a grant through the Office of the Governor of the State of Texas Public Safety Office to defray the cost of purchasing rifle resistant body armor for sworn officers.

The Texas General Appropriations Act, Article I, Rider 26 for Trusteed Programs within the Office of the Governor of the State of Texas, has opened a grant for agencies to obtain Rifle Resistant Body Armor for sworn officers. Alvin's officers are all issued standard bullet resistant vests that are mandated to be worn anytime officers are in uniform. These vests are on-duty everyday wear and are not rated for rifle calibers. Rifle resistant body armor is significantly bulkier, and the intent is that each officer will have access to their own issued rifle resistant armor that they may keep in their vehicle and don as appropriate. At the present time, only the Alvin members of the Combined Agency Response Team (CART) have access to rifle level body armor.

This grant requires a resolution from the governing body of the agency applying which includes the following:

- 1. Authorization by the governing body for the submission of the application to the Public Safety Office (PSO) that clearly identifies the name of the project for which funding is requested; "Rifle-Resistant Body Armor Project"*
- 2. A designation of the name and/or title of an authorized official who is given the authority to apply for, accept, reject, alter, or terminate a grant (Note: If a name is provided, you must update the PSO should the official change during the grant period.); and*
- 3. A written assurance that, in the event of loss or misuse of grant funds, the governing body will return all funds to PSO.*

The grant will not fund armor for open positions (future hire), nor will it fund additional armor for the members of the CART who already have rifle resistant body armor. The Department is applying for a total of \$22,734.80 for forty-four (44) sets of rifle-resistant body armor for existing personnel who are not CART members. This grant requires no city funding, it will cover 100% of the cost.

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

Council member Starkey moved to approve Resolution 22-R-03, Rifle-Resistant Body Armor Project, authorizing the Police Department to make application for a grant through the Office of the Governor of the State of Texas Public Safety Office to defray the cost of purchasing rifle resistant body armor for sworn officers. Seconded by Council member Garivey; motion carried with all members present voting Aye.

REPORTS FROM 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 Castro mentioned that the Legacy Church will be open as a warming center during the coming cold weather for anyone that may need shelter.

Council member Adame gave kudos to Michael Higgins and the Finance department for their hard work that led to their award.

Council member Starkey stated he would like the City Manager to advise/brief/inform at the next meeting the status of the cable difficulties that have prevented people from being able to view the Council meetings on the cable channel. He also wants a briefing from the Chief of Police regarding the status of hiring officers and mental health officers.

EXECUTIVE SESSION

Mayor Horn called for executive session at 7:38 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.

- Employment of a Human Resource Director.

RECONVENE TO OPEN SESSION

Mayor Horn Reconvened the meeting into open session at 8:13 p.m.

Consider the City Manager's recommendation to appoint Karen Edwards as the City of Alvin's Director of Human Resources.

Council member Adame moved to approve City Manager's recommendation of Karen Edwards as the City of Alvin's Director of Human Resources. Seconded by Council member Garivey; motion carried with all members present voting Aye.

ADJOURNMENT

Mayor Horn adjourned the meeting at 8:14 p.m.

PASSED and **APPROVED** the 17th day of February 2022.

Paul A. Horn, Mayor

ATTEST: _____
Dixie Roberts, City Secretary