

**MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
REGULAR CITY COUNCIL MEETING
AND EXECUTIVE SESSION
THURSDAY JUNE 20, 2019
7:00 P.M.**

CALL TO ORDER

BE IT REMEMBERED that, on the above date, the City Council of the City of Alvin, Texas, met in Regular Session at 7:00 P.M. in the Council Chambers at City Hall, with the following members present: Mayor Paul A. Horn; Mayor Pro-Tem Glenn Starkey; Councilmembers: Gabe Adame, Adam Arendell, Joel Castro, Brad Richards, and Martin Vela.

Staff members present: Junru Roland, City Manager; Suzanne Hanneman, City Attorney; Dixie Roberts, City Secretary; Michelle Segovia, City Engineer; Dan Kelinske, Parks and Recreation Director; Rex Klesel, Fire Chief; and Todd Arendell, Police Captain.

INVOCATION AND PLEDGE OF ALLEGIANCE

Eric Garcia with Grace Christian Church gave the invocation.

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

PRESENTATIONS

Proclamation: July 2019 as Parks and Recreation Month.

Mayor Horn proclaimed the month of July as Parks and Recreation Month.

Fire Departmental Update.

Rex Klesel, Fire Chief, gave an update on the Fire Department.

PUBLIC COMMENT

Ken Welch on behalf of the Brothers of Masonic Lodge #762 presented the Mayor and Council a certificate of appreciation.

CONSENT AGENDA

Consider approval of the June 6, 2019 City Council meeting minutes.

Consider an award of bid for the Heating Ventilation and Air Conditioning (HVAC) Preventative Maintenance and Repair Contract to Clear the Air, for HVAC services of City owned buildings in an amount not to exceed \$40,717; and authorize the City Manager to sign the contract upon legal review.

The HVAC preventative maintenance and repair agreement is designed to provide routine maintenance by a certified technician for all HVAC equipment to prolong the efficient life of the equipment. This agreement also allows for faster response time and fixed pricing for HVAC related repairs and equipment replacement.

Consider awarding a service contract from the results of public bid B-19-09 to Clear the Air in the amount of \$40,717 to provide HVAC preventative maintenance and repair services beginning October 1, 2019 and ending September 30, 2020, renewable annually up to an additional three years, for the following locations: Animal Adoption Center, City Hall, Public Service Facility, Public Service Facility #2 (Dyche Lane), Library, Senior Citizens Center, Museum, Train Depot, Waste Water Treatment Plant, Fire Stations 1, 2, 3, EMS, Police Station and City Shop.

Staff evaluated the sole bidding company by calling references and conducting a panel interview. Clear the Air was unanimously selected as the best value for the City. Clear the Air had previously been awarded the HVAC preventative maintenance and repair contract beginning October 2011 thru September 2015. They have also continued to provide HVAC repair and replacement services when needed, over the past several years.

Bid B-19-09 opened on May 21, 2019 and advertised on May 5, 2019 and May 12, 2019. During advertisement period, staff notified the Alvin/Manvel Chamber of Commerce to alert local HVAC business members. Staff recommended approval of this bid award and contract.

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

OTHER BUSINESS

Consider an award of bid to Scohil Construction Services, LLC., for the Water Line Improvements Phase I Project in an amount not to exceed \$1,590,645.00; and authorize the City Manager to sign the contract upon legal review.

On May 21, 2019, bids were opened for the Water Line Improvements Phase I 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.

Original Project Estimate: \$2,005,595

Contract Amount:	\$1,514,900 (Base Bid and Supplemental Items)
5% Contingency	\$ 75,745
Total Amount:	\$1,590,645

This project consists of the installation of 10-inch, 8-inch, and 6-inch water lines to connect and replace existing small diameter water lines in the area generally bounded by Adoue Street, Gordon Street, South Park Drive, and Johnson Street. 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 2019 Water & Sewer System Revenue Bonds that were issued on May 16, 2019. The project is scheduled to start in July 2019 and has a construction time of 210 calendar days. Staff recommended bid award and contract to Scohil Construction Services, LLC.

Council member Starkey moved to award bid to Scohil Construction Services, LLC., for the Water Line Improvements Phase I Project in an amount not to exceed \$1,590,645.00; and authorize the City Manager to sign the contract upon legal review. Seconded by Council member Arendell; motion carried a vote of 6 Ayes.

