

**MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
REGULAR CITY COUNCIL MEETING
AND EXECUTIVE SESSION
THURSDAY JANUARY 21, 2021
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 and Executive 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 Joel Castro; Councilmembers: Brad Richards, Glenn Starkey, and Martin Vela.

Staff members present: Junru Roland, City Manager; Suzanne Hanneman, City Attorney; Dixie Roberts, City Secretary; Michael Higgins, Director of Administrative Services; Michelle Segovia, City Engineer; Larry Buehler, Economic Development Director; Dan Kelinske, Parks and Recreation Director; Brandon Moody, Public Services Director; and Keith Kingham, Police Officer.

INVOCATION AND PLEDGE OF ALLEGIANCE

Dixie Roberts, City Secretary, gave the invocation.

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

PRESENTATION

Economic Development Departmental and CVB Update.

Larry Buehler, Economic Development Director gave an update on the Economic Development and CVB departments.

PUBLIC COMMENT

There were no comments from the public.

CONSENT AGENDA

Consider approval of the January 7, 2021 City Council Regular meeting minutes.

Acknowledge receipt of the quarterly Fiscal Year 2021 Capital Improvement Projects Report.

Acknowledge receipt of the Quarterly Financial and Investment Reports ending December 31, 2020.

The City Charter requires the Chief Financial Officer to report on the financial condition of the City. Included in the December 31, 2020 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)

(Please note that these reports are unaudited for the FY 21).

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, 2020.

In summary, the City of Alvin has an investment portfolio as of December 31, 2020, of \$101.6 million, which consists of \$74.6 million invested in the Local Government Investment Pools, \$500,000 in Certificates of Deposits, and \$26.4 million in the City's bank depository accounts (i.e. checking accounts). Interest earned during the quarter was \$33,085. The City's yield for the quarter was .35% and the 90-day T-Bill was .09%.

Consider awarding a bid award to Napco Chemical Company for the purchase of Polyphosphate for one (1) year with the option to continue for one (1) additional year at the same price and conditions. (wording)

Polyphosphate is used at water wells to help prevent corrosion and natural iron staining contained in groundwater. This product reduces the amount of brown water calls due to the iron in groundwater. If the City discontinued use of this product, other byproducts of the naturally occurring iron could result in permit violations. On December 22, 2020, bids were opened, and Napco Chemical Company was the lowest bidder at \$6.68 per gallon. Staff recommended awarding the bid to Napco Chemical Company as the vendor to provide polyphosphate.

Council member Castro moved to approve the consent agenda as presented. Seconded by Council member Vela; motion carried on a vote of 4 Ayes.

OTHER BUSINESS

Discuss and consider Ordinance 21-A, amending the City of Alvin 2019-20 Fiscal Year (FY20) Budget by increasing (decreasing) certain expenditures and increasing (decreasing) certain revenues to the individual budget accounts in all funds set forth in the attached "Exhibit A."

Each fiscal year, the City amends the budget twice. A mid-fiscal year City budget amendment is needed to appropriate any prior year budget surplus to fund new capital items. Later in the fall (fiscal year-end), the City amends the budget to appropriate or adjust (authorized/approved) revenues and/or expenditures which occurred during the year that were not originally budgeted, as staff has more definite revenue and cost information at year-end.

FY20 has ended, and staff needs to make budget adjustments as a way to put the final FY20 budget in line with actual (approved and/or authorized) revenues and expenditures for financial reporting purposes. Per the City's auditor's recommendation, the City should do a batch budget amendment at the end of the fiscal year to capture expenditures and/or revenues from the year that require a budget amendment. Staff recommended approval of Ordinance 21-A.

Michael Higgins, Director of Administrative Services presented this Ordinance before City Council with explanation.

Council member Starkey moved to approve Ordinance 21-A, amending the City of Alvin 2019-20 Fiscal Year (FY20) Budget by increasing (decreasing) certain expenditures and increasing (decreasing) certain revenues to the individual budget accounts in all funds set forth in the attached "Exhibit A." Seconded by Council member Vela; motion carried on a vote of 4 Ayes.

Discuss and consider the purchase and installation of Information Technology Infrastructure Switch Refresh equipment from TIPS/DataVox in an amount not to exceed \$90,733.

DataVox, Aruba and City of Alvin have worked together since August 2020 to determine an equipment list to replace the existing legacy Cisco switches across City of Alvin's facilities. Aruba is the manufacturer of the switches and DataVox is the installer of the equipment.

Network switchers are key building blocks for any network. They connect multiple devices, such as computers, phones, and servers on the same network within a building or campus. A switch enables connected devices to share information and talk to each other. These devices are critical in the management, efficiency, and security of a computer network.

