

**MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
CITY COUNCIL REGULAR MEETING AND EXECUTIVE SESSION
THURSDAY, FEBRUARY 2, 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 Paul A. Horn; Mayor Pro-Tem Gabe Adame; Councilmembers: Martin Vela, 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, 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 Vaughn 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.

PUBLIC COMMENT

There were no comments from the public.

CONSENT AGENDA

Consider approval of the January 17, 2023 City Council Workshop minutes.

Consider approval of the January 19, 2023 City Council meeting minutes.

Consider Resolution 23-R-02, calling and establishing the procedures for the May 6, 2023 General Election in Alvin, Texas, and providing for related matters thereto.

This Resolution calls for a General Election for Saturday, May 6, 2023, to elect a Mayor and a member to City Council District E.

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 2023 ballot was Wednesday, January 18, 2023, and will continue through Friday, February 17, 2023.

Early Voting will begin on Monday, April 24, 2023, and will go through Tuesday, May 2, 2023, 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: 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 Civic Center, 333 Hwy 332 East Manvel: North

Annex, 7313 Corporate Dr. Pearland East: Tom Reid Library, 3522 Liberty Dr. Pearland West: West Pearland Community Center, 2150 Country Place Pkwy. Shadow Creek: West Pearland Library, 11801 Shadow Creek Pkwy. Sweeny: Sweeny Community Center, 205 W. Ashley Wilson Rd. West Columbia: Precinct 4 Building, 121 N. 10th Street

Early voting dates and hours:

April 24-28; 8am-5pm

April 29; 7am-7pm

May 1-2; 7am-7pm

Election Day voting will be held at the Alvin Library. Voters may also cast their ballot at any Voting Center in Brazoria County.

Staff recommends approval of Resolution 23-R-02.

Consider a contract for Election Services with Joyce Hudman, County Clerk, Brazoria County, Texas, for the May 6, 2023 General Election; and authorize the Mayor to sign subject to legal review.

This is a contract for election services with Brazoria County to conduct the May 6, 2023 General Election for Mayor and City Council District E. This contract is similar to the contract authorized by City Council every year to conduct the City's election. The cost for this General Election could range anywhere from \$4,000 to \$12,000. The cost depends on how many other jurisdictions will be holding a May election. The City Secretary's Office will handle all the required notices, filings, and general paperwork as required by state election law.

Historical Election Cost (General May Election):

May 2018: \$4,700

May 2019: \$11,000

November 2020: \$12,300 – (May 2020 election moved to November because of COVID)

May 2021: \$6,200

May 2022: \$10,600

Early voting and Election Day voting will be held at the Alvin Library. Registered voters may vote at any Early Voting location within the County during Early Voting, or on Election Day, may vote at any Voting Center in Brazoria County. Staff recommends approval of the contract.

Consider a new vendor for the purchase of two ambulances previously approved by Council on December 16, 2021, from Houston Mac Haik Dodge to Frazer, Ltd., through the Houston-Galveston Area Council Cooperative Purchasing Program, in a total amount not to exceed \$268,124.

On December 16, 2021, Council approved the purchase of two ambulances to replace units 754 and 830 from Frazer, Ltd., with payment made to Mac Haik Dodge. This was the process at the time, as Mac Haik would purchase the ambulance chassis, then provide it, along with the remaining funds, to Frazer to build the ambulance. The result was a purchase order to Mac Haik Dodge for the purchase of two chassis and two ambulance builds in the amount of \$364,213.

As a result of vehicle shortages, Mac Haik Dodge was unable to provide the ambulance chassis and the previously issued purchase order to Mac Haik was suspended, with no funds paid to Mac Haik Dodge. In July 2022, EMS was able to locate three ambulance chassis at Ron Carter Ford. On August 4, 2022, the Council approved the emergency purchase of the three chassis. These chassis were given to Frazer, Ltd. for the completion of one ambulance that was delivered in November of 2022, and for the two additional ambulances, 754 and 830.

Staff is requesting Council approve the change of vendor to Frazer, Ltd., and for a lesser amount due to the previous purchase of the chassis from Ron Carter for \$268,124.

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

OTHER BUSINESS

Consider Resolution 23-R-03, accepting the donation of scoreboards from Alvin Little League installed on Fields #1, #2 and #5 at Lions Park.

Alvin Little League plans to donate two brand new scoreboards for Field #1 and #5 at Lions Park, and a scoreboard from their private baseball field, Schroder Field, for installation at Field #2. The total value of the donation is approximately \$29,000.

The City's donation policy requires donations to the City - valued at a sum of \$5,000 or greater - be accepted by Resolution of the City Council.

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

explanation.

Council member Castro moved to approve Resolution 23-R-03, accepting the donation of scoreboards from Alvin Little League installed on Field #1, #2 and #5 at Lions Park. Seconded by Council member Garivey; motion carried with all members present voting Aye.