Consider Resolution 19-R-26, confirming and ratifying the First Amendment to the Utility Services Contract between the City of Alvin Texas, and Brazoria County Municipal Utility District No. 73, (the "District"); and authorize the Mayor to sign the amended Contract upon legal review.

The City and Rooted Development Group, LLC ("RDG"), on behalf of itself and the District, entered into a Utility Services Contract dated September 21, 2017 (the "Original Agreement"), providing for water and sanitary sewer service for approximately 69.728 acres of land situated within the boundaries of the City and the District (the "Original Tract").

On August 16, 2018, RDG assigned all of its rights, benefits and obligations in and to the Original Agreement to the District, all as contemplated by and in accordance with Section 5.8 of the Original Agreement.

On June 6, 2019, in Ordinance 19-O, the City approved the addition of approximately 18.65 acres of land into the District (the "MC Detention Pond No. 1"), thereby conferring ownership and maintenance of the detention pond currently located thereon.

On June 6, 2019, in Ordinance 19-P, the City approved the addition of approximately 55.90 acres of land into the District (the "Stanton Tract"). The District is requesting an amendment to the Utility Services Contract to amend certain provisions of the Original Agreement in connection with the proposed addition of the MC Detention Pond No. 1 Tract and the Stanton Tract to the District;

This First Amendment to the Utility Services Contract addresses the addition of the utility connections for the 55+ acres (along Wheeler Lane, Stanton Realty Property) that will be developed as single-family residential. Staff recommended approval of Resolution 19-R-26.

Council member Castro moved to approve Resolution 19-R-26, confirming and ratifying the First Amendment to the Utility Services Contract between the City of Alvin Texas, and Brazoria County Municipal Utility District No. 73, (the “District”); and authorize the Mayor to sign the amended Contract upon legal review. Seconded by Council member Starkey; motion carried on a vote of 6 Ayes.

Consider Ordinance 19-R, granting consent to the addition of approximately 18.1173 acres of land to Brazoria County Municipal Utility District No. 24; containing various provisions related to the foregoing subject; making findings of fact; and providing an effective date.

On December 18, 2003, the City consented to the creation of Brazoria County Municipal Utility District No. 24 (the “District”) by Ordinance No. 03-RRR. The District was created by an order of the Texas Commission on Environmental Quality on August 27, 2004 and operates pursuant to Chapters 49 and 54 of the Texas Water Code.

On February 21, 2019, the City of Alvin, Texas received a Petition for Consent to the addition of approximately 18.1173 acres of land into Brazoria County Municipal Utility District No. 24. Section 54.016 of the Texas Water Code provides that no land within the corporate limits of a city or within the extraterritorial jurisdiction of a city, shall be included within a municipal utility district unless such city grants its written consent to the inclusion of the land within the district. Staff recommended approval of Ordinance 19-R.

Council member Castro moved to approve Ordinance 19-R, granting consent to the addition of approximately 18.1173 acres of land to Brazoria County Municipal Utility District No. 24; containing various provisions related to the foregoing subject; making findings of fact; and providing an effective date. Seconded by Council member Richards; motion carried on a vote of 6 Ayes.

Consider Resolution 19-R-28, approving the Strategic Partnership Agreement between the City of Alvin and Brazoria County Municipal Utility District No. 24 for the Martha’s Vineyard Development; and authorize the Mayor to sign the Agreement upon legal review.

LESCO Enterprises Inc. is developing an approximate 109 acres for a residential subdivision. The property is located northwest of the Highway 6 and CR 146 intersection in the City of Alvin Extraterritorial Jurisdiction (ETJ) and is being subdivided for a new single family residential Planned Unit Development subdivision containing 315 lots and 19 reserves. The Developer plans to construct the subdivision in three sections. The subdivision will be serviced by City utilities via an ETJ Municipal Utility District (MUD) based on the Utility Services Contract that was approved by Council on February 4, 2016, in Resolution 16-R-02. This development complies with all requirements of the City’s Subdivision Ordinance. This Strategic Partnership Agreement will delineate how fire, police, garbage collections, water, wastewater, and drainage will be provided. The Strategic Partnership Agreement was considered and approved by Municipal Utility District No. 24 on May 16, 2019. Staff recommended approval of Resolution 19-R-28.

Council member Vela moved to approve Resolution 19-R-28, approving the Strategic Partnership Agreement between the City of Alvin and Brazoria County Municipal Utility District No. 24 for the Martha’s Vineyard Development; and authorize the Mayor to sign the Agreement upon legal review. Seconded by Council member Starkey; motion carried on a vote of 6 Ayes.