The locations of the existing switches are at the police station, city hall, public services facility, the animal adoption center, and the senior center – with network switches to be installed at the new Fire/EMS station.

The expected life of a network switch is five (5) to seven (7) years. The majority of our existing switches have exceeded or have reached the end of their expected life. If new network switches are not purchased, the existing switches will continue to function, but at an inefficient speed. In addition, there will be limitations on security updates, resulting in

an increased risk for security breaches. It is also expected that the police department will be required to change their OSSI platform – a computer aided dispatch, records management and mobile computer system consortium administered by League City and serving the law enforcement, fire, EMS and emergency communications of Alvin, Deer Park, League City, Nassau Bay, Webster, and Galveston. As a result, new network switches will be needed to meet the demands of the new OSSI platform. Lastly, the major driving factor for new switches is the new Fire/EMS station, which will need multiple network switches for their network connectivity.

Funds have been allocated in the 2019 CO bond fund for the Fire/EMS portion and the IT Replacement Fund for the other locations. Staff recommended the purchase and upgrade of network switches.

Michael Higgins, Director of Administrative Services presented this item before City Council with explanation.

Council member Starkey moved to approve the purchase and installation of Information Technology Infrastructure Switch Refresh equipment from TIPS/DataVox in an amount not to exceed \$90,733. Seconded by Council member Vela; motion carried on a vote of 3 Ayes and 1 No by Council member Castro.

Discuss and consider an Agreement between Brazoria County and the City of Alvin for the City to receive \$250,000 from the Community Development Block Grant (CDBG) for waterline improvements along Second Street and Adoue Street; and authorize the Mayor to sign the Agreement upon legal review.

Every three years, Brazoria County is awarded Community Development Block Grant Funds from the Federal Government that it passes along to cities within Brazoria County for projects that will benefit low- and moderate-income areas of the City. The City of Alvin has received these funds every three years for the previous sixteen plus years and has historically used them to fund park and utility projects (alternating between the two). In order to receive these funds, the City is required to submit an application in the spring of the award year. The application must include projects that meet the County's criteria and are in low, and/or moderate-income areas of the City as determined by CDBG. This year staff submitted an application for funds to place waterlines along the Second Street and Adoue Street bridges over Mustang Bayou. This project will allow the City to connect their system on the west and central residential areas and help maintain an acceptable water pressure in the event of a water main break or equipment failure at the City's well sites. City Staff was notified by the County in early October that the project had been approved to receive CDBG grant funds in the amount of \$250,000 and that the agreement would follow in the next couple of months. Staff recommended approval of the Agreement.

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

Council member Castro moved to approve an agreement between Brazoria County and the City of Alvin for the City to receive \$250,000 from the Community Development Block Grant (CDBG) for waterline improvements along Second Street and Adoue Street; and authorize the Mayor to sign the Agreement upon legal review. Seconded by Council member Starkey; motion carried on a vote of 4 Ayes.

Discuss and consider an Agreement between Brazoria County and the City of Alvin for the City to receive \$30,000 from the Community Development Block Grant (CDBG) for basketball court improvements at Ruben Adame Park; and authorize the Mayor to sign the Agreement upon legal review.

City staff was contacted by Brazoria County Commissioner Stacy Adams in April 2020 asking if the City had any projects that would be submitted for Community Development Block Grant (CDBG) funding that his office could partner with the City. Each grant cycle each Commissioner is given +/- \$30,000 in discretionary funds to spend in their Precinct. The conversion of the half basketball court into a full court at Ruben Adame Park was identified as a possible project and was sent to CDBG for consideration. The CDBG has approved \$30,000 for this project pending approval of the attached agreement by the City Council. This project will be the fourth project to receive discretionary CDBG grant funds from Commissioner Adams. Staff recommended approval of the agreement.

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

Council member Vela moved to approve an Agreement between Brazoria County and the City of Alvin for the City to receive \$30,000 from the Community Development Block Grant (CDBG) for basketball court improvements at Ruben Adame Park; and authorize the Mayor to sign the Agreement upon legal review. Seconded by Council member Castro; motion carried on a vote of 4 Ayes.

Discuss and consider an Engineering Services Agreement with Dannenbaum Engineering Corporation in an amount not to exceed \$381,980 for engineering design services for the Moller Road Storm Sewer and Pavement Improvements Project Phase 2; and authorize the City Manager to sign the Agreement upon legal review.