Consider Ordinance 23-A, granting consent to the addition of approximately 745.8 acres of land to Brazoria County Municipal Utility District No. 70; making findings of fact; providing a severability clause; and providing an effective date.

On April 15, 2021, the City consented to the creation of Brazoria County Municipal Utility District No. 70 (the "District") by Ordinance 21-E.

On January 17, 2023, the City received a Petition for Consent to Include Additional Land in Brazoria County Municipal Utility District No. 70 from Southeast Properties, Ltd., to include approximately 745.8 acres (the property within Brazoria County Management District No. 1), into the District. 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.

This will allow MUD 70 and Management District 1 to move their internal boundary lines, depending on actual future development.

Staff recommends approval of Ordinance 23-A.

Suzanne Hanneman City Attorney, presented this item before City Council with explanation. Depending on where the Grand Parkway ends up being located specifically, this ordinance will enable the management district to accommodate that roadway and any other future surrounding development. The attorney for the governor was present at the meeting as well.

Council member Garivey moved to approve Ordinance 23-A, granting consent to the addition of approximately 745.8 acres of land to the Brazoria County Municipal Utility District No. 70; making findings of fact; providing a severability clause; and providing an effective date. Seconded by Council member Moore; motion carried with all members present voting Aye.

Consider Ordinance 23-B, granting consent to the addition of approximately 2,273.1 acres of land to Brazoria County Management District No. 1; making findings of fact; providing a severability clause; and providing an effective date.

On April 15, 2021, the City consented to the creation of Brazoria County Management District No. 1 (the "Management District") by Ordinance 21-F.

On January 17, 2023, the City received a Petition for Consent to Include Additional Land in Brazoria County Management District No. 1 from Southeast Properties, Ltd., to include approximately 2,273.1 acres (the property within Brazoria County Municipal Utility District No. 70), into the Management District. 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.

This will allow Management District 1 and MUD 70 to move their internal boundary lines, depending on actual future development.

Staff recommends approval of Ordinance 23-B.

Suzanne Hanneman, City Attorney, presented this item before City Council with explanation. Ms. Hanneman explained that this addition of land is being proposed for the same reason as Ordinance 23-A, to allow the management district to have flexibility to accommodate the Grand Parkway and any surrounding future developments. She also reminded Council the attorney for the governor is present for any questions.

Council member Moore moved to approve Ordinance 23-B, granting consent to the addition of approximately 2,273.1 acres of land to the Brazoria County Management District No. 1; 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.

Consider Ordinance 23-C, amending Chapter 25, Water and Sewers, of the Code of Ordinances for the City of Alvin, Texas, for the purpose of amending the City's current Land Use Assumptions and Capital Improvements Plan and modifying the Impact Fee Schedule based on the Water and Wastewater Impact Fee Study 2022 Update; setting an effective date of March 1, 2023 for the increase in fees; and setting forth other provisions related thereto.

Ordinance 23-C amends Chapter 25 by adopting the new impact fee schedule that was recommended by the Impact Fee Advisory Committee as a result of the updated Land Use Assumptions and Capital Improvements Plan that was drafted by Jimmy Thompson and Brent Berthier of Adico Consulting Engineers, LLC. in accordance with Section 395 of the Texas Local Government Code.

A public hearing was held on January 19, 2023, for Council to receive input from the public regarding the 2022 Water and Wastewater Land Use Assumptions, Capital Improvements Plan, and Impact Fee Study Update. No comments were received from the public at this hearing.

Following the public hearing, Jimmy Thompson (Adico Consulting Engineers) presented an overview of the Water and Wastewater Impact Fee Study 2022 Update and answered questions from members of City Council.

Essentially, the water and wastewater impact fee for new development based on a standard ¾ inch water meter increased from \$4,350 to \$9,200.

Staff recommends approval of Ordinance 23-C.

Michelle Segovia, City Engineer, presented this item before City Council with explanation. Ms. Segovia summarized the Impact Fee Study that led to this proposal, in which she stated the increase is based on the cost associated with the size of the water meters. The only current subdivisions this would affect are the Georgetown and Magnolia Pointe developments because those final plats have not yet been approved. These fees will go into effect in any future final plat approvals.

Council member Vela moved to approve Ordinance 23-C, amending Chapter 25, Water and Sewers, of the Code of Ordinances for the City of Alvin, Texas, for the purpose of amending the City's current Land Use Assumptions and Capital Improvements Plan and modifying the Impact Fee Schedule based on the 2022 Land Use Assumptions and Capital Improvements Plan and the Water and Wastewater Impact Fee Study 2022 Update; setting an effective date of March 1, 2023 for the increase in fees; and setting forth other provisions related thereto. Seconded by Council member Starkey; motion carried with all members present voting Aye, and Council member Castro voting No.

Consider an Engineering Services Agreement with Freese and Nichols Engineering for an amount not to exceed \$71,410, for engineering services for the Environmental Protection Agency (EPA) Lead and Copper Rule Revisions Compliance Program - Phase 1; and authorize the City Manager to sign the agreement upon legal review.