Consider Resolution 19-R-29, confirming and ratifying the First Amendment to the Utility Services Contract between the City of Alvin Texas, Lesco Enterprises, Inc. (the “Developer”), and Brazoria County Municipal Utility District No. 24, “(the District); and authorize the Mayor to sign the amended Contract upon legal review.

On February 4, 2016, Council approved a Utility Services Contract providing for water/waste water services to the Martha’s Vineyard development. Since entering the initial contract, the City has determined there is no longer a need for garbage collection or fire protection services in the contract. Garbage collection services will be provided solely by the District, and fire protection will be provided by Emergency Services District No. 3. Additionally, the Developer intends

to petition the District to add the commercial portion of the development into the District. The Developer and the District approved and signed the amendment. Staff recommended approval of Resolution 19-R-29.

Council member Vela moved to approve Resolution 19-R-29, confirming and ratifying the First Amendment to the Utility Services Contract between the City of Alvin Texas, Lesco Enterprises, Inc. (the Developer), and Brazoria County Municipal Utility District No. 24 (the "District"), and authorize the Mayor to sign the amended Contract upon legal review. Seconded by Council member Arendell; motion carried on a vote of 6 Ayes.

Consider Resolution 19-R-27, authorizing the display of the national motto, "In God We Trust" in the City Council Chambers of Alvin City Hall.

Council member Joel Castro expressed an interest in displaying "In God We Trust" in the City Council Chambers, as well as on City of Alvin public safety vehicles. City Council authorized the placement of the national motto on public safety vehicles at the April 4, 2019 City Council meeting with the adoption of Resolution 19-R-18.

Brian Smith, Public Services Director designed a removable sign to display in the Council Chambers below the TV behind the Mayor, between the United States and Texas flags. The costs associated with this display is less than \$200. This sign is removable and can be removed when Municipal Court is in session.

Council member Castro moved to approve Resolution 19-R-27, authorizing the display of the national motto, "In God We Trust" in the City Council Chambers of Alvin City Hall. Seconded by Council member Arendell; motion carried on a vote of 6 Ayes.

Consider the cancellation of the July 4, 2019 City Council meeting.

Thursday, July 4, 2019 all non-emergency city offices will be closed in observance of Independence Day. The Parks and Recreation Department has planned some fun family activities that evening at Briscoe Park, to include the annual fireworks show beginning at 9:00 p.m. As a result, staff proposes to cancel the July 4, 2019 regular city council meeting.

Council member Starkey moved to approve the cancellation of the July 4, 2019 City Council meeting. Seconded by Council member Richards; motion carried on a vote of 6 Ayes.

REPORTS FROM CITY MANAGER

Items of Community Interest and review preliminary list of items for next Council meeting.

Mr. Junru Roland reviewed the preliminary list for the July 18, 2019 City Council meeting.

ITEMS OF COMMUNITY INTEREST

Hear announcements concerning items of community interest from the Mayor, Council members, and City staff, for which no action will be discussed or taken.

Mrs. Roberts reviewed items of community interest.

Council member Vela thanked Council member Castro for initiating Resolution 19-R-27, displaying "In God We Trust" in the Council Chambers. He also thanked the Parks Department and Larry Buehler, Economic Development Director, for his work on the Martha Vineyard's Development.

Council member Starkey wished Council member Richards a happy birthday. He also thanked the city employees and reminded everyone to stay hydrated during the summer months.

Mayor Horn commended Council member Castro for receiving the Rotarian of the Year Award. He expressed disappointment in the 86th State Legislature for approving bills that will affect municipalities and taxpayers.

EXECUTIVE SESSION

Mayor Horn called for an executive session at 7:43p.m. in accordance to the following:

Section 551.074 of the Government Code: Deliberation on the appointment, employment, evaluation, reassignment, duties, or discipline of a public officer or employee.

Municipal Court Judge.

RECONVENE TO OPEN SESSION

Mayor Horn reconvened the meeting into open session at 8:16 p.m.

Take action on Executive Session item(s) if necessary.

Council member Starkey moved to approve Amendment No. 1 to the employment agreement between the City of Alvin and Deanie King, presiding Municipal Court Judge. Seconded by Council member Castro; motion carried on a vote of 6 Ayes.

ADJOURNMENT

Mayor Horn adjourned the meeting at 8:17 p.m.

PASSED and APPROVED the 18th day of July 2019.

Paul A. Horn, Mayor

ATTEST: _____
Dixie Roberts, City Secretary