In 2011, Dannenbaum Engineering Corporation (DEC) completed a grant-funded drainage analysis/study of the M-1 Ditch Watershed. The study identified possible locations for storm water detention and storm sewer system improvements within the watershed. The Moller Road Storm Sewer and Pavement Improvements Project Phase 2 is the fourth of several drainage improvement projects that were identified in the original study and has been divided into three phases to make it more manageable from a financial perspective. Phase 2 of the project consists of the removal, upsizing, and replacement of approximately 1350 feet of the existing storm sewer system and roadway pavement along Moller Road from the Phase 1 project limits (south of Carmie Street) to just south of the intersection with Stadium Drive. Upon completion of this three-phase project, Moller Road will have been converted from an asphalt roadway with a hybrid open ditch over an underground storm sewer drainage system, to a concrete curb and gutter roadway with an underground storm sewer system that will be capable of conveying the 5-year storm event from areas along Stadium Drive to the M-1 Ditch at South Street. The existing drainage system along Moller and Stadium conveys less than a 2-year storm event currently. It is anticipated that the City will see the following benefits once the entire project is complete: improved drainage along Stadium Drive/Moller Road and the associated side streets, a reduction in the number/frequency of losses due to minor flooding of structures in this portion of the M-1 Ditch Watershed, lessen the frequency of street flooding along Stadium Drive, reduce the maintenance costs associated with Moller Road since it will be converted from asphalt to concrete, and increase walkability in the area by adding a sidewalk along Moller Road.

The Engineering Services Agreement being considered will provide final engineering design and complete plan set with bid package for Phase 2 of the project. It is proposed that these services will be complete in a period of ten months. Approval of this Agreement will ensure that construction plans are available and ready for bid by December 2021. More information on this project can be found in the Capital Improvement Program (CIP) Quarterly Report distributed to City Council on January 21, 2021. Funding will come from the 2019 Certificate of Obligations. Staff recommended approval of this Agreement.

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

Council member Castro moved to approve an Engineering Services Agreement with Dannenbaum Engineering Corporation in an amount not to exceed \$381,980 for engineering design services for the Moller Road Storm Sewer and Pavement Improvements Project Phase 2; and authorize the City Manager to sign the Agreement upon legal review. Seconded by Council member Richards; motion carried on a vote of 4 Ayes.

Discuss and consider Ordinance 21-B, amending the City of Alvin, Texas Ordinance 20-X, passed and approved on September 3, 2020, an ordinance approving and adopting the City of Alvin's budget for Fiscal Year 2020-2021 by approving a budget amendment to the original 2020-2021 budget; providing for a transfer of funds for the purpose of amending the budget and the organizational chart of the Human Resource Department by funding a Human Resource Director and unfunding the Human Resource Manager position upon retirement as set forth in "Exhibit A;" providing for severability; and providing for other matters related thereto.

After serving the City of Alvin for 27 years, Mrs. Janie Padilla, Human Resource Manager, has submitted her notice to retire, effective April 29, 2021. As a result of the additional responsibilities, technical knowledge and civil service experience that will be necessary to properly administer Chapter 143, I am requesting that City Council amend the organizational chart to allow the hiring of a Human Resource Director to replace the Human Resource Manager position.

According to Chapter 143 Section 143.012 (c) of the Local Government Code, the Civil Service Commission may appoint: a commission member, a municipal employee, or some other person to serve as Director of the commission. On January 6, 2021, the Civil Service Commission elected to appoint a municipal employee (the City's Human Resource Manager) to serve as director of the Civil Service Commission. According to Chapter 143 of the Texas Civil Service law, the

Director shall serve as secretary to the commission and perform work incidental to the civil service system as required by the commission and the local civil service rules. The Director must have a thorough understanding of Chapter 143 and be able to administer the Civil Service system.

Potential additional duties associated with the Human Resource/Civil Service Director include:

- 1.) *Keeping records of local rules including the posting of rules adopted as well as maintaining all rules for free distribution.*
- 2.) *Assisting the commission with and during an investigation and report on all matters relating to enforcement and effect of Chapter 143 and any local rules adopted.*
- 3.) *Collecting, providing, and assisting with all documentation required for any appeals and/or hearings or requests for hearings brought to the commission as well as maintaining the open records attendant to said appeals and/or hearings.*
- 4.) *Maintaining the classifications and number of positions of all Police Officers and assisting in the preparation of ordinances to establish the classifications and/or number of positions for approval by the city council.*
- 5.) *Assisting in determining and posting of dates and location of examination for entry positions and promotional examination for the commission.*
- 6.) *Administering, grading and awarding seniority points as established by Chapter 143 and maintaining security of all civil service examinations for both entry positions and promotional positions.*
- 7.) *Administering the appeal process, including the preparation of appeals and attendant documents for the commission to hear and rule upon.*
- 8.) *Posting of all raw scores from entrance and promotional examinations as well as posting of certified entrance and promotional lists in accordance with Chapter 13.*
- 9.) *Receiving requests for hearing examiners for appeal of disciplinary, demotion, promotional pass over, and suspensions, and requesting neutral arbitrators in accordance with Chapter 143.*
 - a. *Attending such hearings and maintaining the attendant open records for the commission.*
- 10.) *Maintaining the personnel file on each Police Officer containing the information required by Chapter 143.*
- 11.) *Serving as secretary to the commission and performing work incidental to the civil service system as required by the commission.*
- 12.) *Any other duties as assigned by the commission.*