The Environmental Protection Agency (EPA) released Lead and Copper Rule Revisions (LCRR) on January 15, 2021, that significantly improve the actions that public water systems must take to reduce lead in drinking water. This is the EPA's first major overhaul of the Lead and Copper Rule since 1991. Under the LCRR, a public water system will be required to take new actions, including, but not limited to:

- Identifying the most impacted areas by requiring water systems to prepare and update a publicly-available inventory of lead service lines and requiring water systems to "find-and-fix" sources of lead when a sample in a home exceeds 15 parts per billion (ppb).*
- Strengthening drinking water treatment by requiring corrosion control treatment based on tap sampling results and establishing a new trigger level of 10 ppb*
- Replacing lead service lines by requiring water systems to replace the water system-owned portion of a lead service line when a customer chooses to replace their portion of the line.*
- Increasing drinking water sampling reliability by requiring water systems to follow new, improved sampling procedures and adjust sampling sites to better target locations with higher lead levels.*
- Improving risk communication to customers by requiring water systems to notify customers within 24 hours if a sample collected in their home is above 15 ppb. Water systems will also be required to conduct regular outreach to homeowners with lead service lines.*
- Better protecting children in schools and child care facilities by requiring systems to take drinking water samples from the schools and*

child care facilities served by the system. The LCRR has a compliance date of October 16, 2024. To assist the City in meeting the compliance deadline, staff recommends the execution of an Engineering Services Agreement with Freese and Nichols (FNI) to provide the first phase of the LCRR Compliance Program. The initial assessment will consist of: reviewing records, inventorying lead service lines throughout the city, developing a compliance schedule with a budget, and assisting the City with applying for funding in the form of low interest loans and/or grants to complete the compliance needs. The EPA encourages states and cities to leverage federal resources to support local lead service line replacement projects.

This is a budgeted item in the FY23 budget. Staff recommends approval of this Agreement.

Brandon Moody, Director of Public Services, presented this item before City Council with explanation. Council member Vela asked if there will be federal funding available to assist in compliance measures. Julie, an attorney with Freese and Nichols, explained that yes, there will be funding, for which applications will be released this month. Council member Castro asked if this is just the first phase. Julie explained yes, it is only the initial phase and that the EPA is expected to release additional guidance and updates to these rule revisions. Freese and Nichols will be working with the City of Alvin to estimate what it will require for full compliance with these revisions.

Council member Vela moved to approve an Engineering Services Agreement with Freese and Nichols Engineering for an amount not to exceed \$71,410 for engineering services for the Environmental Protection Agency (EPA) Lead and Copper Rule Revisions Compliance Program - Phase 1; and authorize the City Manager to sign the agreement upon legal review. Seconded by Council member Adame; motion carried with all members present voting Aye.

Consider the cancellation of the March 2, 2023 regularly scheduled City Council meeting.

A request was made that the regularly scheduled City Council meeting be canceled due to members of City Council and staff attending Brazoria County Day in Austin.

Council member Starkey moved to cancel the March 2, 2023 regularly scheduled City Council meeting. Seconded by Council member Castro; motion carried with all members present voting Aye, and Council member Garivey voting No.

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.

Council member Vela stated he wants a future agenda item to address the homeless issue that seems to be escalating in his opinion. He stated that there is a safety issue with panhandling and people being in the roadway, specifically at Highway 6 and the Bypass, and that he has called the police for service five times recently. He also stated the power and utility poles in the City of Alvin are in an unacceptable state of disrepair. He pointed out there are fiber optic cables that are duct taped to a pole, and lines are too low, all safety issues that could possibly be addressed by running lines underground.

Council member Castro asked that an item be placed on the agenda to consider special permits for business owners to have feathered flags.

Mayor Horn stated these items should all be on the next agenda and, if needed, possibly in a future workshop.

REPORTS FROM THE CITY MANAGER

Mr. Junru Roland announced items of community interest; and he reviewed the preliminary list for the February 16, 2023, 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.

Council member Starkey extended condolences to former Council member Brad Richards for the recent loss of his son.

EXECUTIVE SESSION

Mayor Horn called for executive session at 7:30 p.m. in accordance with the following:

Section 551.072 of the Local Government Code provides as follows: Deliberation regarding the purchase, exchange, lease, or value of real properties.

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.

RECONVENE TO OPEN SESSION

Mayor Horn reconvened the meeting to open session at 7:54 p.m.

Consider authorizing the City Manager’s recommendation for the appointment of Brandi Molina as Human Resources Director.

Council member Castro moved to approve the City Manager's recommendation for the appointment of Brandi Molina as Human Resources Director. Seconded by Council member Starkey; motion carried with all members present voting Aye.

ADJOURNMENT

Mayor Horn adjourned the meeting at 7:55 p.m.

PASSED and APPROVED the 16th day of February, 2023.

ATTEST:

Paul A. Horn, Mayor

Dixie Roberts, City Secretary