Should City Council adopt Ordinance 21-B, the City Manager's hiring and termination of the Human Resource Director will require City Council's consent, as required in the City Charter. The pay range for this position will be equivalent to the pay range classification of other directors of the City. Staff recommended adoption of Ordinance 21-B.

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

Council member Starkey moved to approve Ordinance 21-B, amending the City of Alvin, Texas Ordinance 20-X, passed and approved on September 3, 2020, an ordinance approving and adopting the City of Alvin's budget for Fiscal Year 2020-2021, by approving a budget amendment to the original 2020-2021 budget; providing for a transfer of funds for the purpose of amending the budget and the organizational chart of the Human Resource Department by funding a Human Resource Director and unfunding the Human Resource Manager position upon retirement as set forth in "Exhibit A;" providing for severability; and providing for other matters related thereto. Seconded by Council member Castro; motion carried on a vote of 4 Ayes.

Discuss and consider Resolution 21-R-04, supporting the renaming of portions of Farm to Market Road (FM) 1462, between Highway 35 and FM 521, to "Alvin Parkway;" and setting forth other provisions related thereto.

In the FY 2020-21 budget, City Council approved a maximum of \$150,000 that may be allocated for the replacement of state highway signage resulting from the renaming FM 1462 to "Alvin Parkway." This project was also included in the 2021 – 2025 Capital Improvement Program that was adopted by City Council. With the proposed development that is anticipated to happen in the southern part of the City, staff believes that FM 1462 will eventually become the main entrance into Alvin.

For this project, TxDOT requires the City to enact a resolution or ordinance renaming the highway with the proposed street/highway name. Second, TxDOT requires that the resolution/ordinance and a letter of notification be sent to the TxDOT District Office. Because more than one jurisdiction will be involved in renaming of portions of FM 1462 to Alvin Parkway, each jurisdiction (the City of Alvin and Brazoria County) must provide a notification letter and copy of the official document (resolution/ordinance) to TxDOT adopting the renaming of FM 1462 to Alvin Parkway. Thereafter,

the District Office will send the documents to the Traffic Engineering Section for review, and the Traffic Engineering Section will ultimately approve or deny the request.

Staff has reached out to Commissioner Stacey Adams to discuss and inform him of the proposed street/highway name change. Should City Council adopt this Resolution, we will present this Resolution to the Brazoria County Commissioner's Court and request that they adopt a similar resolution supporting the name change. Resolution 21-R-04 does not officially rename FM 1462, this Resolution will be the official documented support by the city council to rename portions of FM 1462 to "Alvin Parkway."

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

Council member Starkey moved to approve Resolution 21-R-04, supporting the renaming of portions of Farm to Market Road (FM) 1462, between Highway 35 and FM 521, to "Alvin Parkway"; and setting forth other provisions related thereto. Seconded by Council member Richards; motion carried on a vote of 4 Ayes.

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; and he reviewed the preliminary list for the February 4th 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.

Mayor Horn thanked staff for the workshop that was held on January 16th on the goals and visioning for the city of Alvin.

EXECUTIVE SESSION

Mayor Horn called for an executive session at 7:54 p.m. in accordance to the following:

City Council will meet in Executive Session pursuant to the Texas Government Code:

Section 551.071(1)(A): Consultation with City Attorney regarding pending or contemplated litigation or settlement with Comcast of Houston, LLC.

RECONVENE TO OPEN SESSION

Mayor Horn reconvened the meeting into open session at 8:20 p.m.

Discuss and consider Resolution 21-R-05 authorizing a settlement agreement with Comcast of Houston, LLC in the City of Alvin, ET AL., V. Comcast.

Council member Castro moved to approve Resolution 21-R-05; authorizing a settlement agreement with Comcast of Houston, LLC in the City of Alvin, ET AL., V. Comcast. Seconded by Council member Vela; motion carried on a vote of 4 Ayes.

ADJOURNMENT

Mayor Horn adjourned the meeting at 8:21 p.m.

PASSED and APPROVED the 4th day of February 2021.

Paul A. Horn, Mayor

ATTEST: _____
Dixie Roberts, City Secretary